

As Reported by the House State Government Committee

124th General Assembly

Regular Session

2001-2002

Sub. H. B. No. 5

REPRESENTATIVE Lendrum

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 ten or fewer parcels of land, as listed on the county auditor's current tax list, written notice of the hearing shall be mailed by the zoning commission, by first class mail, at least ten days before the date of the public hearing to all owners of property within and contiguous to and directly across the street from such area proposed to be rezoned or redistricted to the addresses of such owners appearing on the county auditor's current tax list. The failure of delivery of such notice shall not invalidate any such amendment.

(C) 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 and mailed notices shall set forth the time, date, and place of the public hearing, and shall include all of the following:

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

(2) A statement indicating that the motion, resolution, or application 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, 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;

(6) The name of the person responsible for giving notice of

the public hearing by publication or by mail, or by both 85
publication and mail; 86

(7) Any other information requested by the zoning commission; 87
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(8) A statement that, after the conclusion of such hearing, 89
the matter will be submitted to the board of county commissioners 90
for its action. 91

(D) If the proposed amendment alters the text of the zoning 92
resolution, or rezones or redistricts more than ten parcels of 93
land, as listed on the county auditor's current tax list, the 94
published notice shall set forth the time, date, and place of the 95
public hearing, and shall include all of the following: 96

(1) The name of the zoning commission that will be conducting 97
the public hearing on the proposed amendment; 98

(2) A statement indicating that the motion, application, or 99
resolution is an amendment to the zoning resolution; 100

(3) The time and place where the text and maps of the 101
proposed amendment will be available for examination for a period 102
of at least ten days prior to the public hearing; 103

(4) The name of the person responsible for giving notice of 104
the public hearing by publication; 105

(5) A statement that, after the conclusion of such hearing, 106
the matter will be submitted to the board of county commissioners 107
for its action; 108

(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 140
ten or fewer parcels of land as listed on the county auditor's 141
current tax list, the published notice shall set forth the time, 142
date, and place of the public hearing and shall include all of the 143
following: 144

(1) The name of the board that will be conducting the public 145

hearing;	146
(2) A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;	147 148
(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;	149 150 151 152
(4) The present zoning classification of property named in the proposed amendment and the proposed zoning classification of such property;	153 154 155
(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;	156 157 158 159
(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;	160 161 162
(7) Any other information requested by the board.	163
(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:	164 165 166 167 168
(1) The name of the board that will be conducting the public hearing on the proposed amendment;	169 170
(2) A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;	171 172
(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;	173 174 175

(4) The name of the person responsible for giving notice of the public hearing by publication; 176
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(5) Any other information requested by the board. 178

(H) Within twenty days after such public hearing, the board shall either adopt or deny the recommendation of the zoning commission or adopt some modification ~~thereof~~ of it. ~~In the event~~ If the board denies or modifies the recommendation of the county rural zoning commission, the unanimous vote of the board shall be required. 179
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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 county commissioners a petition, signed by a number of qualified voters residing in the unincorporated area of the township or part 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 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 proposal 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. 185
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The form of a petition calling for a zoning referendum and the statement of the circulator shall be substantially as follows: 204
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"PETITION FOR ZONING REFERENDUM 206

(if the proposal is identified by a particular name or number, or both, these should be inserted here) 207
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A proposal to amend the zoning map of the unincorporated area of Township, County, Ohio, adopted (date) (followed by brief summary of the proposal). 209
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To the Board of County Commissioners of County, Ohio: 213
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We, the undersigned, being electors residing in the unincorporated area of Township, included within the County Zoning Plan, equal to not less than eight per cent of the total vote cast for all candidates for governor in the area at the preceding general election at which a governor was elected, request the Board of County Commissioners to submit this amendment of the zoning resolution to the electors of Township residing within the unincorporated area of the township included in the County Zoning Resolution, for approval or rejection at a special election to be held on the day of the next primary or general election to be held on(date)....., pursuant to section 303.12 of the Revised Code. 215
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Street Address	Date of	228
Signature? R.F.D.	Township Precinct County Signing	229
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STATEMENT OF CIRCULATOR 232

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

Declares, declare under penalty of election falsification that ~~he is~~ I am an elector of the state of Ohio and ~~resides~~ reside at the address appearing below ~~his~~ my signature ~~hereto~~; that ~~he is~~ I am the circulator of the foregoing part petition containing 234
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.....(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

..... 243
(Signature of circulator) 244
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(Address) 246
..... 247
(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
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.

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

Upon the adoption of such motion, ~~or~~ the certification of
such resolution, or the filing of such application, the township
zoning commission shall set a date for a public hearing ~~thereon~~,
which date shall not be less than twenty nor more than forty days
from the date of the certification of such resolution ~~or~~, the date
of adoption of such motion, or the date of the filing of such
application. Notice of such hearing shall be given by the township
zoning commission by one publication in one or more newspapers of
general circulation in the township at least ten days before the
date of such hearing.

