

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 11 divisions, approximately 168 employees, and an annual budget of approximately \$22.6 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.

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, maintains various other indexes and records, 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.

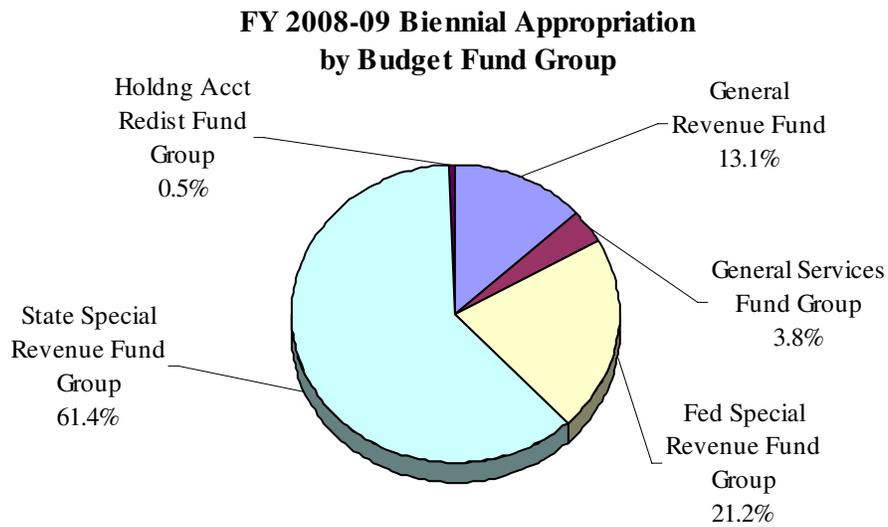
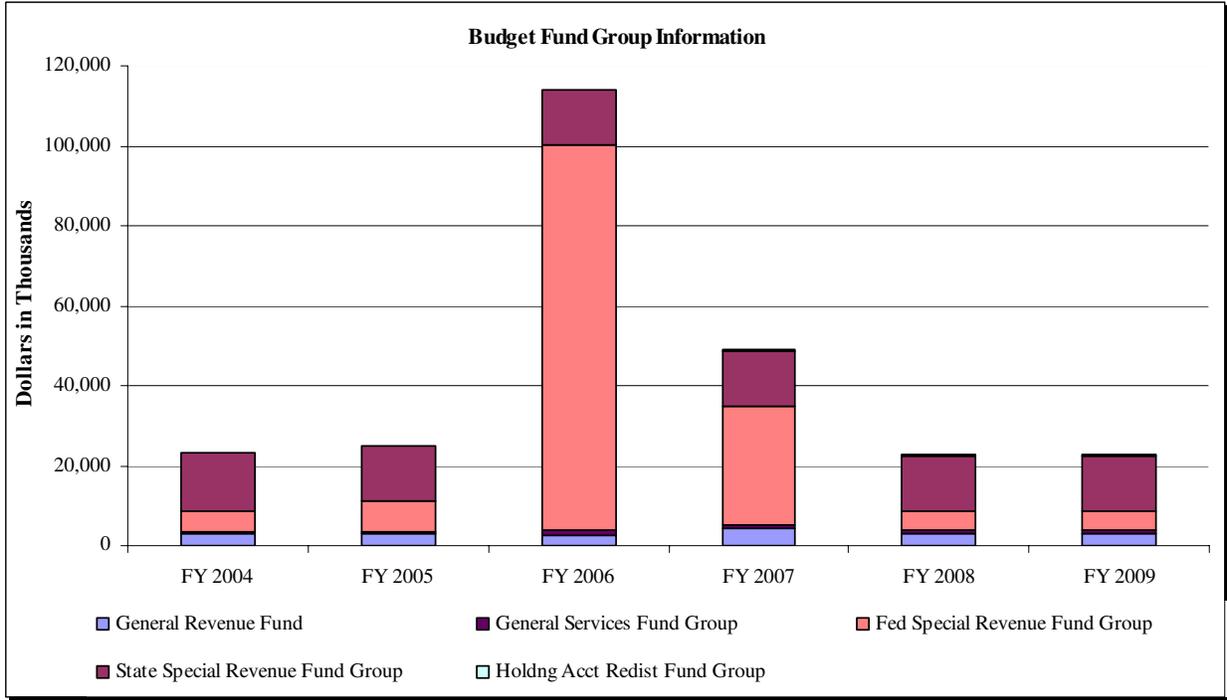
In addition, the SOS incorporates Ohio businesses and nonprofit organizations, registers business names, registers company trademarks and service marks, files secured commercial transactions, grants business licenses to foreign corporations doing business in Ohio, provides certificates of good standing,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

More information regarding the Secretary of State is available at <http://www.sos.state.oh.us/>.

