

Greenbook

LBO Analysis of Enacted Budget

Ohio Secretary of State

Terry Steele, Senior Budget Analyst
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Attachment:

Appropriation Spreadsheet

LBO Greenbook

Ohio Secretary of State

Quick look...

- The Secretary of State (SOS) oversees elections and business licensing in Ohio, as well as notary services and the Safe at Home address confidentiality program, among other responsibilities. The office employs a staff of approximately 136 as of July 2023.
- The budget totals about \$110.4 million for the FY 2024-FY 2025 biennium. GRF funding makes up approximately \$27.7 million (25.1%) of biennial funding. Approximately \$58.7 million (53.2%) is derived from business and notary filing fees.
- H.B. 33 includes \$16.0 million in FY 2024 to cover the costs county boards of elections incur for running the August 8, 2023 special election. The budget also provides \$5.0 million in FY 2024 to implement the DATA Act.

Fund Group	FY 2022 Actual	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
General Revenue (GRF)	\$10,298,824	\$14,023,879	\$13,590,000	\$14,090,000
Dedicated Purpose (DPF)	\$33,569,992	\$37,620,896	\$49,412,537	\$30,095,278
Federal (FED)	\$3,910,020	\$5,096,238	\$1,500,000	\$1,500,000
Holding Account (HLD)	\$32,044	\$27,840	\$85,000	\$85,000
Total	\$47,810,880	\$56,768,852	\$64,587,537	\$45,770,278
% change	--	18.7%	13.8%	-29.1%
<i>GRF % change</i>	--	36.2%	-3.1%	3.7%

Overview

The Secretary of State (SOS) supervises the administration of election laws and the 88 county boards of elections. The SOS also chairs the five-member Ohio Ballot Board, which approves statewide ballot language, reviews statewide initiative and referendum petitions, and informs voters about proposed ballot issues. In overseeing elections, the SOS compiles and maintains election statistics, political party records, and other related records, including campaign finance reports filed by candidates running for statewide office, the General Assembly, and political action committees. These responsibilities are handled by the Elections Division. The SOS also oversees business licensing in the state. This function is handled by the Business Services Division. In addition, the Division handles a variety of Uniform Commercial Code (UCC) filings. The Business Services Division also houses the Notary Commission. Overall, the SOS employs approximately 136 people according to July 2023 payroll records.

Appropriation summary

The budget provides the SOS a total of \$27.7 million (25.1%) in GRF funding over the FY 2023-FY 2024 biennium, almost 90.0% of which is for debt service on purchases of new voting machines for counties. The remaining portion of the GRF funding is for (1) cybersecurity staffing, (2) the match required for Help America Vote Act grant funding, and (3) poll worker training. The largest share of funding for the SOS comes from filing fees on businesses and notaries in various funds within the Dedicated Purpose Fund (DPF) Group. Together, these fees plus a small amount in the form of business filing refunds support approximately \$58.7 million (53.2%) of proposed funding for the biennium. These amounts fund the Business Services Division and also provide supplemental funding for the Elections Division.

In addition, the budget contains \$16.0 million in DPF funding in FY 2024 to pay the costs of the August 8, 2023 statewide special election on State Issue 1. H.B. 33 also includes \$5.0 million in FY 2024 to implement provisions of the Data Analysis Transparency Archive (DATA) Act, described in greater detail immediately below. Both the special election reimbursements and the DATA Act funding are supported by cash transfers from the ending FY 2023 GRF balance. Finally, \$3.0 million (2.7%) over the biennium comes from federal funding in the form of grants issued by the U.S. Elections Assistance Commission (EAC).

Key budget provisions

Supplemental funding for August 8, 2023 special election

The budget provides an additional appropriation of \$16.0 million in FY 2024 to pay the costs of the August 8, 2023 statewide special election. This funding is provided through DPF ALI 050620, BOE Reimbursement and Education, and is supported by an \$11.3 million cash transfer from the FY 2023 ending GRF balance to the BOE Reimbursement and Education Fund (Fund 5FG0). The remaining portion of the \$16.0 million appropriation is funded through previous cash transfers for the August 2, 2022 second primary election that were unexpended. H.B. 33 requires that the unspent portions of the funding remaining on December 31, 2023, be returned to the GRF.