(B) 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, 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 325
application proposing to amend the zoning resolution will be 326
available for examination for a period of at least ten days prior 327
to the public hearing; 328

(6) The name of the person responsible for giving notice of 329
the public hearing by publication or by mail, or by both 330
publication and mail; 331

(7) Any other information requested by the zoning commission;	332
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(8) A statement that, after the conclusion of such hearing,	334
the matter will be submitted to the board of township trustees for	335
its action.	336
(D) If the proposed amendment alters the text of the zoning	337
resolution, or rezones or redistricts more than ten parcels of	338
land, as listed on the county auditor's current tax list, the	339
published notice shall set forth the time, date, and place of the	340
public hearing, and shall include all of the following:	341
(1) The name of the zoning commission that will be conducting	342
the public hearing on the proposed amendment;	343
(2) A statement indicating that the motion, application, or	344
resolution is an amendment to the zoning resolution;	345
(3) The time and place where the text and maps of the	346
proposed amendment will be available for examination for a period	347
of at least ten days prior to the public hearing;	348
(4) The name of the person responsible for giving notice of	349
the public hearing by publication;	350
(5) A statement that, after the conclusion of such hearing,	351
the matter will be submitted to the board of township trustees for	352
its action;	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,	356
the certification of such resolution, or the filing of such	357
application, the township zoning commission shall transmit a copy	358
thereof <u>of it</u> together with text and map pertaining thereto <u>to it</u>	359
to the county or regional planning commission, if there is such a	360
commission.	361

The county or regional planning commission shall recommend 362
the approval or denial of the proposed amendment or the approval 363
of some modification ~~thereof~~ of it and shall submit such 364
recommendation to the township zoning commission. Such 365
recommendation shall be considered at the public hearing held by 366
the township zoning commission on such proposed amendment. 367

The township zoning commission shall, within thirty days 368
after such hearing, recommend the approval or denial of the 369
proposed amendment, or the approval of some modification ~~thereof~~ 370
of it and submit such recommendation together with such 371
application or resolution, the text and map pertaining ~~thereto to~~ 372
it, and the recommendation of the county or regional planning 373
commission ~~thereon~~ on it to the board of township trustees. 374

The board of township trustees shall, upon receipt of such 375
recommendation, set a time for a public hearing on such proposed 376
amendment, which date shall not be more than thirty days from the 377
date of the receipt of such recommendation from the township 378
zoning commission. Notice of such public hearing shall be given by 379
the board by one publication in one or more newspapers of general 380
circulation in the township, at least ten days before the date of 381
such hearing. 382

(F) If the proposed amendment intends to rezone or redistrict 383
ten or fewer parcels of land as listed on the county auditor's 384
current tax list, the published notice shall set forth the time, 385
date, and place of the public hearing and shall include all of the 386
following: 387

(1) The name of the board that will be conducting the public 388
hearing; 389

(2) A statement indicating that the motion, application, or 390
resolution is an amendment to the zoning resolution; 391

(3) A list of the addresses of all properties to be rezoned 392

or redistricted by the proposed amendment and of the names of 393
owners of these properties, as they appear on the county auditor's 394
current tax list; 395

(4) The present zoning classification of property named in 396
the proposed amendment and the proposed zoning classification of 397
such property; 398

(5) The time and place where the motion, application, or 399
resolution proposing to amend the zoning resolution will be 400
available for examination for a period of at least ten days prior 401
to the public hearing; 402

(6) The name of the person responsible for giving notice of 403
the public hearing by publication or by mail, or by both 404
publication and mail; 405

(7) Any other information requested by the board. 406

(G) If the proposed amendment alters the text of the zoning 407
resolution, or rezones or redistricts more than ten parcels of 408
land as listed on the county auditor's current tax list, the 409
published notice shall set forth the time, date, and place of the 410
public hearing, and shall include all of the following: 411

(1) The name of the board that will be conducting the public 412
hearing on the proposed amendment; 413

(2) A statement indicating that the motion, application, or 414
resolution is an amendment to the zoning resolution; 415

(3) The time and place where the text and maps of the 416
proposed amendment will be available for examination for a period 417
of at least ten days prior to the public hearing; 418

(4) The name of the person responsible for giving notice of 419
the public hearing by publication; 420

(5) Any other information requested by the board. 421

(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 the statement of the circulator shall be substantially as follows:

"PETITION FOR ZONING REFERENDUM

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

A proposal to amend the zoning map of the unincorporated area of Township, County, Ohio, adopted

.....(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? 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
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(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. 509

Within five working days after an amendment's effective date, 510
the board of township trustees shall file the text and maps of the 511
amendment in the office of the county recorder and with the 512
regional or county planning commission, if one exists. 513

