

**As Introduced**

**127th General Assembly  
Regular Session  
2007-2008**

**S. B. No. 299**

**Senator Miller, D.**

**Cosponsors: Senators Fedor, Roberts, Morano, Cafaro**

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**A B I L L**

To amend sections 3501.05, 3501.29, 3501.90, 3503.16, 1  
3504.04, 3505.03, 3505.181, 3505.182, 3505.20, 2  
3509.01, 3509.02, 3509.021, 3509.022, 3509.03, 3  
3509.031, 3509.04, 3509.05, 3509.06, 3509.07, 4  
3509.08, 3509.09, 3511.01, 3511.02, 3511.03, 5  
3511.04, 3511.05, 3511.051, 3511.06, 3511.08, 6  
3511.09, 3511.10, 3511.11, 3511.12, 3511.13, 7  
3513.052, 3513.15, 3513.30, 3515.01, 3517.08, 8  
3599.11, 3599.12, and 3599.21 of the Revised Code 9  
to change the name of absent voter's ballots to 10  
early voting ballots. 11

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

**Section 1.** That sections 3501.05, 3501.29, 3501.90, 3503.16, 12  
3504.04, 3505.03, 3505.181, 3505.182, 3505.20, 3509.01, 3509.02, 13  
3509.021, 3509.022, 3509.03, 3509.031, 3509.04, 3509.05, 3509.06, 14  
3509.07, 3509.08, 3509.09, 3511.01, 3511.02, 3511.03, 3511.04, 15  
3511.05, 3511.051, 3511.06, 3511.08, 3511.09, 3511.10, 3511.11, 16  
3511.12, 3511.13, 3513.052, 3513.15, 3513.30, 3515.01, 3517.08, 17  
3599.11, 3599.12, and 3599.21 of the Revised Code be amended to 18  
read as follows: 19

<b>Sec. 3501.05.</b> The secretary of state shall do all of the	20
following:	21
(A) Appoint all members of boards of elections;	22
(B) Issue instructions by directives and advisories to	23
members of the boards as to the proper methods of conducting	24
elections. In addition to any other publication of those	25
directives and advisories, the secretary of state shall publish	26
those directives and advisories on a web site of the office of the	27
secretary of state as soon as is practicable after they are	28
issued, but not later than the close of business on the same day	29
as a directive or advisory is issued. The secretary of state shall	30
not remove from the web site any directives and advisories so	31
posted. The secretary of state shall provide on that web site	32
access to all directives and advisories currently in effect and	33
maintain an archive of all directives and advisories previously	34
published on that web site.	35
(C) Prepare rules and instructions for the conduct of	36
elections;	37
(D) Publish and furnish to the boards from time to time a	38
sufficient number of indexed copies of all election laws then in	39
force;	40
(E) Edit and issue all pamphlets concerning proposed laws or	41
amendments required by law to be submitted to the voters;	42
(F) Prescribe the form of registration cards, blanks, and	43
records;	44
(G) Determine and prescribe the forms of ballots and the	45
forms of all blanks, cards of instructions, pollbooks, tally	46
sheets, certificates of election, and forms and blanks required by	47
law for use by candidates, committees, and boards;	48
(H) Prepare the ballot title or statement to be placed on the	49

ballot for any proposed law or amendment to the constitution to be 50  
submitted to the voters of the state; 51

(I) Except as otherwise provided in section 3519.08 of the 52  
Revised Code, certify to the several boards the forms of ballots 53  
and names of candidates for state offices, and the form and 54  
wording of state referendum questions and issues, as they shall 55  
appear on the ballot; 56

(J) Except as otherwise provided in division (I)(2)(b) of 57  
section 3501.38 of the Revised Code, give final approval to ballot 58  
language for any local question or issue approved and transmitted 59  
by boards of elections under section 3501.11 of the Revised Code; 60

(K) Receive all initiative and referendum petitions on state 61  
questions and issues and determine and certify to the sufficiency 62  
of those petitions; 63

(L) Require such reports from the several boards as are 64  
provided by law, or as the secretary of state considers necessary; 65

(M) Compel the observance by election officers in the several 66  
counties of the requirements of the election laws; 67

(N)(1) Except as otherwise provided in division (N)(2) of 68  
this section, investigate the administration of election laws, 69  
frauds, and irregularities in elections in any county, and report 70  
violations of election laws to the attorney general or prosecuting 71  
attorney, or both, for prosecution; 72

(2) On and after August 24, 1995, report a failure to comply 73  
with or a violation of a provision in sections 3517.08 to 3517.13, 74  
3517.17, 3517.18, 3517.20 to 3517.22, 3599.03, or 3599.031 of the 75  
Revised Code, whenever the secretary of state has or should have 76  
knowledge of a failure to comply with or a violation of a 77  
provision in one of those sections, by filing a complaint with the 78  
Ohio elections commission under section 3517.153 of the Revised 79  
Code; 80

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

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

(Q) Adopt rules pursuant to Chapter 119. of the Revised Code for the removal by boards of elections of ineligible voters from the statewide voter registration database and, if applicable, from the poll list or signature pollbook used in each precinct, which rules shall provide for all of the following:

(1) A process for the removal of voters who have changed residence, which shall be uniform, nondiscriminatory, and in compliance with the Voting Rights Act of 1965 and the National Voter Registration Act of 1993, including a program that uses the national change of address service provided by the United States postal system through its licensees;

(2) A process for the removal of ineligible voters under section 3503.21 of the Revised Code;

(3) A uniform system for marking or removing the name of a voter who is ineligible to vote from the statewide voter registration database and, if applicable, from the poll list or signature pollbook used in each precinct and noting the reason for that mark or removal.

(R) Prescribe a general program for registering voters or updating voter registration information, such as name and residence changes, by boards of elections, designated agencies, offices of deputy registrars of motor vehicles, public high

schools and vocational schools, public libraries, and offices of 112  
county treasurers consistent with the requirements of section 113  
3503.09 of the Revised Code; 114

(S) Prescribe a program of distribution of voter registration 115  
forms through boards of elections, designated agencies, offices of 116  
the registrar and deputy registrars of motor vehicles, public high 117  
schools and vocational schools, public libraries, and offices of 118  
county treasurers; 119

(T) To the extent feasible, provide copies, at no cost and 120  
upon request, of the voter registration form in post offices in 121  
this state; 122

(U) Adopt rules pursuant to section 111.15 of the Revised 123  
Code for the purpose of implementing the program for registering 124  
voters through boards of elections, designated agencies, and the 125  
offices of the registrar and deputy registrars of motor vehicles 126  
consistent with this chapter; 127

(V) Establish the full-time position of Americans with 128  
Disabilities Act coordinator within the office of the secretary of 129  
state to do all of the following: 130

(1) Assist the secretary of state with ensuring that there is 131  
equal access to polling places for persons with disabilities; 132

(2) Assist the secretary of state with ensuring that each 133  
voter may cast the voter's ballot in a manner that provides the 134  
same opportunity for access and participation, including privacy 135  
and independence, as for other voters; 136

(3) Advise the secretary of state in the development of 137  
standards for the certification of voting machines, marking 138  
devices, and automatic tabulating equipment. 139

(W) Establish and maintain a computerized statewide database 140  
of all legally registered voters under section 3503.15 of the 141

Revised Code that complies with the requirements of the "Help  
America Vote Act of 2002," Pub. L. No. 107-252, 116 Stat. 1666,  
and provide training in the operation of that system;

(X) Ensure that all directives, advisories, other  
instructions, or decisions issued or made during or as a result of  
any conference or teleconference call with a board of elections to  
discuss the proper methods and procedures for conducting  
elections, to answer questions regarding elections, or to discuss  
the interpretation of directives, advisories, or other  
instructions issued by the secretary of state are posted on a web  
site of the office of the secretary of state as soon as is  
practicable after the completion of the conference or  
teleconference call, but not later than the close of business on  
the same day as the conference or teleconference call takes  
place-;i

(Y) Publish a report on a web site of the office of the  
secretary of state not later than one month after the completion  
of the canvass of the election returns for each primary and  
general election, identifying, by county, the number of ~~absent~~  
~~voter's~~ early voting ballots cast and the number of those ballots  
that were counted, and the number of provisional ballots cast and  
the number of those ballots that were counted, for that election.  
The secretary of state shall maintain the information on the web  
site in an archive format for each subsequent election-;i

(Z) Conduct voter education outlining voter identification,  
~~absent voters ballot~~ early voting, provisional ballot, and other  
voting requirements;

(AA) Establish a procedure by which a registered elector may  
make available to a board of elections a more recent signature to  
be used in the poll list or signature pollbook produced by the  
board of elections of the county in which the elector resides;

(BB) Disseminate information, which may include all or part 174  
of the official explanations and arguments, by means of direct 175  
mail or other written publication, broadcast, or other means or 176  
combination of means, as directed by the Ohio ballot board under 177  
division (F) of section 3505.062 of the Revised Code, in order to 178  
inform the voters as fully as possible concerning each proposed 179  
constitutional amendment, proposed law, or referendum; 180

(CC) Perform other duties required by law. 181

Whenever a primary election is held under section 3513.32 of 182  
the Revised Code or a special election is held under section 183  
3521.03 of the Revised Code to fill a vacancy in the office of 184  
representative to congress, the secretary of state shall establish 185  
a deadline, notwithstanding any other deadline required under the 186  
Revised Code, by which any or all of the following shall occur: 187  
the filing of a declaration of candidacy and petitions or a 188  
statement of candidacy and nominating petition together with the 189  
applicable filing fee; the filing of protests against the 190  
candidacy of any person filing a declaration of candidacy or 191  
nominating petition; the filing of a declaration of intent to be a 192  
write-in candidate; the filing of campaign finance reports; the 193  
preparation of, and the making of corrections or challenges to, 194  
precinct voter registration lists; the receipt of applications for 195  
~~absent voter's~~ early voting ballots or armed service ~~absent~~ 196  
~~voter's~~ early voting ballots; the supplying of election materials 197  
to precincts by boards of elections; the holding of hearings by 198  
boards of elections to consider challenges to the right of a 199  
person to appear on a voter registration list; and the scheduling 200  
of programs to instruct or reinstruct election officers. 201

In the performance of the secretary of state's duties as the 202  
chief election officer, the secretary of state may administer 203  
oaths, issue subpoenas, summon witnesses, compel the production of 204  
books, papers, records, and other evidence, and fix the time and 205

place for hearing any matters relating to the administration and 206  
enforcement of the election laws. 207

In any controversy involving or arising out of the adoption 208  
of registration or the appropriation of funds for registration, 209  
the secretary of state may, through the attorney general, bring an 210  
action in the name of the state in the court of common pleas of 211  
the county where the cause of action arose or in an adjoining 212  
county, to adjudicate the question. 213

In any action involving the laws in Title XXXV of the Revised 214  
Code wherein the interpretation of those laws is in issue in such 215  
a manner that the result of the action will affect the lawful 216  
duties of the secretary of state or of any board of elections, the 217  
secretary of state may, on the secretary of state's motion, be 218  
made a party. 219

The secretary of state may apply to any court that is hearing 220  
a case in which the secretary of state is a party, for a change of 221  
venue as a substantive right, and the change of venue shall be 222  
allowed, and the case removed to the court of common pleas of an 223  
adjoining county named in the application or, if there are cases 224  
pending in more than one jurisdiction that involve the same or 225  
similar issues, the court of common pleas of Franklin county. 226

Public high schools and vocational schools, public libraries, 227  
and the office of a county treasurer shall implement voter 228  
registration programs as directed by the secretary of state 229  
pursuant to this section. 230