DATA Act

The budget provides \$5.0 million in FY 2024 to implement the DATA Act. The DATA Act creates the Office of Data Analytics and Archives and modifies the manner in which county boards of elections must retain election data, enter it into the Statewide Voter Registration Database (SWVRD), and make it available to the public. The budget transfers \$5.0 million from the FY 2023 ending GRF balance to the Data Analytics and Transparency Fund (Fund 5AS1). The funding is earmarked as follows: (1) \$2.7 million in FY 2024 to establish and fund the Office of Data Analytics and Archives and make upgrades to the SWVRD, and (2) \$2.3 million in FY 2024 for grants to county boards of elections to upgrade county voter registration systems to make them capable of entering and distributing data in the form established by the SOS.

Save Our Farmland and Protect Our National Security Act

H.B. 33 establishes the Save Our Farmland and Protect Our National Security Act, which requires the Secretary of State to compile and publish a registry of individuals, businesses,

organizations, and government that constitute a threat to the agricultural production of Ohio. The budget requires the SOS, in compiling this registry, to consult certain federal government lists of foreign adversaries, terrorist organizations, and sanctioned persons, and prohibits all persons listed on the registry from acquiring agricultural land. However, the Governor vetoed a portion of this provision that prohibited these persons from acquiring real property located within 25 miles of military installations. The costs of compiling this registry would be paid from the Business Services Operating Fund (Fund 5990).

Analysis of FY 2024-FY 2025 budget

Elections Services

This category of appropriations funds the Secretary of State's (SOS's) Elections Division, which is responsible for the administration and oversight of all elections in the state, as well as poll worker training. Overall, \$18.5 million in FY 2024 and \$19.6 million in FY 2025 is for Elections Services. Over 70.0% of the funding for Elections Services in the FY 2024-FY 2025 biennium comes from the GRF.

Operating Expenses (ALI 050321)

FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
GRF ALI 050321, Operating Expenses					
\$1,224,334	\$1,074,109	\$622,985	\$1,438,238	\$1,390,000	\$1,390,000
% change	-12.3%	-42.0%	130.9%	-3.4%	0.0%

This ALI is used to support cybersecurity measures throughout the SOS's Office. This includes the salaries of the Chief Information Officer and Chief Information Security Officer. This appropriation also provides a total of \$75,000 to reimburse county boards of elections for post-election audits. According to the SOS, two post-election audits will occur in FY 2023 and one will occur in FY 2024. Finally, this ALI is used to partially provide required federal matches for federal HAVA grants described later under Fund 3AS0 ALI 050616, Help America Vote Act (HAVA).

Poll Workers Training (ALI 050407)

FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
GRF ALI 050407, Poll Workers Training					
\$0	\$421,552	\$0	\$468,392	\$0	\$500,000
% change	N/A	--	N/A	--	N/A

Boards of elections are responsible for initial and ongoing training of poll workers and presiding judges. Training occurs twice per year. Currently, the SOS annually reimburses counties for those expenses once a statement of expenses has been received through this ALI. (Online training sessions and training materials for poll workers are also available on the SOS's website.

These costs, however, are budgeted under DPF appropriation item 050631, Precinct Election Officials Training.) The FY 2024-FY 2025 budget contains a provision requiring the SOS to issue these poll worker training grants to county boards of election up front rather than on a reimbursement basis. The grant amounts, however, will be the same that each county board of elections has typically been reimbursed under the current funding method.

County Voting Systems Lease Rental Payments (ALI 050509)

FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
GRF ALI 050509, County Voting Systems Lease Rental Payments					
\$10,100,217	\$9,104,824	\$9,675,838	\$12,117,249	\$12,200,000	\$12,200,000
% change	-9.9%	6.3%	25.2%	0.7%	0.0%

This GRF ALI is used to pay the debt service on obligations issued for county voting machine acquisitions under S.B. 135 of the 132nd General Assembly. That act required debt issuance of up to \$104.5 million to ensure the payment for these machine acquisitions. As of this writing, there have been \$80 million in obligations issued for 53 counties to acquire new voting machines.

Board of Voting Machine Examiners (ALI 050610)

FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 4580 ALI 050610, Board of Voting Machine Examiners					
\$13,610	\$13,152	\$18,700	\$24,000	\$14,400	\$14,400
% change	-3.4%	42.2%	28.3%	-40.0%	0.0%

This ALI is used to pay for services and expenses of the members of the Board of Voting Machine Examiners. It also pays for the cost of examining, testing, and certifying voting machine devices. The funding for these purposes is derived from fees charged to voting machine vendors for machine certification. Given the \$2,400 vendor certification fee, this level of funding assumes six items of voting equipment will be brought before the Board for certification annually.