The board shall file all amendments, including text and maps, 514
that are in effect on January 1, 1992, in the office of the county 515
recorder within thirty working days after that date. The board 516

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
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~~

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person signed the petition with knowledge of its contents. The 548
petition may contain additional information that shall fairly and 549
accurately present the question to prospective petition signers. 550

The form of a petition calling for a referendum and the 551
statement of the circulator shall be substantially as follows: 552

"PETITION FOR REFERENDUM ON LIBRARY 553

DISTRICT TRANSFER 554

A petition against the transfer of territory currently 555
located in the library district and 556
proposed for transfer by the state library board to the 557
..... library district. 558

We, the undersigned, being electors residing in the area 559
proposed to be transferred, equal in number to not less than ten 560
per cent of the qualified electors in the area subject to transfer 561
who voted at the last general election request the 562
..... library board to submit the question of 563
the transfer of territory to the library 564
district to the electors residing within the territory proposed to 565
be transferred for approval or rejection at the next primary or 566
general election. 567

Street Address Date of 568
Signature ? R.F.D. Precinct Signing 569
..... 570
..... 571

STATEMENT OF CIRCULATOR 572

I, (name of circulator) 573
..... ~~declares, declare~~ under penalty of election 574
falsification that ~~he is~~ I am an elector of the state of Ohio and 575
~~resides reside~~ at the address appearing below ~~his~~ my signature 576
~~hereto~~; that ~~he is~~ I am the circulator of the foregoing part 577
petition containing(number)..... signatures; that 578

he I have witnessed the affixing of every signature; that all 579
signers were to the best of ~~his~~ my knowledge and belief qualified 580
to sign; that every signature is to the best of ~~his~~ my 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

~~THE PENALTY FOR WHOEVER COMMITS ELECTION FALSIFICATION IS~~ 591
~~IMPRISONMENT FOR NOT MORE THAN SIX MONTHS, A FINE OF NOT MORE THAN~~ 592
~~ONE THOUSAND DOLLARS, OR BOTH~~ GUILTY OF A FELONY OF THE FIFTH 593
DEGREE. " 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, if these are found to be sufficient, ~~he~~ the 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 do all of the 634
following: 635

(A) Appoint all members of boards of elections; 636

(B) ~~Advise~~ Issue instructions by directives and advisories to 637
members of ~~such~~ the 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 sufficient number of indexed copies of all election laws then in force;	642 643 644
(E) Edit and issue all pamphlets concerning proposed laws or amendments required by law to be submitted to the voters;	645 646
(F) Prescribe the form of registration cards, blanks, and records;	647 648
(G) Determine and prescribe the forms of ballots and the forms of all blanks, cards of instructions, pollbooks, tally sheets, certificates of election, and all forms and blanks required by law for use by candidates, committees, and boards;	649 650 651 652
(H) Prepare the ballot title or statement to be placed on the ballot for any proposed law or amendment to the constitution to be submitted to the voters of the state;	653 654 655
(I) Certify to the several boards the forms of ballots and names of candidates for state offices, and the form and wording of state referendum questions and issues, as they shall appear on the ballot;	656 657 658 659
(J) Give final approval to ballot language for any local question or issue approved and transmitted by boards of elections under section 3501.11 of the Revised Code;	660 661 662
(K) Receive all initiative and referendum petitions on state questions and issues and determine and certify to the sufficiency of such <u>those</u> petitions;	663 664 665
(L) Require such reports from the several boards as are provided by law, or as the secretary of state deems <u>considers</u> necessary;	666 667 668
(M) Compel the observance by election officers in the several counties of the requirements of the election laws;	669 670

(N)(1) Except as otherwise provided in division (N)(2) of 671
this section, investigate the administration of election laws, 672
frauds, and irregularities in elections in any county, and report 673
violations of election laws to the attorney general or prosecuting 674
attorney, or both, for prosecution; 675

(2) On and after ~~the effective date of this amendment~~ August 676
24, 1995, report a failure to comply with or a violation of a 677
provision in sections 3517.08 to 3517.13, 3517.17, 3517.18, 678
3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised Code, 679
whenever the secretary of state has or should have knowledge of a 680
failure to comply with or a violation of a provision in one of 681
those sections, by filing a complaint with the Ohio elections 682
commission under section 3517.153 of the Revised Code; 683

(O) Make an annual report to the governor containing the 684
results of elections, the cost of elections in the various 685
counties, a tabulation of the votes in the several political 686
subdivisions, and ~~such~~ other information and recommendations 687
relative to elections ~~as~~ the secretary ~~deems~~ of state considers 688
desirable; 689

