



Jon Husted
Ohio Secretary of State

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DIRECTIVE 2012-53

October 29, 2012

To: All County Boards of Elections
Directors, Deputy Directors, and Board Members

Re: Additional Valid Changes of Address Submitted by the Bureau of Motor Vehicles
(BMV)

BACKGROUND

Section 5(d) of the National Voter Registration Act of 1993 (NVRA) requires a change of address filed with the BMV to also serve as a change of address with the driver's county board of elections. As noted by the Brennan Center for Justice in its 2009 report on Ohio,¹ for nearly two decades, unless a driver changed his or her address with the BMV in person using a paper registration form, the change of address with the BMV did not update the voter's registration record.

After 17 years of non-compliance, my office began working with the BMV in 2011 to ensure full compliance with 5(d) and entered into a Memorandum of Understanding with BMV. One agreed-to undertaking was to create a system by which users of BMV's online change of address system could update their voter registration address consistent with the requirements of the NVRA.

Because the system is relatively new and because in Ohio the Secretary of State's Office, unlike in many other states, is a separate entity from the BMV, the vast majority of the records collected electronically through the BMV change of address system between July and October 9, 2012 were transferred late last week. These records represent voters who met the voter registration deadline and who, prior to our partnership with the BMV, would have had to use the paper registration form.

Due to the administrative efficiencies created by the online change of address system, I am able to forward this data to you so these voters will be properly listed in your county's voter registration records for the November 6, 2012 General Election and county boards of elections will be relieved of hand-keying most of the records. While the timing is unfortunate, we are extremely pleased that the data from this new system can be sent electronically and will require minimal data entry. Additionally, the new system has the potential to help reduce provisional ballots significantly.

¹ http://brennan.3cdn.net/9ccb57cb5de1711173_nkm6bqc3y.pdf

INSTRUCTIONS

By 1:00 p.m. on Monday, October 29, 2012, the Secretary of State's Office will send valid BMV voter registration records to each county via the online change of address system. A smaller second list will be sent later today.

Every county must adhere to the following mandatory timelines:

1. Complete the processing of these records no later than 10:00 p.m. on Monday, October 29, 2012;
2. Resolve any duplicates created as a result of this process must be resolved by 7:00 p.m. on Tuesday, October 30, 2012;
3. Postmark and mail voter registration acknowledgment forms resulting from this process by Tuesday, October 30, 2012;
4. Include these valid BMV voter registration records in your signature poll books and precinct voter lists. If you have already printed your poll books and precinct voter lists, you must make the appropriate amendments using supplemental lists under your normal procedures so the voter's name is removed from the voter's former precinct's book/list and is included in the voter's present precinct's book/list; and
5. By Tuesday, October, 30, 2012, review any absentee applications rejected because the voter was not registered at the address on the application to see if any voters listed among these valid BMV voter registration records can now be issued an absentee ballot.

If you have technical questions about downloading and accepting the records transmitted from the online change of address system, please contact your county's voter registration system vendor.

If you have any questions regarding this Directive, please contact Matt Masterson or Robin Fields by calling (614) 466-2585.

Sincerely,



Jon Husted