Statewide Voter Registration Database (ALI 050629)

FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5990 ALI 050629, Statewide Voter Registration Database					
\$685,435	\$927,040	\$733,775	\$607,340	\$700,000	\$700,000
% change	35.2%	-20.8%	-17.2%	15.3%	0.0%

This ALI is used to support the numerous functions related to the Statewide Voter Registration Database (SWVRD), such as maintaining the communication lines between SWVRD and 88 county boards of elections as well as IT hardware and software maintenance support for

the system. Since FY 2017, the database has been funded through the Business Services Fund (Fund 5990).

Election Support Supplement (ALI 050630)

FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5990 ALI 050630, Election Support Supplement					
\$2,136,188	\$2,152,925	\$2,465,911	\$2,674,906	\$2,960,000	\$3,090,000
% change	0.8%	14.5%	8.5%	10.7%	4.4%

This ALI is used to pay for the expenses that the SOS incurs for administering elections, including the salaries of Elections Division employees working in the three areas described immediately below. Approximately 22 employees will be funded through this appropriation. The current source of operating revenue for these election oversight functions are corporate and business filing fees that are deposited into Fund 5990.

The Elections Division is divided into three areas. The Elections Section provides instructions and develops procedures for conducting elections and prescribes applicable forms for voter registration, petitions, and ballot language. The Campaign Finance Section receives, processes, and examines all submitted campaign finance statements. The Field Services Section acts as a liaison between the SOS and county boards of elections, and distributes elections-related information to citizens.

Data Analysis Transparency (ALI 050639)

FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5AS1 ALI 050639, Data Analysis Transparency					
\$0	\$0	\$0	\$0	\$5,000,000	\$0
% change	--	--	--	N/A	-100.0%

This ALI is used to carry out the Data Analysis Transparency Archive (DATA) Act to create a new office within the SOS, the Office of Data Analytics and Archives. The bill also modifies the manner in which the county boards of election must retain election data, enter it into the SWVRD, and make it available to the public. The funding for this ALI comes from a transfer of \$5.0 million from the FY 2023 ending GRF balance to the Data Analysis Transparency Fund (Fund 5AS1).

The budget also contains two specific earmarks in order to implement the DATA Act. First, the budget earmarks \$2.7 million to be used by the SOS to fund the Office of Data Analytics and Archives. Of this amount, approximately \$2.0 million will be used to make upgrades to the SWVRD, with the remaining \$700,000 to be used for staffing and contract modifications. The second earmark of \$2.3 million is to be used to provide grants to county boards of elections to make the necessary upgrades to county voter registration systems to comply with the DATA Act.

BOE Reimbursement and Education (ALI 050620)

FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5FG0 ALI 050620, BOE Reimbursement and Education					
\$83,053	\$19,220	\$12,362,867	\$11,575,596	\$16,000,000	\$0
% change	-76.9%	64,224.4%	-6.4%	38.2%	-100.0%

As mentioned previously, the budget provides \$16.0 million in FY 2024 to reimburse county boards of education for the costs they incur for running the August 8, 2023 special election. The funding is supported by a cash transfer of \$11.3 million from the ending FY 2023 GRF balance, to be combined with amounts remaining in Fund 5FG0 from funds previously allocated to cover local costs for holding the second primary on August 2, 2022. H.B. 33 requires that the unexpended, unencumbered portion of this funding remaining on December 31, 2023 be returned to the GRF.

Help America Vote Act (HAVA) (ALI 050616)

FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 3AS0 ALI 050616, Help America Vote Act (HAVA)					
\$9,331,607	\$16,665,300	\$3,910,020	\$5,096,238	\$1,500,000	\$1,500,000
% change	78.6%	-76.5%	30.3%	-70.6%	0.0%

This ALI is used to carry out HAVA-related requirements through federal money deposited into the Help America Vote Act Fund (Fund 3AS0). The types of things that this federal funding supports include: (1) improving the statewide voter registration database, (2) acquiring, modifying, or replacing voting systems and technology, and (3) implementing the Military and Overseas Voter Empowerment (MOVE) Act. In FY 2023, \$5.1 million was spent under this ALI, primarily to improve the Albert election security system which is used by county boards of elections to detect electronic intrusions into their networks.

Business Services

The ALIs in this category are used to pay for functions carried out by the Business Services Division. The Division is responsible for handling articles of incorporation for Ohio corporations and granting licenses to out-of-state corporations seeking to do business in Ohio. The Division is also responsible for processing numerous types of filings under the Uniform Commercial Code (UCC). Business filing fees deposited into Fund 5990 account for nearly \$48.7 million (97.0%) of the over \$50.2 million in biennial funding for the Business Services Division. The \$1.6 million remainder (3.2%) is budgeted for filing refunds, Notary Commission services, and management of the "Safe at Home" address confidentiality program.