(P) Prescribe and distribute to boards of elections a list of 690
instructions indicating all legal steps necessary to petition 691
successfully for local option elections under sections 4301.32 to 692
4301.41, 4303.29, 4305.14, and 4305.15 of the Revised Code; 693

(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
residence changes, at designated agencies, the offices of deputy
registrars of motor vehicles, public high schools and vocational
schools, public libraries, and the offices of county treasurers,
and prescribe a program of distribution of voter registration
forms through ~~such~~ those agencies, the offices of the registrar
and deputy registrars of motor vehicles, public high schools and
vocational schools, public libraries, and the offices of county
treasurers;

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

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

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

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

Whenever a primary election is held under section 3513.32 of
the Revised Code or a special election is held under section
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 765
if there are cases pending in more than one jurisdiction that 766
involve the same or similar issues, the court of common pleas of 767
Franklin county. 768

Public high schools and vocational schools, public libraries, 769
and the office of a county treasurer shall implement voter 770
registration programs as directed by the secretary of state 771
pursuant to this section. 772

Sec. 3501.11. Each board of elections shall exercise by a 773
majority vote all powers granted to ~~such~~ the board by Title XXXV 774
of the Revised Code, shall perform all the duties imposed by law, 775
and shall do all of the following: 776

(A) Establish, define, provide, rearrange, and combine 777
election precincts; 778

(B) Fix and provide the places for registration and for 779
holding primaries and elections; 780

(C) Provide for the purchase, preservation, and maintenance 781
of booths, ballot boxes, books, maps, flags, blanks, cards of 782
instructions, and other forms, papers, and equipment used in 783
registration, nominations, and elections; 784

(D) Appoint and remove its director, deputy director, and 785
employees and all registrars, judges, and other officers of 786
elections, fill vacancies, and designate the ward or district and 787
precinct in which each shall serve; 788

(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, and publications concerning elections, except as otherwise provided in division (G) of section 3501.17 of the Revised Code;	795 796 797
(H) Provide for the delivery of ballots, pollbooks, and other required papers and material to the polling places;	798 799
(I) Cause the polling places to be suitably provided with stalls and other required supplies;	800 801
(J) Investigate irregularities, nonperformance of duties, or violations of Title XXXV of the Revised Code by election officers and other persons; administer oaths, issue subpoenas, summon witnesses, and compel the production of books, papers, records, and other evidence in connection with any such investigation; and report the facts to the prosecuting attorney;	802 803 804 805 806 807
(K) Review, examine, and certify the sufficiency and validity of petitions and nomination papers, and, after certification, return to the secretary of state all petitions and nomination papers that the secretary of state forwarded to the board;	808 809 810 811 812
(L) Receive the returns of elections, canvass the returns, make abstracts thereof <u>of them</u> , and transmit such <u>those</u> abstracts to the proper authorities;	813 814 815
(M) Issue certificates of election on forms to be prescribed by the secretary of state;	816 817
(N) Make an annual report to the secretary of state, on the form prescribed by the secretary of state, containing a statement of the number of voters registered, elections held, votes cast, appropriations received, and expenditures made, and such other data as is required by the secretary of state;	818 819 820 821 822
(O) Prepare and submit to the proper appropriating officer a budget estimating the cost of elections for the ensuing fiscal	823 824

year;	825
(P) Perform such other duties as are prescribed by law or the rules, <u>directives, or advisories</u> of the secretary of state;	826 827
(Q) Investigate and determine the residence qualifications of electors;	828 829
(R) Administer oaths in matters pertaining to the administration of the election laws;	830 831
(S) Prepare and submit to the secretary of state, whenever the secretary of state requires, a report containing the names and residence addresses of all incumbent county, municipal, township, and board of education officials serving in their respective counties;	832 833 834 835 836
(T) Establish and maintain a voter registration of all qualified electors in the county who offer to register;	837 838
(U) Maintain voter registration records, make reports concerning voter registration as required by the secretary of state, and remove ineligible electors from voter registration lists in accordance with law and directives of the secretary of state;	839 840 841 842 843
(V) At least annually, on a schedule and in a format prescribed by the secretary of state, submit to the secretary of state an accurate and current list of all registered voters in the county for the purpose of assisting the secretary of state to maintain a master list of registered voters pursuant to section 3503.27 of the Revised Code;	844 845 846 847 848 849
(W) Give approval to ballot language for any local question or issue and transmit the language to the secretary of state for the secretary of state's final approval;	850 851 852
(X) Prepare and cause the following notice to be displayed in a prominent location in every polling place:	853 854

"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 878
place for that day, and all requirements or prohibitions of law 879
that apply to a polling place shall apply to the office of the 880
board or other designated site on that day. 881

