

## As Passed by the House

124th General Assembly

Regular Session

2001-2002

Am. Sub. H. B. No. 5

**REPRESENTATIVES Lendrum, Grendell, Manning, Cates, Damschroder,  
Hughes, Reidelbach, G. Smith, Goodman, Carmichael, Buehrer, Carey,  
Womer Benjamin, Core, Reinhard, Hagan, Fessler, Schuring, Kearns,  
Widowfield, Schneider, Flowers, Britton, Salerno, Faber, Young, Roman,  
Peterson, Collier, Setzer, Hartnett, Schaffer, Calvert, Driehaus, Olman,  
Trakas, Willamowski, Niehaus, Seitz, Latta**

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### A B I L L

To amend sections 303.12, 519.12, 3375.03, 3501.05, 1  
3501.11, 3501.38, 3504.02, 3505.24, 3505.31, 2  
3505.32, 3506.12, 3506.15, 3509.01, 3509.04, 3  
3509.07, 3511.05, 3511.09, 3511.11, 3513.07, 4  
3513.22, 3513.261, 3515.04, and 3519.05 and to 5  
enact section 3506.16 of the Revised Code to revise 6  
the Election Law by requiring designated board of 7  
elections employees to examine punch card ballots 8  
prior to their counting and, in specified 9  
circumstances, to remove partially detached chads 10  
from them or remake ballots voted backwards, by 11  
specifying that no vote will be counted when a chad 12  
is attached to a punch card ballot by three or four 13  
corners, by specifying that armed service absent 14  
voter's ballots from voters who will be outside of 15  
the United States on election day that do not have 16  
any postmark or have an illegible postmark are 17  
valid if mailed prior to the close of the polls on 18  
election day and if received within the appropriate 19

period, and by making other changes; and to create 20  
the Election System Study Committee. 21  
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**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 303.12, 519.12, 3375.03, 3501.05, 23  
3501.11, 3501.38, 3504.02, 3505.24, 3505.31, 3505.32, 3506.12, 24  
3506.15, 3509.01, 3509.04, 3509.07, 3511.05, 3511.09, 3511.11, 25  
3513.07, 3513.22, 3513.261, 3515.04, and 3519.05 be amended and 26  
section 3506.16 of the Revised Code be enacted to read as follows: 27

**Sec. 303.12.** (A) Amendments to the zoning resolution may be 28  
initiated by motion of the county rural zoning commission, by the 29  
passage of a resolution ~~therefor~~ by the board of county 30  
commissioners, or by the filing of an application ~~therefor~~ by one 31  
or more of the owners or lessees of property within the area 32  
proposed to be changed or affected by the proposed amendment with 33  
the county rural zoning commission. The board of county 34  
commissioners may require that the owner or lessee of property 35  
filing an application to amend the zoning resolution pay a fee 36  
~~therefor~~ to defray the cost of advertising, mailing, filing with 37  
the county recorder, and other expenses. If the board of county 38  
commissioners requires such a fee, it shall be required generally, 39  
for each application. The board of county commissioners shall upon 40  
the passage of such resolution certify it to the county rural 41  
zoning commission. 42

Upon the adoption of such motion, ~~or~~ the certification of 43  
such resolution, or the filing of such application, the county 44  
rural zoning commission shall set a date for a public hearing 45  
~~thereon~~, which date shall not be less than twenty nor more than 46  
forty days from the date of adoption of such motion ~~or~~, the date 47

of the certification of such resolution, or the date of the filing 48  
of such application. Notice of such hearing shall be given by the 49  
county rural zoning commission by one publication in one or more 50  
newspapers of general circulation in each township affected by 51  
such proposed amendment at least ten days before the date of such 52  
hearing. 53

(B) If the proposed amendment intends to rezone or redistrict 54  
ten or fewer parcels of land, as listed on the county auditor's 55  
current tax list, written notice of the hearing shall be mailed by 56  
the zoning commission, by first class mail, at least ten days 57  
before the date of the public hearing to all owners of property 58  
within and contiguous to and directly across the street from such 59  
area proposed to be rezoned or redistricted to the addresses of 60  
such owners appearing on the county auditor's current tax list. 61  
The failure of delivery of such notice shall not invalidate any 62  
such amendment. 63

(C) If the proposed amendment intends to rezone or redistrict 64  
ten or fewer parcels of land as listed on the county auditor's 65  
current tax list, the published and mailed notices shall set forth 66  
the time, date, and place of the public hearing, and shall include 67  
all of the following: 68

(1) The name of the zoning commission that will be conducting 69  
the public hearing; 70

(2) A statement indicating that the motion, resolution, or 71  
application is an amendment to the zoning resolution; 72

(3) A list of the addresses of all properties to be rezoned 73  
or redistricted by the proposed amendment and of the names of 74  
owners of these properties, as they appear on the county auditor's 75  
current tax list; 76

(4) The present zoning classification of property named in 77  
the proposed amendment and the proposed zoning classification of 78

such property;

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(5) The time and place where the motion, resolution, or application proposing to amend the zoning resolution will be available for examination for a period of at least ten days prior to the public hearing;

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(6) The name of the person responsible for giving notice of the public hearing by publication or by mail, or by both publication and mail;

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(7) Any other information requested by the zoning commission;

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(8) A statement that, after the conclusion of such hearing, the matter will be submitted to the board of county commissioners for its action.

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(D) If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten parcels of land, as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing, and shall include all of the following:

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(1) The name of the zoning commission that will be conducting the public hearing on the proposed amendment;

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(2) A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;

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(3) The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least ten days prior to the public hearing;

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(4) The name of the person responsible for giving notice of the public hearing by publication;

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(5) A statement that, after the conclusion of such hearing, the matter will be submitted to the board of county commissioners for its action;

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(6) Any other information requested by the zoning commission. 109  
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Hearings shall be held in the county court house or in a 111  
public place designated by the zoning commission. 112

(E) Within five days after the adoption of such motion ~~or~~, 113  
the certification of such resolution, or the filing of such 114  
application, the county rural zoning commission shall transmit a 115  
copy ~~thereof~~ of it together with text and map pertaining ~~thereto~~ 116  
to it to the county or regional planning commission, if there is 117  
such a commission. 118

The county or regional planning commission shall recommend 119  
the approval or denial of the proposed amendment or the approval 120  
of some modification ~~thereof~~ of it and shall submit such 121  
recommendation to the county rural zoning commission. Such 122  
recommendation shall be considered at the public hearing held by 123  
the county rural zoning commission on such proposed amendment. 124

The county rural zoning commission, within thirty days after 125  
such hearing, shall recommend the approval or denial of the 126  
proposed amendment, or the approval of some modification ~~thereof~~ 127  
of it and shall submit such recommendation together with such 128  
application or resolution, the text and map pertaining ~~thereto~~ to 129  
it, and the recommendation of the county or regional planning 130  
commission ~~thereon~~ on it to the board of county commissioners. 131

The board of county commissioners, upon receipt of such 132  
recommendation, shall set a time for a public hearing on such 133  
proposed amendment, which date shall be not more than thirty days 134  
from the date of the receipt of such recommendation from the 135  
county rural zoning commission. Notice of such public hearing 136  
shall be given by the board by one publication in one or more 137  
newspapers of general circulation in the county, at least ten days 138  
before the date of such hearing. 139

(F) If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing and shall include all of the following:

(1) The name of the board that will be conducting the public hearing;

(2) A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;

(3) A list of the addresses of all properties to be rezoned or redistricted by the proposed amendment and of the names of owners of these properties, as they appear on the county auditor's current tax list;

(4) The present zoning classification of property named in the proposed amendment and the proposed zoning classification of such property;

(5) The time and place where the motion, application, or resolution proposing to amend the zoning resolution will be available for examination for a period of at least ten days prior to the public hearing;

(6) The name of the person responsible for giving notice of the public hearing by publication or by mail, or by both publication and mail;

(7) Any other information requested by the board.

(G) If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing, and shall include all of the following:

(1) The name of the board that will be conducting the public

hearing on the proposed amendment; 170

(2) A statement indicating that the motion, application, or 171  
resolution is an amendment to the zoning resolution; 172

(3) The time and place where the text and maps of the 173  
proposed amendment will be available for examination for a period 174  
of at least ten days prior to the public hearing; 175

(4) The name of the person responsible for giving notice of 176  
the public hearing by publication; 177

(5) Any other information requested by the board. 178

(H) Within twenty days after such public hearing, the board 179  
shall either adopt or deny the recommendation of the zoning 180  
commission or adopt some modification ~~thereof~~ of it. ~~In the event~~ 181  
If the board denies or modifies the recommendation of the county 182  
rural zoning commission, the unanimous vote of the board shall be 183  
required. 184

Such amendment adopted by the board shall become effective in 185  
thirty days after the date of such adoption, unless, within thirty 186  
days after the adoption of the amendment, there is presented to 187  
the board of county commissioners a petition, signed by a number 188  
of qualified voters residing in the unincorporated area of the 189  
township or part of that unincorporated area included in the 190  
zoning plan equal to not less than eight per cent of the total 191  
vote cast for all candidates for governor in such area at the most 192  
recent general election at which a governor was elected, 193  
requesting the board to submit the amendment to the electors of 194  
such area, for approval or rejection, at a special election to be 195  
held on the day of the next primary or general election. Each part 196  
of this petition shall contain the number and the full and correct 197  
title, if any, of the zoning amendment resolution, motion, or 198  
application, furnishing the name by which the amendment proposal 199  
is known and a brief summary of its contents. In addition to 200

meeting the requirements of this section, each petition shall be 201  
governed by the rules specified in section 3501.38 of the Revised 202  
Code. 203

The form of a petition calling for a zoning referendum and 204  
the statement of the circulator shall be substantially as follows: 205

"PETITION FOR ZONING REFERENDUM 206

(if the proposal is identified by a particular name or number, or 207  
both, these should be inserted here) ..... 208

A proposal to amend the zoning map of the unincorporated area 209  
of ..... Township, ..... County, Ohio, 210  
adopted ..... (date) ..... (followed by brief summary of 211  
the proposal). 212

To the Board of County Commissioners of ..... 213  
County, Ohio: 214

We, the undersigned, being electors residing in the 215  
unincorporated area of ..... Township, included within 216  
the ..... County Zoning Plan, equal to not less than 217  
eight per cent of the total vote cast for all candidates for 218  
governor in the area at the preceding general election at which a 219  
governor was elected, request the Board of County Commissioners to 220  
submit this amendment of the zoning resolution to the electors of 221  
..... Township residing within the unincorporated area of 222  
the township included in the ..... County Zoning 223  
Resolution, for approval or rejection at a special election to be 224  
held on the day of the next primary or general election to be held 225  
on .....(date)....., pursuant to section 303.12 of the 226  
Revised Code. 227

Street Address	Date of	228
Signature or R.F.D. Township Precinct County	Signing	229
.....		230
.....		231



STATEMENT OF CIRCULATOR 232

I, .....(name of circulator)..... 233

~~Declares, declare~~ under penalty of election falsification 234  
that ~~he is~~ I am an elector of the state of Ohio and ~~resides~~ reside 235  
at the address appearing below ~~his~~ my signature ~~hereto~~; that ~~he is~~ 236  
I am the circulator of the foregoing part petition containing 237  
.....(number)..... signatures; that ~~he~~ I have witnessed the 238  
affixing of every signature; that all signers were to the best of 239  
~~his~~ my knowledge and belief qualified to sign; and that every 240  
signature is to the best of ~~his~~ my knowledge and belief the 241  
signature of the person whose signature it purports to be. 242

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(Signature of circulator) 244

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(Address) 246

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(City, village, or township, 248

and zip code) 249

~~THE PENALTY FOR WHOEVER COMMITS ELECTION FALSIFICATION IS~~ 250  
~~IMPRISONMENT FOR NOT MORE THAN SIX MONTHS, OR A FINE OF NOT MORE~~ 251  
~~THAN ONE THOUSAND DOLLARS, OR BOTH GUILTY OF A FELONY OF THE FIFTH~~ 252  
~~DEGREE.~~ " 253

No amendment for which such referendum vote has been 254  
requested shall be put into effect unless a majority of the vote 255  
cast on the issue is in favor of the amendment. Upon certification 256  
by the board of elections that the amendment has been approved by 257  
the voters, it shall take immediate effect. 258

Within five working days after an amendment's effective date, 259  
the board of county commissioners shall file the text and maps of 260  
the amendment in the office of the county recorder and with the 261  
regional or county planning commission, if one exists. 262

The board shall file all amendments, including text and maps, 263  
that are in effect on January 1, 1992, in the office of the county 264  
recorder within thirty working days after that date. The board 265  
shall also file duplicates of the same documents with the regional 266  
or county planning commission, if one exists, within the same 267  
period. 268

The failure to file any amendment, or any text and maps, or 269  
duplicates of any of these documents, with the office of the 270  
county recorder or the county or regional planning commission as 271  
required by this section does not invalidate the amendment and is 272  
not grounds for an appeal of any decision of the board of zoning 273  
appeals. 274

**Sec. 519.12.** (A) Amendments to the zoning resolution may be 275  
initiated by motion of the township zoning commission, by the 276  
passage of a resolution ~~therefor~~ by the board of township 277  
trustees, or by the filing of an application ~~therefor~~ by one or 278  
more of the owners or lessees of property within the area proposed 279  
to be changed or affected by the proposed amendment with the 280  
township zoning commission. The board of township trustees may 281  
require that the owner or lessee of property filing an application 282  
to amend the zoning resolution pay a fee ~~therefor~~ to defray the 283  
cost of advertising, mailing, filing with the county recorder, and 284  
other expenses. If the township trustees require such a fee, it 285  
shall be required generally, for each application. The board of 286  
township trustees shall upon the passage of such resolution 287  
certify it to the township zoning commission. 288

