

State of Ohio
Secretary of State

Role and Overview

The [Secretary of State \(SOS\)](#), as Ohio’s chief election officer, oversees the elections process (the primary responsibility of the office), safeguards corporate identities, maintains public records for the state, ensures fair and accurate elections, and educates voters.

The Secretary of State is a constitutional officer elected to a maximum of two four-year terms. The office has eleven divisions, approximately 160 employees, and an annual budget of approximately \$16.3 million.

The Secretary of State prepares rules and instructions for conducting elections, prescribes forms for voter registration, petition, and ballots, approves ballot language, investigates elections irregularities, and appoints elections board members. Along with these services the office implements many voter registration and education programs including XPect More.

The SOS also maintains records of executive orders issued by the Governor, all agency administrative rules and regulations, records all laws and resolutions passed by the General Assembly, files all nonresident alien land registrations, collects and distributes census information, issues ministers’ licenses, issues notary commissions, reviews and reports candidate campaign finance reports, reports elections statistics and voter registrations, and grants apostilles as authentication of Ohio documents sent overseas.

In addition the SOS incorporates Ohio businesses and nonprofit organizations, registers business names, registers company trademarks and service marks, files secured commercial transactions, grants business licenses to foreign corporations doing business in Ohio, provides certificates of good standing, and receives limited liability and limited liability partnership filings.

Executive Priorities for the Secretary of State

- Federal and state election reform.
- Implementation of campaign finance reform.
- On-line filing advances related to Business Services.

Summary of Budget History and Recommendations

(In thousands) BUDGET FUND GROUP	FY 2002	ACTUAL FY 2003	FY 2004	ESTIMATE FY 2005	% CHANGE FY 04-05	RECOMMENDED			
						FY 2006	% CHANGE	FY 2007	% CHANGE
General Revenue Fund	3,540	3,581	3,127	2,972	(5.0)	2,972	.0	2,972	.0
General Services Fund Group	261	499	447	438	(2.0)	938	114.1	918	(2.1)
Fed Special Revenue Fund Group	24	41	5,090	112,102	2,102. 3	37,477	(66.6)	41	(99.9)
State Special Revenue Fund Group	11,491	14,192	14,429	14,372	(.4)	13,871	(3.5)	13,891	.1
Holding Acct Redist Fund Group	181	115	104	165	58.9	165	.0	165	.0
TOTAL	15,497	18,429	23,197	130,048	460.6	55,423	(57.4)	17,987	(67.5)

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(In thousands) OBJECT OF EXPENSE	FY 2002	ACTUAL		ESTIMATE FY 2005	% CHANGE FY 04-05	RECOMMENDED			
		FY 2003	FY 2004			FY 2006	% CHANGE	FY 2007	% CHANGE
Personal Services	9,507	10,245	10,713	12,192	13.8	10,575	(13.3)	9,775	(7.6)
Purchased Services	1,514	2,394	4,839	5,619	16.1	5,432	(3.3)	3,532	(35.0)
Maintenance	2,816	2,620	2,746	5,886	114.4	5,626	(4.4)	2,708	(51.9)
Equipment	1,302	1,224	620	102,468	16,426 .1	29,711	(71.0)	1,191	(96.0)
Subsidy	176	1,799	4,167	3,718	(10.8)	3,915	5.3	617	(84.2)
Transfer & Other	182	147	111	165	48.2	165	.0	165	.0
TOTAL	15,497	18,429	23,197	130,048	460.6	55,423	(57.4)	17,987	(67.5)

PROGRAM SERIES 01: Elections

As Ohio's chief election office, the Secretary of State oversees the elections process and appoints the members of boards of elections in each of Ohio's 88 counties. The Secretary of State supervises the administration of election laws; approves ballot language; reviews statewide initiative and referendum petitions, chairs the Ohio Ballot Board, which approves ballot language for statewide issues; canvasses votes for all elective state offices and issues; investigates election frauds and irregularities; trains election officials and reimburses counties for poll worker training costs. The Elections Program compiles and maintains election statistics, political party records and other election-related records. Statewide candidates' campaign finance reports are filed with the office, together with the reports for state political action committees (PACs), state political parties and legislative caucus campaign committees.

Program 01.01: Elections Program Management

This program manages public requests for information and oversees publications of the Ohio Municipal Roster, Federal Roster, Ohio Session Laws and voter registration forms for the state tax booklet. The program also prepares monthly reports for the 88 county boards of elections and other materials such as the *Voter Information Guide*, *Campaign Finance Handbook*, and the *Citizens Digest*.

What the Budget Buys:

- Supports eight administrative staff members who are responsible for coordinating elections-related activities; and
- Provides for information technology upgrades.