Sec. 3501.38. All declarations of candidacy, nominating 882
petitions, or other petitions presented to or filed with the 883
secretary of state or a board of elections or with any other 884
public office for the purpose of becoming a candidate for any 885

nomination or office or for the holding of an election on any 886
issue shall, in addition to meeting the other specific 887
requirements prescribed in the sections of the Revised Code 888
relating ~~thereto~~ to them, be governed by the following rules: 889

(A) Only electors qualified to vote on the candidacy or issue 890
which is the subject of the petition shall sign a petition. Each 891
signer shall be a registered elector pursuant to section 3503.11 892
of the Revised Code. The facts of qualification shall be 893
determined as of the date when the petition is filed. 894

(B) Signatures shall be affixed in ink. Each signer may also 895
print ~~his~~ the signer's name, so as to clearly identify ~~his~~ the 896
signer's signature. 897

(C) Each signer shall place on the petition after ~~his~~ the 898
signer's name the date of signing and the location of ~~his~~ the 899
signer's voting residence, including the street and number if in a 900
municipal corporation or the rural route number, post office 901
address, or township if outside a municipal corporation. The 902
voting address given on the petition shall be the address 903
appearing in the registration records at the board of elections. 904

(D) No person shall write any name other than ~~his~~ the 905
person's own on any petition. No person may authorize another to 906
sign for ~~him~~ the person. Where a petition contains the signature 907
of an elector two or more times, only the first ~~such~~ signature 908
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~~ causes 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
compartments of the machines and, without unlocking the ~~machine~~
machines, shall recanvass the vote cast ~~therein in them~~ as if a
recount were being held. The results shall be certified by the
board, and this certification shall be filed in the board's office
and retained for the remainder of the period for which ballots
must be kept. After preparation of the certificate, the counters
may be turned back to zero, and the machines may be used for the
election.

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

Pollbooks and poll lists or signature pollbooks of a party
primary election delivered to the board from polling places shall
be carefully preserved by it for two years after the day of
election in which they were used, and shall ~~thereupon then~~ be
disposed of by ~~said the~~ board ~~as wastepaper~~ in ~~such a~~ manner ~~as~~
~~said that the~~ board orders.

Pollbooks, poll lists or signature pollbooks, tally sheets,
summary statements, and other records and returns of an election
delivered to it from polling places shall be carefully preserved
by the board for two years after the day of the election in which
they were used, and shall ~~thereupon then~~ be disposed of by ~~said~~

~~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 1131
board finds that any of these records or any portion of them is 1132
missing, or that they are incomplete, not properly certified, or 1133
ambiguous, or that the results of the voting in the polling place 1134
as shown on the summary statement from the polling place are 1135
different from the results of the voting in the polling place as 1136
shown by the pollbook, poll list, or tally sheet from the polling 1137
place, or that there is any other defect in the records, the board 1138
may make whatever changes to the pollbook, poll list, or tally 1139

sheet it determines to be proper in order to correct the errors or 1140
defects. 1141

Sec. 3506.12. In counties where marking devices, automatic 1142
tabulating equipment, voting machines, or any combination of these 1143
are in use or are to be used, the board of elections: 1144

(A) May combine, rearrange, and enlarge precincts; but the 1145
board shall arrange for a sufficient number of these devices to 1146
accommodate the number of electors in each precinct as determined 1147
by the number of votes cast in that precinct at the most recent 1148
election for the office of governor, taking into consideration the 1149
size and location of each selected polling place, available 1150
parking, handicap accessibility and other accessibility to the 1151
polling place, and the number of candidates and issues to be voted 1152
on. Notwithstanding section 3501.22 of the Revised Code, the board 1153
may appoint more than four precinct officers to each precinct if 1154
this is made necessary by the number of voting machines to be used 1155
in that precinct. 1156

(B) ~~Shall~~ Except as otherwise provided in this division, 1157
shall establish one or more counting stations to receive voted 1158
ballots and other precinct election supplies after the polling 1159
precincts are closed. ~~Such~~ Those stations shall be under the 1160
supervision and direction of the board of elections. Processing 1161
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 meaning as in section 3506.16 of the Revised Code. 1171
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 produced from a punch card ballot when a voter pierces a hole in a perforated, designated position on the ballot with a marking device to record the voter's candidate, question, or issue choice. 1201
1202
1203
1204

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

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

(2) Those designees shall take all reasonable steps, in a manner prescribed by the secretary of state, to remove from a punch card ballot chads attached by two or fewer corners. They shall not remove from a punch card ballot any chad attached by three or four corners. If a chad is attached to a punch card ballot by three or four corners, it shall be deemed that a voter did not record a candidate, question, or issue choice at that particular position on the ballot, and a vote shall not be counted at that particular position on the ballot. 1215
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(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 1224
1225
1226
1227
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1229
1230
1231
1232

one candidate, question, or issue, more than one but not all 1233
candidates, questions, or issues, or all candidates, questions, 1234
and issues. 1235