**Sec. 3501.29.** (A) The board of elections shall provide for 231  
each precinct a polling place and provide adequate facilities at 232  
each polling place for conducting the election. The board shall 233  
provide a sufficient number of screened or curtained voting 234  
compartments to which electors may retire and conveniently mark 235  
their ballots, protected from the observation of others. Each 236



voting compartment shall be provided at all times with writing 237  
implements, instructions how to vote, and other necessary 238  
conveniences for marking the ballot. The presiding judge shall 239  
ensure that the voting compartments at all times are adequately 240  
lighted and contain the necessary supplies. The board shall 241  
utilize, in so far as practicable, rooms in public schools and 242  
other public buildings for polling places. Upon application of the 243  
board of elections, the authority which has the control of any 244  
building or grounds supported by taxation under the laws of this 245  
state, shall make available the necessary space therein for the 246  
purpose of holding elections and adequate space for the storage of 247  
voting machines, without charge for the use thereof. A reasonable 248  
sum may be paid for necessary janitorial service. When polling 249  
places are established in private buildings, the board may pay a 250  
reasonable rental therefor, and also the cost of liability 251  
insurance covering the premises when used for election purposes, 252  
or the board may purchase a single liability policy covering the 253  
board and the owners of the premises when used for election 254  
purposes. When removable buildings are supplied by the board, they 255  
shall be constructed under the contract let to the lowest and best 256  
bidder, and the board shall observe all ordinances and regulations 257  
then in force as to safety. The board shall remove all such 258  
buildings from streets and other public places within thirty days 259  
after an election, unless another election is to be held within 260  
ninety days. 261

(B)(1) Except as otherwise provided in this section, the 262  
board shall ensure all of the following: 263

(a) That polling places are free of barriers that would 264  
impede ingress and egress of handicapped persons; 265

(b) That the minimum number of special parking locations, 266  
also known as handicapped parking spaces or disability parking 267  
spaces, for handicapped persons are designated at each polling 268

place in accordance with 28 C.F.R. Part 36, Appendix A, and in 269  
compliance with division (E) of section 4511.69 of the Revised 270  
Code-; 271

(c) That the entrances of polling places are level or are 272  
provided with a nonskid ramp of not over eight per cent gradient; 273

(d) That doors are a minimum of thirty-two inches wide. 274

(2) Notwithstanding division (B)(1)(a), (c), or (d) of this 275  
section, certain polling places may be specifically exempted by 276  
the secretary of state upon certification by a board of elections 277  
that a good faith, but unsuccessful, effort has been made to 278  
modify, or change the location of, such polling places. 279

(C) At any polling place that is exempted from compliance by 280  
the secretary of state, the board of elections shall permit any 281  
handicapped elector who travels to that elector's polling place, 282  
but who is unable to enter the polling place, to vote, with the 283  
assistance of two polling place officials of major political 284  
parties, in the vehicle that conveyed that elector to the polling 285  
place, or to receive and cast that elector's ballot at the door of 286  
the polling place. 287

(D) The secretary of state shall: 288

(1) Work with other state agencies to facilitate the 289  
distribution of information and technical assistance to boards of 290  
elections to meet the requirements of division (B) of this 291  
section; 292

(2) Work with organizations that represent or provide 293  
services to handicapped, disabled, or elderly citizens to effect a 294  
wide dissemination of information about the availability of 295  
~~absentee~~ early voting, voting in the voter's vehicle or at the 296  
door of the polling place, or other election services to 297  
handicapped, disabled, or elderly citizens. 298

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

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

**Sec. 3501.90.** (A) As used in this section:

(1) "Harassment in violation of the election law" means either of the following:

(a) Any of the following types of conduct in or about a polling place or a place of registration or election: obstructing access of an elector to a polling place; another improper practice or attempt tending to obstruct, intimidate, or interfere with an elector in registering or voting at a place of registration or election; molesting or otherwise engaging in violence against observers in the performance of their duties at a place of registration or election; or participating in a riot, violence, tumult, or disorder in and about a place of registration or election;

(b) A violation of division (A)(1), (2), (3), or (5) or division (B) of section 3501.35 of the Revised Code.

(2) "Person" has the same meaning as in division (C) of section 1.59 of the Revised Code and also includes any organization that is not otherwise covered by that division.

(3) "Trier of fact" means the jury or, in a nonjury action, the court.

(B) An elector who has experienced harassment in violation of the election law has a cause of action against each person that committed the harassment in violation of the election law. In any civil action based on this cause of action, the elector may seek a declaratory judgment, an injunction, or other appropriate equitable relief. The civil action may be commenced by an elector who has experienced harassment in violation of the election law either alone or as a party to a class action under Civil Rule 23.

(C)(1) In addition to the equitable relief authorized by division (B) of this section, an elector who has experienced harassment in violation of the election law may be entitled to relief under division (C)(2) or (3) of this section.

(2) If the harassment in violation of the election law involved intentional or reckless threatening or causing of bodily harm to the elector while the elector was attempting to register to vote, to obtain an ~~absent voter's~~ early voting ballot, or to vote, the elector may seek, in a civil action based on the cause of action created by division (B) of this section, monetary damages as prescribed in this division. The civil action may be commenced by the elector who has experienced harassment in violation of the election law either alone or as a party to a class action under Civil Rule 23. Upon proof by a preponderance of the evidence in the civil action that the harassment in violation of the election law involved intentional or reckless threatening or causing of bodily harm to the elector, the trier of fact shall award the elector the greater of three times of the amount of the elector's actual damages or one thousand dollars. The court also shall award a prevailing elector reasonable attorney's fees and court costs.

(3) Whether a civil action on the cause of action created by division (B) of this section is commenced by an elector who has experienced harassment in violation of the election law alone or

as a party to a class action under Civil Rule 23, if the defendant 361  
in the action is an organization that has previously been 362  
determined in a court of this state to have engaged in harassment 363  
in violation of the election law, the elector may seek an order of 364  
the court granting any of the following forms of relief upon proof 365  
by a preponderance of the evidence: 366

(a) Divestiture of the organization's interest in any 367  
enterprise or in any real property; 368

(b) Reasonable restrictions upon the future activities or 369  
investments of the organization, including, but not limited to, 370  
prohibiting the organization from engaging in any harassment in 371  
violation of the election law; 372

(c) The dissolution or reorganization of the organization; 373

(d) The suspension or revocation of any license, permit, or 374  
prior approval granted to the organization by any state agency; 375

(e) The revocation of the organization's authorization to do 376  
business in this state if the organization is a foreign 377  
corporation or other form of foreign entity. 378

(D) It shall not be a defense in a civil action based on the 379  
cause of action created by division (B) of this section, whether 380  
commenced by an elector who has experienced harassment in 381  
violation of the election law alone or as a party to a class 382  
action under Civil Rule 23, that no criminal prosecution was 383  
commenced or conviction obtained in connection with the conduct 384  
alleged to be the basis of the civil action. 385

(E) In a civil action based on the cause of action created by 386  
division (B) of this section, whether commenced by an elector who 387  
has experienced harassment in violation of the election law alone 388  
or as a party to a class action under Civil Rule 23, the elector 389  
may name as defendants each individual who engaged in conduct 390  
constituting harassment in violation of the election law as well 391

as any person that employs, sponsors, or uses as an agent any such 392  
individual or that has organized a common scheme to cause 393  
harassment in violation of the election law. 394

**Sec. 3503.16.** (A) Whenever a registered elector changes the 395  
place of residence of that registered elector from one precinct to 396  
another within a county or from one county to another, or has a 397  
change of name, that registered elector shall report the change by 398  
delivering a change of residence or change of name form, whichever 399  
is appropriate, as prescribed by the secretary of state under 400  
section 3503.14 of the Revised Code to the state or local office 401  
of a designated agency, a public high school or vocational school, 402  
a public library, the office of the county treasurer, the office 403  
of the secretary of state, any office of the registrar or deputy 404  
registrar of motor vehicles, or any office of a board of elections 405  
in person or by a third person. Any voter registration, change of 406  
address, or change of name application, returned by mail, may be 407  
sent only to the secretary of state or the board of elections. 408

A registered elector also may update the registration of that 409  
registered elector by filing a change of residence or change of 410  
name form on the day of a special, primary, or general election at 411  
the polling place in the precinct in which that registered elector 412  
resides or at the board of elections or at another site designated 413  
by the board. 414

(B)(1)(a) Any registered elector who moves within a precinct 415  
on or prior to the day of a general, primary, or special election 416  
and has not filed a notice of change of residence with the board 417  
of elections may vote in that election by going to that registered 418  
elector's assigned polling place, completing and signing a notice 419  
of change of residence, showing identification in the form of a 420  
current and valid photo identification, a military identification 421  
that shows the voter's name and current address, or a copy of a 422

current utility bill, bank statement, government check, paycheck, 423  
or other government document, other than a notice of an election 424  
mailed by a board of elections under section 3501.19 of the 425  
Revised Code or a notice of voter registration mailed by a board 426  
of elections under section 3503.19 of the Revised Code, that shows 427  
the name and current address of the elector, and casting a ballot. 428  
If the elector provides either a driver's license or a state 429  
identification card issued under section 4507.50 of the Revised 430  
Code that does not contain the elector's current residence 431  
address, the elector shall provide the last four digits of the 432  
elector's driver's license number or state identification card 433  
number, and the precinct election official shall mark the poll 434  
list or signature pollbook to indicate that the elector has 435  
provided a driver's license or state identification card number 436  
with a former address and record the last four digits of the 437  
elector's driver's license number or state identification card 438  
number. 439

(b) Any registered elector who changes the name of that 440  
registered elector and remains within a precinct on or prior to 441  
the day of a general, primary, or special election and has not 442  
filed a notice of change of name with the board of elections may 443  
vote in that election by going to that registered elector's 444  
assigned polling place, completing and signing a notice of a 445  
change of name, and casting a provisional ballot under section 446  
3505.181 of the Revised Code. 447

(2) Any registered elector who moves from one precinct to 448  
another within a county or moves from one precinct to another and 449  
changes the name of that registered elector on or prior to the day 450  
of a general, primary, or special election and has not filed a 451  
notice of change of residence or change of name, whichever is 452  
appropriate, with the board of elections may vote in that election 453  
if that registered elector complies with division (G) of this 454

section or does all of the following: 455

(a) Appears at anytime during regular business hours on or 456  
after the twenty-eighth day prior to the election in which that 457  
registered elector wishes to vote or, if the election is held on 458  
the day of a presidential primary election, the twenty-fifth day 459  
prior to the election, through noon of the Saturday prior to the 460  
election at the office of the board of elections, appears at any 461  
time during regular business hours on the Monday prior to the 462  
election at the office of the board of elections, or appears on 463  
the day of the election at either of the following locations: 464

(i) The polling place in the precinct in which that 465  
registered elector resides; 466

(ii) The office of the board of elections or, if pursuant to 467  
division (C) of section 3501.10 of the Revised Code the board has 468  
designated another location in the county at which registered 469  
electors may vote, at that other location instead of the office of 470  
the board of elections. 471

(b) Completes and signs, under penalty of election 472  
falsification, a notice of change of residence or change of name, 473  
whichever is appropriate, and files it with election officials at 474  
the polling place, at the office of the board of elections, or, if 475  
pursuant to division (C) of section 3501.10 of the Revised Code 476  
the board has designated another location in the county at which 477  
registered electors may vote, at that other location instead of 478  
the office of the board of elections, whichever is appropriate; 479

(c) Votes a provisional ballot under section 3505.181 of the 480  
Revised Code at the polling place, at the office of the board of 481  
elections, or, if pursuant to division (C) of section 3501.10 of 482  
the Revised Code the board has designated another location in the 483  
county at which registered electors may vote, at that other 484  
location instead of the office of the board of elections, 485



whichever is appropriate, using the address to which that 486  
registered elector has moved or the name of that registered 487  
elector as changed, whichever is appropriate; 488

(d) Completes and signs, under penalty of election 489  
falsification, a statement attesting that that registered elector 490  
moved or had a change of name, whichever is appropriate, on or 491  
prior to the day of the election, has voted a provisional ballot 492  
at the polling place in the precinct in which that registered 493  
elector resides, at the office of the board of elections, or, if 494  
pursuant to division (C) of section 3501.10 of the Revised Code 495  
the board has designated another location in the county at which 496  
registered electors may vote, at that other location instead of 497  
the office of the board of elections, whichever is appropriate, 498  
and will not vote or attempt to vote at any other location for 499  
that particular election. The statement required under division 500  
(B)(2)(d) of this section shall be included on the notice of 501  
change of residence or change of name, whichever is appropriate, 502  
required under division (B)(2)(b) of this section. 503