Upon the adoption of such motion, ~~or~~ the certification of 289  
such resolution, ~~or~~ the filing of such application, the township 290  
zoning commission shall set a date for a public hearing ~~thereon~~, 291  
which date shall not be less than twenty nor more than forty days 292  
from the date of the certification of such resolution ~~or~~, the date 293

of adoption of such motion, or the date of the filing of such 294  
application. Notice of such hearing shall be given by the township 295  
zoning commission by one publication in one or more newspapers of 296  
general circulation in the township at least ten days before the 297  
date of such hearing. 298

(B) If the proposed amendment intends to rezone or redistrict 299  
ten or fewer parcels of land, as listed on the county auditor's 300  
current tax list, written notice of the hearing shall be mailed by 301  
the zoning commission, by first class mail, at least ten days 302  
before the date of the public hearing to all owners of property 303  
within and contiguous to and directly across the street from such 304  
area proposed to be rezoned or redistricted to the addresses of 305  
such owners appearing on the county auditor's current tax list. 306  
The failure of delivery of such notice shall not invalidate any 307  
such amendment. 308

(C) If the proposed amendment intends to rezone or redistrict 309  
ten or fewer parcels of land as listed on the county auditor's 310  
current tax list, the published and mailed notices shall set forth 311  
the time, date, and place of the public hearing, and shall include 312  
all of the following: 313

(1) The name of the zoning commission that will be conducting 314  
the public hearing; 315

(2) A statement indicating that the motion, resolution, or 316  
application is an amendment to the zoning resolution; 317

(3) A list of the addresses of all properties to be rezoned 318  
or redistricted by the proposed amendment and of the names of 319  
owners of these properties, as they appear on the county auditor's 320  
current tax list; 321

(4) The present zoning classification of property named in 322  
the proposed amendment and the proposed zoning classification of 323  
such property; 324

(5) The time and place where the motion, resolution, or application proposing to amend the zoning resolution will be available for examination for a period of at least ten days prior to the public hearing;	325 326 327 328
(6) The name of the person responsible for giving notice of the public hearing by publication or by mail, or by both publication and mail;	329 330 331
(7) Any other information requested by the zoning commission;	332 333
(8) A statement that, after the conclusion of such hearing, the matter will be submitted to the board of township trustees for its action.	334 335 336
(D) If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten parcels of land, as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing, and shall include all of the following:	337 338 339 340 341
(1) The name of the zoning commission that will be conducting the public hearing on the proposed amendment;	342 343
(2) A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;	344 345
(3) The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least ten days prior to the public hearing;	346 347 348
(4) The name of the person responsible for giving notice of the public hearing by publication;	349 350
(5) A statement that, after the conclusion of such hearing, the matter will be submitted to the board of township trustees for its action;	351 352 353
(6) Any other information requested by the zoning commission.	354

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(E) Within five days after the adoption of such motion ~~or,~~  
the certification of such resolution, or the filing of such  
application, the township zoning commission shall transmit a copy  
~~thereof of it~~ together with text and map pertaining ~~thereto to it~~  
to the county or regional planning commission, if there is such a  
commission.

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The county or regional planning commission shall recommend  
the approval or denial of the proposed amendment or the approval  
of some modification ~~thereof of it~~ and shall submit such  
recommendation to the township zoning commission. Such  
recommendation shall be considered at the public hearing held by  
the township zoning commission on such proposed amendment.

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The township zoning commission shall, within thirty days  
after such hearing, recommend the approval or denial of the  
proposed amendment, or the approval of some modification ~~thereof~~  
~~of it~~ and submit such recommendation together with such  
application or resolution, the text and map pertaining ~~thereto to~~  
~~it,~~ and the recommendation of the county or regional planning  
commission ~~thereon on it~~ to the board of township trustees.

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The board of township trustees shall, upon receipt of such  
recommendation, set a time for a public hearing on such proposed  
amendment, which date shall not be more than thirty days from the  
date of the receipt of such recommendation from the township  
zoning commission. Notice of such public hearing shall be given by  
the board by one publication in one or more newspapers of general  
circulation in the township, at least ten days before the date of  
such hearing.

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(F) If the proposed amendment intends to rezone or redistrict  
ten or fewer parcels of land as listed on the county auditor's  
current tax list, the published notice shall set forth the time,  
date, and place of the public hearing and shall include all of the

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following:	387
(1) The name of the board that will be conducting the public hearing;	388 389
(2) A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;	390 391
(3) A list of the addresses of all properties to be rezoned or redistricted by the proposed amendment and of the names of owners of these properties, as they appear on the county auditor's current tax list;	392 393 394 395
(4) The present zoning classification of property named in the proposed amendment and the proposed zoning classification of such property;	396 397 398
(5) The time and place where the motion, application, or resolution proposing to amend the zoning resolution will be available for examination for a period of at least ten days prior to the public hearing;	399 400 401 402
(6) The name of the person responsible for giving notice of the public hearing by publication or by mail, or by both publication and mail;	403 404 405
(7) Any other information requested by the board.	406
(G) If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing, and shall include all of the following:	407 408 409 410 411
(1) The name of the board that will be conducting the public hearing on the proposed amendment;	412 413
(2) A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;	414 415

(3) The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least ten days prior to the public hearing;

(4) The name of the person responsible for giving notice of the public hearing by publication;

(5) Any other information requested by the board.

(H) Within twenty days after such public hearing, the board shall either adopt or deny the recommendations of the zoning commission or adopt some modification ~~thereof~~ of them. ~~In the event~~ If the board denies or modifies the recommendation of the township zoning commission, the unanimous vote of the board shall be required.

Such amendment adopted by the board shall become effective in thirty days after the date of such adoption, unless, within thirty days after the adoption of the amendment, there is presented to the board of township trustees a petition, signed by a number of registered electors residing in the unincorporated area of the township or part ~~thereof~~ of that unincorporated area included in the zoning plan equal to not less than eight per cent of the total vote cast for all candidates for governor in such area at the most recent general election at which a governor was elected, requesting the board of township trustees to submit the amendment to the electors of such area for approval or rejection at a special election to be held on the day of the next primary or general election. Each part of this petition shall contain the number and the full and correct title, if any, of the zoning amendment resolution, motion, or application, furnishing the name by which the amendment is known and a brief summary of its contents. In addition to meeting the requirements of this section, each petition shall be governed by the rules specified in section 3501.38 of the Revised Code.

The form of a petition calling for a zoning referendum and 447  
the statement of the circulator shall be substantially as follows: 448

"PETITION FOR ZONING REFERENDUM 449

(if the proposal is identified by a particular name or number, or 450  
both, these should be inserted here) ..... 451

A proposal to amend the zoning map of the unincorporated area 452  
of ..... Township, ..... County, Ohio, adopted 453  
.....(date)..... (followed by brief summary of the proposal). 454

To the Board of Township Trustees of ..... 455  
Township, ..... County, Ohio: 456

..... County, Ohio: 457

We, the undersigned, being electors residing in the 458  
unincorporated area of ..... Township, included 459  
within the ..... Township Zoning Plan, equal to not less 460  
than eight per cent of the total vote cast for all candidates for 461  
governor in the area at the preceding general election at which a 462  
governor was elected, request the Board of Township Trustees to 463  
submit this amendment of the zoning resolution to the electors of 464  
..... Township residing within the 465  
unincorporated area of the township included in the 466  
..... Township Zoning Resolution, for approval or 467  
rejection at a special election to be held on the day of the next 468  
primary or general election to be held on .....(date)....., 469  
pursuant to section 519.12 of the Revised Code. 470

Street Address	Date of	471
Signature or R.F.D. Township Precinct County	Signing	472
.....		473
.....		474

STATEMENT OF CIRCULATOR 475

I, .....(name of circulator)..... declares, declare 476



under penalty of election falsification that ~~he is~~ I am an elector 477  
of the state of Ohio and ~~resides~~ reside at the address appearing 478  
below ~~his~~ my signature ~~hereto~~; that ~~he is~~ I am the circulator of 479  
the foregoing part petition containing .....(number)..... 480  
signatures; that ~~he~~ I have witnessed the affixing of every 481  
signature; that all signers were to the best of ~~his~~ my knowledge 482  
and belief qualified to sign; and that every signature is to the 483  
best of ~~his~~ my knowledge and belief the signature of the person 484  
whose signature it purports to be. 485

..... 486  
(Signature of circulator) 487  
..... 488  
(Address) 489  
..... 490  
(City, village, or township, 491  
and zip code) 492

~~THE PENALTY FOR WHOEVER COMMITS ELECTION FALSIFICATION IS~~ 493  
~~IMPRISONMENT FOR NOT MORE THAN SIX MONTHS, OR A FINE OF NOT MORE~~ 494  
~~THAN ONE THOUSAND DOLLARS, OR BOTH GUILTY OF A FELONY OF THE FIFTH~~ 495  
~~DEGREE.~~ " 496

The petition shall be filed, accompanied by an appropriate 497  
map of the area affected by the zoning proposal, with the board of 498  
township trustees, which shall then transmit the petition within 499  
two weeks of its receipt to the board of elections, which shall 500  
determine the sufficiency and validity of the petition. The 501  
petition shall be certified to the board of elections not less 502  
than seventy-five days prior to the election at which the question 503  
is to be voted upon. 504

No amendment for which such referendum vote has been 505  
requested shall be put into effect unless a majority of the vote 506  
cast on the issue is in favor of the amendment. Upon certification 507  
by the board of elections that the amendment has been approved by 508

the voters, it shall take immediate effect.

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Within five working days after an amendment's effective date, the board of township trustees shall file the text and maps of the amendment in the office of the county recorder and with the regional or county planning commission, if one exists.

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The board shall file all amendments, including text and maps, that are in effect on January 1, 1992, in the office of the county recorder within thirty working days after that date. The board shall also file duplicates of the same documents with the regional or county planning commission, if one exists, within the same period.

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The failure to file any amendment, or any text and maps, or duplicates of any of these documents, with the office of the county recorder or the county or regional planning commission as required by this section does not invalidate the amendment and is not grounds for an appeal of any decision of the board of zoning appeals.

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**Sec. 3375.03.** Unless the transfer of certain library territory pursuant to division (G) of section 3375.01 of the Revised Code has been agreed to by the affected boards of library trustees, a referendum petition against the transfer of the territory to another library district, signed by qualified electors of the territory to be transferred and equal in number to at least ten per cent of such electors who voted in the last gubernatorial election may be filed with the library board of the territory's current library district within sixty days after certified copies of the boundary change order have been filed in final form with the secretary of state, and the order shall not become effective until after the outcome of the referendum procedure prescribed in this section.

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Each part of a petition filed pursuant to this section shall

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contain a full and correct title of the petition, a brief summary  
of its purpose, and a statement by the person soliciting  
signatures for the petition, made under penalty of election  
falsification, certifying that, to the best of ~~his~~ the  
circulator's knowledge and belief, each signature contained in the  
petition is that of the person whose name it purports to be, that  
each ~~such~~ person is an elector residing in the territory subject  
to transfer entitled to sign the petition, and that each ~~such~~  
person signed the petition with knowledge of its contents. The  
petition may contain additional information that shall fairly and  
accurately present the question to prospective petition signers.

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The form of a petition calling for a referendum and the  
statement of the circulator shall be substantially as follows:

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"PETITION FOR REFERENDUM ON LIBRARY  
DISTRICT TRANSFER

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A petition against the transfer of territory currently  
located in the ..... library district and  
proposed for transfer by the state library board to the  
..... library district.

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We, the undersigned, being electors residing in the area  
proposed to be transferred, equal in number to not less than ten  
per cent of the qualified electors in the area subject to transfer  
who voted at the last general election request the  
..... library board to submit the question of  
the transfer of territory to the ..... library  
district to the electors residing within the territory proposed to  
be transferred for approval or rejection at the next primary or  
general election.

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Street Address Date of  
Signature or R.F.D. Precinct Signing  
.....

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.....	571
STATEMENT OF CIRCULATOR	572
<u>I</u> , ..... (name of circulator) .....	573
..... <del>declares,</del> <u>declare</u> under penalty of election	574
falsification that <del>he is</del> <u>I am</u> an elector of the state of Ohio and	575
<del>resides</del> <u>reside</u> at the address appearing below <del>his</del> <u>my</u> signature	576
<del>hereto</del> ; that <del>he is</del> <u>I am</u> the circulator of the foregoing part	577
petition containing .....(number)..... signatures; that	578
<del>he</del> <u>I have</u> witnessed the affixing of every signature; that all	579
signers were to the best of <del>his</del> <u>my</u> knowledge and belief qualified	580
to sign; that every signature is to the best of <del>his</del> <u>my</u> knowledge	581
and belief the signature of the person whose signature it purports	582
to be; and that such person signed the petition with knowledge of	583
its contents.	584
.....	585
(Signature of circulator)	586
.....	587
(Address)	588
.....	589
(City or village and zip code)	590
<del>THE PENALTY FOR WHOEVER COMMITS ELECTION FALSIFICATION IS</del>	591
<del>IMPRISONMENT FOR NOT MORE THAN SIX MONTHS, A FINE OF NOT MORE THAN</del>	592
<del>ONE THOUSAND DOLLARS, OR BOTH</del> <u>GUILTY OF A FELONY OF THE FIFTH</u>	593
<u>DEGREE.</u> "	594
The person presenting a referendum petition under this	595
section shall be given a receipt containing the time of day and	596
the date on which the petition is filed with the library board and	597
noting the purpose of and the number of signatures on the	598
petition. The secretary of the library board shall cause the board	599
of elections of the county or counties in which the territory to	600
be transferred is located to check the sufficiency of signatures	601
on such petition, and, <del>he</del> <u>the</u> if these are found to be sufficient,	602

secretary shall present the petition to the library board at a 603  
meeting of the board, which shall occur not later than thirty days 604  
following the filing of the petition with the board. The board 605  
shall promptly certify the question to the board of elections of 606  
the county or counties in which the territory to be transferred is 607  
located for the purpose of having the proposal placed on the 608  
ballot within ~~such~~ that territory at the next general or primary 609  
election occurring not less than sixty days after the 610  
certification. 611