(b) If the pattern of holes pierced through a punch card 1236
ballot indicates that the ballot card was inserted into the voting 1237
machine with the back side of the ballot facing up, partially 1238
voted, then removed from the voting machine, reinserted properly, 1239
and voted correctly, the designees shall remake and count as valid 1240
only those votes represented by the properly punched side of the 1241
original punch card ballot. 1242

(C) The board of elections of a county where punch card 1243
ballots are used shall designate teams to inspect those ballots 1244
under division (B) of this section and, as necessary, to remove 1245
chads from those ballots or remake those ballots. Those teams 1246
shall consist of two employees of the board, one from each major 1247
political party. The board may designate as many teams as the 1248
board considers necessary to efficiently inspect those ballots 1249
prior to their counting. The board also may designate teams of two 1250
employees, one from each major political party, to monitor the 1251
teams conducting the inspection of those ballots under division 1252
(B) of this section. 1253

Sec. 3509.01. The board of elections of each county shall 1254
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 ~~said~~ that 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 said <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	1351
of elections.	1352
.....I am a polling place official.	1353

.....I shall be absent from my polling place on the day of the 1354
election due to my confinement in a jail or workhouse under 1355
sentence for a misdemeanor or awaiting trial on a felony or 1356
misdemeanor. 1357

.....I am sixty-two years of age or older. 1358

.....I moved from one precinct to another in the same county or 1359
from one county to another on or prior to the day of an 1360
election and did not file a notice of change of residence. 1361

.....I changed my name on or prior to the day of an election and 1362
did not file a notice of change of name. 1363

The primary election ballots, if any, within this envelope 1364
are primary election ballots of the Party. 1365

Ballots contained herein are to be voted at the 1366
(general, special, or primary) election to be held on the 1367
..... day of, 1368

I hereby declare, under penalty of election falsification, 1369
that the statements above are true, as I verily believe. 1370

..... 1371

(Signature of Voter) 1372

~~THE PENALTY FOR WHOEVER COMMITS ELECTION FALSIFICATION IS 1373~~
~~IMPRISONMENT FOR NOT MORE THAN SIX MONTHS, OR A FINE OF NOT MORE 1374~~
~~THAN ONE THOUSAND DOLLARS, OR BOTH GUILTY OF A FELONY OF THE FIFTH 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
this box if the voter will be outside the United States on the day
of the election. The return envelope shall be of such size that
the identification envelope can be conveniently placed within it
for returning such identification envelope to the director.

Sec. 3509.07. If ~~it is found~~ election officials find that the
statement accompanying an absent voter's ballot or absent voter's
presidential ballot is insufficient, that the signatures do not
correspond with ~~his~~ the person's registration signature, that the
applicant is not a qualified elector in the precinct, that the
ballot envelope contains more than one ballot of any one kind, or
any voted ballot ~~which~~ such that the elector is not entitled to
vote, ~~such,~~ or that Stub A is detached from the absent voter's
ballot or absent voter's presidential ballot, the vote shall not
be accepted or counted. Whenever it appears to the ~~judges of~~
election officials by sufficient proof that any elector who has
marked and forwarded ~~his~~ the elector's ballot as provided in
section 3509.05 of the Revised Code has died, ~~then~~ the ballot of
~~such~~ the deceased voter shall not be counted. The vote of any
absent voter may be challenged for cause in the same manner as
other votes are challenged, and the ~~judge~~ election officials shall
determine the legality of ~~such that~~ ballot. Every ~~such~~ ballot not
counted shall be indorsed on ~~the~~ its back ~~thereof~~ "Not Counted"
with the reasons ~~therefor~~ the ballot was not counted, and shall be
enclosed and returned to or retained by the board of elections
along with the contested ballots.

Sec. 3511.05. (A) The director of the board of elections
shall place armed service absent voter's ballots sent by mail in
an unsealed identification envelope, gummed ready for sealing. The
director shall include with armed service absent voter's ballots
sent by facsimile machine an instruction sheet for preparing a

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	1437
Ohio to be with or near your service member spouse?	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
THE PENALTY FOR WHOEVER COMMITS ELECTION FALSIFICATION IS IMPRISONMENT FOR NOT MORE THAN SIX MONTHS, OR A FINE OF NOT MORE THAN ONE THOUSAND DOLLARS, OR BOTH GUILTY OF A FELONY OF THE FIFTH DEGREE.	1457 1458 1459 1460
.....	1461
(Voter must WRITE <u>his 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 unsealed identification envelope sent by mail an unsealed return envelope, gummed, ready for sealing, for use by the voter in returning <u>his the voter's</u> marked ballots to the director. The director shall send with the ballots and the instruction sheet for preparing a gummed envelope sent by facsimile machine an instruction sheet for preparing a second gummed envelope as	1467 1468 1469 1470 1471 1472 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 1498
same in the envelope for mailing them to the director of the board 1499
of elections, reclose the envelope in the most practicable way, by 1500
sealing or otherwise, and sign the blank form printed below. 1501