(C) Any registered elector who moves from one county to 504  
another county within the state on or prior to the day of a 505  
general, primary, or special election and has not registered to 506  
vote in the county to which that registered elector moved may vote 507  
in that election if that registered elector complies with division 508  
(G) of this section or does all of the following: 509

(1) Appears at any time during regular business hours on or 510  
after the twenty-eighth day prior to the election in which that 511  
registered elector wishes to vote or, if the election is held on 512  
the day of a presidential primary election, the twenty-fifth day 513  
prior to the election, through noon of the Saturday prior to the 514  
election at the office of the board of elections or, if pursuant 515  
to division (C) of section 3501.10 of the Revised Code the board 516  
has designated another location in the county at which registered 517

electors may vote, at that other location instead of the office of 518  
the board of elections, appears during regular business hours on 519  
the Monday prior to the election at the office of the board of 520  
elections or, if pursuant to division (C) of section 3501.10 of 521  
the Revised Code the board has designated another location in the 522  
county at which registered electors may vote, at that other 523  
location instead of the office of the board of elections, or 524  
appears on the day of the election at the office of the board of 525  
elections or, if pursuant to division (C) of section 3501.10 of 526  
the Revised Code the board has designated another location in the 527  
county at which registered electors may vote, at that other 528  
location instead of the office of the board of elections; 529

(2) Completes and signs, under penalty of election 530  
falsification, a notice of change of residence and files it with 531  
election officials at the board of elections or, if pursuant to 532  
division (C) of section 3501.10 of the Revised Code the board has 533  
designated another location in the county at which registered 534  
electors may vote, at that other location instead of the office of 535  
the board of elections; 536

(3) Votes a provisional ballot under section 3505.181 of the 537  
Revised Code at the office of the board of elections or, if 538  
pursuant to division (C) of section 3501.10 of the Revised Code 539  
the board has designated another location in the county at which 540  
registered electors may vote, at that other location instead of 541  
the office of the board of elections, using the address to which 542  
that registered elector has moved; 543

(4) Completes and signs, under penalty of election 544  
falsification, a statement attesting that that registered elector 545  
has moved from one county to another county within the state on or 546  
prior to the day of the election, has voted at the office of the 547  
board of elections or, if pursuant to division (C) of section 548  
3501.10 of the Revised Code the board has designated another 549

location in the county at which registered electors may vote, at 550  
that other location instead of the office of the board of 551  
elections, and will not vote or attempt to vote at any other 552  
location for that particular election. The statement required 553  
under division (C)(4) of this section shall be included on the 554  
notice of change of residence required under division (C)(2) of 555  
this section. 556

(D) A person who votes by ~~absent voter's~~ early voting ballots 557  
pursuant to division (G) of this section shall not make written 558  
application for the ballots pursuant to Chapter 3509. of the 559  
Revised Code. Ballots cast pursuant to division (G) of this 560  
section shall be set aside in a special envelope and counted 561  
during the official canvass of votes in the manner provided for in 562  
sections 3505.32 and 3509.06 of the Revised Code insofar as that 563  
manner is applicable. The board shall examine the pollbooks to 564  
verify that no ballot was cast at the polls or by ~~absent voter's~~ 565  
early voting ballots under Chapter 3509. or 3511. of the Revised 566  
Code by an elector who has voted by ~~absent voter's~~ early voting 567  
ballots pursuant to division (G) of this section. Any ballot 568  
determined to be insufficient for any of the reasons stated above 569  
or stated in section 3509.07 of the Revised Code shall not be 570  
counted. 571

Subject to division (C) of section 3501.10 of the Revised 572  
Code, a board of elections may lease or otherwise acquire a site 573  
different from the office of the board at which registered 574  
electors may vote pursuant to division (B) or (C) of this section. 575

(E) Upon receiving a change of residence or change of name 576  
form, the board of elections shall immediately send the registrant 577  
an acknowledgment notice. If the change of residence or change of 578  
name form is valid, the board shall update the voter's 579  
registration as appropriate. If that form is incomplete, the board 580  
shall inform the registrant in the acknowledgment notice specified 581

in this division of the information necessary to complete or 582  
update that registrant's registration. 583

(F) Change of residence and change of name forms shall be 584  
available at each polling place, and when these forms are 585  
completed, noting changes of residence or name, as appropriate, 586  
they shall be filed with election officials at the polling place. 587  
Election officials shall return completed forms, together with the 588  
pollbooks and tally sheets, to the board of elections. 589

The board of elections shall provide change of residence and 590  
change of name forms to the probate court and court of common 591  
pleas. The court shall provide the forms to any person eighteen 592  
years of age or older who has a change of name by order of the 593  
court or who applies for a marriage license. The court shall 594  
forward all completed forms to the board of elections within five 595  
days after receiving them. 596

(G) A registered elector who otherwise would qualify to vote 597  
under division (B) or (C) of this section but is unable to appear 598  
at the office of the board of elections or, if pursuant to 599  
division (C) of section 3501.10 of the Revised Code the board has 600  
designated another location in the county at which registered 601  
electors may vote, at that other location, on account of personal 602  
illness, physical disability, or infirmity, may vote on the day of 603  
the election if that registered elector does all of the following: 604

(1) Makes a written application that includes all of the 605  
information required under section 3509.03 of the Revised Code to 606  
the appropriate board for an ~~absent voter's~~ early voting ballot on 607  
or after the twenty-seventh day prior to the election in which the 608  
registered elector wishes to vote through noon of the Saturday 609  
prior to that election and requests that the ~~absent voter's~~ early 610  
voting ballot be sent to the address to which the registered 611  
elector has moved if the registered elector has moved, or to the 612  
address of that registered elector who has not moved but has had a 613

change of name; 614

(2) Declares that the registered elector has moved or had a 615  
change of name, whichever is appropriate, and otherwise is 616  
qualified to vote under the circumstances described in division 617  
(B) or (C) of this section, whichever is appropriate, but that the 618  
registered elector is unable to appear at the board of elections 619  
because of personal illness, physical disability, or infirmity; 620

(3) Completes and returns along with the completed ~~absent~~ 621  
~~voter's~~ early voting ballot a notice of change of residence 622  
indicating the address to which the registered elector has moved, 623  
or a notice of change of name, whichever is appropriate; 624

(4) Completes and signs, under penalty of election 625  
falsification, a statement attesting that the registered elector 626  
has moved or had a change of name on or prior to the day before 627  
the election, has voted by ~~absent voter's~~ early voting ballot 628  
because of personal illness, physical disability, or infirmity 629  
that prevented the registered elector from appearing at the board 630  
of elections, and will not vote or attempt to vote at any other 631  
location or by ~~absent voter's~~ early voting ballot mailed to any 632  
other location or address for that particular election. 633

**Sec. 3504.04.** On or before election day, the director of the 634  
board of elections shall deliver to the polling place a list of 635  
persons who have filed certificates of intent to vote as former 636  
resident voters and who appear, from their voting address, 637  
entitled to vote at such polling place. Those persons whose names 638  
appear on the list of former resident voters, and who have 639  
otherwise complied with sections 3504.01 to 3504.06 of the Revised 640  
Code, shall then be entitled to vote for presidential and 641  
vice-presidential electors only at their polling place on election 642  
day or by ~~absent voter's~~ early voting ballots. Such voter who 643  
votes at that voter's polling place on election day shall sign 644

that voter's name in the poll book or poll list followed by, 645  
"Former Resident's Presidential Ballot." Qualified former 646  
residents shall be entitled to cast ~~absent voter's~~ early voting 647  
ballots for presidential and vice-presidential electors. 648

**Sec. 3505.03.** On the office type ballot shall be printed the 649  
names of all candidates for election to offices, except judicial 650  
offices, who were nominated at the most recent primary election as 651  
candidates of a political party or who were nominated in 652  
accordance with section 3513.02 of the Revised Code, and the names 653  
of all candidates for election to offices who were nominated by 654  
nominating petitions, except candidates for judicial offices, for 655  
member of the state board of education, for member of a board of 656  
education, for municipal offices, and for township offices. 657

The face of the ballot below the stub shall be substantially 658  
in the following form: 659

"OFFICIAL OFFICE TYPE BALLOT 660

(A) To vote for a candidate record your vote in the manner 661  
provided next to the name of such candidate. 662

(B) If you tear, soil, deface, or erroneously mark this 663  
ballot, return it to the precinct election officers or, if you 664  
cannot return it, notify the precinct election officers, and 665  
obtain another ballot." 666

The order in which the offices shall be listed on the ballot 667  
shall be prescribed by, and certified to each board of elections 668  
by, the secretary of state; provided that for state, district, and 669  
county offices the order from top to bottom shall be as follows: 670  
governor and lieutenant governor, attorney general, auditor of 671  
state, secretary of state, treasurer of state, United States 672  
senator, representative to congress, state senator, state 673  
representative, county commissioner, county auditor, prosecuting 674  
attorney, clerk of the court of common pleas, sheriff, county 675

recorder, county treasurer, county engineer, and coroner. The 676  
offices of governor and lieutenant governor shall be printed on 677  
the ballot in a manner that requires a voter to cast one vote 678  
jointly for the candidates who have been nominated by the same 679  
political party or petition. 680

The names of all candidates for an office shall be arranged 681  
in a group under the title of that office, and, except for 682  
~~absentee~~ early voting ballots or when the number of candidates for 683  
a particular office is the same as the number of candidates to be 684  
elected for that office, shall be rotated from one precinct to 685  
another. On ~~absentee~~ early voting ballots, the names of all 686  
candidates for an office shall be arranged in a group under the 687  
title of that office and shall be so alternated that each name 688  
shall appear, insofar as may be reasonably possible, substantially 689  
an equal number of times at the beginning, at the end, and in each 690  
intermediate place, if any, of the group in which such name 691  
belongs, unless the number of candidates for a particular office 692  
is the same as the number of candidates to be elected for that 693  
office. 694

The method of printing the ballots to meet the rotation 695  
requirement of this section shall be as follows: the least common 696  
multiple of the number of names in each of the several groups of 697  
candidates shall be used, and the number of changes made in the 698  
printer's forms in printing the ballots shall correspond with that 699  
multiple. The board of elections shall number all precincts in 700  
regular serial sequence. In the first precinct, the names of the 701  
candidates in each group shall be listed in alphabetical order. In 702  
each succeeding precinct, the name in each group that is listed 703  
first in the preceding precinct shall be listed last, and the name 704  
of each candidate shall be moved up one place. In each precinct 705  
using paper ballots, the printed ballots shall then be assembled 706  
in tablets. 707

Under the name of each candidate nominated at a primary 708  
election and each candidate certified by a party committee to fill 709  
a vacancy under section 3513.31 of the Revised Code shall be 710  
printed, in less prominent type face than that in which the 711  
candidate's name is printed, the name of the political party by 712  
which the candidate was nominated or certified. Under the name of 713  
each candidate appearing on the ballot who filed a nominating 714  
petition and requested a ballot designation as a nonparty 715  
candidate under section 3513.257 of the Revised Code shall be 716  
printed, in less prominent type face than that in which the 717  
candidate's name is printed, the designation of "nonparty 718  
candidate." Under the name of each candidate appearing on the 719  
ballot who filed a nominating petition and requested a ballot 720  
designation as an other-party candidate under section 3513.257 of 721  
the Revised Code shall be printed, in less prominent type face 722  
than that in which the candidate's name is printed, the 723  
designation of "other-party candidate." No designation shall 724  
appear under the name of a candidate appearing on the ballot who 725  
filed a nominating petition and requested that no ballot 726  
designation appear under the candidate's name under section 727  
3513.257 of the Revised Code, or who filed a nominating petition 728  
and failed to request a ballot designation either as a nonparty 729  
candidate or as an other-party candidate under that section. 730

Except as provided in this section, no words, designations, 731  
or emblems descriptive of a candidate or the candidate's political 732  
affiliation, or indicative of the method by which the candidate 733  
was nominated or certified, shall be printed under or after a 734  
candidate's name that is printed on the ballot. 735

**Sec. 3505.181.** (A) All of the following individuals shall be 736  
permitted to cast a provisional ballot at an election: 737