Agency Priorities

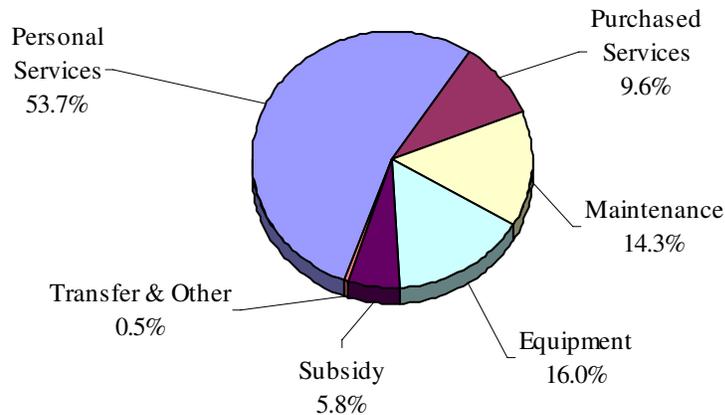
- Restore trust to Ohio elections.
- Ensure business filings are quick, efficient, and easy to retrieve.
- Protect social security numbers from public access.
- Create and maintain a social health index.

Summary of Budget History and Recommendations



(In thousands) BUDGET FUND GROUP	ACTUAL			ESTIMATE FY 2007	% CHANGE FY 06-07	RECOMMENDED			
	FY 2004	FY 2005	FY 2006			FY 2008	% CHANGE	FY 2009	% CHANGE
General Revenue Fund	3,127	2,983	2,714	4,171	53.7	2,972	(28.8)	2,972	.0
General Services Fund Group	447	383	1,011	918	(9.2)	868	(5.4)	868	.0
Fed Special Revenue Fund Group	5,090	7,646	96,442	29,754	(69.1)	4,791	(83.9)	4,791	.0
State Special Revenue Fund Group	14,429	13,945	13,827	13,891	.5	13,891	.0	13,891	.0
Holdng Acct Redist Fund Group	104	98	49	165	238.8	115	(30.3)	115	.0
TOTAL	23,197	25,055	114,042	48,899	(57.1)	22,637	(53.7)	22,637	.0

**FY 2008-09 Biennial Appropriation
by Expense Category**



(In thousands) OBJECT OF EXPENSE	ACTUAL			ESTIMATE FY 2007	% CHANGE FY 06-07	RECOMMENDED			
	FY 2004	FY 2005	FY 2006			FY 2008	% CHANGE	FY 2009	% CHANGE
Personal Services	10,713	10,636	10,894	11,625	6.7	11,965	2.9	12,348	3.2
Purchased Services	4,839	4,886	6,218	8,311	33.7	2,328	(72.0)	2,023	(13.1)
Maintenance	2,746	5,463	3,414	3,065	(10.2)	3,270	6.7	3,222	(1.5)
Equipment	620	608	90,121	22,561	(75.0)	3,640	(83.9)	3,610	(.8)
Subsidy	4,167	3,357	3,324	3,169	(4.7)	1,319	(58.4)	1,319	.0
Transfer & Other	111	105	70	167	138.7	115	(31.2)	115	.0
TOTAL	23,197	25,055	114,042	48,899	(57.1)	22,637	(53.7)	22,637	.0

PROGRAM SERIES 01: Elections

As Ohio's chief election officer, 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 election and other materials such as the *Voter Information Guide*, *Candidate Requirement Guide*, and the *Citizen Digest*.

The Executive Recommendation will:

- Support 19 administrative staff members who are responsible for coordinating elections-related activities; and
- Provide for information technology upgrades.

FUND				RECOMMENDED	
GROUP	FUND	ALI	ALI NAME	FY 2008	FY 2009
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(B). Each new election officer 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.