The flap on this envelope was firmly stuck to the back of the 1502
envelope when received, and required forced opening before sealing 1503
and mailing. 1504

..... 1505

(Signature of voter)" 1506

(D) Division (C) of this section does not apply when absent 1507
voter's ballots are sent by facsimile machine. 1508

Sec. 3511.09. Upon receiving ~~his~~ armed service absent voter's 1509
ballots, the elector shall cause the questions on the face of the 1510
identification envelope to be answered, and, by writing ~~his~~ the 1511
elector's usual signature in the proper place ~~thereon~~ on the 1512
identification envelope, ~~he~~ the elector shall declare under 1513
penalty of election falsification that the answers to those 1514
questions are true and correct to the best of ~~his~~ the elector's 1515
knowledge and belief. Then ~~he~~, the elector shall note whether 1516
there are any voting marks on the ballot. ~~In the event~~ If there 1517
are any voting marks, the ballot shall be returned immediately to 1518
the board of elections; otherwise ~~he~~, the elector shall cause the 1519
ballot to be marked, folded separately so as to conceal the 1520
markings ~~thereon~~ on it, and deposited in the identification 1521
envelope, and securely sealed in the identification envelope. He 1522
~~shall~~ The elector then shall cause the identification envelope to 1523
be placed within the return envelope, sealed in the return 1524
envelope, and mailed to the director of the board of elections to 1525
whom it is addressed. Each elector who will be outside the United 1526
States on the day of the election shall check the box on the 1527
return envelope indicating this fact and shall mail the return 1528
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 the canvass may be made after that date. The secretary of state may specify an earlier date upon which the canvass of election returns shall be deemed final, and after which amendments to the final canvass may not be made, if so required by federal law.

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

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(C) When the canvass of the election returns from all of the precincts in the county in which electors were entitled to vote at ~~such the~~ election has been completed, the board shall determine and declare the results of the elections determined by the electors of ~~such the~~ county or of a district or subdivision within ~~such the~~ county. If more than the number of persons to be nominated for or elected to an office received the largest and an equal number of votes, the tie shall be resolved by lot by the ~~chairman~~ chairperson of the board in the presence of a majority of the members of the board. ~~Such~~ The declaration shall be in writing and shall be signed by at least a majority of the members of the board. It shall bear the date of the day upon which it is made, and a copy ~~thereof of it~~ shall be posted by the board in a conspicuous place in its office. The board shall keep ~~such the~~ copy posted for a period of at least five days.

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The board shall ~~thereupon~~ promptly certify abstracts of the results of ~~such the~~ elections within its county upon ~~such~~ forms as the secretary of state prescribes. One certified copy of each abstract shall be kept in the office of the board, and one

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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~~ 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~~ 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

~~THE PENALTY FOR WHOEVER COMMITS ELECTION FALSIFICATION IS~~ 1928
~~IMPRISONMENT FOR NOT MORE THAN SIX MONTHS, OR A FINE OF NOT MORE~~ 1929
~~THAN ONE THOUSAND DOLLARS, OR BOTH GUILTY OF A FELONY OF THE FIFTH~~ 1930
~~DEGREE.~~ " 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 for 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 1940
governor. 1941

If such petition nominates a candidate whose election is to 1942
be determined by the electors of a county or a district or 1943
subdivision within the county, it shall be filed with the board of 1944
such county. If the petition nominates a candidate whose election 1945
is to be determined by the voters of a subdivision located in more 1946
than one county, it shall be filed with the board of the county in 1947
which the major portion of the population of such subdivision is 1948
located. 1949

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.

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 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
the same meanings as in section 3506.16 of the Revised Code.

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

INITIATIVE PETITION

Number

Issued to

(Name of solicitor)

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 <u>his one's</u> own, or signs when not a qualified	2032
voter, is liable to prosecution.	2033
In consideration of his <u>for</u> 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

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

The text of the proposed amendment shall be printed in full, 2058
immediately following the place for signatures, and shall be 2059
prefaced by "Be it resolved by the people of the State of Ohio." 2060
Immediately following the text of the proposed amendment must 2061
appear the following form: 2062

"I,, ~~declares~~ declare under penalty of election 2063
falsification that ~~he is~~ I am the circulator of the foregoing 2064
petition paper containing the signatures of electors, 2065
that the signatures appended hereto were made and appended in ~~his~~ 2066
my presence on the date set opposite each respective name, and are 2067
the signatures of the persons whose names they purport to be, and 2068
that the electors signing this petition did so with knowledge of 2069
the contents of same. 2070

(Signed) (Solicitor) 2071

(Address)..... 2072

~~The penalty for election falsification is imprisonment for~~ 2073

~~not more than six months, or a fine of not more than one thousand
dollars, or both~~ WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY
OF A FELONY OF THE FIFTH DEGREE.

