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2nd District

Chairman Rulli, Vice Chairman Schuring, and fellow Members of the Senate General Government Committee, thank you for the chance to provide sponsor testimony on Senate Bill 71, the DATA Act.

As we all know, Ohio serves as the national model for election administration. Other states constantly look to Ohio for solutions to the difficult challenges our democracy faces. While Ohio consistently leads, we know that we can and should continue to develop innovative solutions to bolster election integrity and transparency. The DATA Act that I introduced, in partnership with Secretary of State Frank LaRose, will once again show the world that Ohio is committed to fair, secure, and accurate elections. At a high-level, the DATA Act seeks to (1) set forth consistent and standard election data definitions; and (2) requires that election data be retained, disclosed, analyzed, and archived in a modern way.

Ohio is one of just a few states nationwide that is a “bottom-up” state for election administration. That means that the 88 county Boards of Elections (BOEs) administer elections and are the original and only source of election data. The DATA Act will not change the decentralized nature of Ohio’s elections and data. However, it will set forth specific data definitions to help better compare and analyze election data among the 88 county BOEs who may define terms differently. We must standardize election data definitions so that it is easy for the world to see that the number of voters who voted equates to the number of ballots that counted in an election. This should be a concept that we can all agree. Moreover, the DATA Act creates definitions that will clean up the data so that there are no perceived discrepancies to the public and that data reconciles following an election. Senate Bill 71 also serves as an opportunity to cut down on some of the divisiveness and improve the confidence in election results by allowing anyone to do an “apples to apples” comparison of our election data.

The DATA Act accomplishes this by establishing the Office of Data Analytics and Archives in the Secretary of State’s office, which will be responsible for retaining voter registration and other election data and publishing it for the public.

In addition to codifying election data definitions, the DATA Act will require county BOEs to submit a daily record of its voter registration database to the Secretary of State between the start of Uniformed and Overseas Citizens Absentee Voting Act (“UOCAVA”) voting and the 81st day following an election. The DATA Act requires that the Secretary of State’s office publish this data on its website where the public can download and review the data. The bill will also require the retention of non-federal election



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ballots through the 81st day of the election. Current law only requires the retention of non-federal election ballots for 60 days instead of 81 days, which is the amount of time current law permits the BOEs to amend their official canvass of election results. It is common sense to require BOEs to retain copies of their voter registration database and the ballots their results are based on for the same number of days the BOEs could amend its official canvass of election results. Creating parity in the retention of this critical information will ensure that results will reconcile and strengthen voter confidence.

Ohio's elections are secure and strong because of the strong efforts by Ohio's 88 county BOEs to administer elections. The DATA Act, through enhanced transparency and the modernization of the way data is transferred to the Secretary of State's office, will make the lives easier for our hard-working BOE employees. At the time of introduction, the Secretary's staff was in the middle of a thorough fiscal analysis of how much this program would cost. After that review, the Secretary's office concluded that the DATA Act would require a one-time investment of \$5 million to implement the requirements. Most of these funds will be directed to the county BOEs to execute this update in technology, while the Secretary of State will be able to build a user-friendly dashboard where the public can download and view election data. Currently, the Secretary of State's Office must manually survey the boards for this information, which is a time-consuming and labor-intensive process for county BOEs. The automation of the daily reporting of this election data will save the state and county BOEs time and taxpayer dollars. In addition to this cost-saving benefit, this data will be publicly available, which will drastically reduce the volume of public records requests.

As Secretary LaRose and I mentioned in our press conference, this is first-of-its-kind legislation. No other state has an election data standardization, retention, and archive system in place. The enactment of the DATA Act will once again highlight Ohio as nationwide leader in the administration of elections where it is easy to vote and hard to cheat.

Thank you again for the opportunity to provide sponsor testimony on the DATA Act. I would be more than happy to answer any questions the committee may have.