Business Services Operating Expenses (ALI 050603)

FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 5990 ALI 050603, Business Services Operating Expenses					
\$13,177,691	\$14,384,586	\$17,369,792	\$17,648,025	\$23,818,137	\$24,850,878
% change	9.2%	20.8%	1.6%	35.0%	4.3%

This ALI is used to pay the expenses associated with collecting and processing UCC filings as well as filings associated with corporations or partnerships, including the personnel costs for the Business Services Division. It is also used to pay a portion of the operating costs of the Public Integrity Division established in the FY 2022-FY 2023 biennium. The revenue that supports the appropriation comes from fees charged for corporate and UCC filings. There are approximately 140 different UCC and business filing fees for the state.

Notary Commission (ALI 050609)

FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 4120 ALI 050609, Notary Commission					
\$392,166	\$473,295	\$422,607	\$513,172	\$500,000	\$500,000
% change	20.7%	-10.7%	21.4%	-2.6%	0.0%

This ALI is used to pay the expenses of the Notary Public Office, including the cost of issuing licenses. The ALI is funded through a \$15 fee paid by individuals for notary public licenses valid for five years, except notary commissions held by practicing attorneys, which are valid as long as the attorney lives in Ohio. The Notary Commission also oversees minister licenses (\$10 fee) and special police officer commissions (\$15). Overall, \$475,000 in each fiscal year under the FY 2024-FY 2025 budget is designated for payroll, with the remaining \$25,000 each fiscal year going to supplies and maintenance.

Address Confidentiality (ALI 050626)

FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund 55N0 ALI 050626, Address Confidentiality					
\$91,931	\$94,862	\$175,003	\$214,190	\$200,000	\$200,000
% change	3.2%	84.5%	22.4%	-6.6%	0.0%

This ALI is used to fund the Safe at Home address confidentiality program for survivors of domestic violence stalking, human trafficking, rape, or sexual battery and certain other crimes. The program was created by H.B. 359 of the 131st General Assembly. Under the program, the SOS arranges to receive mail on the participant's behalf, shielding the information from public records. The mail is subsequently forwarded to a confidential mailing address. Eligible voters who

are participating in the Safe at Home Program may also register to vote or vote by absentee ballot without address information appearing in public voter registration files.

The Safe at Home Program is funded through fines that courts impose when sentencing certain offenders for various offenses. H.B. 33 includes a provision allowing courts to retain up to 25% of these fines for the program. In addition, 25% of these fines collected by courts for the Address Confidentiality Program may be used to reimburse prosecuting attorneys' offices for their costs. The amount deposited into Fund 5SNO in FY 2023 was just short of \$28,000. Because these sums are insufficient to run the program, H.B. 33 also allows for cash transfers of up to \$200,000 (the full annual appropriation) from the Business Services Fund (Fund 5990) to cover the funding needs of the program.

Corporate/Business Filing Refunds (ALI 050606)

FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Appropriation	FY 2025 Appropriation
Fund R002 ALI 050606, Corporate/Business Filing Refunds					
\$36,058	\$56,621	\$32,044	\$27,840	\$85,000	\$85,000
% change	57.0%	-43.4%	-13.1%	205.3%	0.0%

This ALI is used to pay out UCC and corporate filing fees that may be subject to refund. These refunds occur when, for example, filings are rejected or otherwise not recorded, or when the applicant has made an overpayment.