The form of the ballot to be used at the election on the 612  
question of the transfer shall be as follows: 613

"Shall the territory ..... (here insert its 614  
boundaries) which is currently within the ..... 615  
..... (here insert the name of the current library district) 616  
library district be transferred to the ..... 617  
(here insert the name of the library district to which the 618  
territory is proposed to be transferred) library district? 619  
..... For the transfer 620  
..... Against the transfer" 621

The persons qualified to vote on the question are the 622  
electors residing in the territory proposed to be transferred. The 623  
costs of an election held under this section shall be paid by the 624  
board of library trustees of the current library district of the 625  
territory to be transferred. The board of elections shall certify 626  
the result of the election to the state library board and to the 627  
library boards of the affected library district. 628

If a majority of electors voting on the question vote in 629  
favor of the transfer, the transfer shall take effect on the date 630  
of the certification of the election to the state library board. 631  
If a majority of the voters voting on the question do not vote for 632  
the transfer, the transfer shall not take place. 633

Sec. 3501.05. The secretary of state shall <u>do all of the</u>	634
<u>following:</u>	635
(A) Appoint all members of boards of elections;	636
(B) <del>Advise</del> <u>Issue instructions by directives and advisories to</u>	637
members of <del>such</del> <u>the</u> boards as to the proper methods of conducting	638
elections;	639
(C) Prepare rules and instructions for the conduct of	640
elections;	641
(D) Publish and furnish to the boards from time to time a	642
sufficient number of indexed copies of all election laws then in	643
force;	644
(E) Edit and issue all pamphlets concerning proposed laws or	645
amendments required by law to be submitted to the voters;	646
(F) Prescribe the form of registration cards, blanks, and	647
records;	648
(G) Determine and prescribe the forms of ballots and the	649
forms of all blanks, cards of instructions, pollbooks, tally	650
sheets, certificates of election, and <del>all</del> forms and blanks	651
required by law for use by candidates, committees, and boards;	652
(H) Prepare the ballot title or statement to be placed on the	653
ballot for any proposed law or amendment to the constitution to be	654
submitted to the voters of the state;	655
(I) Certify to the several boards the forms of ballots and	656
names of candidates for state offices, and the form and wording of	657
state referendum questions and issues, as they shall appear on the	658
ballot;	659
(J) Give final approval to ballot language for any local	660
question or issue approved and transmitted by boards of elections	661
under section 3501.11 of the Revised Code;	662

(K) Receive all initiative and referendum petitions on state questions and issues and determine and certify to the sufficiency of ~~such~~ those petitions;

(L) Require such reports from the several boards as are provided by law, or as the secretary of state ~~deems~~ considers necessary;

(M) Compel the observance by election officers in the several counties of the requirements of the election laws;

(N)(1) Except as otherwise provided in division (N)(2) of this section, investigate the administration of election laws, frauds, and irregularities in elections in any county, and report violations of election laws to the attorney general or prosecuting attorney, or both, for prosecution;

(2) On and after ~~the effective date of this amendment~~ August 24, 1995, report a failure to comply with or a violation of a provision in sections 3517.08 to 3517.13, 3517.17, 3517.18, 3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised Code, whenever the secretary of state has or should have knowledge of a failure to comply with or a violation of a provision in one of those sections, by filing a complaint with the Ohio elections commission under section 3517.153 of the Revised Code-;

(O) Make an annual report to the governor containing the results of elections, the cost of elections in the various counties, a tabulation of the votes in the several political subdivisions, and ~~such~~ other information and recommendations relative to elections ~~as~~ the secretary ~~deems~~ of state considers desirable;

(P) Prescribe and distribute to boards of elections a list of instructions indicating all legal steps necessary to petition successfully for local option elections under sections 4301.32 to 4301.41, 4303.29, 4305.14, and 4305.15 of the Revised Code;

(Q) Prescribe a general program to remove ineligible voters 694  
from official registration lists by reason of change of residence, 695  
which shall be uniform, nondiscriminatory, and in compliance with 696  
the Voting Rights Act of 1965 and the National Voter Registration 697  
Act of 1993, including a program that uses the national change of 698  
address service provided by the United States postal system 699  
through its licensees; 700

(R) Prescribe a general program for registering voters or 701  
updating voter registration information, such as name and 702  
residence changes, at designated agencies, the offices of deputy 703  
registrars of motor vehicles, public high schools and vocational 704  
schools, public libraries, and the offices of county treasurers, 705  
and prescribe a program of distribution of voter registration 706  
forms through ~~such~~ those agencies, the offices of the registrar 707  
and deputy registrars of motor vehicles, public high schools and 708  
vocational schools, public libraries, and the offices of county 709  
treasurers; 710

(S) To the extent feasible, provide copies, at no cost and 711  
upon request, of the voter registration form in post offices in 712  
this state; 713

(T) Adopt rules pursuant to section 111.15 of the Revised 714  
Code for the purpose of implementing the program for registering 715  
voters at designated agencies and the offices of the registrar and 716  
deputy registrars of motor vehicles consistent with this chapter; 717

(U) Specify, by a directive issued not later than thirty-five 718  
days prior to the date of an election, the date by which the 719  
boards shall complete the canvass of election returns under 720  
section 3505.32 or 3513.22 of the Revised Code; 721

(V) Perform ~~such~~ other duties ~~as are~~ required by law. 722

Whenever a primary election is held under section 3513.32 of 723  
the Revised Code or a special election is held under section 724



3521.03 of the Revised Code to fill a vacancy in the office of  
representative to congress, the secretary of state shall establish  
a deadline, notwithstanding any other deadline required under the  
Revised Code, by which any or all of the following shall occur:  
the filing of a declaration of candidacy and petitions or a  
statement of candidacy and nominating petition together with the  
applicable filing fee; the filing of protests against the  
candidacy of any person filing a declaration of candidacy or  
nominating petition; the filing of a declaration of intent to be a  
write-in candidate; the filing of campaign finance reports; the  
preparation of, and the making of corrections or challenges to,  
precinct voter registration lists; the receipt of applications for  
absent voter's ballots or armed service absent voter's ballots;  
the supplying of election materials to precincts by boards of  
elections; the holding of hearings by boards of elections to  
consider challenges to the right of a person to appear on a voter  
registration list; and the scheduling of programs to instruct or  
reinstruct election officers.

In the performance of the ~~secretary's~~ secretary of state's  
duties as the chief election officer, the secretary of state may  
administer oaths, issue subpoenas, summon witnesses, compel the  
production of books, papers, records, and other evidence, and fix  
the time and place for hearing any matters relating to the  
administration and enforcement of the election laws.

In any controversy involving or arising out of the adoption  
of registration or the appropriation of funds ~~therefor~~ for  
registration, the secretary of state may, through the attorney  
general, bring an action in the name of the state in the court of  
common pleas ~~court~~ of the county where the cause of action arose  
or in an adjoining county ~~thereto~~, to adjudicate the question.

In any action involving the laws in Title XXXV of the Revised  
Code wherein the interpretation of those laws is in issue in such

a manner that the result of the action will affect the lawful  
duties of the secretary of state or of any board of elections, the  
secretary of state may, on the ~~secretary's~~ secretary of state's  
motion, be made a party.

The secretary of state may apply to any court that is hearing  
a case in which the secretary of state is a party, for a change of  
venue as a substantive right, and ~~such~~ the change of venue shall  
be allowed, and the case removed to the court of common pleas  
~~court~~ of an adjoining county named in the application, or, ~~where~~  
if there are cases pending in more than one jurisdiction that  
involve the same or similar issues, the court of common pleas of  
Franklin county.

Public high schools and vocational schools, public libraries,  
and the office of a county treasurer shall implement voter  
registration programs as directed by the secretary of state  
pursuant to this section.

**Sec. 3501.11.** Each board of elections shall exercise by a  
majority vote all powers granted to ~~such~~ the board by Title XXXV  
of the Revised Code, shall perform all the duties imposed by law,  
and shall do all of the following:

(A) Establish, define, provide, rearrange, and combine  
election precincts;

(B) Fix and provide the places for registration and for  
holding primaries and elections;

(C) Provide for the purchase, preservation, and maintenance  
of booths, ballot boxes, books, maps, flags, blanks, cards of  
instructions, and other forms, papers, and equipment used in  
registration, nominations, and elections;

(D) Appoint and remove its director, deputy director, and  
employees and all registrars, judges, and other officers of

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elections, fill vacancies, and designate the ward or district and  
precinct in which each shall serve; 787  
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(E) Make and issue ~~such~~ rules and instructions, not 789  
inconsistent with law or the rules ~~established, directives, or~~ 790  
advisories issued by the secretary of state, as it considers 791  
necessary for the guidance of election officers and voters; 792

(F) Advertise and contract for the printing of all ballots 793  
and other supplies used in registrations and elections; 794

(G) Provide for the issuance of all notices, advertisements, 795  
and publications concerning elections, except as otherwise 796  
provided in division (G) of section 3501.17 of the Revised Code; 797

(H) Provide for the delivery of ballots, pollbooks, and other 798  
required papers and material to the polling places; 799

(I) Cause the polling places to be suitably provided with 800  
stalls and other required supplies; 801

(J) Investigate irregularities, nonperformance of duties, or 802  
violations of Title XXXV of the Revised Code by election officers 803  
and other persons; administer oaths, issue subpoenas, summon 804  
witnesses, and compel the production of books, papers, records, 805  
and other evidence in connection with any such investigation; and 806  
report the facts to the prosecuting attorney; 807

(K) Review, examine, and certify the sufficiency and validity 808  
of petitions and nomination papers, and, after certification, 809  
return to the secretary of state all petitions and nomination 810  
papers that the secretary of state forwarded to the board; 811  
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(L) Receive the returns of elections, canvass the returns, 813  
make abstracts ~~thereof~~ of them, and transmit ~~such~~ those abstracts 814  
to the proper authorities; 815

(M) Issue certificates of election on forms to be prescribed 816

- by the secretary of state; 817
- (N) Make an annual report to the secretary of state, on the 818  
form prescribed by the secretary of state, containing a statement 819  
of the number of voters registered, elections held, votes cast, 820  
appropriations received, ~~and~~ expenditures made, and ~~such~~ other 821  
data ~~as is~~ required by the secretary of state; 822
- (O) Prepare and submit to the proper appropriating officer a 823  
budget estimating the cost of elections for the ensuing fiscal 824  
year; 825
- (P) Perform ~~such~~ other duties as ~~are~~ prescribed by law or the 826  
rules, directives, or advisories of the secretary of state; 827
- (Q) Investigate and determine the residence qualifications of 828  
electors; 829
- (R) Administer oaths in matters pertaining to the 830  
administration of the election laws; 831
- (S) Prepare and submit to the secretary of state, whenever 832  
the secretary of state requires, a report containing the names and 833  
residence addresses of all incumbent county, municipal, township, 834  
and board of education officials serving in their respective 835  
counties; 836
- (T) Establish and maintain a voter registration of all 837  
qualified electors in the county who offer to register; 838
- (U) Maintain voter registration records, make reports 839  
concerning voter registration as required by the secretary of 840  
state, and remove ineligible electors from voter registration 841  
lists in accordance with law and directives of the secretary of 842  
state; 843
- (V) At least annually, on a schedule and in a format 844  
prescribed by the secretary of state, submit to the secretary of 845  
state an accurate and current list of all registered voters in the 846

county for the purpose of assisting the secretary of state to 847  
maintain a master list of registered voters pursuant to section 848  
3503.27 of the Revised Code; 849

(W) Give approval to ballot language for any local question 850  
or issue and transmit the language to the secretary of state for 851  
the secretary of state's final approval; 852

(X) Prepare and cause the following notice to be displayed in 853  
a prominent location in every polling place: 854

"NOTICE 855

Ohio law prohibits any person from voting or attempting to 856  
vote more than once at the same election. 857

Violators are guilty of a felony of the fourth degree and 858  
shall be imprisoned and additionally may be fined in accordance 859  
with law." 860

In all cases of a tie vote or a disagreement in the board, if 861  
no decision can be arrived at, the director or chairperson shall 862  
submit the matter in controversy, not later than fourteen days 863  
after the tie vote or the disagreement, to the secretary of state, 864  
who shall summarily decide the question, and the secretary of 865  
state's decision shall be final. 866

(Y) Assist each designated agency, deputy registrar of motor 867  
vehicles, public high school and vocational school, public 868  
library, and office of a county treasurer in the implementation of 869  
a program for registering voters at all voter registration 870  
locations as prescribed by the secretary of state. Under this 871  
program, each board of elections shall direct to the appropriate 872  
board of elections any voter registration applications for persons 873  
residing outside the county where the board is located within five 874  
days after receiving the applications. 875

On any day on which an elector may vote in person at the 876  
office of the board or at another site designated by the board, 877

the board or other designated site shall be considered a polling  
place for that day, and all requirements or prohibitions of law  
that apply to a polling place shall apply to the office of the  
board or other designated site on that day.

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**Sec. 3501.38.** All declarations of candidacy, nominating  
petitions, or other petitions presented to or filed with the  
secretary of state or a board of elections or with any other  
public office for the purpose of becoming a candidate for any  
nomination or office or for the holding of an election on any  
issue shall, in addition to meeting the other specific  
requirements prescribed in the sections of the Revised Code  
relating ~~thereto~~ to them, be governed by the following rules:

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(A) Only electors qualified to vote on the candidacy or issue  
which is the subject of the petition shall sign a petition. Each  
signer shall be a registered elector pursuant to section 3503.11  
of the Revised Code. The facts of qualification shall be  
determined as of the date when the petition is filed.

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(B) Signatures shall be affixed in ink. Each signer may also  
print ~~his~~ the signer's name, so as to clearly identify ~~his~~ the  
signer's signature.