(1) An individual who declares that the individual is a 738



registered voter in the jurisdiction in which the individual 739  
desires to vote and that the individual is eligible to vote in an 740  
election, but the name of the individual does not appear on the 741  
official list of eligible voters for the polling place or an 742  
election official asserts that the individual is not eligible to 743  
vote; 744

(2) An individual who has a social security number and 745  
provides to the election officials the last four digits of the 746  
individual's social security number as permitted by division 747  
(A)(2) of section 3505.18 of the Revised Code; 748

(3) An individual who has but is unable to provide to the 749  
election officials any of the forms of identification required 750  
under division (A)(1) of section 3505.18 of the Revised Code and 751  
who has a social security number but is unable to provide the last 752  
four digits of the individual's social security number as 753  
permitted under division (A)(2) of that section; 754

(4) An individual who does not have any of the forms of 755  
identification required under division (A)(1) of section 3505.18 756  
of the Revised Code, who cannot provide the last four digits of 757  
the individual's social security number under division (A)(2) of 758  
that section because the individual does not have a social 759  
security number, and who has executed an affirmation as permitted 760  
under division (A)(4) of that section; 761

(5) An individual whose name in the poll list or signature 762  
pollbook has been marked under section 3509.09 or 3511.13 of the 763  
Revised Code as having requested an ~~absent voter's~~ early voting 764  
ballot or an armed service ~~absent voter's~~ early voting ballot for 765  
that election and who appears to vote at the polling place; 766

(6) An individual whose notification of registration has been 767  
returned undelivered to the board of elections and whose name in 768  
the official registration list and in the poll list or signature 769

pollbook has been marked under division (C)(2) of section 3503.19 770  
of the Revised Code; 771

(7) An individual who is challenged under section 3505.20 of 772  
the Revised Code and the election officials determine that the 773  
person is ineligible to vote or are unable to determine the 774  
person's eligibility to vote; 775

(8) An individual whose application or challenge hearing has 776  
been postponed until after the day of the election under division 777  
(D)(1) of section 3503.24 of the Revised Code; 778

(9) An individual who changes the individual's name and 779  
remains within the precinct, moves from one precinct to another 780  
within a county, moves from one precinct to another and changes 781  
the individual's name, or moves from one county to another within 782  
the state, and completes and signs the required forms and 783  
statements under division (B) or (C) of section 3503.16 of the 784  
Revised Code; 785

(10) An individual whose signature, in the opinion of the 786  
precinct officers under section 3505.22 of the Revised Code, is 787  
not that of the person who signed that name in the registration 788  
forms; 789

(11) An individual who is challenged under section 3513.20 of 790  
the Revised Code who refuses to make the statement required under 791  
that section, who a majority of the precinct officials find lacks 792  
any of the qualifications to make the individual a qualified 793  
elector, or who a majority of the precinct officials find is not 794  
affiliated with or a member of the political party whose ballot 795  
the individual desires to vote; 796

(12) An individual who does not have any of the forms of 797  
identification required under division (A)(1) of section 3505.18 798  
of the Revised Code, who cannot provide the last four digits of 799  
the individual's social security number under division (A)(2) of 800

that section because the person does not have a social security number, and who declines to execute an affirmation as permitted under division (A)(4) of that section;

(13) An individual who has but declines to provide to the precinct election officials any of the forms of identification required under division (A)(1) of section 3501.18 of the Revised Code or who has a social security number but declines to provide to the precinct election officials the last four digits of the individual's social security number.

(B) An individual who is eligible to cast a provisional ballot under division (A) of this section shall be permitted to cast a provisional ballot as follows:

(1) An election official at the polling place shall notify the individual that the individual may cast a provisional ballot in that election.

(2) The individual shall be permitted to cast a provisional ballot at that polling place upon the execution of a written affirmation by the individual before an election official at the polling place stating that the individual is both of the following:

(a) A registered voter in the jurisdiction in which the individual desires to vote;

(b) Eligible to vote in that election.

(3) An election official at the polling place shall transmit the ballot cast by the individual, the voter information contained in the written affirmation executed by the individual under division (B)(2) of this section, or the individual's name if the individual declines to execute such an affirmation to an appropriate local election official for verification under division (B)(4) of this section.

(4) If the appropriate local election official to whom the ballot or voter or address information is transmitted under division (B)(3) of this section determines that the individual is eligible to vote, the individual's provisional ballot shall be counted as a vote in that election.

(5)(a) At the time that an individual casts a provisional ballot, the appropriate local election official shall give the individual written information that states that any individual who casts a provisional ballot will be able to ascertain under the system established under division (B)(5)(b) of this section whether the vote was counted, and, if the vote was not counted, the reason that the vote was not counted.

(b) The appropriate state or local election official shall establish a free access system, in the form of a toll-free telephone number, that any individual who casts a provisional ballot may access to discover whether the vote of that individual was counted, and, if the vote was not counted, the reason that the vote was not counted. The free access system established under this division also shall provide to an individual whose provisional ballot was not counted information explaining how that individual may contact the board of elections to register to vote or to resolve problems with the individual's voter registration.

The appropriate state or local election official shall establish and maintain reasonable procedures necessary to protect the security, confidentiality, and integrity of personal information collected, stored, or otherwise used by the free access system established under this division. Access to information about an individual ballot shall be restricted to the individual who cast the ballot.

(6) If, at the time that an individual casts a provisional ballot, the individual provides identification in the form of a current and valid photo identification, a military identification

that shows the voter's name and current address, or a copy of a 863  
current utility bill, bank statement, government check, paycheck, 864  
or other government document, other than a notice of an election 865  
mailed by a board of elections under section 3501.19 of the 866  
Revised Code or a notice of voter registration mailed by a board 867  
of elections under section 3503.19 of the Revised Code, that shows 868  
the individual's name and current address, or provides the last 869  
four digits of the individual's social security number, or 870  
executes an affirmation that the elector does not have any of 871  
those forms of identification or the last four digits of the 872  
individual's social security number because the individual does 873  
not have a social security number, or declines to execute such an 874  
affirmation, the appropriate local election official shall record 875  
the type of identification provided, the social security number 876  
information, the fact that the affirmation was executed, or the 877  
fact that the individual declined to execute such an affirmation 878  
and include that information with the transmission of the ballot 879  
or voter or address information under division (B)(3) of this 880  
section. If the individual declines to execute such an 881  
affirmation, the appropriate local election official shall record 882  
the individual's name and include that information with the 883  
transmission of the ballot under division (B)(3) of this section. 884

(7) If an individual casts a provisional ballot pursuant to 885  
division (A)(3), (7), (8), (12), or (13) of this section, the 886  
election official shall indicate, on the provisional ballot 887  
verification statement required under section 3505.182 of the 888  
Revised Code, that the individual is required to provide 889  
additional information to the board of elections or that an 890  
application or challenge hearing has been postponed with respect 891  
to the individual, such that additional information is required 892  
for the board of elections to determine the eligibility of the 893  
individual who cast the provisional ballot. 894

(8) During the ten days after the day of an election, an individual who casts a provisional ballot pursuant to division (A)(3), (7), (12), or (13) of this section shall appear at the office of the board of elections and provide to the board any additional information necessary to determine the eligibility of the individual who cast the provisional ballot.

(a) For a provisional ballot cast pursuant to division (A)(3), (12), or (13) of this section to be eligible to be counted, the individual who cast that ballot, within ten days after the day of the election, shall do any of the following:

(i) Provide to the board of elections proof of the individual's identity in the form of a current and valid photo identification, a military identification that shows the voter's name and current address, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the individual's name and current address;

(ii) Provide to the board of elections the last four digits of the individual's social security number;

(iii) In the case of a provisional ballot executed pursuant to division (A)(12) of this section, execute an affirmation as permitted under division (A)(4) of section 3505.18 of the Revised Code.

(b) For a provisional ballot cast pursuant to division (A)(7) of this section to be eligible to be counted, the individual who cast that ballot, within ten days after the day of that election, shall provide to the board of elections any identification or other documentation required to be provided by the applicable

challenge questions asked of that individual under section 3505.20 926  
of the Revised Code. 927

(C)(1) If an individual declares that the individual is 928  
eligible to vote in a jurisdiction other than the jurisdiction in 929  
which the individual desires to vote, or if, upon review of the 930  
precinct voting location guide using the residential street 931  
address provided by the individual, an election official at the 932  
polling place at which the individual desires to vote determines 933  
that the individual is not eligible to vote in that jurisdiction, 934  
the election official shall direct the individual to the polling 935  
place for the jurisdiction in which the individual appears to be 936  
eligible to vote, explain that the individual may cast a 937  
provisional ballot at the current location but the ballot will not 938  
be counted if it is cast in the wrong precinct, and provide the 939  
telephone number of the board of elections in case the individual 940  
has additional questions. 941

(2) If the individual refuses to travel to the polling place 942  
for the correct jurisdiction or to the office of the board of 943  
elections to cast a ballot, the individual shall be permitted to 944  
vote a provisional ballot at that jurisdiction in accordance with 945  
division (B) of this section. If any of the following apply, the 946  
provisional ballot cast by that individual shall not be opened or 947  
counted: 948

(a) The individual is not properly registered in that 949  
jurisdiction. 950

(b) The individual is not eligible to vote in that election 951  
in that jurisdiction. 952

(c) The individual's eligibility to vote in that jurisdiction 953  
in that election cannot be established upon examination of the 954  
records on file with the board of elections. 955

(D) The appropriate local election official shall cause 956

voting information to be publicly posted at each polling place on 957  
the day of each election. 958

(E) As used in this section and sections 3505.182 and 959  
3505.183 of the Revised Code: 960

(1) "Jurisdiction" means the precinct in which a person is a 961  
legally qualified elector. 962

(2) "Precinct voting location guide" means either of the 963  
following: 964

(a) An electronic or paper record that lists the correct 965  
jurisdiction and polling place for either each specific 966  
residential street address in the county or the range of 967  
residential street addresses located in each neighborhood block in 968  
the county; 969

(b) Any other method that a board of elections creates that 970  
allows a precinct election official or any elector who is at a 971  
polling place in that county to determine the correct jurisdiction 972  
and polling place of any qualified elector who resides in the 973  
county. 974

(3) "Voting information" means all of the following: 975

(a) A sample version of the ballot that will be used for that 976  
election; 977

(b) Information regarding the date of the election and the 978  
hours during which polling places will be open; 979

(c) Instructions on how to vote, including how to cast a vote 980  
and how to cast a provisional ballot; 981

(d) Instructions for mail-in registrants and first-time 982  
voters under applicable federal and state laws; 983

(e) General information on voting rights under applicable 984  
federal and state laws, including information on the right of an 985  
individual to cast a provisional ballot and instructions on how to 986



contact the appropriate officials if these rights are alleged to 987  
have been violated; 988

(f) General information on federal and state laws regarding 989  
prohibitions against acts of fraud and misrepresentation. 990

**Sec. 3505.182.** Each individual who casts a provisional ballot 991  
under section 3505.181 of the Revised Code shall execute a written 992  
affirmation. The form of the written affirmation shall be printed 993  
upon the face of the provisional ballot envelope and shall be 994  
substantially as follows: 995

"Provisional Ballot Affirmation 996

STATE OF OHIO 997

I, ..... (Name of provisional voter), solemnly 998  
swear or affirm that I am a registered voter in the jurisdiction 999  
in which I am voting this provisional ballot and that I am 1000  
eligible to vote in the election in which I am voting this 1001  
provisional ballot. 1002

I understand that, if the above-provided information is not 1003  
fully completed and correct, if the board of elections determines 1004  
that I am not registered to vote, a resident of this precinct, or 1005  
eligible to vote in this election, or if the board of elections 1006  
determines that I have already voted in this election, my 1007  
provisional ballot will not be counted. I further understand that 1008  
knowingly providing false information is a violation of law and 1009  
subjects me to possible criminal prosecution. 1010

I hereby declare, under penalty of election falsification, 1011  
that the above statements are true and correct to the best of my 1012  
knowledge and belief. 1013

..... 1014

(Signature of Voter) 1015

..... 1016

(Voter's date of birth)	1017
The last four digits of the voter's social security number	1018
.....	1019
(To be provided if the voter is unable to provide a current and valid photo identification, a military identification that shows the voter's name and current address, or a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the voter's name and current address but is able to provide these last four digits)	1020
WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.	1021
Additional Information For Determining Ballot Validity	1022
(May be completed at voter's discretion)	1023
Voter's current address: .....	1024
Voter's former address if photo identification does not contain voter's current address .....	1025
Voter's driver's license	1026
	1027

number or, if not provided  
above, the last four digits  
of voter's social security  
number

(Please circle number type) ..... 1028

(Voter may attach a copy of any of the following for 1029

identification purposes: a current and valid photo identification,  
a military identification that shows the voter's name and current  
address, or a current utility bill, bank statement, government  
check, paycheck, or other government document, other than a notice  
of an election mailed by a board of elections under section  
3501.19 of the Revised Code or a notice of voter registration  
mailed by a board of elections under section 3503.19 of the  
Revised Code, that shows the voter's name and current address.)

