

**As Passed by the House**

**126th General Assembly  
Regular Session  
2005-2006**

**Am. H. B. No. 312**

**Representatives C. Evans, Trakas, DeGeeter, Yuko, Williams, Fende, Allen,  
S. Patton, D. Evans, Key, Chandler, Stewart, D., Law, Uecker, Hughes,  
DeWine, Wolpert, Brown, Sayre, Driehaus, White, Barrett, Blessing, Calvert,  
Combs, Flowers, Garrison, Harwood, Latta, McGregor, J., Mitchell, Otterman,  
Patton, T., Perry, Reidelbach, Schaffer, Schlichter, Setzer, Smith, G.,  
Stewart, J., Taylor, Wagoner, Woodard, Book**

—

**A B I L L**

To amend section 3501.29 of the Revised Code to 1  
ensure handicapped parking at polling places and 2  
to require the director of a board of elections to 3  
sign a statement verifying the availability of 4  
that parking before each election. 5

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 3501.29 of the Revised Code be 6  
amended to read as follows: 7

**Sec. 3501.29.** (A) The board of elections shall provide for 8  
each precinct a polling place and provide adequate facilities at 9  
each polling place for conducting the election. The board shall 10  
provide a sufficient number of screened or curtained voting 11  
compartments to which electors may retire and conveniently mark 12  
their ballots, protected from the observation of others. Each 13  
voting compartment shall be provided at all times with writing 14  
implements, instructions how to vote, and other necessary 15

conveniences for marking the ballot. The presiding judge shall 16  
ensure that the voting compartments at all times are adequately 17  
lighted and contain the necessary supplies. The board shall 18  
utilize, in so far as practicable, rooms in public schools and 19  
other public buildings for polling places. Upon application of the 20  
board of elections, the authority which has the control of any 21  
building or grounds supported by taxation under the laws of this 22  
state, shall make available the necessary space therein for the 23  
purpose of holding elections and adequate space for the storage of 24  
voting machines, without charge for the use thereof. A reasonable 25  
sum may be paid for necessary janitorial service. When polling 26  
places are established in private buildings, the board may pay a 27  
reasonable rental therefor, and also the cost of liability 28  
insurance covering the premises when used for election purposes, 29  
or the board may purchase a single liability policy covering the 30  
board and the owners of the premises when used for election 31  
purposes. When removable buildings are supplied by the board, they 32  
shall be constructed under the contract let to the lowest and best 33  
bidder, and the board shall observe all ordinances and regulations 34  
then in force as to safety. The board shall remove all such 35  
buildings from streets and other public places within thirty days 36  
after an election, unless another election is to be held within 37  
ninety days. 38

(B) The (1) Except as otherwise provided in this section, the 39  
board shall ~~assure that~~ ensure all of the following: 40

(a) That polling places are free of barriers that would 41  
impede ingress and egress of handicapped persons, ~~that;~~ 42

(b) That the minimum number of special parking locations, 43  
also known as handicapped parking spaces or disability parking 44  
spaces, for handicapped persons are designated at each polling 45  
place in accordance with 28 C.F.R. Part 36, Appendix A, and in 46  
compliance with division (E) of section 4511.69 of the Revised 47

Code.

48

~~(c) That~~ the entrances of polling places are level or are  
provided with a nonskid ramp of not over eight per cent gradient,  
~~and that;~~

49

50

51

~~(d) That~~ doors are a minimum of thirty-two inches wide. ~~Each~~  
~~county shall comply with these requirements according to the~~  
~~following timetable:~~

52

53

54

~~(1) At least fifty per cent of the polling places in each~~  
~~county shall be in compliance by November 1, 1980;~~

55

56

~~(2) At least seventy five per cent of the polling places in~~  
~~each county shall be in compliance by November 1, 1981;~~

57

58

~~(3) All~~ Notwithstanding division (B)(1)(a), (c), or (d) of  
this section, certain polling places in each county shall may be  
~~in compliance by November 1, 1982, except those that are~~  
specifically exempted by the secretary of state upon certification  
by a board of elections that a good faith, but unsuccessful,  
effort has been made to modify, or change the location of, such  
polling places.

59

60

61

62

63

64

65

(C) At any polling place that is ~~not in compliance with the~~  
~~requirements of division (B) of this section or is~~ exempted from  
compliance by the secretary of state, the board of elections shall  
permit any handicapped elector who travels to that elector's  
polling place, but who is unable to enter the polling place, to  
vote, with the assistance of two polling place officials of major  
political parties, in the vehicle that conveyed that elector to  
the polling place, or to receive and cast that elector's ballot at  
the door of the polling place.

66

67

68

69

70

71

72

73

74

(D) The secretary of state shall:

75

(1) Work with other state agencies to facilitate the  
distribution of information and technical assistance to boards of

76

77

elections to meet the requirements of division (B) of this 78  
section; 79

(2) Work with organizations that represent or provide 80  
services to handicapped, disabled, or elderly citizens to effect a 81  
wide dissemination of information about the availability of 82  
absentee voting, voting in the voter's vehicle or at the door of 83  
the polling place, or other election services to handicapped, 84  
disabled, or elderly citizens. 85

(E) Before the day of an election, the director of the board 86  
of elections of each county shall sign a statement verifying that 87  
each polling place that will be used in that county at that 88  
election meets the requirements of division (B)(1)(b) of this 89  
section. The signed statement shall be sent to the secretary of 90  
state by certified mail. 91

(F) As used in this section, "handicapped" means having lost 92  
the use of one or both legs, one or both arms, or any combination 93  
thereof, or being blind or so severely disabled as to be unable to 94  
move about without the aid of crutches or a wheelchair. 95

**Section 2.** That existing section 3501.29 of the Revised Code 96  
is hereby repealed. 97