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(C) Each signer shall place on the petition after ~~his~~ the  
signer's name the date of signing and the location of ~~his~~ the  
signer's voting residence, including the street and number if in a  
municipal corporation or the rural route number, post office  
address, or township if outside a municipal corporation. The  
voting address given on the petition shall be the address  
appearing in the registration records at the board of elections.

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(D) No person shall write any name other than ~~his~~ the  
person's own on any petition. No person may authorize another to  
sign for ~~him~~ the person. Where a petition contains the signature  
of an elector two or more times, only the first ~~such~~ signature

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shall be counted. 909

(E) On each petition paper, the circulator shall indicate the 910  
number of signatures contained ~~thereon~~ on it, and shall sign a 911  
statement made under penalty of election falsification that ~~he~~ the 912  
circulator witnessed the affixing of every signature, that all 913  
signers were to the best of ~~his~~ the circulator's knowledge and 914  
belief qualified to sign, and that every signature is to the best 915  
of ~~his~~ the circulator's knowledge and belief the signature of the 916  
person whose signature it purports to be. 917

(F) If a circulator knowingly permits an unqualified person 918  
to sign a petition paper or permits a person to write a name other 919  
than ~~his~~ the person's own on a petition paper, that petition paper 920  
is invalid; otherwise, the signature of a person not qualified to 921  
sign shall be rejected but shall not invalidate the other valid 922  
signatures on the paper. 923

(G) The circulator of a petition may, before filing it in a 924  
public office, strike from it any signature ~~he~~ the circulator does 925  
not wish to present as a part of ~~his~~ the petition. 926

(H) Any signer of a petition may remove ~~his~~ the signer's 927  
signature ~~therefrom~~ from that petition at any time before the 928  
petition is filed in a public office by striking ~~his~~ the signer's 929  
name ~~therefrom~~ from the petition; no signature may be removed 930  
after the petition is filed in any public office. 931

(I) No alterations, corrections, or additions may be made to 932  
a petition after it is filed in a public office. 933

(J) All declarations of candidacy, nominating petitions, or 934  
other petitions under this section shall be accompanied by the 935  
following statement in boldface capital letters: ~~THE PENALTY FOR~~ 936  
WHOEVER COMMITS ELECTION FALSIFICATION IS IMPRISONMENT FOR NOT 937  
MORE THAN SIX MONTHS, OR A FINE OF NOT MORE THAN ONE THOUSAND 938  
DOLLARS, OR BOTH GUILTY OF A FELONY OF THE FIFTH DEGREE. 939

(K) All separate petition papers shall be filed at the same 940  
time, as one instrument. 941

**Sec. 3504.02.** Any citizen who desires to vote in a 942  
presidential election under ~~sections 3504.01 to 3504.06 of the~~ 943  
~~Revised Code, this chapter~~ shall, not later than four p.m. of the 944  
thirtieth day prior to the date of ~~such the~~ presidential election, 945  
complete a certificate of intent to vote for presidential and 946  
vice-presidential electors. The certificate of intent shall be 947  
completed in duplicate on a form prescribed by the secretary of 948  
state that may be obtained and filed personally in the office of 949  
the board of elections of the county in which such person last 950  
resided before removal from this state, or mailed to such board of 951  
elections. 952

Immediately following the spaces on the certificate for 953  
inserting information as requested by the secretary of state, the 954  
following statement shall be printed: "I declare under penalty of 955  
election falsification that the statements herein contained are 956  
true to the best of my knowledge and belief; that I am legally 957  
qualified to vote; that I am not registered to vote in any other 958  
state; and that I have not voted in an election in any other state 959  
since removing myself from the state of Ohio. 960

..... 961  
Signature of applicant 962  
..... 963  
Date 964

~~THE PENALTY FOR WHOEVER COMMITS ELECTION FALSIFICATION IS~~ 965  
~~IMPRISONMENT FOR NOT MORE THAN SIX MONTHS, OR A FINE OF NOT MORE~~ 966  
~~THAN ONE THOUSAND DOLLARS, OR BOTH GUILTY OF A FELONY OF THE FIFTH~~ 967  
~~DEGREE. "~~ 968

**Sec. 3505.24.** Any elector who declares to the presiding judge 970



of elections that ~~he~~ the elector is unable to mark ~~his~~ the 971  
elector's ballot by reason of ~~either blindness, disability, or~~ 972  
~~illiteracy or physical infirmity may receive the assistance of two~~ 973  
~~election officials of different political parties. If a physical~~ 974  
~~infirmity is apparent to the judges to be sufficient to~~ 975  
~~incapacitate the voter from marking his ballot properly, the~~ 976  
~~elector may upon request be aided by a near relative who shall be~~ 977  
~~admitted to the booth with such elector, or he may receive the~~ 978  
~~assistance in the marking thereof of the two officials of~~ 979  
~~elections belonging to different political parties, and they shall~~ 980  
~~thereafter give no information in regard to this matter; except~~ 981  
~~that a blind person, as defined under section 4511.47 of the~~ 982  
~~Revised Code, may be accompanied in the voting booth and aided by~~ 983  
~~any person of his~~ the elector's choice, other than the elector's 984  
employer, an agent of the elector's employer, or an officer or 985  
agent of the elector's union, if any. Any The elector also may 986  
request and receive assistance in the marking of the elector's 987  
ballot from two election officials of different political parties. 988  
Any person providing assistance in the marking of an elector's 989  
ballot under this section shall thereafter provide no information 990  
in regard to the marking of that ballot. 991

Any judge may require ~~such~~ a declaration of inability to be 992  
made by the elector under oath before ~~him~~ the judge. Such 993  
~~assistance~~ Assistance shall not be rendered for ~~other~~ other 994  
than those specified in this section, and no candidate whose name 995  
appears on the ballot shall assist any person in marking that 996  
person's ballot. 997

**Sec. 3505.31.** When the results of the voting in a polling 998  
place on the day of an election have been determined and entered 999  
upon the proper forms and the certifications ~~thereof~~ of those 1000  
results have been signed by the precinct officials, ~~such~~ those 1001  
officials, before leaving the polling place, shall place all 1002

ballots ~~which~~ that they have counted in containers provided for 1003  
~~such~~ that purpose by the board of elections, and shall seal each 1004  
~~such~~ container in ~~such~~ a manner that it cannot be opened without 1005  
breaking the seal or the material of which the container is made. 1006  
They shall also seal the pollbook, poll list or signature 1007  
pollbook, and tally sheet in ~~such~~ a manner that the data contained 1008  
in these items cannot be seen without breaking the seals. On the 1009  
outside of these items shall be a plain indication that they are 1010  
to be filed with the board. The presiding judge shall ~~thereupon~~ 1011  
~~forthwith~~ then deliver to the board ~~such~~ the containers of ballots 1012  
and the sealed pollbook, poll list, and tally sheet, together with 1013  
all other election reports, materials, and supplies required to be 1014  
delivered to ~~such~~ the board. 1015

The board shall carefully preserve all ballots prepared and 1016  
provided by it for use in an election, whether used or unused, for 1017  
sixty days after the day of ~~such~~ the election, ~~except that, if an~~ 1018  
election includes the nomination or election of candidates for any 1019  
of the offices of president, vice-president, presidential elector, 1020  
member of the senate of the congress of the United States, or 1021  
member of the house of representatives of the congress of the 1022  
United States, the board shall carefully preserve all ballots 1023  
prepared and provided by it for use in that election, whether used 1024  
or unused, for twenty-two months after the day of the election. If 1025  
an election is held within ~~the~~ that sixty-day period, the board 1026  
shall have authority to transfer ~~such~~ those ballots to other 1027  
containers to preserve ~~the same~~ them until the sixty-day period 1028  
has expired. ~~Thereupon such~~ After that sixty-day period, the 1029  
ballots shall be disposed of by ~~said~~ the board ~~as wastepaper~~ in 1030  
~~such~~ a manner ~~as said~~ that the board orders, or where voting 1031  
machines have been used the counters may be turned back to zero; 1032  
provided that the secretary of state ~~may~~, within ~~such~~ that 1033  
sixty-day period ~~of sixty days,~~ may order ~~such~~ the board to 1034  
preserve ~~such~~ the ballots or any part ~~thereof~~ of the ballots for a 1035

longer period of time, in which event ~~said~~ the board shall 1036  
preserve ~~such~~ those ballots for ~~such~~ that longer period of time. 1037

In counties where voting machines are used, if an election is 1038  
to be held within the sixty days immediately following a primary, 1039  
general, or special election or within any period of time within 1040  
which the ballots have been ordered preserved by the secretary of 1041  
state or a court of competent jurisdiction, the board, after 1042  
giving notice to all interested parties and affording them an 1043  
opportunity to have a representative present, shall open the 1044  
compartments of the machines and, without unlocking the ~~machine~~ 1045  
machines, shall recanvass the vote cast ~~therein~~ in them as if a 1046  
recount were being held. The results shall be certified by the 1047  
board, and this certification shall be filed in the board's office 1048  
and retained for the remainder of the period for which ballots 1049  
must be kept. After preparation of the certificate, the counters 1050  
may be turned back to zero, and the machines may be used for the 1051  
election. 1052

The board shall carefully preserve the pollbook, poll list or 1053  
signature pollbook, and tally sheet delivered to it from each 1054  
polling place until it has completed the official canvass of the 1055  
election returns from all precincts in which electors were 1056  
entitled to vote at ~~such~~ an election, and has prepared and 1057  
certified the abstracts ~~thereof~~ of election returns, as required 1058  
by law. The board shall not break, or permit anyone to break, the 1059  
seals upon the pollbook, poll list or signature pollbook, and 1060  
tally sheet, or make, or permit any one to make, any changes or 1061  
notations ~~therein~~ in these items, while ~~these items~~ they are in 1062  
its custody, except as provided by section 3505.32 of the Revised 1063  
Code. 1064

Pollbooks and poll lists or signature pollbooks of a party 1065  
primary election delivered to the board from polling places shall 1066  
be carefully preserved by it for two years after the day of 1067

election in which they were used, and shall ~~thereupon then~~ be 1068  
disposed of by ~~said the~~ board ~~as wastepaper~~ in ~~such a~~ manner as 1069  
~~said that the~~ board orders. 1070

Pollbooks, poll lists or signature pollbooks, tally sheets, 1071  
summary statements, and other records and returns of an election 1072  
delivered to it from polling places shall be carefully preserved 1073  
by the board for two years after the day of the election in which 1074  
they were used, and shall ~~thereupon then~~ be disposed of by ~~said~~ 1075  
~~the~~ board ~~as wastepaper~~ in ~~such a~~ manner as ~~said that the~~ board 1076  
orders. 1077

**Sec. 3505.32.** (A) Except as otherwise provided in division 1078  
(D) of this section, not earlier than the eleventh day ~~nor or~~ 1079  
later than the fifteenth day after a general or special election, 1080  
~~or,~~ if a special election was held on the day of a presidential 1081  
primary election, not earlier than the twenty-first day ~~nor or~~ 1082  
later than the twenty-fifth day after the special election, the 1083  
board of elections shall begin to canvass the election returns 1084  
from the precincts in which electors were entitled to vote at ~~such~~ 1085  
~~that~~ election. It shall continue ~~such the~~ canvass daily until it 1086  
is completed and the results of the voting in ~~such that~~ election 1087  
in each of ~~such the~~ precincts are determined. 1088

The board shall complete the canvass not later than the date 1089  
set by the secretary of state under division (U) of section 1090  
3501.05 of the Revised Code. Sixty days after the date set by the 1091  
secretary of state for the completion of the canvass, the canvass 1092  
of election returns shall be deemed final, and no amendments to 1093  
the canvass may be made after that date. The secretary of state 1094  
may specify an earlier date upon which the canvass of election 1095  
returns shall be deemed final, and after which amendments to the 1096  
final canvass may not be made, if so required by federal law. 1097

(B) The county executive committee of each political party, 1098

each committee designated in a petition nominating an independent 1099  
or nonpartisan candidate for election at ~~such an~~ election, each 1100  
committee designated in a petition to represent the petitioners 1101  
~~thereon~~ pursuant to which a question or issue was submitted at 1102  
~~such an~~ election, and any committee opposing a question or issue 1103  
submitted at ~~such an~~ election ~~and which~~ that was permitted by 1104  
section 3505.21 of the Revised Code to have a qualified elector 1105  
serve as a witness during the counting of the ballots at each 1106  
polling place at ~~such an~~ election may designate a qualified 1107  
elector who may be present and may witness the making of ~~such the~~ 1108  
official canvass. 1109

(C) The board shall first open all envelopes containing 1110  
uncounted ballots and shall count and tally them. 1111

In connection with its investigation of any apparent or 1112  
suspected error or defect in the election returns from a polling 1113  
place, the board may cause subpoenas to be issued and served 1114  
requiring the attendance before it of the election officials of 1115  
~~such that~~ polling place, and it may examine them under oath 1116  
regarding the manner in which the votes were cast and counted in 1117  
~~such that~~ polling place, or the manner in which the returns were 1118  
prepared and certified, or as to any other matters bearing upon 1119  
the voting and the counting of the votes in ~~such that~~ polling 1120  
place at ~~such that~~ election. 1121

Finally, the board shall open the sealed container containing 1122  
the ballots that were counted in the polling place at the election 1123  
and count ~~such those~~ ballots, during the official canvass, in the 1124  
presence of all of the members of the board and any other persons 1125  
who are entitled to witness the official canvass. 1126

(D) Prior to the tenth day after a primary, general, or 1127  
special election, the board may examine the pollbooks, poll lists, 1128  
and tally sheets received from each polling place for its files 1129  
and may compare the results of the voting in any polling place 1130

with the summary statement received from the polling place. If the  
board finds that any of these records or any portion of them is  
missing, or that they are incomplete, not properly certified, or  
ambiguous, or that the results of the voting in the polling place  
as shown on the summary statement from the polling place are  
different from the results of the voting in the polling place as  
shown by the pollbook, poll list, or tally sheet from the polling  
place, or that there is any other defect in the records, the board  
may make whatever changes to the pollbook, poll list, or tally  
sheet it determines to be proper in order to correct the errors or  
defects.