Reason for voting provisional ballot (Check one): 1030

..... Requested, but did not receive, ~~absent voter's~~ early  
voting ballot 1031

..... Other 1032

Verification Statement 1033

(To be completed by election official) 1034

The Provisional Ballot Affirmation printed above was 1035

subscribed and affirmed before me this ..... day of 1036

..... (Month), ..... (Year). 1037

(If applicable, the election official must check the 1038

following true statement concerning additional information needed 1039

to determine the eligibility of the provisional voter.) 1040

..... The provisional voter is required to provide 1041

additional information to the board of elections. 1042

..... An application or challenge hearing regarding this 1043

voter has been postponed until after the election. 1044

(The election official must check the following true 1045

statement concerning identification provided by the provisional 1046

voter, if any.) 1047

..... The provisional voter provided a current and valid 1048  
photo identification. 1049

..... The provisional voter provided a current valid photo 1050  
identification, other than a driver's license or a state 1051  
identification card, with the voter's former address instead of 1052  
current address and has provided the election official both the 1053  
current and former addresses. 1054

..... The provisional voter provided a military 1055  
identification that shows the voter's name and current address or 1056  
a copy of a current utility bill, bank statement, government 1057  
check, paycheck, or other government document, other than a notice 1058  
of an election mailed by a board of elections under section 1059  
3501.19 of the Revised Code or a notice of voter registration 1060  
mailed by a board of elections under section 3503.19 of the 1061  
Revised Code, with the voter's name and current address. 1062

..... The provisional voter provided the last four digits of 1063  
the voter's social security number. 1064

..... The provisional voter is not able to provide a current 1065  
and valid photo identification, a military identification that 1066  
shows the voter's name and current address, or a copy of a current 1067  
utility bill, bank statement, government check, paycheck, or other 1068  
government document, other than a notice of an election mailed by 1069  
a board of elections under section 3501.19 of the Revised Code or 1070  
a notice of voter registration mailed by a board of elections 1071  
under section 3503.19 of the Revised Code, with the voter's name 1072  
and current address but does have one of these forms of 1073  
identification. The provisional voter must provide one of the 1074  
foregoing items of identification to the board of elections within 1075  
ten days after the election. 1076

..... The provisional voter is not able to provide a current 1077

and valid photo identification, a military identification that 1078  
shows the voter's name and current address, or a copy of a current 1079  
utility bill, bank statement, government check, paycheck, or other 1080  
government document, other than a notice of an election mailed by 1081  
a board of elections under section 3501.19 of the Revised Code or 1082  
a notice of voter registration mailed by a board of elections 1083  
under section 3503.19 of the Revised Code, with the voter's name 1084  
and current address but does have one of these forms of 1085  
identification. Additionally, the provisional voter does have a 1086  
social security number but is not able to provide the last four 1087  
digits of the voter's social security number before voting. The 1088  
provisional voter must provide one of the foregoing items of 1089  
identification or the last four digits of the voter's social 1090  
security number to the board of elections within ten days after 1091  
the election. 1092

..... The provisional voter does not have a current and valid 1093  
photo identification, a military identification that shows the 1094  
voter's name and current address, a copy of a current utility 1095  
bill, bank statement, government check, paycheck, or other 1096  
government document with the voter's name and current address, or 1097  
a social security number, but has executed an affirmation. 1098

..... The provisional voter does not have a current and valid 1099  
photo identification, a military identification that shows the 1100  
voter's name and current address, a copy of a current utility 1101  
bill, bank statement, government check, paycheck, or other 1102  
government document with the voter's name and current address, or 1103  
a social security number, and has declined to execute an 1104  
affirmation. 1105

..... The provisional voter declined to provide a current and 1106  
valid photo identification, a military identification that shows 1107  
the voter's name and current address, a copy of a current utility 1108  
bill, bank statement, government check, paycheck, or other 1109

government document with the voter's name and current address, or 1110  
the last four digits of the voter's social security number but 1111  
does have one of these forms of identification or a social 1112  
security number. The provisional voter must provide one of the 1113  
foregoing items of identification or the last four digits of the 1114  
voter's social security number to the board of elections within 1115  
ten days after the election. 1116

..... 1117  
(Signature of Election Official)" 1118

In addition to any information required to be included on the 1119  
written affirmation, an individual casting a provisional ballot 1120  
may provide additional information to the election official to 1121  
assist the board of elections in determining the individual's 1122  
eligibility to vote in that election, including the date and 1123  
location at which the individual registered to vote, if known. 1124

If the individual declines to execute the affirmation, an 1125  
appropriate local election official shall comply with division 1126  
(B)(6) of section 3505.181 of the Revised Code. 1127

**Sec. 3505.20.** Any person offering to vote may be challenged 1128  
at the polling place by any judge of elections. If the board of 1129  
elections has ruled on the question presented by a challenge prior 1130  
to election day, its finding and decision shall be final, and the 1131  
presiding judge shall be notified in writing. If the board has not 1132  
ruled, the question shall be determined as set forth in this 1133  
section. If any person is so challenged as unqualified to vote, 1134  
the presiding judge shall tender the person the following oath: 1135  
"You do swear or affirm under penalty of election falsification 1136  
that you will fully and truly answer all of the following 1137  
questions put to you concerning your qualifications as an elector 1138  
at this election." 1139

(A) If the person is challenged as unqualified on the ground 1140

that the person is not a citizen, the judges shall put the 1141  
following questions: 1142

(1) Are you a citizen of the United States? 1143

(2) Are you a native or naturalized citizen? 1144

(3) Where were you born? 1145

(4) What official documentation do you possess to prove your 1146  
citizenship? Please provide that documentation. 1147

If the person offering to vote claims to be a naturalized 1148  
citizen of the United States, the person shall, before the vote is 1149  
received, produce for inspection of the judges a certificate of 1150  
naturalization and declare under oath that the person is the 1151  
identical person named in the certificate. If the person states 1152  
under oath that, by reason of the naturalization of the person's 1153  
parents or one of them, the person has become a citizen of the 1154  
United States, and when or where the person's parents were 1155  
naturalized, the certificate of naturalization need not be 1156  
produced. If the person is unable to provide a certificate of 1157  
naturalization on the day of the election, the judges shall 1158  
provide to the person, and the person may vote, a provisional 1159  
ballot under section 3505.181 of the Revised Code. The provisional 1160  
ballot shall not be counted unless it is properly completed and 1161  
the board of elections determines that the voter is properly 1162  
registered and eligible to vote in the election. 1163

(B) If the person is challenged as unqualified on the ground 1164  
that the person has not resided in this state for thirty days 1165  
immediately preceding the election, the judges shall put the 1166  
following questions: 1167

(1) Have you resided in this state for thirty days 1168  
immediately preceding this election? If so, where have you 1169  
resided? 1170

(2) Did you properly register to vote?	1171
(3) Can you provide some form of identification containing your current mailing address in this precinct? Please provide that identification.	1172 1173 1174
(4) Have you voted or attempted to vote at any other location in this or in any other state at this election?	1175 1176
(5) Have you applied for an <del>absent voter's</del> <u>absentee</u> ballot <u>or an early voting ballot</u> in any state for this election?	1177 1178
If the judges are unable to verify the person's eligibility to cast a ballot in the election, the judges shall provide to the person, and the person may vote, a provisional ballot under section 3505.181 of the Revised Code. The provisional ballot shall not be counted unless it is properly completed and the board of elections determines that the voter is properly registered and eligible to vote in the election.	1179 1180 1181 1182 1183 1184 1185
(C) If the person is challenged as unqualified on the ground that the person is not a resident of the precinct where the person offers to vote, the judges shall put the following questions:	1186 1187 1188 1189
(1) Do you reside in this precinct?	1190
(2) When did you move into this precinct?	1191
(3) When you came into this precinct, did you come for a temporary purpose merely or for the purpose of making it your home?	1192 1193 1194
(4) What is your current mailing address?	1195
(5) Do you have some official identification containing your current address in this precinct? Please provide that identification.	1196 1197 1198
(6) Have you voted or attempted to vote at any other location in this or in any other state at this election?	1199 1200



(7) Have you applied for any ~~absent voter's~~ absentee ballot 1201  
or early voting ballot in any state for this election? 1202

The judges shall direct an individual who is not in the 1203  
appropriate polling place to the appropriate polling place. If the 1204  
individual refuses to go to the appropriate polling place, or if 1205  
the judges are unable to verify the person's eligibility to cast a 1206  
ballot in the election, the judges shall provide to the person, 1207  
and the person may vote, a provisional ballot under section 1208  
3505.181 of the Revised Code. The provisional ballot shall not be 1209  
counted unless it is properly completed and the board of elections 1210  
determines that the voter is properly registered and eligible to 1211  
vote in the election. 1212

(D) If the person is challenged as unqualified on the ground 1213  
that the person is not of legal voting age, the judges shall put 1214  
the following questions: 1215

(1) Are you eighteen years of age or more? 1216

(2) What is your date of birth? 1217

(3) Do you have some official identification verifying your 1218  
age? Please provide that identification. 1219

If the judges are unable to verify the person's age and 1220  
eligibility to cast a ballot in the election, the judges shall 1221  
provide to the person, and the person may vote, a provisional 1222  
ballot under section 3505.181 of the Revised Code. The provisional 1223  
ballot shall not be counted unless it is properly completed and 1224  
the board of elections determines that the voter is properly 1225  
registered and eligible to vote in the election. 1226

The presiding judge shall put such other questions to the 1227  
person challenged as are necessary to determine the person's 1228  
qualifications as an elector at the election. If a person 1229  
challenged refuses to answer fully any question put to the person, 1230  
is unable to answer the questions as they were answered on the 1231

registration form by the person under whose name the person offers 1232  
to vote, or refuses to sign the person's name or make the person's 1233  
mark, or if for any other reason a majority of the judges believes 1234  
the person is not entitled to vote, the judges shall provide to 1235  
the person, and the person may vote, a provisional ballot under 1236  
section 3505.181 of the Revised Code. The provisional ballot shall 1237  
not be counted unless it is properly completed and the board of 1238  
elections determines that the voter is properly registered and 1239  
eligible to vote in the election. 1240

A qualified citizen who has certified the citizen's intention 1241  
to vote for president and vice-president as provided by Chapter 1242  
3504. of the Revised Code shall be eligible to receive only the 1243  
ballot containing presidential and vice-presidential candidates. 1244

However, prior to the nineteenth day before the day of an 1245  
election and in accordance with section 3503.24 of the Revised 1246  
Code, any person qualified to vote may challenge the right of any 1247  
other person to be registered as a voter, or the right to cast an 1248  
~~absent voter's~~ early voting ballot, or to make application for 1249  
such ballot. Such challenge shall be made in accordance with 1250  
section 3503.24 of the Revised Code, and the board of elections of 1251  
the county in which the voting residence of the challenged voter 1252  
is situated shall make a final determination relative to the 1253  
legality of such registration or application. 1254