FUND GROUP	FUND	ALI	ALI NAME	RECOMMENDED	
				FY 2006	FY 2007
GRF	GRF	050-321	Operating Expenses	2,585,000	2,585,000
TOTAL FOR PROGRAM				2,585,000	2,585,000

Program 01.02: Pollworker Training

This program provides for the mandated reimbursement to county boards of election for the costs of pollworker training in accordance with Ohio Revised Code section 3501.27. Each new election office is required to receive training prior to participation in their first election and continued training every three years. Each presiding judge must receive reinstruction before the primary election in even-numbered years.

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What the Budget Buys:

- Supports continued training of pollworkers at each of the state's county boards of election as well as the initial training for new pollworkers.

FUND GROUP	FUND	ALI	ALI NAME	RECOMMENDED	
				FY 2006	FY 2007
GRF	GRF	050-407	Pollworkers Training	277,997	277,997
TOTAL FOR PROGRAM				277,997	277,997

Program 01.03: Elections Statistics

This program is responsible for the maintenance of a master file of all registered voters in Ohio and the provision of electronically compiled election results as required by state law.

What the Budget Buys:

- Supports two FTEs to maintain the master file of the state's registered voters and the electronic compilation of election results; and
- Enables the electronic delivery of data to eliminate the need for manual data entry of information.

FUND GROUP	FUND	ALI	ALI NAME	RECOMMENDED	
				FY 2006	FY 2007
GRF	GRF	050-403	Election Statistics	103,936	103,936
TOTAL FOR PROGRAM				103,936	103,936

Program 01.04: Litigation

This program area supports legal expenses incurred by the Secretary of State associated with the defense of cases that involve disputes over elections of judges and minority voting rights.

What the Budget Buys:

- Provides support for potential legal expenses.

FUND GROUP	FUND	ALI	ALI NAME	RECOMMENDED	
				FY 2006	FY 2007
GRF	GRF	050-409	Litigation Expenditures	4,652	4,652
TOTAL FOR PROGRAM				4,652	4,652

Program 01.05: Board of Voting Machine Examiners

This program is responsible for the certification of voting machines and supports the costs of the State Board of Voting Machine Examiners to certify voting machines. Vendors who wish to have their voting machine equipment certified pay fees to the Secretary of State. The revenue is used to compensate the board members for their service.

What the Budget Buys:

- Supports the examination and certification of voting machines.

FUND GROUP	FUND	ALI	ALI NAME	RECOMMENDED	
				FY 2006	FY 2007
GSF	4S8	050-610	Voting Machine Examiners	7,200	7,200
TOTAL FOR PROGRAM				7,200	7,200

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Program 01.06: Election Reform

This program supports the purchase of new voting equipment, upgrades to the voter registration system and compliance with facility accessibility that are required by state and federal law. This program is fully supported by federal funds provided to ensure compliance with the Help America Vote Act (HAVA).

A required state match of \$5.8 million was provided through a capital appropriation in Am. Sub. H.B. 675 of the 125th General Assembly.

What the Budget Buys:

- Supports the Secretary of State's highest priority, the purchase of new voting equipment, upgrades to the voter registration system and compliance with facility accessibility in accordance with state and federal law.

FUND GROUP	FUND	ALI	ALI NAME	RECOMMENDED	
				FY 2006	FY 2007
FED	3AS	050-616	2005 HAVA Voting Machines	37,436,203	0
TOTAL FOR PROGRAM				37,436,203	0

Program 01.07: Citizen Education

This program provides for the preparation, printing and distribution of voter registration and educational materials. The non-GRF program is fully funded through contributions from private groups and individuals.

What the Budget Buys:

- Provides support for the preparation, printing and distribution of voter registration and educational materials upon request.

FUND GROUP	FUND	ALI	ALI NAME	RECOMMENDED	
				FY 2006	FY 2007
GSF	414	050-602	Citizen Education Fund	75,700	55,712
TOTAL FOR PROGRAM				75,700	55,712

PROGRAM SERIES 02: Business Services

The Business Services Program receives and approves articles of incorporation for Ohio corporations and grants licenses to out-of-state corporations seeking to do business in Ohio. Limited partnerships and limited liability companies also file with this office.

The Corporations section of the Business Services Division also approves amendments to filed documents; mergers; consolidations and dissolutions; and registers trademarks, trade names and fictitious names. The program approves and keeps a registry of business names, names and addresses of statutory agents, incorporators' names, the corporation's charter number, the date of incorporation, and the number of shares authorized.