**Sec. 3506.12.** In counties where marking devices, automatic  
tabulating equipment, voting machines, or any combination of these  
are in use or are to be used, the board of elections:

(A) May combine, rearrange, and enlarge precincts; but the  
board shall arrange for a sufficient number of these devices to  
accommodate the number of electors in each precinct as determined  
by the number of votes cast in that precinct at the most recent  
election for the office of governor, taking into consideration the  
size and location of each selected polling place, available  
parking, handicap accessibility and other accessibility to the  
polling place, and the number of candidates and issues to be voted  
on. Notwithstanding section 3501.22 of the Revised Code, the board  
may appoint more than four precinct officers to each precinct if  
this is made necessary by the number of voting machines to be used  
in that precinct.

(B) ~~Shall~~ Except as otherwise provided in this division,  
shall establish one or more counting stations to receive voted  
ballots and other precinct election supplies after the polling  
precincts are closed. ~~Such~~ Those stations shall be under the  
supervision and direction of the board of elections. Processing

and counting of voted ballots, and the preparation of summary 1162  
sheets, shall be done in the presence of witnesses approved by the 1163  
board. A certified copy of the summary sheet for the precinct 1164  
shall be posted at each ~~such~~ counting station immediately after 1165  
completion of the summary sheet. 1166

In counties where punch card ballots are used, one or more 1167  
counting stations, located at the board of elections, shall be 1168  
established, at which location all punch card ballots shall be 1169  
counted. 1170

As used in this division, "punch card ballot" has the same 1171  
meaning as in section 3506.16 of the Revised Code. 1172

**Sec. 3506.15.** The secretary of state shall provide each board 1173  
of elections with rules ~~and~~, instructions, directives, and 1174  
advisories regarding the examination, testing, and use of the 1175  
voting machine and tabulating equipment, the assignment of duties 1176  
of booth officials, the procedure for casting a vote on the 1177  
machine, and how the vote shall be tallied and reported to the 1178  
board, and ~~such with~~ other rules ~~and~~, instructions ~~as are found~~, 1179  
directives, and advisories the secretary of state finds necessary 1180  
to ensure the adequate care and custody of voting equipment, and 1181  
the accurate registering, counting, and canvassing of the votes as 1182  
required by ~~sections 3506.01 to 3506.15 of the Revised Code~~ this 1183  
chapter. The ~~board in such counties~~ boards of elections shall be 1184  
charged with the responsibility of providing for the adequate 1185  
instruction of voters and election officials in the proper use of 1186  
the voting machine and marking devices. ~~Such~~ The boards' 1187  
instructions shall include, in counties where punch card ballots 1188  
are used, instructions that each voter shall examine the voter's 1189  
marked ballot card and remove any chads that remain partially 1190  
attached to it before returning it to election officials. 1191

The secretary of state's rules, instructions, directives, and 1192

advisories provided under this section shall comply, insofar as 1193  
practicable, with ~~sections 3506.01 to 3506.15 of the Revised Code~~ 1194  
this chapter. The provisions of Title XXXV of the Revised Code, 1195  
not inconsistent with the provisions relating to voting machines, 1196  
apply in any county using ~~the~~ a voting machine. 1197

As used in this section, "chad" and "punch card ballot" have 1198  
the same meanings as in section 3506.16 of the Revised Code. 1199

**Sec. 3506.16.** (A) As used in this section: 1200

(1) "Chad" means the small piece of paper or cardboard 1201  
produced from a punch card ballot when a voter pierces a hole in a 1202  
perforated, designated position on the ballot with a marking 1203  
device to record the voter's candidate, question, or issue choice. 1204

(2) "Punch card ballot" means a ballot card that contains 1205  
small perforated designated positions that a marking device must 1206  
pierce to form a hole that records a voter's candidate, question, 1207  
or issue choice. 1208

(B)(1) In counties where punch card ballots are used, 1209  
employees of the board of elections designated by the board under 1210  
division (C) of this section shall take all reasonable steps, in a 1211  
manner prescribed by the secretary of state, to inspect those 1212  
ballots at the board of elections prior to their counting by 1213  
automatic tabulating equipment. 1214

(2) Those designees shall take all reasonable steps, in a 1215  
manner prescribed by the secretary of state, to remove from a 1216  
punch card ballot chads attached by two or fewer corners. They 1217  
shall not remove from a punch card ballot any chad attached by 1218  
three or four corners. If a chad is attached to a punch card 1219  
ballot by three or four corners, it shall be deemed that a voter 1220  
did not record a candidate, question, or issue choice at that 1221  
particular position on the ballot, and a vote shall not be counted 1222  
at that particular position on the ballot. 1223



(3)(a) Those designees shall remake and count as a valid ballot any punch card ballot in which the pattern of holes punched in areas of the ballot card other than the designated positions assigned to candidates, questions, or issues makes it clear to the designees that the voter inserted the ballot card into the voting machine with the back side of the ballot card facing up. Only holes that are clearly pierced through the punch card ballot shall be remade and counted. The designees shall remake and count a punch card ballot under this division whether the voter voted for one candidate, question, or issue, more than one but not all candidates, questions, or issues, or all candidates, questions, and issues.

(b) If the pattern of holes pierced through a punch card ballot indicates that the ballot card was inserted into the voting machine with the back side of the ballot facing up, partially voted, then removed from the voting machine, reinserted properly, and voted correctly, the designees shall remake and count as valid only those votes represented by the properly punched side of the original punch card ballot.

(C) The board of elections of a county where punch card ballots are used shall designate teams to inspect those ballots under division (B) of this section and, as necessary, to remove chads from those ballots or remake those ballots. Those teams shall consist of two employees of the board, one from each major political party. The board may designate as many teams as the board considers necessary to efficiently inspect those ballots prior to their counting. The board also may designate teams of two employees, one from each major political party, to monitor the teams conducting the inspection of those ballots under division (B) of this section.

**Sec. 3509.01.** The board of elections of each county shall

provide absent voter's ballots for use at every primary and 1255  
general election, or special election to be held on the day 1256  
specified by division (E) of section 3501.01 of the Revised Code 1257  
for the holding of a primary election, designated by the general 1258  
assembly for the purpose of submitting constitutional amendments 1259  
proposed by the general assembly to the voters of the state. ~~Such~~ 1260  
Those ballots shall be the same size, shall be printed on the same 1261  
kind of paper, and shall be in the same form as has been approved 1262  
for use at the election for which ~~such~~ those ballots are to be 1263  
voted; except that, in counties using marking devices, ballot 1264  
cards may be used for absent voter's ballots, and ~~such~~ those 1265  
absent voters shall be instructed to record the vote in the manner 1266  
provided on the ballot cards. ~~The~~ In counties where punch card 1267  
ballots are used, those absent voters shall be instructed to 1268  
examine their marked ballot cards and to remove any chads that 1269  
remain partially attached to them before returning them to 1270  
election officials. 1271

The rotation of names of candidates and questions and issues 1272  
shall be substantially complied with on absent voter's ballots, 1273  
within the limitation of time allotted. ~~Such~~ Those ballots shall 1274  
be designated as "Absent Voter's Ballots" and shall be printed and 1275  
ready for use on the thirty-fifth day before the day of the 1276  
election, except that ~~such~~ those ballots shall be printed and 1277  
ready for use on the twenty-fifth day before the day of a 1278  
presidential primary election. 1279

Absent voter's ballots provided for use at a general or 1280  
primary election, or special election to be held on the day 1281  
specified by division (E) of section 3501.01 of the Revised Code 1282  
for the holding of a primary election, designated by the general 1283  
assembly for the purpose of submitting constitutional amendments 1284  
proposed by the general assembly to the voters of the state, shall 1285  
include only ~~such~~ those questions, issues, and candidacies ~~as~~ that 1286

have been lawfully ordered submitted to the electors voting at 1287  
~~such~~ that election. 1288

Absent voter's ballots for special elections held on days 1289  
other than the day on which general or primary elections are held, 1290  
shall be ready for use as many days before the day of the election 1291  
as reasonably possible under the laws governing the holding of 1292  
~~such~~ that special election. 1293

A copy of the absent voter's ballots shall be forwarded by 1294  
the director of the board in each county to the secretary of state 1295  
at least twenty-five days before the election. 1296

As used in this section, "chad" and "punch card ballot" have 1297  
the same meanings as in section 3506.16 of the Revised Code. 1298

**Sec. 3509.04.** Upon receipt by the director of elections of an 1299  
application for absent voter's ballots, as provided by sections 1300  
3509.03 and 3509.031, and division (G) of section 3503.16, of the 1301  
Revised Code, the director, if the director finds that the 1302  
applicant is a qualified elector and is entitled to vote absent 1303  
voter's ballots as applied for in the application, shall deliver 1304  
to the applicant in person or mail directly to the applicant by 1305  
special delivery mail, air mail, or regular mail, postage prepaid, 1306  
proper absent voter's ballots. The director shall give proper 1307  
absent voter's ballots to any qualified elector who presents self 1308  
to vote at the office of the board of elections or at another 1309  
location designated by the board as provided in division (B) or 1310  
(C) of section 3503.16 of the Revised Code. The director shall 1311  
give, deliver, or mail with the ballots an unsealed identification 1312  
envelope upon the face of which shall be printed a form 1313  
substantially as follows: 1314

"Identification Envelope Statement of Voter 1315

I, the undersigned voter, declare under penalty of election 1316  
falsification that the within ballot or ballots contained no 1317

voting marks of any kind when I received them, and I caused the	1318
ballot or ballots to be marked, enclosed in the identification	1319
envelope, and sealed in <del>said</del> <u>that</u> envelope.	1320
My voting residence in Ohio is	1321
.....	1322
(Street and Number, if any, or Rural Route and Number)	1323
of ..... (City, Village, or Township)	1324
Ohio, which is in Ward ..... Precinct .....	1325
in <del>said</del> <u>that</u> city, village, or township.	1326
.....I am a qualified elector of the state of Ohio. (Applicant must	1327
check the true statement concerning the applicant's reason for	1328
voting by absent voter's ballots)	1329
.....I shall be absent from the county on the day of the election.	1330
.....I shall be outside the United States on the day of the	1331
election. (Applicants who check this statement must also check	1332
the appropriate box on the enclosed return envelope to	1333
indicate that they will be outside the United States.)	1334
.....I shall be absent from my polling place on the day of the	1335
election due to my entry or the entry of a member of my family	1336
into a hospital for medical or surgical treatment.	1337
.....I shall be absent from my polling place on the day of the	1338
election due to physical illness, disability, or infirmity.	1339
.....My employment as a full-time fire fighter, peace officer, or	1340
provider of emergency medical services may prevent me from	1341
voting at my polling place on the day of the election.	1342
.....I shall be absent from my polling place on the day of the	1343
election because I am on active duty with the organized	1344
militia in the state of Ohio.	1345
.....I shall be unable to vote on election day because of	1346

observance of my religious belief.	1347
.....I am the secretary of state.	1348
.....I am an employee of the secretary of state.	1349
.....I am a member of the board of elections.	1350
.....I am an employee of or person temporarily hired by the board of elections.	1351 1352
.....I am a polling place official.	1353
.....I shall be absent from my polling place on the day of the election due to my confinement in a jail or workhouse under sentence for a misdemeanor or awaiting trial on a felony or misdemeanor.	1354 1355 1356 1357
.....I am sixty-two years of age or older.	1358
.....I moved from one precinct to another in the same county or from one county to another on or prior to the day of an election and did not file a notice of change of residence.	1359 1360 1361
.....I changed my name on or prior to the day of an election and did not file a notice of change of name.	1362 1363
The primary election ballots, if any, within this envelope are primary election ballots of the ..... Party.	1364 1365
Ballots contained herein are to be voted at the ..... (general, special, or primary) election to be held on the ..... day of ....., ....	1366 1367 1368
I hereby declare, under penalty of election falsification, that the statements above are true, as I verily believe.	1369 1370
..... (Signature of Voter)	1371 1372
<del>THE PENALTY FOR WHOEVER COMMITS ELECTION FALSIFICATION IS</del>	1373
<del>IMPRISONMENT FOR NOT MORE THAN SIX MONTHS, OR A FINE OF NOT MORE</del>	1374
<del>THAN ONE THOUSAND DOLLARS, OR BOTH <u>GUILTY OF A FELONY OF THE FIFTH</u></del>	1375

DEGREE." 1376

The director shall mail with the ballots and the unsealed 1377  
identification envelope that the director mails an unsealed return 1378  
envelope upon the face of which shall be printed the official 1379  
title and post-office address of such director. In the upper left 1380  
corner on the face of such envelope, several blank lines shall be 1381  
printed upon which the voter may write the voter's name and return 1382  
address, and beneath these lines there shall be printed a box 1383  
beside the words "check if out-of-country." The voter shall check 1384  
this box if the voter will be outside the United States on the day 1385  
of the election. The return envelope shall be of such size that 1386  
the identification envelope can be conveniently placed within it 1387  
for returning such identification envelope to the director. 1388

**Sec. 3509.07.** If ~~it is found~~ election officials find that the 1389  
statement accompanying an absent voter's ballot or absent voter's 1390  
presidential ballot is insufficient, that the signatures do not 1391  
correspond with ~~his~~ the person's registration signature, that the 1392  
applicant is not a qualified elector in the precinct, that the 1393  
ballot envelope contains more than one ballot of any one kind, or 1394  
any voted ballot ~~which such that the~~ elector is not entitled to 1395  
vote, such, or that Stub A is detached from the absent voter's 1396  
ballot or absent voter's presidential ballot, the vote shall not 1397  
be accepted or counted. Whenever it appears to the ~~judges of~~ 1398  
election officials by sufficient proof that any elector who has 1399  
marked and forwarded ~~his~~ the elector's ballot as provided in 1400  
section 3509.05 of the Revised Code has died, ~~then~~ the ballot of 1401  
~~such~~ the deceased voter shall not be counted. The vote of any 1402  
absent voter may be challenged for cause in the same manner as 1403  
other votes are challenged, and the ~~judge~~ election officials shall 1404  
determine the legality of ~~such that~~ ballot. Every ~~such~~ ballot not 1405  
counted shall be indorsed on ~~the its~~ back ~~thereof~~ "Not Counted" 1406  
with the reasons ~~therefor~~ the ballot was not counted, and shall be 1407

enclosed and returned to or retained by the board of elections 1408  
along with the contested ballots. 1409