**Sec. 3509.01.** The board of elections of each county shall 1255  
provide ~~absent voter's~~ early voting ballots for use at every 1256  
primary and general election, or special election to be held on 1257  
the day specified by division (E) of section 3501.01 of the 1258  
Revised Code for the holding of a primary election, designated by 1259  
the general assembly for the purpose of submitting constitutional 1260  
amendments proposed by the general assembly to the voters of the 1261  
state. Those ballots shall be the same size, shall be printed on 1262

the same kind of paper, and shall be in the same form as has been 1263  
approved for use at the election for which those ballots are to be 1264  
voted; except that, in counties using marking devices, ballot 1265  
cards may be used for ~~absent voter's~~ early voting ballots, and 1266  
those ~~absent~~ early voters shall be instructed to record the vote 1267  
in the manner provided on the ballot cards. In counties where 1268  
punch card ballots are used, those ~~absent~~ early voters shall be 1269  
instructed to examine their marked ballot cards and to remove any 1270  
chads that remain partially attached to them before returning them 1271  
to election officials. 1272

The rotation of names of candidates and questions and issues 1273  
shall be substantially complied with on ~~absent voter's~~ early 1274  
voting ballots, within the limitation of time allotted. Those 1275  
ballots shall be designated as "~~Absent Voter's~~ Early Voting 1276  
Ballots" and shall be printed and ready for use on the 1277  
thirty-fifth day before the day of the election, except that those 1278  
ballots shall be printed and ready for use on the twenty-fifth day 1279  
before the day of a presidential primary election. 1280

~~Absent voter's~~ Early voting ballots provided for use at a 1281  
general or primary election, or special election to be held on the 1282  
day specified by division (E) of section 3501.01 of the Revised 1283  
Code for the holding of a primary election, designated by the 1284  
general assembly for the purpose of submitting constitutional 1285  
amendments proposed by the general assembly to the voters of the 1286  
state, shall include only those questions, issues, and candidacies 1287  
that have been lawfully ordered submitted to the electors voting 1288  
at that election. 1289

~~Absent voter's~~ Early voting ballots for special elections 1290  
held on days other than the day on which general or primary 1291  
elections are held shall be ready for use as many days before the 1292  
day of the election as reasonably possible under the laws 1293  
governing the holding of that special election. 1294

A copy of the ~~absent voter's~~ early voting ballots shall be 1295  
forwarded by the director of the board in each county to the 1296  
secretary of state at least twenty-five days before the election. 1297

As used in this section, "chad" and "punch card ballot" have 1298  
the same meanings as in section 3506.16 of the Revised Code. 1299

**Sec. 3509.02.** (A) Any qualified elector may vote by ~~absent~~ 1300  
~~voter's~~ early voting ballots at an election. 1301

(B) Any qualified elector who is unable to appear at the 1302  
office of the board of elections or, if pursuant to division (C) 1303  
of section 3501.10 of the Revised Code the board has designated 1304  
another location in the county at which registered electors may 1305  
vote, at that other location on account of personal illness, 1306  
physical disability, or infirmity, and who moves from one precinct 1307  
to another within a county, changes the elector's name and moves 1308  
from one precinct to another within a county, or moves from one 1309  
county to another county within the state, on or prior to the day 1310  
of a general, primary, or special election and has not filed a 1311  
notice of change of residence or change of name may vote by ~~absent~~ 1312  
~~voter's~~ early voting ballots in that election as specified in 1313  
division (G) of section 3503.16 of the Revised Code. 1314

**Sec. 3509.021.** Except as provided in section 3509.031 of the 1315  
Revised Code all identification envelopes containing ~~absent~~ 1316  
~~voter's~~ early voting ballots for former resident voters who are 1317  
entitled to vote for presidential and vice-presidential electors 1318  
only, shall have printed or stamped thereon the words, 1319  
"Presidential Ballot." 1320

**Sec. 3509.022.** An overseas voter as defined in 42 U.S.C. 1321  
1973ff-6, other than an absent uniformed services voter as defined 1322  
in that statute, may apply for an ~~absent voter's~~ early voting 1323  
ballot as provided in this chapter. 1324

"Sec. 3509.03. (A) Except as provided in section 3509.031 or 1325  
division (B) of section 3509.08 of the Revised Code, any qualified 1326  
elector desiring to vote ~~absent voter's~~ early voting ballots at an 1327  
election shall make written application for those ballots to the 1328  
director of elections of the county in which the elector's voting 1329  
residence is located. The application need not be in any 1330  
particular form but shall contain all of the following: 1331

~~(A)~~(1) The elector's name; 1332

~~(B)~~(2) The elector's signature; 1333

~~(C)~~(3) The address at which the elector is registered to 1334  
vote; 1335

~~(D)~~(4) The elector's date of birth; 1336

~~(E)~~(5) One of the following: 1337

~~(1)~~(a) The elector's driver's license number; 1338

~~(2)~~(b) The last four digits of the elector's social security 1339  
number; 1340

~~(3)~~(c) A copy of the elector's current and valid photo 1341  
identification, a copy of a military identification that shows the 1342  
elector's name and current address, or a copy of a current utility 1343  
bill, bank statement, government check, paycheck, or other 1344  
government document, other than a notice of an election mailed by 1345  
a board of elections under section 3501.19 of the Revised Code or 1346  
a notice of voter registration mailed by a board of elections 1347  
under section 3503.19 of the Revised Code, that shows the name and 1348  
address of the elector. 1349

~~(F)~~(6) A statement identifying the election for which ~~absent~~ 1350  
~~voter's~~ early voting ballots are requested; 1351

~~(G)~~(7) A statement that the person requesting the ballots is 1352  
a qualified elector; 1353

~~(H)~~(8) If the request is for primary election ballots, the 1354  
elector's party affiliation; 1355

~~(I)~~(9) If the elector desires ballots to be mailed to the 1356  
elector, the address to which those ballots shall be mailed. 1357

(B) A voter who will be outside the United States on the day 1358  
of any election during a calendar year may use a single federal 1359  
post card application to apply for ~~absent voter's~~ absentee 1360  
ballots. ~~These~~ The federal post card application shall be deemed 1361  
to be an application for early voting ballots under this section. 1362  
Early voting ballots shall be considered absentee ballots for the 1363  
purpose of the federal post card application. 1364

Early voting ballots shall be sent to the voter for use at 1365  
the primary and general elections in that year and any special 1366  
election to be held on the day in that year specified by division 1367  
(E) of section 3501.01 of the Revised Code for the holding of a 1368  
primary election, designated by the general assembly for the 1369  
purpose of submitting constitutional amendments proposed by the 1370  
general assembly to the voters of the state unless the voter 1371  
reports a change in the voter's voting status to the board of 1372  
elections or the voter's intent to vote in any such election in 1373  
the precinct in this state where the voter is registered to vote. 1374  
A single federal postcard application shall be processed by the 1375  
board of elections pursuant to section 3509.04 of the Revised Code 1376  
the same as if the voter had applied separately for ~~absent voter's~~ 1377  
early voting ballots for each election. When mailing ~~absent~~ 1378  
~~voter's~~ early voting ballots to a voter who applied ~~for them~~ by 1379  
single federal post card application, the board shall enclose 1380  
notification to the voter that the voter must report to the board 1381  
subsequent changes in the voter's voting status or the voter's 1382  
subsequent intent to vote in any such election in the precinct in 1383  
this state where the voter is registered to vote. Such 1384  
notification shall be in a form prescribed by the secretary of 1385

state. As used in this section, "voting status" means the voter's name at the time the voter applied for ~~absent voter's~~ absentee ballots by single federal post card application and the voter's address outside the United States to which the voter requested that those ballots be sent.

(C) Each application for ~~absent voter's~~ early voting ballots shall be delivered to the director not earlier than the first day of January of the year of the elections for which the ~~absent voter's~~ ballots are requested or not earlier than ninety days before the day of the election at which the ballots are to be voted, whichever is earlier, and not later than twelve noon of the third day before the day of the election at which the ballots are to be voted, or not later than the close of regular business hours on the day before the day of the election at which the ballots are to be voted if the application is delivered in person to the office of the board.

**Sec. 3509.031.** (A) Any qualified elector who is a member of the organized militia called to active duty within the state and who will be unable to vote on election day on account of that active duty may make written application for ~~absent voter's~~ early voting ballots to the director of elections for the county in which the elector's voting residence is located. The elector may personally deliver the application to the director or may mail it, send it by facsimile machine, or otherwise send it to the director. The application need not be in any particular form but shall contain all of the following:

- (1) The elector's name;
- (2) The elector's signature;
- (3) The address at which the elector is registered to vote;
- (4) The elector's date of birth;

(5) One of the following:	1416
(a) The elector's driver's license number;	1417
(b) The last four digits of the elector's social security number;	1418 1419
(c) A copy of the elector's current and valid photo identification, a copy of a military identification that shows the elector's name and current address, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the name and address of the elector.	1420 1421 1422 1423 1424 1425 1426 1427 1428
(6) A statement identifying the election for which <del>absent voter's</del> <u>early voting</u> ballots are requested;	1429 1430
(7) A statement that the person requesting the ballots is a qualified elector;	1431 1432
(8) A statement that the elector is a member of the organized militia serving on active duty within the state;	1433 1434
(9) If the request is for primary election ballots, the elector's party affiliation;	1435 1436
(10) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed;	1437 1438
(11) If the elector desires ballots to be sent to the elector by facsimile machine, the telephone number to which they shall be so sent.	1439 1440 1441
(B) Application to have <del>absent voter's</del> <u>early voting</u> ballots mailed or sent by facsimile machine to a qualified elector who is a member of the organized militia called to active duty within the state and who will be unable to vote on election day on account of	1442 1443 1444 1445



that active duty may be made by the spouse of the militia member 1446  
or the father, mother, father-in-law, mother-in-law, grandfather, 1447  
grandmother, brother or sister of the whole blood or half blood, 1448  
son, daughter, adopting parent, adopted child, stepparent, 1449  
stepchild, uncle, aunt, nephew, or niece of the militia member. 1450  
The application shall be in writing upon a blank form furnished 1451  
only by the director. The form of the application shall be 1452  
prescribed by the secretary of state. The director shall furnish 1453  
that blank form to any of the relatives specified in this division 1454  
desiring to make the application, only upon the request of such a 1455  
relative in person at the office of the board or upon the written 1456  
request of such a relative mailed to the office of the board. The 1457  
application, subscribed and sworn to by the applicant, shall 1458  
contain all of the following: 1459

(1) The full name of the elector for whom ballots are 1460  
requested; 1461

(2) A statement that such person is a qualified elector in 1462  
the county; 1463

(3) The address at which the elector is registered to vote; 1464

(4) The elector's date of birth; 1465

(5) One of the following: 1466

(a) The elector's driver's license number; 1467

(b) The last four digits of the elector's social security 1468  
number; 1469

(c) A copy of the elector's current and valid photo 1470  
identification, a copy of a military identification that shows the 1471  
elector's name and current address, or a copy of a current utility 1472  
bill, bank statement, government check, paycheck, or other 1473  
government document, other than a notice of an election mailed by 1474  
a board of elections under section 3501.19 of the Revised Code or 1475

a notice of voter registration mailed by a board of elections 1476  
under section 3503.19 of the Revised Code, that shows the name and 1477  
address of the elector. 1478

(6) A statement identifying the election for which ~~absent~~ 1479  
~~voter's~~ early voting ballots are requested; 1480

(7) A statement that the elector is a member of the organized 1481  
militia serving on active duty within the state; 1482

(8) If the request is for primary election ballots, the 1483  
elector's party affiliation; 1484

(9) A statement that the applicant bears a relationship to 1485  
the elector as specified in division (B) of this section; 1486

(10) The address to which ballots shall be mailed or 1487  
telephone number to which ballots shall be sent by facsimile 1488  
machine; 1489

(11) The signature and address of the person making the 1490  
application. 1491

(C) Applications to have ~~absent-voter's~~ early voting ballots 1492  
mailed or sent by facsimile machine shall not be valid if dated, 1493  
postmarked, or received by the director prior to the ninetieth day 1494  
before the day of the election for which ballots are requested or 1495  
if delivered to the director later than twelve noon of the third 1496  
day preceding the day of such election. If, after the ninetieth 1497  
day and before four p.m. of the day before the day of an election, 1498  
a valid application for ~~absent-voter's~~ early voting ballots is 1499  
delivered to the director of elections at the office of the board 1500  
by a militia member making application in the militia member's own 1501  
behalf, the director shall forthwith deliver to the militia member 1502  
all ~~absent-voter's~~ early voting ballots then ready for use, 1503  
together with an identification envelope. The militia member shall 1504  
then vote the ~~absent-voter's~~ early voting ballots in the manner 1505  
provided in section 3509.05 of the Revised Code. 1506

