



House Bill 458
2023 Elections and Beyond

**The freedom to
vote is at the
heart of our
democracy**

**We exist to expose and
dismantle threats to voter
freedom in order to make
voting safe, fair, and
accessible, and to build a
democracy for us all.**



Democracy is for all of us

- HB 458 started as a simple bill to eliminate the August special elections
- During lame duck, lawmakers added pieces from HB 294 and SB 320 – two very anti-voter laws that had already been introduced to the statehouse
- The Governor signed it into law on Jan 6, 2023 at 5pm on a Friday
- The bill will be in effect for the May 2023 primary



Understanding What is New

Prohibition of Special Elections:

The law prohibits special elections in August unless a political subdivision is under a fiscal emergency, in which the entire cost of the special election shall be charged to the political subdivision or taxing authority

Election Administration Plans:

The law mandates in the Ohio Revised Code that Board of Elections prepare an election administration plan for each presidential primary election and each general election held in an even-numbered year

Voter Identification

In-person voting:
Before

HB 458
After



ID Type	Allowed Before HB 458	Allowed After HB 458
Ohio Photo ID (driver's license or state ID) *		
U.S. or Ohio issued Military ID Card with name and photo		
U.S. Passport		
Utility or Cell Phone Bill		
Bank Statement		
Paycheck		
Government Check		
Government Document from Social Security or Ohio Jobs and Family Services		

* Expired licenses may not be used to vote.

Yes No

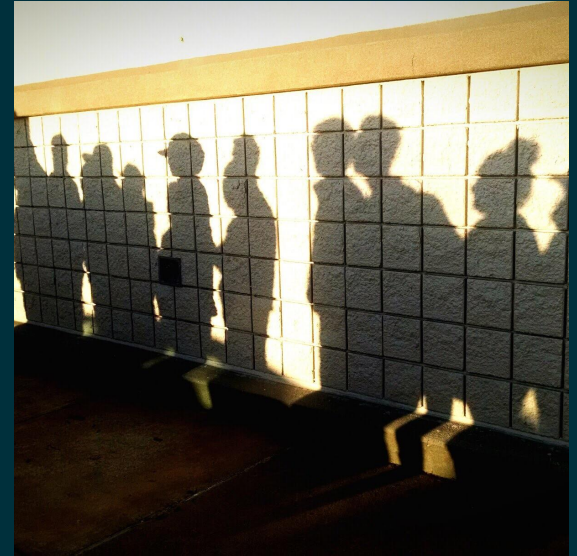
- The last four digits of voters SSN are **NOT** acceptable for provisional voting (except for a strict religious exemption) or for in-person early voting
- Government documents, checks, utility bills are **NOT** acceptable ID to vote anymore
- Voters who vote early in person at the Board of Elections **MUST** provide photo ID
- Ohio DL/ID number is **NOT** acceptable for in-person early voting or provisional ballot voting
- Suspended licenses are still valid forms of ID for voting

Strict Voter ID : What is Acceptable

- An Ohio driver's license, state identification card, or interim identification form:
 - "Driver's license" includes a driver's license, commercial driver's license, probationary license, restricted license, motorcycle operator's license, or temporary instruction permit identification card. "Driver's license" does not include a nonrenewable license
- A United States military identification card, Ohio national guard identification card, or United States department of veterans affairs identification card
- A United States passport or passport card

Driver's License & ID Cards

- Free ID Card from the BMV for anyone 17 and over starting April 7, 2023
- Requires any commercial driver's license (CDL), driver's license, or state ID card that is issued to a person who is not a U.S. citizen to include a notation that the person is a noncitizen
- Authorizes a noncitizen who becomes a U.S. citizen in-between renewals of the person's current CDL, driver's license, or state ID card to obtain a free replacement license or card that removes the notation of noncitizenship



Voting by Mail

- Mail in ballots arriving at county boards within 4 days after election day must be postmarked by the day before Election Day
- Board of Elections begins counting late arriving and cured absent voters ballots on the fifth day after Election Day
- Provisional voters have 4 days after the election to return to their county board for validation
- Voters can return absentee ballots to only one designated location at their Board of Elections

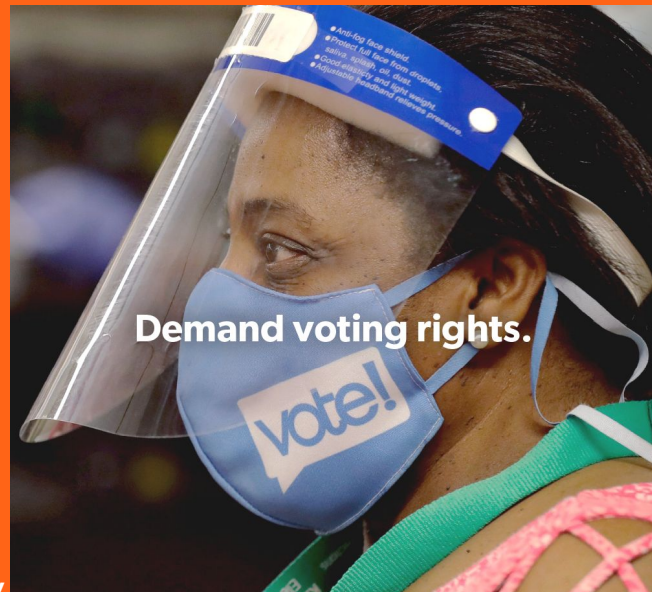
Absentee Voter Ballots (by mail)