The Executive Recommendation will:

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

FUND				RECOMMENDED	
GROUP	FUND	ALI	ALI NAME	FY 2008	FY 2009
GRF	GRF	050-407	Pollworkers Training	277,997	277,997
TOTAL FOR PROGRAM				277,997	277,997

Program 01.03: Election 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.

The Executive Recommendation will:

- Support two FTEs to maintain the master file of the state's registered voters and the electronic compilation of election results; and

- Enable the electronic delivery of data to eliminate the need for manual data entry of information.

FUND				RECOMMENDED	
GROUP	FUND	ALI	ALI NAME	FY 2008	FY 2009
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 election of judges from at-large districts and minority voting rights.

The Executive Recommendation will:

- Provide support for potential legal expenses.

FUND				RECOMMENDED	
GROUP	FUND	ALI	ALI NAME	FY 2008	FY 2009
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.

The Executive Recommendation will:

- Support the examination and certification of voting machines.

FUND				RECOMMENDED	
GROUP	FUND	ALI	ALI NAME	FY 2008	FY 2009
GSF	4S8	050-610	Voting Machine Examiners	7,200	7,200
TOTAL FOR PROGRAM				7,200	7,200

Program 01.06: Election Reform

This program supports the purchase of new voting equipment, upgrades to the voter registration system, voter education, administration of the federal grant programs, 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 124th General Assembly.

The Executive Recommendation will:

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

FUND				RECOMMENDED	
GROUP	FUND	ALI	ALI NAME	FY 2008	FY 2009
FED	3AH	050-614	Election Reform/HHS	1,000,000	1,000,000

FED	3AS	050-616	2005 HAVA Voting Machines	3,750,000	3,750,000
TOTAL FOR PROGRAM				4,750,000	4,750,000

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.

The Executive Recommendation will:

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

FUND				RECOMMENDED	
GROUP	FUND	ALI	ALI NAME	FY 2008	FY 2009
GSF	414	050-602	Citizen Education Fund	55,712	55,712
TOTAL FOR PROGRAM				55,712	55,712

PROGRAM SERIES 02: Business Services

This 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, partnerships having limited liability, and limited liability companies also file with this office.

The Corporations section of the Business Services Division also approves amendments to existing entities, mergers, consolidations, and dissolutions; and registers trademarks/service marks, 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, and the date of incorporation; and the number of shares authorized. The Corporations section also issues certified copies as well as a variety of certificates pertaining to the business entities on file.

Program 02.01: Business Services Program Management

This program provides services to businesses wishing to incorporate in the State of Ohio. Additionally, SOS assists in 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).

The Executive Recommendation will:

- Provide for the filing and maintenance of records related to Ohio corporations, foreign corporations, and other business entities; and
- Support approximately 137 employees in the operation of the Secretary of State's Office including 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				RECOMMENDED	
GROUP	FUND	ALI	ALI NAME	FY 2008	FY 2009
SSR	599	050-603	Business Svcs Opertng Expenses	13,761,734	13,761,734
TOTAL FOR PROGRAM				13,761,734	13,761,734

Program 02.02: Uniform Commercial Code Refund

This program provides refunds 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.

The Executive Recommendation will:

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

FUND				RECOMMENDED	
GROUP	FUND	ALI	ALI NAME	FY 2008	FY 2009
090	R01	050-605	Uniform Commercial Code Refund	30,000	30,000
TOTAL FOR PROGRAM				30,000	30,000

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.

The Executive Recommendation will:

- Provide for the refund of Corporations' Filing fees as necessary.

FUND				RECOMMENDED	
GROUP	FUND	ALI	ALI NAME	FY 2008	FY 2009
090	R02	050-606	Corp/Business Filing Refunds	85,000	85,000
TOTAL FOR PROGRAM				85,000	85,000

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 by law and for public access.

The Executive Recommendation will:

- Fund the replacement of existing information technology hardware and upgrades to the current operating system to ensure proper record storage and retrieval capabilities; and
- Support 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				RECOMMENDED	
GROUP	FUND	ALI	ALI NAME	FY 2008	FY 2009
GSF	413	050-601	Information Systems	119,955	119,955
SSR	5N9	050-607	Technology Improvements	129,565	129,565
TOTAL FOR PROGRAM				249,520	249,520

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.

The Executive Recommendation will:

- Provide 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;
- Support the automation of the notary public application process and the development of the commission's website; and
- Fund the commission's current three FTEs that manage the program on behalf of the Secretary of State.