**Sec. 3511.05.** (A) The director of the board of elections 1410  
shall place armed service absent voter's ballots sent by mail in 1411  
an unsealed identification envelope, gummed ready for sealing. The 1412  
director shall include with armed service absent voter's ballots 1413  
sent by facsimile machine an instruction sheet for preparing a 1414  
gummed envelope in which the ballots shall be returned. The 1415  
envelope for returning ballots sent by either means shall have 1416  
printed or written on its face a form as follows: 1417

"IDENTIFICATION ENVELOPE 1418

Armed Service Absent Voter's Ballots-- 1419

Election ..... 1420

(Day of week and date) 1421

Information Concerning Voter 1422

1. What is your full name? ..... 1423

(Name must be printed) 1424

2. What is the date of your birth? ..... 1425

3. Are you a citizen of the United States? ..... 1426

4. Where were you born? ..... 1427

5. If a naturalized citizen, when and in what court were you 1428  
naturalized? ..... 1429

6. Are you serving in the armed forces of the United States, 1430  
or are you the spouse of a person serving in the armed forces of 1431  
the United States? (Indicate which one) ..... 1432

7. What was the date at the commencement of your service, or 1433  
the date you left the state of Ohio to be with or near your 1434  
service member spouse? ..... 1435

8. Did you reside in the state of Ohio at the time of the 1436

commencement of your service, or the time you left the state of Ohio to be with or near your service member spouse? .....	1437 1438
If so: What street and street number? .....	1439
What city or village? .....	1440
What township? .....	1441
What county? .....	1442
What is your present Ohio address? .....	1443
9. How long had you continuously resided in Ohio immediately preceding the commencement of your service, or immediately preceding the date you left the state of Ohio to be with or near your service member spouse? .....	1444 1445 1446 1447
10. Will you be outside the United States on the day of the election? ..... (Applicants who answer "yes" to this question must also check the appropriate box on the return envelope to indicate that they will be outside the United States.)	1448 1449 1450 1451
I hereby declare, under penalty of election falsification, that the answers to the questions above set out are true and correct to the best of my knowledge and belief, and that I am not claiming, for the purpose of voting, a voting residence in any other state.	1452 1453 1454 1455 1456
<del>THE PENALTY FOR <u>WHOEVER COMMITS</u> ELECTION FALSIFICATION IS IMPRISONMENT FOR NOT MORE THAN SIX MONTHS, OR A FINE OF NOT MORE THAN ONE THOUSAND DOLLARS, OR BOTH <u>GUILTY OF A FELONY OF THE FIFTH DEGREE</u>.</del>	1457 1458 1459 1460
.....	1461
(Voter must WRITE <del>his</del> <u>the voter's</u> usual signature here.)"	1462 1463
If the identification envelope is for use in a primary election, it shall contain an additional question as follows:	1464 1465



"11. With what political party are you affiliated? " 1466

(B) The director shall also mail with the ballots and the 1467  
unsealed identification envelope sent by mail an unsealed return 1468  
envelope, gummed, ready for sealing, for use by the voter in 1469  
returning ~~his~~ the voter's marked ballots to the director. The 1470  
director shall send with the ballots and the instruction sheet for 1471  
preparing a gummed envelope sent by facsimile machine an 1472  
instruction sheet for preparing a second gummed envelope as 1473  
described in this division, for use by the voter in returning that 1474  
voter's marked ballots to the director. The return envelope shall 1475  
have two parallel lines, each one quarter of an inch in width, 1476  
printed across its face paralleling the top, with an intervening 1477  
space of one quarter of an inch between such lines. The top line 1478  
shall be one and one-quarter inches from the top of the envelope. 1479  
Between the parallel lines shall be printed: "OFFICIAL ELECTION 1480  
ARMED SERVICE ABSENT VOTER'S BALLOTS -- VIA AIR MAIL." Three blank 1481  
lines shall be printed in the upper left corner on the face of the 1482  
envelope for the use by the voter in placing the voter's complete 1483  
military, naval, or mailing address ~~thereon~~ on these lines, and 1484  
beneath these lines there shall be printed a box beside the words 1485  
"check if out-of-country." The voter shall check this box if the 1486  
voter will be outside the United States on the day of the 1487  
election. The official title and the post-office address of the 1488  
director to whom the envelope shall be returned shall be printed 1489  
on the face of such envelope in the lower right portion below the 1490  
bottom parallel line. 1491

(C) On the back of each identification envelope and each 1492  
return envelope shall be printed the following: 1493

"Instructions to voter: 1494

If the flap on this envelope is so firmly stuck to the back 1495  
of the envelope when received by you as to require forcible 1496  
opening in order to use it, open the envelope in the manner least 1497

injurious to it, and, after marking your ballots and enclosing  
same in the envelope for mailing them to the director of the board  
of elections, reclose the envelope in the most practicable way, by  
sealing or otherwise, and sign the blank form printed below.

The flap on this envelope was firmly stuck to the back of the  
envelope when received, and required forced opening before sealing  
and mailing.

.....  
(Signature of voter)"

(D) Division (C) of this section does not apply when absent  
voter's ballots are sent by facsimile machine.

**Sec. 3511.09.** Upon receiving ~~his~~ armed service absent voter's  
ballots, the elector shall cause the questions on the face of the  
identification envelope to be answered, and, by writing ~~his~~ the  
elector's usual signature in the proper place ~~thereon~~ on the  
identification envelope, ~~he~~ the elector shall declare under  
penalty of election falsification that the answers to those  
questions are true and correct to the best of ~~his~~ the elector's  
knowledge and belief. Then ~~he~~, the elector shall note whether  
there are any voting marks on the ballot. ~~In the event~~ If there  
are any voting marks, the ballot shall be returned immediately to  
the board of elections; otherwise ~~he~~, the elector shall cause the  
ballot to be marked, folded separately so as to conceal the  
markings ~~thereon~~ on it, and deposited in the identification  
envelope, and securely sealed in the identification envelope. ~~He~~  
~~shall~~ The elector then shall cause the identification envelope to  
be placed within the return envelope, sealed in the return  
envelope, and mailed to the director of the board of elections to  
whom it is addressed. Each elector who will be outside the United  
States on the day of the election shall check the box on the  
return envelope indicating this fact and shall mail the return

envelope to the director prior to the close of the polls on 1529  
election day. 1530

Every armed services absent voter's ballot identification 1531  
envelope shall be accompanied by the following statement in ~~bold~~ 1532  
~~face~~ boldface capital letters: ~~THE PENALTY FOR WHOEVER COMMITS~~ 1533  
~~ELECTION FALSIFICATION IS IMPRISONMENT FOR NOT MORE THAN SIX~~ 1534  
~~MONTHS, OR A FINE OF NOT MORE THAN ONE THOUSAND DOLLARS, OR BOTH~~ 1535  
GUILTY OF A FELONY OF THE FIFTH DEGREE. 1536

**Sec. 3511.11.** (A) Upon receipt of any return envelope bearing 1537  
the designation "Official Election Armed Service Absent Voter's 1538  
Ballot" prior to the twenty-first day after the day of a 1539  
presidential primary election or prior to the eleventh day after 1540  
the day of any other election, the director of the board of 1541  
elections shall open it but shall not open the identification 1542  
envelope ~~therein~~ contained in it. If, upon so opening ~~such outer~~ 1543  
the return envelope, the director finds ballots ~~therein which in~~ 1544  
it that are not enclosed in and properly sealed in the 1545  
identification envelope ~~properly sealed, he~~ the director shall not 1546  
look at the markings upon ~~such~~ the ballots and shall promptly 1547  
place them ~~within in~~ the identification envelope and promptly seal 1548  
it. If, upon so opening ~~such outer~~ the return envelope, the 1549  
director finds that ~~the~~ ballots are ~~within~~ enclosed in the 1550  
identification envelope, but that it is not properly sealed, ~~he~~ 1551  
the director shall not look at the markings upon the ballots and 1552  
shall promptly seal the identification envelope. 1553

(B) Armed service absent voter's ballots delivered to the 1554  
director not later than the close of the polls on election day 1555  
shall be counted in the manner provided in section 3509.06 of the 1556  
Revised Code. ~~Any~~ 1557

(C) A return envelope that indicates that the voter will be 1558  
outside of the United States on the day of an election is not 1559

required to be postmarked in order for an armed service absent 1560  
voter's ballot contained in it to be valid. Except as otherwise 1561  
provided in this division, whether or not the return envelope 1562  
containing the ballot is postmarked or contains an illegible 1563  
postmark, an armed service absent voter's ballots ballot that are 1564  
is received after the close of the polls on election day through 1565  
the tenth day ~~thereafter~~, after the election day or, if the 1566  
election was a presidential primary election, through the 1567  
twentieth day ~~thereafter~~ after the election day, and that ~~are~~ is 1568  
delivered in a return envelope that indicates that the voter will 1569  
be outside the United States on the day of the election shall be 1570  
counted on the eleventh day, ~~after the election day~~ or, if the 1571  
election was a presidential primary election, on the twenty-first 1572  
day after the election day, at the office of the board of 1573  
elections in the manner provided in divisions (C) and (D) of 1574  
section 3509.06 of the Revised Code. ~~Any such ballot~~ However, if a 1575  
return envelope containing an armed service absent voter's ballot 1576  
is so received and so indicates, but it is postmarked, or the 1577  
identification envelope in it is signed, after the close of the 1578  
polls on election day, ~~however~~, the armed service absent voter's 1579  
ballot shall not be counted. 1580

~~Envelopes bearing~~ (D) Armed service absent voter's ballots 1581  
contained in return envelopes that bear the designation "Official 1582  
Election Armed Service Absent Voter's Ballots," that are received 1583  
by the director after the close of the polls on the day of the 1584  
election, and that do not indicate they are from voters who will 1585  
be outside the United States on the day of the election, and any 1586  
such armed service absent voter's ballots contained in return 1587  
envelopes that have been checked to bear that designation, that 1588  
indicate that the voter will be outside the United States on the 1589  
day of the election, and that either are ~~signed~~ or postmarked, or 1590  
contain an identification envelope that is signed, after the close 1591  
of the polls on the day of election ~~or~~, and armed service absent 1592

voter's ballots contained in return envelopes that bear that 1593  
designation, that so indicate, and that are received after the 1594  
tenth day following the election, or, if the election was a 1595  
presidential primary election, after the twentieth day following 1596  
the election, shall not be opened or counted, but shall be 1597  
preserved in such their identification envelopes unopened for a 1598  
period of forty days after the day of election. Thereafter they 1599  
may be destroyed on the order of the board unless the secretary of 1600  
state orders them preserved for a longer period of time until the 1601  
time provided by section 3505.31 of the Revised Code for the 1602  
destruction of all other ballots used at the election for which 1603  
ballots were provided, at which time they shall be destroyed. 1604

**Sec. 3513.07.** The form of declaration of candidacy and 1605  
petition of a person desiring to be a candidate for a party 1606  
nomination or a candidate for election to an office or position to 1607  
be voted for at a primary election shall be substantially as 1608  
follows: 1609

"DECLARATION OF CANDIDACY PARTY PRIMARY ELECTION 1610

I, ..... (Name of Candidate), the 1611  
undersigned, hereby declare under penalty of election 1612  
falsification that my voting residence is in ..... 1613  
precinct of the ..... (Township) or (Ward 1614  
and City or Village) in the county of ....., Ohio; that 1615  
my voting residence is ..... (Street and Number, if any, 1616  
or Rural Route and Number) of the ..... 1617  
(City or Village) of ....., Ohio; and that I am a 1618  
qualified elector in the precinct in which my voting residence is 1619  
located. I am a member of the ..... Party. I hereby declare 1620  
that I desire to be ..... (a candidate for 1621  
nomination as a candidate of ~~the Party~~ the Party for election to 1622  
the office of ..... (a candidate for election to the 1623  
office or position of .....) for the ..... in the 1624

state, district, (Full term or unexpired term ending 1625  
.....) county, city, or village of ....., 1626  
at the primary election to be held on the ..... day of 1627  
....., ....., and I hereby request that my name be printed upon 1628  
the official primary election ballot of the said ..... Party 1629  
as a candidate for ..... (such nomination) or (such election) 1630  
as provided by law. 1631

I further declare that, if elected to said office or 1632  
position, I will qualify therefor, and that I will support and 1633  
abide by the principles enunciated by the ..... Party. 1634

Dated this ..... day of ....., ..... 1635  
..... 1636  
(Signature of candidate) 1637

~~THE PENALTY FOR WHOEVER COMMITS ELECTION FALSIFICATION IS 1638  
IMPRISONMENT FOR NOT MORE THAN SIX MONTHS, OR A FINE OF NOT MORE 1639  
THAN ONE THOUSAND DOLLARS, OR BOTH GUILTY OF A FELONY OF THE FIFTH 1640  
DEGREE. 1641~~

PETITION OF CANDIDATE 1642

We, the undersigned, qualified electors of the state of Ohio, 1643  
whose voting residence is in the county, city, village, ward, 1644  
township, or school district, and precinct set opposite our names, 1645  
and members of the ..... Party, 1646  
hereby certify that ..... (Name of 1647  
candidate) whose declaration of candidacy is filed herewith, is a 1648  
member of the ..... Party, and is, in our opinion, well 1649  
qualified to perform the duties of the office or position to which 1650  
that candidate desires to be elected. 1651