- A person who applies to cast absentee ballots by mail must do so on a form prescribed by the Secretary of State
- If a BOE receives an application that is not submitted on an appropriate form, the BOE must promptly direct the applicant to use an appropriate form. It is unclear how the applicant will be informed if this is the case

Absent Voter Ballots (by mail)

- The application to vote by mail will now require one of the following:
 - an Ohio driver's license or state identification card number;
 - the last four digits of the elector's social security number;
 - a copy of the elector's photo identification
- Deadline to apply to cast absentee voter ballots by mail is 7 days before Election Day (by close of business)



Absent Voter Ballots (by mail)

After receiving and voting a mail ballot as directed, one of the following must be included on ID envelope or in return envelope:

- (1) The elector's Ohio driver's license or state identification card number
- (2) The last four digits of the voter's social security number
- (3) A copy of the elector's photo identification.

Ballots returned by mail must arrive at the BOE by the fourth day after Election Day, instead of the tenth day after Election Day, and must be postmarked by Election Day.

Impact on Active Service Members & Overseas Voters

- Board of Elections data shows that in the state's most populous county, which includes the capital city of Columbus, 242 absentee ballots from military and overseas voters were received after election day in November.
- Of that, nearly 40% arrived more than four days later and would have been rejected had the new law been in effect.



Early Voting & Drop Boxes

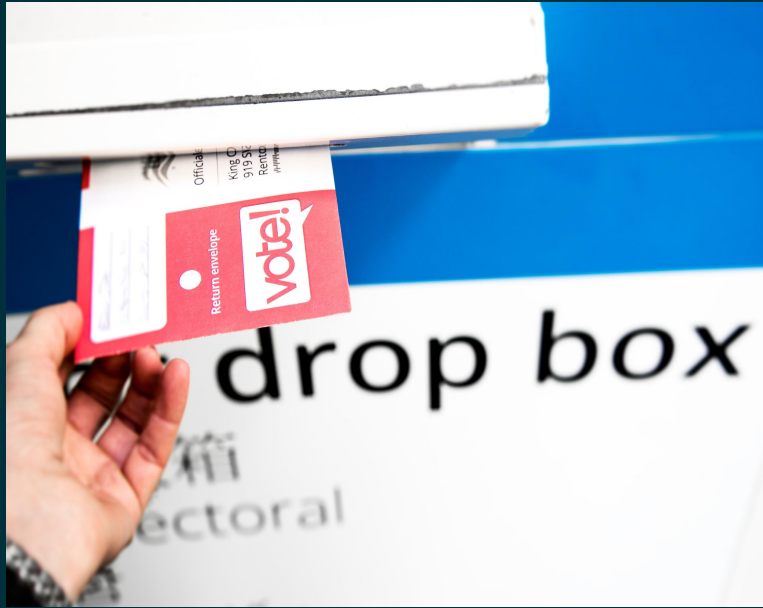
Before HB 458:

- Voting available on Monday before Election Day
- Voters can return an absentee ballot by mailing it or personally delivering it “to the director” of the Board of Elections
- No specific Board of Elections mandates on ballot drop boxes

After HB 458:

- No voting of Monday before Election Day (second most popular day of early voting)
- Statutorily, only one drop box per county is now permitted
- Drop boxes can only be used when the Board of Elections is open

Drop Boxes



BOEs may only maintain one drop box and only use it for receiving absent voter's ballots.

It can only be open to receive ballots during the period beginning on the first day of early voting and ending at seven-thirty p.m. on Election Day.

Drop boxes must be monitored by recorded video surveillance at all times. The video recordings are a public record.

In Person Absentee Voting (Early Voting)



- Early voting has now been codified
- Legislature has set the intent to specify a schedule but has currently only specified that it must begin on the day of the close of voter registration and end on 5 PM on the Sunday before Election Day.
- Early Voters must show photo identification and sign a poll list or signature pollbook to cast a ballot.
- Removes Monday before Election Day

Election Day Procedures Post HB 458

- Voter must announce full name and current address and provide photo identification to poll worker
- If the voter does not have photo ID because of a religious objection to being photographed, the voter can sign an affidavit to that effect and cast a provisional ballot using the last four digits of their own SSN
 - The last four digits of the voter's SSN must match the one on file in the voter registration database

No ID on Election Day?

For a provisional ballot to be counted, the voter who cast that ballot must provide a qualifying ID for validation within 4 days to the Board of Elections

**Find more
information at
ohiovoterrights.
org**

Thank you!

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