Program 02.01: Business Services Program Management

This program provides services to businesses wishing to incorporate in the State of Ohio. Additionally, SOS assists businesses with the evaluation, the confirmation of status of other corporations and other necessary information to prepare lawsuits, merger agreements, and other documents for corporate and business use. SOS also responds to financial institutions and legal entities requesting the status of security interests in collateral on file with their office (often for the processing of business loans).

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What the Budget Buys:

- Provides for the filing and maintenance of records related to Ohio corporations, foreign corporations and other business entities; and
- Supports the 130 legal, filing and clerical staff responsible for assisting businesses that desire to file articles of incorporation, entities that seek to evaluate and confirm the status of business organizations, and the maintenance of records related to commercial transactions and the protection of security interests in collateral.

FUND GROUP	FUND	ALI	ALI NAME	RECOMMENDED	
				FY 2006	FY 2007
SSR	599	050-603	Business Services Operating Expenses	13,741,745	13,761,734
TOTAL FOR PROGRAM				13,741,745	13,761,734

Program 02.02: Uniform Commercial Code Refund

This program provides for the refund of filing fee overpayments or for those Uniform Commercial Code filings that ultimately are not accepted by the SOS. No operating expenses are associated with this program.

What the Budget Buys:

- Provides for the refund of Uniform Commercial Code filing fees as necessary.

FUND GROUP	FUND	ALI	ALI NAME	RECOMMENDED	
				FY 2006	FY 2007
090	R01	050-605	Uniform Commercial Code Refunds	65,000	65,000
TOTAL FOR PROGRAM				65,000	65,000

Program 02.03: Corporations Filing Fee Refund

This program provides for the refund of filing fee overpayments or for those corporation filings that ultimately are not accepted by the SOS in cases of incomplete or duplicate applications. No operating expenses are associated with this program.

What the Budget Buys:

- Provides for the refund of Corporations Filing fees as necessary.

FUND GROUP	FUND	ALI	ALI NAME	RECOMMENDED	
				FY 2006	FY 2007
090	R02	050-606	Corporate/Business Filing Refunds	100,000	100,000
TOTAL FOR PROGRAM				100,000	100,000

Program 02.04: Technology Improvements

This program supports the computer operations for all program areas. The primary focus of this program is the assurance of proper data storage and retrieval capabilities for records that SOS is statutorily required to maintain.

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What the Budget Buys:

- Funds the replacement of existing information technology hardware and upgrades to the current operating system to ensure proper record storage and retrieval capabilities; and
- Supports enhancements to the agency's web capacities by providing on-line transactions, downloadable forms, automation of certain activities and access to public records (including corporate and uniform commercial code information).

FUND GROUP	FUND	ALI	ALI NAME	RECOMMENDED	
				FY 2006	FY 2007
SSR	5N9	050-607	Technology Improvements	129,565	129,565
TOTAL FOR PROGRAM				129,565	129,565

PROGRAM SERIES 03: Notary Services

The Notary Commission is responsible for processing applications (new, duplicates for lost certificates, renewal) and issuing commissions for notaries public, attorney notaries public, special police officers, and Ohio Department of Natural Resources Reserve Officers. The secretary of state may appoint and commission as notaries public individuals who are 18 years of age or older and satisfy one of the following requirements: is an Ohio resident who is not an attorney admitted to the practice of law in this state; is an Ohio resident who is an attorney admitted to the practice of law in this state; or is not an Ohio resident but is an attorney admitted to the practice of law in this state and has the person's principal place of business or the person's primary practice in this state. In all cases, Ohio law requires that anyone seeking to be commissioned as a notary public must be certified by a judge of an Ohio court of appeals or common pleas prior to submitting an application to the Secretary of State. The Secretary of State may revoke a notary public's commission upon presentation of satisfactory evidence of official misconduct or incapacity.

Program 03.01: Notary Services

The authority of the Notary Services Program includes the review of applications for completeness, the issuance of commissions to applicants deemed qualified by judges, and the maintenance of records pertaining to notary commissions.

What the Budget Buys:

- Provides for the maintenance of records of all registered notaries in Ohio. The recommended budget includes support for enhancements to the current notary database system that contains these records;
- Supports the automation of the notary public application process and the development of the commission's Website; and
- Funds the commission's current two FTEs that manage the program on behalf of the Secretary of State.

FUND GROUP	FUND	ALI	ALI NAME	RECOMMENDED	
				FY 2006	FY 2007
GSF	412	050-609	Notary Commission	685,250	685,249
TOTAL FOR PROGRAM				685,250	685,249

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PROGRAM SERIES 04: Law Related Education

This program provides a subsidy to the Ohio Center for Law Related Education in support of the national Youth For Justice Anti-Violence initiative in Ohio middle schools. SOS serves as the sub-grantee for the federal funds aimed at training team advisors and students in alternative dispute resolution and implementing solutions to prevent violence, particularly in schools. Since 1995, thousands of Ohio students in grades 5-8 have participated in this initiative to address issues of bullying, peer pressure, discrimination and violence prevention. Each year, 250-350 students are selected to participate in the state's Youth Summit in Columbus, Ohio.