Street City, 1652  
and Village or 1653

Signature Number Township Ward Precinct County Date 1654  
(Must use address on file with the board of elections) 1655

..... 1656

..... 1657  
..... 1658  
..... (Name of circulator 1659  
of petition), declares under penalty of election falsification 1660  
that the circulator of the petition is a qualified elector of the 1661  
state of Ohio and resides at the address appearing below the 1662  
signature of that circulator; that the circulator is a member of 1663  
the ..... Party; that the circulator is the circulator of 1664  
the foregoing petition paper containing ..... (Number) 1665  
signatures; that the circulator witnessed the affixing of every 1666  
signature; that all signers were to the best of the circulator's 1667  
knowledge and belief qualified to sign; and that every signature 1668  
is to the best of the circulator's knowledge and belief the 1669  
signature of the person whose signature it purports to be. 1670  
..... 1671  
(Signature of circulator) 1672  
..... 1673  
(Address of circulator) 1674  
  
~~THE PENALTY FOR WHOEVER COMMITS ELECTION FALSIFICATION IS~~ 1675  
~~IMPRISONMENT FOR NOT MORE THAN SIX MONTHS, OR A FINE OF NOT MORE~~ 1676  
~~THAN ONE THOUSAND DOLLARS, OR BOTH GUILTY OF A FELONY OF THE FIFTH~~ 1677  
~~DEGREE.~~ " 1678  
  
The secretary of state shall prescribe a form of declaration 1679  
of candidacy and petition, and the form shall be substantially 1680  
similar to the declaration of candidacy and petition set forth in 1681  
this section, that will be suitable for joint candidates for the 1682  
offices of governor and lieutenant governor. 1683  
  
The petition provided for in this section shall be circulated 1684  
only by a member of the same political party as the candidate. 1685  
  
**Sec. 3513.22.** (A) Not earlier than the eleventh day ~~nor~~ or 1686

later than the fifteenth day after a primary election, the board 1687  
of elections shall begin to canvass the election returns from the 1688  
precincts in which electors were entitled to vote at ~~such that~~ 1689  
election and shall continue ~~such the~~ canvass daily until it is 1690  
completed. 1691

The board shall complete the canvass not later than the date 1692  
set by the secretary of state under division (U) of section 1693  
3501.05 of the Revised Code. Sixty days after the date set by the 1694  
secretary of state for the completion of the canvass, the canvass 1695  
of election returns shall be deemed final, and no amendments to 1696  
the canvass may be made after that date. The secretary of state 1697  
may specify an earlier date upon which the canvass of election 1698  
returns shall be deemed final, and after which amendments to the 1699  
final canvass may not be made, if so required by federal law. 1700

(B) The county executive committee of each political party 1701  
~~which that~~ participated in the election, and each committee 1702  
designated in a petition to represent the petitioners ~~thereon~~ 1703  
pursuant to which a question or issue was submitted at ~~such the~~ 1704  
election, may designate a qualified elector who may be present at 1705  
and may witness the making of ~~such the~~ canvass. Each person for 1706  
whom votes were cast in ~~such the~~ election may also be present at 1707  
and witness the making of ~~such the~~ canvass. 1708

(C) When the canvass of the election returns from all of the 1709  
precincts in the county in which electors were entitled to vote at 1710  
~~such the~~ election has been completed, the board shall determine 1711  
and declare the results of the elections determined by the 1712  
electors of ~~such the~~ county or of a district or subdivision within 1713  
~~such the~~ county. If more than the number of persons to be 1714  
nominated for or elected to an office received the largest and an 1715  
equal number of votes, the tie shall be resolved by lot by the 1716  
~~chairman~~ chairperson of the board in the presence of a majority of 1717  
the members of the board. ~~Such~~ The declaration shall be in writing 1718



and shall be signed by at least a majority of the members of the 1719  
board. It shall bear the date of the day upon which it is made, 1720  
and a copy ~~thereof~~ of it shall be posted by the board in a 1721  
conspicuous place in its office. The board shall keep ~~such~~ the 1722  
copy posted for a period of at least five days. 1723

The board shall ~~thereupon~~ promptly certify abstracts of the 1724  
results of ~~such~~ the elections within its county upon ~~such~~ forms ~~as~~ 1725  
the secretary of state prescribes. One certified copy of each 1726  
abstract shall be kept in the office of the board, and one 1727  
certified copy of each abstract shall promptly be sent to the 1728  
secretary of state. The board shall also promptly send a certified 1729  
copy of that part of ~~such~~ an abstract ~~which~~ that pertains to an 1730  
election in which only electors of a district comprised of more 1731  
than one county but less than all of the counties of the state 1732  
voted to the board of the most populous county in ~~such~~ the 1733  
district. It shall also promptly send a certified copy of that 1734  
part of ~~such~~ an abstract ~~which~~ that pertains to an election in 1735  
which only electors of a subdivision located partly within the 1736  
county voted to the board of the county in which the major portion 1737  
of the population of ~~such~~ the subdivision is located. 1738

If, after certifying and sending abstracts and parts ~~thereof~~ 1740  
of abstracts, a board finds that any ~~such~~ abstract or part ~~thereof~~ 1741  
of any abstract is incorrect, it shall promptly prepare, certify, 1742  
and send a corrected abstract or part ~~thereof~~ of an abstract to 1743  
take the place of each incorrect abstract or part ~~thereof~~ 1744  
~~theretofore~~ of an abstract previously certified and sent. 1745

(D)(1) When certified copies of abstracts are received by the 1746  
secretary of state, ~~he~~ the secretary of state shall canvass ~~such~~ 1747  
those abstracts and determine and declare the results of all 1748  
elections in which electors throughout the entire state voted. If 1749  
more than the number of persons to be nominated for or elected to 1750

an office received the largest and an equal number of votes, the 1751  
tie shall be resolved by lot by the secretary of state in the 1752  
presence of the governor, the auditor of state, and the attorney 1753  
general, who at the request of the secretary of state shall 1754  
assemble to witness the drawing of ~~such~~ the lot. ~~Such~~ The 1755  
declaration of results by the secretary of state shall be in 1756  
writing and shall be signed by ~~him~~ the secretary of state. It 1757  
shall bear the date of the day upon which it is made, and a copy 1758  
~~thereof~~ of it shall be posted by the secretary of state in a 1759  
conspicuous place in ~~his~~ the secretary of state's office. ~~He~~ The 1760  
secretary of state shall keep ~~such~~ the copy posted for a period of 1761  
at least five days. 1762

(2) When certified copies of parts of abstracts are received 1763  
by the board of the most populous county in a district from the 1764  
boards of all of the counties in the district, the board receiving 1765  
~~such~~ those abstracts shall canvass them and determine and declare 1766  
the results of the elections in which only electors of the 1767  
district voted. If more than the number of persons to be nominated 1768  
for or elected to an office received the largest and equal number 1769  
of votes, the tie shall be resolved by lot by the ~~chairman~~ 1770  
chairperson of ~~such~~ the board in the presence of a majority of the 1771  
members of the board. ~~Such~~ The declaration of results by ~~such~~ the 1772  
board shall be in writing and shall be signed by at least a 1773  
majority of the members of ~~such~~ the board. It shall bear the date 1774  
of the day upon which it is made, and a copy ~~thereof~~ of it shall 1775  
be posted by ~~such~~ the board in a conspicuous place in its office. 1776  
The board shall keep ~~such~~ the copy posted for a period of at least 1777  
five days. 1778

(3) When certified copies of parts of abstracts are received 1779  
by the board of a county in which the major portion of the 1780  
population of a subdivision located in more than one county is 1781  
located from the boards of each county in which other portions of 1782

~~such that~~ subdivision are located, the board receiving ~~such those~~ 1783  
abstracts shall canvass them and determine and declare the results 1784  
of the elections in which only electors of ~~such that~~ subdivision 1785  
voted. If more than the number of persons to be nominated for or 1786  
elected to an office received the largest and an equal number of 1787  
votes, the tie shall be resolved by lot by the ~~chairman~~ 1788  
chairperson of ~~such the~~ board in the presence of a majority of the 1789  
members of the board. ~~Such The~~ declaration of results by ~~such the~~ 1790  
board shall be in writing and shall be signed by at least a 1791  
majority of the members of ~~such the~~ board. It shall bear the date 1792  
of the day upon which it is made, and a copy ~~thereof of it~~ shall 1793  
be posted by ~~such the~~ board in a conspicuous place in its office. 1794  
The board shall keep ~~such the~~ copy posted for a period of at least 1795  
five days. 1796

(E) Election officials, who are required to declare the 1797  
results of primary elections, shall issue to each person declared 1798  
nominated for or elected to an office, an appropriate certificate 1799  
of nomination or election, provided that the boards required to 1800  
determine and declare the results of the elections for candidates 1801  
for nomination to the office of representative to congress from a 1802  
congressional district shall, in lieu of issuing a certificate of 1803  
nomination, certify to the secretary of state the names of ~~such~~ 1804  
the candidates nominated, and the secretary of state, upon receipt 1805  
of ~~such that~~ certification, shall issue a certificate of 1806  
nomination to each person whose name is so certified. Certificates 1807  
of nomination or election issued by boards to candidates and 1808  
certifications to the secretary of state shall not be issued 1809  
before the expiration of the time within which applications for 1810  
recounts of votes may be filed or before recounts of votes, which 1811  
have been applied for, are completed. 1812

**Sec. 3513.261.** A nominating petition may consist of one or 1813  
more separate petition papers, each of which shall be 1814

substantially in the form prescribed in this section. If the 1815  
petition consists of more than one separate petition paper, the 1816  
statement of candidacy of the candidate or joint candidates named 1817  
need be signed by the candidate or joint candidates on only one of 1818  
such separate petition papers, but the statement of candidacy so 1819  
signed shall be copied on each other separate petition paper 1820  
before the signatures of electors are placed ~~thereon~~ on it. Each 1821  
nominating petition containing signatures of electors of more than 1822  
one county shall consist of separate petition papers each of which 1823  
shall contain signatures of electors of only one county; provided 1824  
that petitions containing signatures of electors of more than one 1825  
county shall not thereby be declared invalid. In case petitions 1826  
containing signatures of electors of more than one county are 1827  
filed, the board of elections shall determine the county from 1828  
which the majority of the signatures came, and only signatures 1829  
from this county shall be counted. Signatures from any other 1830  
county shall be invalid. 1831

All signatures on nominating petitions shall be written in 1832  
ink or indelible pencil. 1833

At the time of filing a nominating petition, the candidate 1834  
designated in the nominating petition, and joint candidates for 1835  
governor and lieutenant governor, shall pay to the election 1836  
officials with whom it is filed the fees specified for the office 1837  
under divisions (A) and (B) of section 3513.10 of the Revised 1838  
Code. The fees shall be disposed of by those election officials in 1839  
the manner that is provided in section 3513.10 of the Revised Code 1840  
for the disposition of other fees, and in no case shall a fee 1841  
required under that section be returned to a candidate. 1842

Candidates or joint candidates whose names are written on the 1843  
ballot, and who are elected, shall pay the same fees under section 1844  
3513.10 of the Revised Code that candidates who file nominating 1845  
petitions pay. Payment of these fees shall be a condition 1846

precedent to the granting of their certificates of election. 1847

Each nominating petition shall contain a statement of 1848  
candidacy ~~which~~ that shall be signed by the candidate or joint 1849  
candidates named ~~therein~~ in it. Such statement of candidacy shall 1850  
contain a declaration made under penalty of election falsification 1851  
that the candidate desires to be a candidate for the office named 1852  
~~therein~~ in it, and that the candidate is an elector qualified to 1853  
vote for the office the candidate seeks. 1854

The form of the nominating petition and statement of 1855  
candidacy shall be substantially as follows: 1856

"STATEMENT OF CANDIDACY 1857

I, ..... (Name of candidate), 1858  
the undersigned, hereby declare under penalty of election 1859  
falsification that my voting residence is in ..... 1860  
..... Precinct of the ..... (Township) or 1861  
(Ward and City, or Village) in the county of ..... Ohio; 1862  
that my post-office address is ..... 1863  
(Street and Number, if any, or Rural Route and Number) of the 1864  
..... (City, Village, or post office) of 1865  
....., Ohio; and that I am a qualified elector in 1866  
the precinct in which my voting residence is located. I hereby 1867  
declare that I desire to be a candidate for election to the office 1868  
of ..... in the ..... (State, 1869  
District, County, City, Village, Township, or School District) for 1870  
the ..... (Full term or unexpired 1871  
term ending .....) at the General Election to be held 1872  
on the ..... day of ....., .... 1873

I further declare that I am an elector qualified to vote for 1874  
the office I seek. Dated this ..... day of ....., .... 1875

..... 1876  
(Signature of candidate) 1877

~~THE PENALTY FOR WHOEVER COMMITS ELECTION FALSIFICATION IS~~ 1878  
~~IMPRISONMENT FOR NOT MORE THAN SIX MONTHS, OR A FINE OF NOT MORE~~ 1879  
~~THAN ONE THOUSAND DOLLARS GUILTY OF A FELONY OF THE FIFTH DEGREE.~~ 1880

I, ....., hereby constitute the 1881  
persons named below a committee to represent me: 1882

Name Residence 1883  
..... 1884  
..... 1885  
..... 1886  
..... 1887  
..... 1888

NOMINATING PETITION 1889

We, the undersigned, qualified electors of the state of Ohio, 1890  
whose voting residence is in the County, City, Village, Ward, 1891  
Township or Precinct set opposite our names, hereby nominate 1892  
..... as a candidate for election to the office of 1893  
..... in the ..... 1894  
(State, District, County, City, Village, Township, or School 1895  
District) for the ..... (Full term or unexpired term 1896  
ending ..... ) to be voted for at the general 1897  
election next hereafter to be held, and certify that this person 1898  
is, in our opinion, well qualified to perform the duties of the 1899  
office or position to which the person desires to be elected. 1900

..... 1901  
Street 1902  
Address 1903  
or R.F.D. 1904  
(Must use 1905  
address on 1906  
file with City, 1907  
the board of Village or Date of 1908

Signature elections) Township Ward Precinct County Signing	1909
_____	1910
.....	1911
.....	1912
.....	1913
....., declares under penalty of election	1914
falsification that such person is a qualified elector of the state	1915
of Ohio and resides at the address appearing below such person's	1916
signature hereto; that such person is the circulator of the	1917
foregoing petition paper containing ..... signatures;	1918
that such person witnessed the affixing of every signature; that	1919
all signers were to the best of such person's knowledge and belief	1920
qualified to sign; and that every signature is to the best of such	1921
person's knowledge and belief the signature of the person whose	1922
signature it purports to be.	1923
.....	1924
(Signature of circulator)	1925
.....	1926
(Address)	1927
<del>THE PENALTY FOR WHOEVER COMMITS ELECTION FALSIFICATION IS</del>	1928
<del>IMPRISONMENT FOR NOT MORE THAN SIX MONTHS, OR A FINE OF NOT MORE</del>	1929
<del>THAN ONE THOUSAND DOLLARS, OR BOTH <u>GUILTY OF A FELONY OF THE FIFTH</u></del>	1930
<del><u>DEGREE.</u>"</del>	1931
The secretary of state shall prescribe a form of nominating	1932
petition for a group of candidates for the office of member of a	1933
board of education, township office, and <del>for</del> offices of municipal	1934
corporations of under two thousand population.	1935
The secretary of state shall prescribe a form of statement of	1936
candidacy and nominating petition, which shall be substantially	1937
similar to the form of statement of candidacy and nominating	1938
petition set forth in this section, that will be suitable for	1939

joint candidates for the offices of governor and lieutenant  
governor.