FUND				RECOMMENDED	
GROUP	FUND	ALI	ALI NAME	FY 2008	FY 2009
GSF	412	050-609	Notary Commission	685,249	685,249
TOTAL FOR PROGRAM				685,249	685,249

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.

The Executive Recommendation will:

- Subsidize, contingent on federal grant funding, 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 and support the local efforts of nearly thirty statewide teams to develop and implement violence prevention solutions in schools; and
- Provide support, in combination with other funding sources, 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				RECOMMENDED	
GROUP	FUND	ALI	ALI NAME	FY 2008	FY 2009
FED	3X4	050-612	Ohio Cntr/Law Related Edu Grnt	41,000	41,000
TOTAL FOR PROGRAM				41,000	41,000

LINE ITEM SUMMARY - Secretary of State

FUND	ALI	ALI TITLE	FY 2004 ACTUAL	FY 2005 ACTUAL	FY 2006 ACTUAL	FY 2007 ESTIMATE	FY 2008 RECOMMENDED	% CHANGE	FY 2009 RECOMMENDED	% CHANGE
GRF	050-321	Operating Expenses	2,863,219	2,594,084	2,493,877	3,784,726	2,585,000	(31.7)	2,585,000	.0
GRF	050-403	Election Statistics	113,026	106,073	101,800	103,936	103,936	.0	103,936	.0
GRF	050-407	Pollworkers Training	145,771	277,997	113,683	277,997	277,997	.0	277,997	.0
GRF	050-409	Litigation Expenditures	4,949	4,652	4,429	4,652	4,652	.0	4,652	.0
TOTAL General Revenue Fund			3,126,965	2,982,806	2,713,789	4,171,311	2,971,585	(28.8)	2,971,585	.0
4S8	050-610	Voting Machine Examiners	14,392	7,119	13,169	7,200	7,200	.0	7,200	.0
412	050-609	Notary Commission	172,707	189,249	671,753	685,249	685,249	.0	685,249	.0
413	050-601	Information Systems	191,500	95,623	246,285	169,955	119,955	(29.4)	119,955	.0
414	050-602	Citizen Education Fund	68,429	91,403	79,675	55,712	55,712	.0	55,712	.0
TOTAL General Services Fund Group			447,028	383,394	1,010,882	918,116	868,116	(5.4)	868,116	.0
3AA	050-613	Federal Election Reform	4,933,527	266,937	0	0	0	.0	0	.0
3AH	050-614	Election Reform/HHS	0	0	187,956	1,000,000	1,000,000	.0	1,000,000	.0
3AR	050-615	2004 HAVA Voting Machines	126,834	2,753,386	20,352,450	0	0	.0	0	.0
3AS	050-616	2005 HAVA Voting Machines	0	61,037	75,447,512	28,344,668	3,750,000	(86.8)	3,750,000	.0
3AT	050-617	Voter/Poll Worker Education	0	4,551,794	448,206	0	0	.0	0	.0
3X4	050-612	Ohio Cntr/Law Related Edu Grnt	29,960	12,831	5,531	41,000	41,000	.0	41,000	.0
TOTAL Fed Special Revenue Fund Group			5,090,321	7,645,985	96,441,655	29,385,668	4,791,000	(83.7)	4,791,000	.0
5N9	050-607	Technology Improvements	91,937	129,197	139,549	129,565	129,565	.0	129,565	.0
599	050-603	Business Svcs Opertng Expenses	14,336,815	13,815,685	13,686,998	13,761,734	13,761,734	.0	13,761,734	.0
TOTAL State Special Revenue Fund Group			14,428,752	13,944,882	13,826,547	13,891,299	13,891,299	.0	13,891,299	.0
R01	050-605	Uniform Commercial Code Refund	33,297	20,719	8,740	65,000	30,000	(53.8)	30,000	.0
R02	050-606	Corp/Business Filing Refunds	70,518	77,004	39,960	100,000	85,000	(15.0)	85,000	.0
TOTAL Holdng Acct Redist Fund Group			103,815	97,723	48,700	165,000	115,000	(30.3)	115,000	.0
TOTAL Secretary of State			23,196,881	25,054,790	114,041,573	48,531,394	22,637,000	(53.4)	22,637,000	.0