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

INITIATIVE PETITION

Number

.....

Issued to

.....

(Name of Solicitor)

Date of issuance

.....

Law proposed by initiative petition first to be submitted to
the General Assembly."

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

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

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

"REFERENDUM PETITION

Number

.....	2103
Issued to	2104
.....	2105
(Name of Solicitor)	2106
Date of issuance	2107
.....	2108
To be submitted to the electors for their approval or rejection"	2109 2110
The title, which follows the heading, shall contain a brief legislative history of the law, section, or item of law to be referred. The text of the law so referred shall be followed by the certification of the secretary of state, in accordance with division (B)(2)(b) of section 3519.01 of the Revised Code, that it has been compared with the copy of the enrolled bill <u>act</u> , on file in his <u>the secretary of state's</u> office, containing such law, section, or item of law, and found to be correct.	2111 2112 2113 2114 2115 2116 2117 2118
Section 2. That existing sections 303.12, 519.12, 3375.03, 3501.05, 3501.11, 3501.38, 3504.02, 3505.24, 3505.31, 3505.32, 3506.12, 3506.15, 3509.01, 3509.04, 3509.07, 3511.05, 3511.09, 3511.11, 3513.07, 3513.22, 3513.261, 3515.04, and 3519.05 of the Revised Code are hereby repealed.	2119 2120 2121 2122 2123
Section 3. (A) There is hereby created the Election System Study Committee, the purpose of which is to study the election process in this state and, based upon the testimony of public and private election experts, to make recommendations for improving the current election process and to estimate any potential costs associated with the recommended changes.	2124 2125 2126 2127 2128 2129
(B) The committee shall consist of eleven members to be appointed as follows:	2130 2131

- (1) Two members of the House of Representatives of the same political party as the Speaker of the House of Representatives, to be appointed by the Speaker of the House of Representatives; 2132
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- (2) One member of the House of Representatives of the major political party of which the Speaker of the House of Representatives is not a member, to be appointed by the Speaker of the House of Representatives; 2135
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- (3) Two members of the Senate of the same political party as the President of the Senate, to be appointed by the President of the Senate; 2139
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- (4) One member of the Senate of the major political party of which the President of the Senate is not a member, to be appointed by the President of the Senate; 2142
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- (5) One member of the public, to be appointed by the Speaker of the House of Representatives; 2145
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- (6) One member of the public, to be appointed by the President of the Senate; 2147
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- (7) One member of a board of county commissioners, to be appointed by the Speaker of the House of Representatives; 2149
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- (8) One member of a county board of elections, to be appointed by the President of the Senate; 2151
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- (9) The Secretary of State, or the Secretary of State's designee. 2153
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- Vacancies on the committee shall be filled in the manner provided for original appointments. 2155
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- (C) Members of the committee shall receive no compensation, but shall be reimbursed for necessary expenses incurred in the performance of their official duties. 2157
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- (D) For the sole purpose of permitting membership on the 2160

committee and the holding of any other public office or 2161
employment, membership on the committee does not constitute the 2162
holding of any other public office or employment. No member of the 2163
committee is disqualified from holding any public office or 2164
employment, nor does any member of the committee forfeit any 2165
public office or employment, by reason of the member's position as 2166
a member of the committee. 2167

(E) Within seven days after the effective date of this 2168
section, the Secretary of State, or the Secretary of State's 2169
designee, shall convene the first meeting of the committee. The 2170
committee then shall elect a chairperson, by majority vote, from 2171
among the committee members who are elected officials. Thereafter, 2172
the chairperson shall convene meetings of the committee as the 2173
chairperson considers necessary to carry out its purpose. 2174

(F) Not later than October 1, 2001, the committee shall 2175
prepare its recommendations and associated costs estimates and 2176
file a written copy of them with the Speaker of the House of 2177
Representatives, the President of the Senate, and the Secretary of 2178
State. Once the committee has filed its recommendations and 2179
associated costs estimates as required by this division, it shall 2180
cease to exist. 2181

Section 4. Section 3501.05 of the Revised Code is presented 2182
in this act as a composite of the section as amended by both Am. 2183
Sub. H.B. 99 and Am. Sub. S.B. 9 of the 121st General Assembly. 2184
The General Assembly, applying the principle stated in division 2185
(B) of section 1.52 of the Revised Code that amendments are to be 2186
harmonized if reasonably capable of simultaneous operation, finds 2187
that the composite is the resulting version of the section in 2188
effect prior to the effective date of the section as presented in 2189
this act. 2190