Sec. 3509.04. (A) If a director of a board of elections 1507  
receives an application for ~~absent voter's~~ early voting ballots 1508  
that does not contain all of the required information, the 1509  
director promptly shall notify the applicant of the additional 1510  
information required to be provided by the applicant to complete 1511  
that application. 1512

(B) Upon receipt by the director of elections of an 1513  
application for ~~absent voter's~~ early voting ballots that contain 1514  
all of the required information, as provided by sections 3509.03 1515  
and 3509.031 and division (G) of section 3503.16 of the Revised 1516  
Code, the director, if the director finds that the applicant is a 1517  
qualified elector, shall deliver to the applicant in person or 1518  
mail directly to the applicant by special delivery mail, air mail, 1519  
or regular mail, postage prepaid, proper ~~absent voter's~~ early 1520  
voting ballots. The director shall deliver or mail with the 1521  
ballots an unsealed identification envelope upon the face of which 1522  
shall be printed a form substantially as follows: 1523

"Identification Envelope Statement of Voter 1524

I, .....(Name of voter), declare under 1525  
penalty of election falsification that the within ballot or 1526  
ballots contained no voting marks of any kind when I received 1527  
them, and I caused the ballot or ballots to be marked, enclosed in 1528  
the identification envelope, and sealed in that envelope. 1529

My voting residence in Ohio is 1530

..... 1531

(Street and Number, if any, or Rural Route and Number) 1532

of ..... (City, Village, or Township) 1533

Ohio, which is in Ward ..... Precinct ..... 1534

in that city, village, or township. 1535

The primary election ballots, if any, within this envelope 1536

are primary election ballots of the ..... Party. 1537

Ballots contained within this envelope are to be voted at the 1538  
..... (general, special, or primary) election to be held on 1539  
the ..... day of ....., .... 1540

My date of birth is ..... (Month and Day), 1541  
..... (Year). 1542

(Voter must provide one of the following:) 1543

My driver's license number is ..... (Driver's 1544  
license number). 1545

The last four digits of my Social Security Number are 1546  
..... (Last four digits of Social Security Number). 1547

..... In lieu of providing a driver's license number or the 1548  
last four digits of my Social Security Number, I am enclosing a 1549  
copy of one of the following in the return envelope in which this 1550  
identification envelope will be mailed: a current and valid photo 1551  
identification, a military identification that shows my name and 1552  
current address, or a current utility bill, bank statement, 1553  
government check, paycheck, or other government document, other 1554  
than a notice of an election mailed by a board of elections under 1555  
section 3501.19 of the Revised Code or a notice of voter 1556  
registration mailed by a board of elections, that shows my name 1557  
and address. 1558

I hereby declare, under penalty of election falsification, 1559  
that the statements above are true, as I verily believe. 1560

..... 1561  
(Signature of Voter) 1562

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 1563  
THE FIFTH DEGREE." 1564

The director shall mail with the ballots and the unsealed 1565  
identification envelope an unsealed return envelope upon the face 1566

of which shall be printed the official title and post-office 1567  
address of the director. In the upper left corner on the face of 1568  
the return envelope, several blank lines shall be printed upon 1569  
which the voter may write the voter's name and return address, and 1570  
beneath these lines there shall be printed a box beside the words 1571  
"check if out-of-country." The voter shall check this box if the 1572  
voter will be outside the United States on the day of the 1573  
election. The return envelope shall be of such size that the 1574  
identification envelope can be conveniently placed within it for 1575  
returning the identification envelope to the director. 1576

**Sec. 3509.05.** (A) When an elector receives an ~~absent voter's~~ 1577  
early voting ballot pursuant to the elector's application or 1578  
request, the elector shall, before placing any marks on the 1579  
ballot, note whether there are any voting marks on it. If there 1580  
are any voting marks, the ballot shall be returned immediately to 1581  
the board of elections; otherwise, the elector shall cause the 1582  
ballot to be marked, folded in a manner that the stub on it and 1583  
the indorsements and facsimile signatures of the members of the 1584  
board of elections on the back of it are visible, and placed and 1585  
sealed within the identification envelope received from the 1586  
director of elections for that purpose. Then, the elector shall 1587  
cause the statement of voter on the outside of the identification 1588  
envelope to be completed and signed, under penalty of election 1589  
falsification. 1590

If the elector does not provide the elector's driver's 1591  
license number or the last four digits of the elector's social 1592  
security number on the statement of voter on the identification 1593  
envelope, the elector also shall include in the return envelope 1594  
with the identification envelope a copy of the elector's current 1595  
valid photo identification, a copy of a military identification 1596  
that shows the elector's name and current address, or a copy of a 1597  
current utility bill, bank statement, government check, paycheck, 1598

or other government document, other than a notice of an election 1599  
mailed by a board of elections under section 3501.19 of the 1600  
Revised Code or a notice of voter registration mailed by a board 1601  
of elections under section 3503.19 of the Revised Code, that shows 1602  
the name and address of the elector. 1603

The elector shall mail the identification envelope to the 1604  
director from whom it was received in the return envelope, postage 1605  
prepaid, or the elector may personally deliver it to the director, 1606  
or the spouse of the elector, the father, mother, father-in-law, 1607  
mother-in-law, grandfather, grandmother, brother, or sister of the 1608  
whole or half blood, or the son, daughter, adopting parent, 1609  
adopted child, stepparent, stepchild, uncle, aunt, nephew, or 1610  
niece of the elector may deliver it to the director. The return 1611  
envelope shall be transmitted to the director in no other manner, 1612  
except as provided in section 3509.08 of the Revised Code. 1613

Each elector who will be outside the United States on the day 1614  
of the election shall check the box on the return envelope 1615  
indicating this fact. 1616

When ~~absent voter's~~ early voting ballots are delivered to an 1617  
elector at the office of the board, the elector may retire to a 1618  
voting compartment provided by the board and there mark the 1619  
ballots. Thereupon, the elector shall fold them, place them in the 1620  
identification envelope provided, seal the envelope, fill in and 1621  
sign the statement on the envelope under penalty of election 1622  
falsification, and deliver the envelope to the director of the 1623  
board. 1624

Except as otherwise provided in divisions (B) and (C) of this 1625  
section, all other envelopes containing marked ~~absent voter's~~ 1626  
early voting ballots shall be delivered to the director not later 1627  
than the close of the polls on the day of an election. ~~Absent~~ 1628  
~~voter's~~ Early voting ballots delivered to the director later than 1629  
the times specified shall not be counted, but shall be kept by the 1630

board in the sealed identification envelopes in which they are 1631  
delivered to the director, until the time provided by section 1632  
3505.31 of the Revised Code for the destruction of all other 1633  
ballots used at the election for which ballots were provided, at 1634  
which time they shall be destroyed. 1635

(B) Except as otherwise provided in division (C) of this 1636  
section, any return envelope that indicates that the voter will be 1637  
outside the United States on the day of the election shall be 1638  
delivered to the director prior to the eleventh day after the 1639  
election. Ballots delivered in such envelopes that are received 1640  
after the close of the polls on election day through the tenth day 1641  
thereafter shall be counted on the eleventh day at the board of 1642  
elections in the manner provided in divisions (C) and (D) of 1643  
section 3509.06 of the Revised Code. Any such ballots that are 1644  
signed or postmarked after the close of the polls on the day of 1645  
the election or that are received by the director later than the 1646  
tenth day following the election shall not be counted, but shall 1647  
be kept by the board in the sealed identification envelopes as 1648  
provided in division (A) of this section. 1649

(C) In any year in which a presidential primary election is 1650  
held, any return envelope that indicates that the voter will be 1651  
outside the United States on the day of the presidential primary 1652  
election shall be delivered to the director prior to the 1653  
twenty-first day after that election. Ballots delivered in such 1654  
envelopes that are received after the close of the polls on 1655  
election day through the twentieth day thereafter shall be counted 1656  
on the twenty-first day at the board of elections in the manner 1657  
provided in divisions (C) and (D) of section 3509.06 of the 1658  
Revised Code. Any such ballots that are signed or postmarked after 1659  
the close of the polls on the day of that election or that are 1660  
received by the director later than the twentieth day following 1661  
that election shall not be counted, but shall be kept by the board 1662

in the sealed identification envelopes as provided in division (A) 1663  
of this section. 1664

**Sec. 3509.06.** (A) The board of elections shall determine 1665  
whether ~~absent voter's~~ early voting ballots shall be counted in 1666  
each precinct, at the office of the board, or at some other 1667  
location designated by the board, and shall proceed accordingly 1668  
under division (B) or (C) of this section. 1669

(B) When the board of elections determines that ~~absent~~ 1670  
~~voter's~~ early voting ballots shall be counted in each precinct, 1671  
the director shall deliver to the presiding judge of each precinct 1672  
on election day identification envelopes purporting to contain 1673  
~~absent voter's~~ early voting ballots of electors whose voting 1674  
residence appears from the statement of voter on the outside of 1675  
each of those envelopes, to be located in such presiding judge's 1676  
precinct, and which were received by the director not later than 1677  
the close of the polls on election day. The director shall deliver 1678  
to such presiding judge a list containing the name and voting 1679  
residence of each person whose voting residence is in such 1680  
precinct to whom ~~absent voter's~~ early voting ballots were mailed. 1681

(C) When the board of elections determines that ~~absent~~ 1682  
~~voter's~~ early voting ballots shall be counted at the office of the 1683  
board of elections or at another location designated by the board, 1684  
special election judges shall be appointed by the board for that 1685  
purpose having the same authority as is exercised by precinct 1686  
judges. The votes so cast shall be added to the vote totals by the 1687  
board, and the ~~absent voter's~~ early voting ballots shall be 1688  
preserved separately by the board, in the same manner and for the 1689  
same length of time as provided by section 3505.31 of the Revised 1690  
Code. 1691

(D) Each of the identification envelopes purporting to 1692  
contain ~~absent voter's~~ early voting ballots delivered to the 1693



presiding judge of the precinct or the special judge appointed by 1694  
the board of elections shall be handled as follows: The election 1695  
officials shall compare the signature of the elector on the 1696  
outside of the identification envelope with the signature of that 1697  
elector on the elector's registration form and verify that the 1698  
~~absent voter's~~ ballot is eligible to be counted under section 1699  
3509.07 of the Revised Code. Any of the precinct officials may 1700  
challenge the right of the elector named on the identification 1701  
envelope to vote the ~~absent voter's~~ early voting ballots upon the 1702  
ground that the signature on the envelope is not the same as the 1703  
signature on the registration form, or upon any other of the 1704  
grounds upon which the right of persons to vote may be lawfully 1705  
challenged. If no such challenge is made, or if such a challenge 1706  
is made and not sustained, the presiding judge shall open the 1707  
envelope without defacing the statement of voter and without 1708  
mutilating the ballots in it, and shall remove the ballots 1709  
contained in it and proceed to count them. 1710

The name of each person voting who is entitled to vote only 1711  
an ~~absent voter's~~ early voting presidential ballot shall be 1712  
entered in a pollbook or poll list or signature pollbook followed 1713  
by the words "~~Absentee~~ Early Presidential Ballot." The name of 1714  
each person voting an ~~absent voter's~~ early voting ballot, other 1715  
than such persons entitled to vote only a presidential ballot, 1716  
shall be entered in the pollbook or poll list or signature 1717  
pollbook and the person's registration card marked to indicate 1718  
that the person has voted. 1719

The date of such election shall also be entered on the 1720  
elector's registration form. If any such challenge is made and 1721  
sustained, the identification envelope of such elector shall not 1722  
be opened, shall be endorsed "Not Counted" with the reasons the 1723  
ballots were not counted, and shall be delivered to the board. 1724

(E) Special election judges, employees or members of the 1725

board of elections, or observers shall not disclose the count or 1726  
any portion of the count of ~~absent voter's~~ early voting ballots 1727  
prior to the time of the closing of the polling places. No person 1728  
shall recklessly disclose the count or any portion of the count of 1729  
~~absent voter's~~ early voting ballots in such a manner as to 1730  
jeopardize the secrecy of any individual ballot. 1731