Line Item Detail by Agency			FY 2022	FY 2023	Appropriations FY 2024	FY 2023 to FY 2024 \$ Change	% Change	Appropriations FY 2025	FY 2024 to FY 2025 \$ Change	% Change
Report For: Main Operating Appropriations Bill			Version: As Enacted							
SOS Secretary of State										
GRF	050321	Operating Expenses	\$ 622,985	\$ 1,438,238	\$ 1,390,000	(\$48,238)	-3.35%	\$ 1,390,000	\$ 0	0.00%
GRF	050407	Poll Workers Training	\$ 0	\$ 468,392	\$ 0	(\$468,392)	-100.00%	\$ 500,000	\$ 500,000	N/A
GRF	050509	County Voting Systems Lease Rental Payments	\$ 9,675,838	\$ 12,117,249	\$ 12,200,000	\$ 82,751	0.68%	\$ 12,200,000	\$ 0	0.00%
Sub-Total General Revenue Fund			\$ 10,298,824	\$ 14,023,879	\$ 13,590,000	(\$433,879)	-3.09%	\$ 14,090,000	\$ 500,000	3.68%
4120	050609	Notary Commission	\$ 422,607	\$ 513,172	\$ 500,000	(\$13,172)	-2.57%	\$ 500,000	\$ 0	0.00%
4S80	050610	Board of Voting Machine Examiners	\$ 18,700	\$ 24,000	\$ 14,400	(\$9,600)	-40.00%	\$ 14,400	\$ 0	0.00%
5990	050603	Business Services Operating Expenses	\$ 17,369,792	\$ 17,648,025	\$ 23,818,137	\$ 6,170,112	34.96%	\$ 24,850,878	\$ 1,032,741	4.34%
5990	050629	Statewide Voter Registration Database	\$ 733,775	\$ 607,340	\$ 700,000	\$ 92,660	15.26%	\$ 700,000	\$ 0	0.00%
5990	050630	Elections Support Supplement	\$ 2,465,911	\$ 2,674,906	\$ 2,960,000	\$ 285,094	10.66%	\$ 3,090,000	\$ 130,000	4.39%
5990	050631	Precinct Election Officials Training	\$ 0	\$ 0	\$ 0	\$ 0	N/A	\$ 500,000	\$ 500,000	N/A
5990	050636	County Election Official Training	\$ 16,210	\$ 139,942	\$ 220,000	\$ 80,058	57.21%	\$ 240,000	\$ 20,000	9.09%
5AS1	050639	Data Analysis Transparency	\$ 0	\$ 0	\$ 5,000,000	\$ 5,000,000	N/A	\$ 0	(\$5,000,000)	-100.00%
5FG0	050620	BOE Reimbursement and Education	\$ 12,362,867	\$ 11,575,596	\$ 16,000,000	\$ 4,424,404	38.22%	\$ 0	(\$16,000,000)	-100.00%
5FH0	050621	Statewide Ballot Advertising	\$ 0	\$ 357,109	\$ 0	(\$357,109)	-100.00%	\$ 0	\$ 0	N/A
5RG0	050627	Absentee Voter Ballot Application Mailing	\$ 0	\$ 2,361,585	\$ 0	(\$2,361,585)	-100.00%	\$ 0	\$ 0	N/A
5SNO	050626	Address Confidentiality	\$ 175,003	\$ 214,190	\$ 200,000	(\$14,190)	-6.63%	\$ 200,000	\$ 0	0.00%
5VX0	050634	Women's Suffrage Centennial Commission	\$ 5,127	\$ 0	\$ 0	\$ 0	N/A	\$ 0	\$ 0	N/A
5ZE0	050638	Electronic Pollbooks	\$ 0	\$ 1,505,031	\$ 0	(\$1,505,031)	-100.00%	\$ 0	\$ 0	N/A
Sub-Total Dedicated Purpose Fund Group			\$ 33,569,992	\$ 37,620,896	\$ 49,412,537	\$ 11,791,641	31.34%	\$ 30,095,278	(\$19,317,259)	-39.09%
R002	050606	Corporate/Business Filing Refunds	\$ 32,044	\$ 27,840	\$ 85,000	\$ 57,160	205.32%	\$ 85,000	\$ 0	0.00%
Sub-Total Holding Account Fund Group			\$ 32,044	\$ 27,840	\$ 85,000	\$ 57,160	205.32%	\$ 85,000	\$ 0	0.00%
3AS0	050616	Help America Vote Act (HAVA)	\$ 3,910,020	\$ 5,096,238	\$ 1,500,000	(\$3,596,238)	-70.57%	\$ 1,500,000	\$ 0	0.00%
Sub-Total Federal Fund Group			\$ 3,910,020	\$ 5,096,238	\$ 1,500,000	(\$3,596,238)	-70.57%	\$ 1,500,000	\$ 0	0.00%
Secretary of State Total			\$ 47,810,880	\$ 56,768,852	\$ 64,587,537	\$ 7,818,685	13.77%	\$ 45,770,278	(\$18,817,259)	-29.13%

FY 2024 - FY 2025 Final Appropriations

All Fund Groups

Line Item Detail by Agency	FY 2022	FY 2023	Appropriations	FY 2023 to FY 2024		Appropriations	FY 2024 to FY 2025	
			FY 2024	\$ Change	% Change	FY 2025	\$ Change	% Change
Grand Total	\$ 47,810,880	\$ 56,768,852	\$ 64,587,537	\$ 7,818,685	13.77%	\$ 45,770,278	(\$18,817,259)	-29.13%