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If such petition nominates a candidate whose election is to  
be determined by the electors of a county or a district or  
subdivision within the county, it shall be filed with the board of  
such county. If the petition nominates a candidate whose election  
is to be determined by the voters of a subdivision located in more  
than one county, it shall be filed with the board of the county in  
which the major portion of the population of such subdivision is  
located.

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If the petition nominates a candidate whose election is to be  
determined by the electors of a district comprised of more than  
one county but less than all of the counties of the state, it  
shall be filed with the board of elections of the most populous  
county in such district. If the petition nominates a candidate  
whose election is to be determined by the electors of the state at  
large, it shall be filed with the secretary of state.

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**Sec. 3515.04.** At the time and place fixed for making a  
recount, the board of elections, in the presence of all witnesses  
who may be in attendance, shall open the sealed containers  
containing the ballots to be recounted, and shall recount them. If  
a county used punch card ballots and if a chad is attached to a  
punch card ballot by three or four corners, the voter shall be  
deemed by the board not to have recorded a candidate, question, or  
issue choice at the particular position on the ballot, and a vote  
shall not be counted at that particular position on the ballot in  
the recount. Ballots shall be handled only by the members of the  
board or by the director or other employees of the board.  
Witnesses shall be permitted to see the ballots, but they shall  
not be permitted to touch them, and the board shall not permit the  
counting or tabulation of votes shown on the ballots for any

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nomination, or for election to any office or position, or upon any question or issue, other than the votes shown on such ballots for the nomination, election, ~~or~~ question, or issue concerning which a recount of ballots was applied for.

At any time before the ballots from all of the precincts listed in an application for the recount or involved in a recount pursuant to section 3515.011 of the Revised Code have been recounted, the applicant or declared losing candidate or nominee or each of the declared losing candidates or nominees entitled to file a request prior to the commencement of a recount, as provided in section 3515.03 of the Revised Code, may file with the board a written request to stop the recount and not recount the ballots from the precincts so listed ~~and which~~ that have not been recounted prior to the time of ~~such~~ the request. If, upon ~~such~~ the request, the board finds that results of the votes in the precincts recounted, if substituted for the results of the votes in ~~such~~ those precincts as shown in the abstract of the votes in ~~such~~ those precincts, would not cause the applicant, if a person for whom votes were cast for nomination or election, to be declared nominated or elected or if an election upon a question or issue would not cause a result contrary to the result ~~thereof~~ as declared prior to such recount, it shall grant ~~such~~ the request and shall not recount the ballots of the precincts listed in the application for recount ~~which~~ that have not been recounted prior to ~~such~~ that time. If the board finds otherwise, it shall deny ~~such~~ the request and shall continue to recount ballots until the ballots from all of the precincts listed in the application for recount have been recounted; provided that, if ~~such~~ the request is denied, it may be renewed from time to time. Upon any such renewal, the board shall consider and act upon the request in the same manner as provided in this section in connection with an original request.

As used in this section, "chad" and "punch card ballot" have 2003  
the same meanings as in section 3506.16 of the Revised Code. 2004

**Sec. 3519.05.** If the measure to be submitted proposes a 2005  
constitutional amendment, the heading of each part of the petition 2006  
shall be prepared in the following form, and printed in capital 2007  
letters in type of the approximate size set forth: 2008

INITIATIVE PETITION 2009

Number ..... 2010

Issued to ..... 2011

(Name of solicitor) 2012

Date of issuance ..... 2013

..... 2014

Amendment to the Constitution 2015

Proposed by Initiative Petition 2016

To be submitted directly to the electors 2017

"Amendment" printed in fourteen-point boldface type shall 2018  
precede the title, which shall be briefly expressed and printed in 2019  
eight-point type. The summary shall then be set forth printed in 2020  
ten-point type, and then shall follow the certification of the 2021  
attorney general, under proper date, which shall also be printed 2022  
in ten-point type. The petition shall then set forth the names and 2023  
addresses of the committee of not less than three nor more than 2024  
five to represent the petitioners in all matters relating to the 2025  
petition or its circulation. 2026

Immediately above the heading of the place for signatures on 2027  
each part of the petition the following notice shall be printed in 2028  
boldface type: 2029

"NOTICE 2030

Whoever knowingly signs this petition more than once, signs a 2031  
name other than his one's own, or signs when not a qualified 2032

voter, is liable to prosecution. 2033

In consideration ~~of his~~ for services in soliciting signatures 2034

to this petition, the solicitor has received or expects to 2035

receive ..... 2036

from ..... 2037

(Whose address is)..... 2038

....." 2039

Before any elector signs the part-petition, the solicitor shall 2040

completely fill in the above blanks if the solicitor has received 2041

or will receive any consideration, and if the solicitor has not 2042

received and will not receive any consideration ~~he, the solicitor~~ 2043

shall insert "nothing." 2044

The heading of the place for signatures shall be 2045

substantially as follows: 2046

"(Sign with ink or indelible pencil. Your name, residence, and 2047

date of signing must be given.) 2048

\_\_\_\_\_ 2049

Rural Route or 2050

other Post- 2051

Signature County Township office Address Month Day Year 2052

\_\_\_\_\_ 2053

(Voters who do not live in a municipal corporation should fill in 2054

the information called for by headings printed above.) 2055

(Voters who reside in municipal corporations should fill in the 2056

information called for by headings printed below.) 2057

\_\_\_\_\_ 2058

City Street 2059

or and 2060

Signature County Village Number Ward Precinct Month Day Year" 2061

\_\_\_\_\_ 2062

The text of the proposed amendment shall be printed in full, 2063  
immediately following the place for signatures, and shall be 2064  
prefaced by "Be it resolved by the people of the State of Ohio." 2065  
Immediately following the text of the proposed amendment must 2066  
appear the following form: 2067

"I, ....., ~~declares~~ declare under penalty of election 2068  
falsification that ~~he is~~ I am the circulator of the foregoing 2069  
petition paper containing the signatures of ..... electors, 2070  
that the signatures appended hereto were made and appended in ~~his~~ 2071  
my presence on the date set opposite each respective name, and are 2072  
the signatures of the persons whose names they purport to be, and 2073  
that the electors signing this petition did so with knowledge of 2074  
the contents of same. 2075

(Signed) ..... (Solicitor) 2076

(Address)..... 2077

~~The penalty for election falsification is imprisonment for 2078  
not more than six months, or a fine of not more than one thousand 2079  
dollars, or both WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY 2080  
OF A FELONY OF THE FIFTH DEGREE. 2081~~

If the measure proposes a law, the heading of each part of 2082  
the petition shall be prepared as follows: 2083

INITIATIVE PETITION 2084

Number ..... 2085

..... 2086

Issued to ..... 2087

..... 2088

(Name of Solicitor) 2089

Date of issuance ..... 2090

..... 2091

Law proposed by initiative petition first to be submitted to 2092

the General Assembly." 2093

In all other respects the form shall be as provided for the 2094  
submission of a constitutional amendment, except that the text of 2095  
the proposed law shall be prefaced by "Be it enacted by the people 2096  
of the state of Ohio." 2097

The form for a supplementary initiative petition shall be the 2098  
same as that provided for an initiative petition, with the 2099  
exception that "supplementary" shall precede "initiative" in the 2100  
title thereof. 2101

The general provisions set forth in this section relative to 2102  
the form and order of an initiative petition shall be, so far as 2103  
practical, applicable to a referendum petition, the heading of 2104  
which shall be as follows: 2105

"REFERENDUM PETITION 2106

Number ..... 2107

..... 2108

Issued to ..... 2109

..... 2110

(Name of Solicitor) 2111

Date of issuance ..... 2112

..... 2113

To be submitted to the electors for their approval or 2114  
rejection" 2115

The title, which follows the heading, shall contain a brief 2116  
legislative history of the law, section, or item of law to be 2117  
referred. The text of the law so referred shall be followed by the 2118  
certification of the secretary of state, in accordance with 2119  
division (B)(2)(b) of section 3519.01 of the Revised Code, that it 2120  
has been compared with the copy of the enrolled ~~bill~~ act, on file 2121

in ~~his~~ the secretary of state's office, containing such law, 2122  
section, or item of law, and found to be correct. 2123

**Section 2.** That existing sections 303.12, 519.12, 3375.03, 2124  
3501.05, 3501.11, 3501.38, 3504.02, 3505.24, 3505.31, 3505.32, 2125  
3506.12, 3506.15, 3509.01, 3509.04, 3509.07, 3511.05, 3511.09, 2126  
3511.11, 3513.07, 3513.22, 3513.261, 3515.04, and 3519.05 of the 2127  
Revised Code are hereby repealed. 2128

**Section 3.** (A) There is hereby created the Election System 2129  
Study Committee, the purpose of which is to study the election 2130  
process in this state and, based upon the testimony of public and 2131  
private election experts, to make recommendations for improving 2132  
the current election process and to estimate any potential costs 2133  
associated with the recommended changes. 2134

(B) The committee shall consist of eleven members to be 2135  
appointed as follows: 2136

(1) Two members of the House of Representatives of the same 2137  
political party as the Speaker of the House of Representatives, to 2138  
be appointed by the Speaker of the House of Representatives; 2139

(2) One member of the House of Representatives of the major 2140  
political party of which the Speaker of the House of 2141  
Representatives is not a member, to be appointed by the Speaker of 2142  
the House of Representatives; 2143

(3) Two members of the Senate of the same political party as 2144  
the President of the Senate, to be appointed by the President of 2145  
the Senate; 2146

(4) One member of the Senate of the major political party of 2147  
which the President of the Senate is not a member, to be appointed 2148  
by the President of the Senate; 2149

(5) One member of the public, to be appointed by the Speaker 2150

of the House of Representatives; 2151

(6) One member of the public, to be appointed by the 2152  
President of the Senate; 2153

(7) One member of a board of county commissioners, to be 2154  
appointed by the Speaker of the House of Representatives from 2155  
among three county commissioners nominated by the County 2156  
Commissioners Association of Ohio; 2157

(8) One member of a county board of elections, to be 2158  
appointed by the President of the Senate from among three members 2159  
of county boards of elections nominated by the Ohio Association of 2160  
Election Officials; 2161

(9) The Secretary of State, or the Secretary of State's 2162  
designee. 2163

Vacancies on the committee shall be filled in the manner 2164  
provided for original appointments. 2165

(C) Members of the committee shall receive no compensation, 2166  
but shall be reimbursed for necessary expenses incurred in the 2167  
performance of their official duties. 2168

(D) For the sole purpose of permitting membership on the 2169  
committee and the holding of any other public office or 2170  
employment, membership on the committee does not constitute the 2171  
holding of any other public office or employment. No member of the 2172  
committee is disqualified from holding any public office or 2173  
employment, nor does any member of the committee forfeit any 2174  
public office or employment, by reason of the member's position as 2175  
a member of the committee. 2176

(E) Within seven days after the effective date of this 2177  
section, the Secretary of State, or the Secretary of State's 2178  
designee, shall convene the first meeting of the committee. The 2179  
committee then shall elect a chairperson, by majority vote, from 2180

among the committee members who are elected officials. Thereafter, 2181  
the chairperson shall convene meetings of the committee as the 2182  
chairperson considers necessary to carry out its purpose. 2183

(F) Not later than October 1, 2001, the committee shall 2184  
prepare its recommendations and associated costs estimates and 2185  
file a written copy of them with the Speaker of the House of 2186  
Representatives, the President of the Senate, and the Secretary of 2187  
State. Once the committee has filed its recommendations and 2188  
associated costs estimates as required by this division, it shall 2189  
cease to exist. 2190

**Section 4.** Section 3501.05 of the Revised Code is presented 2191  
in this act as a composite of the section as amended by both Am. 2192  
Sub. H.B. 99 and Am. Sub. S.B. 9 of the 121st General Assembly. 2193  
The General Assembly, applying the principle stated in division 2194  
(B) of section 1.52 of the Revised Code that amendments are to be 2195  
harmonized if reasonably capable of simultaneous operation, finds 2196  
that the composite is the resulting version of the section in 2197  
effect prior to the effective date of the section as presented in 2198  
this act. 2199