Program 04.01: Law Related Education

This program seeks to promote youth civic participation, safe schools and violence prevention in middle schools representing each region of the state. The program provides structure and support for local initiatives to research and prepare recommendations for an improved climate in Ohio's schools and communities.

What the Budget Buys:

- Subsidizes the Ohio Center for Law Related Education's Youth for Justice Anti-Violence initiative in Ohio middle schools, which includes training of alternative dispute resolution to the state's middle school students;
- Supports the local efforts of nearly thirty statewide teams to develop and implement violence prevention solutions in schools; and
- In combination with other funding sources, provides support for the annual Youth Summit in Columbus, Ohio, an opportunity for students to interact with community leaders and youth from around the state to address issues of civic participation and violence.

FUND GROUP	FUND	ALI	ALI NAME	RECOMMENDED	
				FY 2006	FY 2007
FED	3X4	050-612	Ohio Center/Law Related Education Grant	41,000	41,000
TOTAL FOR PROGRAM				41,000	41,000

LINE ITEM SUMMARY - Secretary of State

FUND	ALI	ALI TITLE	FY 2002 ACTUAL	FY 2003 ACTUAL	FY 2004 ACTUAL	FY 2005 ESTIMATE	FY 2006 RECOMMENDED	% CHANGE	FY 2007 RECOMMENDED	% CHANGE
GRF	050-321	Operating Expenses	3,228,333	3,229,326	2,863,219	2,585,000	2,585,000	.0	2,585,000	.0
GRF	050-403	Election Statistics	159,169	78,003	113,026	103,936	103,936	.0	103,936	.0
GRF	050-407	Pollworkers Training	152,518	268,819	145,771	277,997	277,997	.0	277,997	.0
GRF	050-409	Litigation Expenditures	0	5,077	4,949	4,652	4,652	.0	4,652	.0
TOTAL General Revenue Fund			3,540,020	3,581,225	3,126,965	2,971,585	2,971,585	.0	2,971,585	.0
4S8	050-610	Voting Machine Examiners	4,904	7,110	14,392	7,200	7,200	.0	7,200	.0
412	050-609	Notary Commission	148,372	186,048	172,707	185,249	685,250	269.9	685,249	.0
413	050-601	Information Systems	90,877	237,468	191,500	169,955	169,955	.0	169,955	.0
414	050-602	Citizen Education Fund	16,937	68,767	68,429	75,712	75,700	.0	55,712	(26.4)
TOTAL General Services Fund Group			261,090	499,393	447,028	438,116	938,105	114.1	918,116	(2.1)
3AA	050-613	Federal Election Reform	0	0	4,933,527	0	0	.0	0	.0
3AR	050-615	2004 HAVA Voting Machines	0	0	126,834	27,749,918	0	(100.0)	0	.0
3AS	050-616	2005 HAVA Voting Machines	0	0	0	79,311,037	37,436,203	(52.8)	0	(100.0)
3AT	050-617	Voter/Poll Worker Education	0	0	0	5,000,000	0	(100.0)	0	.0
3X4	050-612	Ohio Cntr/Law Related Educ Grant	23,785	41,000	29,960	41,000	41,000	.0	41,000	.0
TOTAL Fed Special Revenue Fund Group			23,785	41,000	5,090,321	112,101,955	37,477,203	(66.6)	41,000	(99.9)
5N9	050-607	Technology Improvements	87,870	150,778	91,937	129,565	129,565	.0	129,565	.0
599	050-603	Business Svcs Opertng Expenses	11,403,269	14,041,586	14,336,815	14,241,966	13,741,745	(3.5)	13,761,734	.1
TOTAL State Special Revenue Fund Group			11,491,139	14,192,364	14,428,752	14,371,531	13,871,310	(3.5)	13,891,299	.1
R01	050-605	Uniform Commercial Code Refunds	91,364	44,038	33,297	65,000	65,000	.0	65,000	.0
R02	050-606	Corporate/Business Filing Refunds	89,970	71,041	70,518	100,000	100,000	.0	100,000	.0
TOTAL Holdng Acct Redist Fund Group			181,334	115,079	103,815	165,000	165,000	.0	165,000	.0
TOTAL Secretary of State			15,497,368	18,429,061	23,196,881	130,048,187	55,423,203	(57.4)	17,987,000	(67.5)