(F) Observers may be appointed under section 3505.21 of the 1732  
Revised Code to witness the examination and opening of 1733  
identification envelopes and the counting of ~~absent voters'~~ early 1734  
voting ballots under this section. 1735

**Sec. 3509.07.** If election officials find that the statement 1736  
accompanying an ~~absent voter's~~ early voting ballot or ~~absent~~ 1737  
~~voter's~~ early voting presidential ballot is insufficient, that the 1738  
signatures do not correspond with the person's registration 1739  
signature, that the applicant is not a qualified elector in the 1740  
precinct, that the ballot envelope contains more than one ballot 1741  
of any one kind, or any voted ballot that the elector is not 1742  
entitled to vote, that Stub A is detached from the ~~absent voter's~~ 1743  
early voting ballot or ~~absent voter's~~ early voting presidential 1744  
ballot, or that the elector has not included with the elector's 1745  
ballot any identification required under section 3509.05 or 1746  
3511.09 of the Revised Code, the vote shall not be accepted or 1747  
counted. The vote of any ~~absent~~ early voter may be challenged for 1748  
cause in the same manner as other votes are challenged, and the 1749  
election officials shall determine the legality of that ballot. 1750  
Every ballot not counted shall be endorsed on its back "Not 1751  
Counted" with the reasons the ballot was not counted, and shall be 1752  
enclosed and returned to or retained by the board of elections 1753  
along with the contested ballots. 1754

**Sec. 3509.08.** (A) Any qualified elector, who, on account of 1755  
the elector's own personal illness, physical disability, or 1756

infirmity, or on account of the elector's confinement in a jail or 1757  
workhouse under sentence for a misdemeanor or awaiting trial on a 1758  
felony or misdemeanor, will be unable to travel from the elector's 1759  
home or place of confinement to the voting booth in the elector's 1760  
precinct on the day of any general, special, or primary election 1761  
may make application in writing for an ~~absent voter's~~ early voting 1762  
ballot to the director of the board of elections of the elector's 1763  
county. The application shall include all of the information 1764  
required under section 3509.03 of the Revised Code and shall state 1765  
the nature of the elector's illness, physical disability, or 1766  
infirmity, or the fact that the elector is confined in a jail or 1767  
workhouse and the elector's resultant inability to travel to the 1768  
election booth in the elector's precinct on election day. The 1769  
application shall not be valid if it is delivered to the director 1770  
before the ninetieth day or after twelve noon of the third day 1771  
before the day of the election at which the ballot is to be voted. 1772

The ~~absent voter's~~ early voting ballot may be mailed directly 1773  
to the applicant at the applicant's voting residence or place of 1774  
confinement as stated in the applicant's application, or the board 1775  
may designate two board employees belonging to the two major 1776  
political parties for the purpose of delivering the ballot to the 1777  
disabled or confined elector and returning it to the board, unless 1778  
the applicant is confined to a public or private institution 1779  
within the county, in which case the board shall designate two 1780  
board employees belonging to the two major political parties for 1781  
the purpose of delivering the ballot to the disabled or confined 1782  
elector and returning it to the board. In all other instances, the 1783  
ballot shall be returned to the office of the board in the manner 1784  
prescribed in section 3509.05 of the Revised Code. 1785

Any disabled or confined elector who declares to the two 1786  
board employees belonging to the two major political parties that 1787  
the elector is unable to mark the elector's ballot by reason of 1788

physical infirmity that is apparent to the employees to be 1789  
sufficient to incapacitate the voter from marking the elector's 1790  
ballot properly, may receive, upon request, the assistance of the 1791  
employees in marking the elector's ballot, and they shall 1792  
thereafter give no information in regard to this matter. Such 1793  
assistance shall not be rendered for any other cause. 1794

When two board employees belonging to the two major political 1795  
parties deliver a ballot to a disabled or confined elector, each 1796  
of the employees shall be present when the ballot is delivered, 1797  
when assistance is given, and when the ballot is returned to the 1798  
office of the board, and shall subscribe to the declaration on the 1799  
identification envelope. 1800

The secretary of state shall prescribe the form of 1801  
application for ~~absent voter's~~ early voting ballots under this 1802  
division. 1803

This chapter applies to disabled and confined ~~absent voter's~~ 1804  
early voting ballots except as otherwise provided in this section. 1805  
1806

(B)(1) Any qualified elector who is unable to travel to the 1807  
voting booth in the elector's precinct on the day of any general, 1808  
special, or primary election may apply to the director of the 1809  
board of elections of the county where the elector is a qualified 1810  
elector to vote in the election by ~~absent voter's~~ early voting 1811  
ballot if either of the following apply: 1812

(a) The elector is confined in a hospital as a result of an 1813  
accident or unforeseeable medical emergency occurring before the 1814  
election; 1815

(b) The elector's minor child is confined in a hospital as a 1816  
result of an accident or unforeseeable medical emergency occurring 1817  
before the election. 1818

(2) The application authorized under division (B)(1) of this 1819

section shall be made in writing, shall include all of the 1820  
information required under section 3509.03 of the Revised Code, 1821  
and shall be delivered to the director not later than three p.m. 1822  
on the day of the election. The application shall indicate the 1823  
hospital where the applicant or the applicant's child is confined, 1824  
the date of the applicant's or the applicant's child's admission 1825  
to the hospital, and the offices for which the applicant is 1826  
qualified to vote. The applicant may also request that a member of 1827  
the applicant's family, as listed in section 3509.05 of the 1828  
Revised Code, deliver the ~~absent voter's~~ early voting ballot to 1829  
the applicant. The director, after establishing to the director's 1830  
satisfaction the validity of the circumstances claimed by the 1831  
applicant, shall supply an ~~absent voter's~~ early voting ballot to 1832  
be delivered to the applicant. When the applicant or the 1833  
applicant's child is in a hospital in the county where the 1834  
applicant is a qualified elector and no request is made for a 1835  
member of the family to deliver the ballot, the director shall 1836  
arrange for the delivery of an ~~absent voter's~~ early voting ballot 1837  
to the applicant, and for its return to the office of the board, 1838  
by two board employees belonging to the two major political 1839  
parties according to the procedures prescribed in division (A) of 1840  
this section. When the applicant or the applicant's child is in a 1841  
hospital outside the county where the applicant is a qualified 1842  
elector and no request is made for a member of the family to 1843  
deliver the ballot, the director shall arrange for the delivery of 1844  
an ~~absent voter's~~ early voting ballot to the applicant by mail, 1845  
and the ballot shall be returned to the office of the board in the 1846  
manner prescribed in section 3509.05 of the Revised Code. 1847

(3) Any qualified elector who is eligible to vote under 1848  
division (B) or (C) of section 3503.16 of the Revised Code but is 1849  
unable to do so because of the circumstances described in division 1850  
(B)(2) of this section may vote in accordance with division (B)(1) 1851  
of this section if that qualified elector states in the 1852

application for ~~absent voter's~~ early voting ballots that that 1853  
qualified elector moved or had a change of name under the 1854  
circumstances described in division (B) or (C) of section 3503.16 1855  
of the Revised Code and if that qualified elector complies with 1856  
divisions (G)(1) to (4) of section 3503.16 of the Revised Code. 1857

(C) Any qualified elector described in division (A) or (B)(1) 1858  
of this section who needs no assistance to vote or to return 1859  
~~absent voter's~~ early voting ballots to the board of elections may 1860  
apply for ~~absent voter's~~ early voting ballots under section 1861  
3509.03 of the Revised Code instead of applying for them under 1862  
this section. 1863

**Sec. 3509.09.** (A) The poll list or signature pollbook for 1864  
each precinct shall identify each registered elector in that 1865  
precinct who has requested an ~~absent voter's~~ early voting ballot 1866  
for that election. 1867

(B)(1) If a registered elector appears to vote in that 1868  
precinct and that elector has requested an ~~absent voter's~~ early 1869  
voting ballot for that election but the director has not received 1870  
a sealed identification envelope purporting to contain that 1871  
elector's voted ~~absent voter's~~ early voting ballots for that 1872  
election, the elector shall be permitted to cast a provisional 1873  
ballot under section 3505.181 of the Revised Code in that precinct 1874  
on the day of that election. 1875

(2) If a registered elector appears to vote in that precinct 1876  
and that elector has requested an ~~absent voter's~~ early voting 1877  
ballot for that election and the director has received a sealed 1878  
identification envelope purporting to contain that elector's voted 1879  
~~absent voter's~~ early voting ballots for that election, the elector 1880  
shall be permitted to cast a provisional ballot under section 1881  
3505.181 of the Revised Code in that precinct on the day of that 1882  
election. 1883

(C)(1) In counting ~~absent voter's~~ early voting ballots under 1884  
section 3509.06 of the Revised Code, the board of elections shall 1885  
compare the signature of each elector from whom the director has 1886  
received a sealed identification envelope purporting to contain 1887  
that elector's voted ~~absent voter's~~ early voting ballots for that 1888  
election to the signature on that elector's registration form. 1889  
Except as otherwise provided in division (C)(3) of this section, 1890  
if the board of elections determines that the ~~absent voter's~~ early 1891  
voting ballot in the sealed identification envelope is valid, it 1892  
shall be counted. If the board of elections determines that the 1893  
signature on the sealed identification envelope purporting to 1894  
contain the elector's voted ~~absent voter's~~ early voting ballot 1895  
does not match the signature on the elector's registration form, 1896  
the ballot shall be set aside and the board shall examine, during 1897  
the time prior to the beginning of the official canvass, the poll 1898  
list or signature pollbook from the precinct in which the elector 1899  
is registered to vote to determine if the elector also cast a 1900  
provisional ballot under section 3505.181 of the Revised Code in 1901  
that precinct on the day of the election. 1902

(2) The board of elections shall count the provisional 1903  
ballot, instead of the ~~absent voter's~~ early voting ballot, if both 1904  
of the following apply: 1905

(a) The board of elections determines that the signature of 1906  
the elector on the outside of the identification envelope in which 1907  
the ~~absent voter's~~ early voting ballots are enclosed does not 1908  
match the signature of the elector on the elector's registration 1909  
form; 1910

(b) The elector cast a provisional ballot in the precinct on 1911  
the day of the election. 1912

(3) If the board of elections does not receive the sealed 1913  
identification envelope purporting to contain the elector's voted 1914  
~~absent voter's~~ early voting ballot by the applicable deadline 1915

established under section 3509.05 of the Revised Code, the 1916  
provisional ballot cast under section 3505.181 of the Revised Code 1917  
in that precinct on the day of the election shall be counted as 1918  
valid, if that provisional ballot is otherwise determined to be 1919  
valid pursuant to section 3505.183 of the Revised Code. 1920

(D) If the board of elections counts a provisional ballot 1921  
under division (C)(2) or (3) of this section, the returned 1922  
identification envelope of that elector shall not be opened, and 1923  
the ballot within that envelope shall not be counted. The 1924  
identification envelope shall be endorsed "Not Counted" with the 1925  
reason the ballot was not counted. 1926

**Sec. 3511.01.** Any section of the Revised Code to the contrary 1927  
notwithstanding, any person serving in the armed forces of the 1928  
United States, or the spouse or dependent of any person serving in 1929  
the armed forces of the United States who resides outside this 1930  
state for the purpose of being with or near such service member, 1931  
who will be eighteen years of age or more on the day of a general 1932  
or special election and who is a citizen of the United States, may 1933  
vote armed service ~~absent voter's~~ early voting ballots in such 1934  
general or special election as follows: 1935

(A) If the service member is the voter, ~~he~~ the service member 1936  
may vote only in the precinct in which ~~he~~ the service member has a 1937  
voting residence in the state, and that voting residence shall be 1938  
that place in the precinct in which ~~he~~ the service member resided 1939  
immediately preceding the commencement of such service, provided 1940  
that the time during which ~~he~~ the service member continuously 1941  
resided in the state immediately preceding the commencement of 1942  
such service plus the time subsequent to such commencement and 1943  
prior to the day of such general, special, or primary election is 1944  
equal to or exceeds thirty days. 1945

(B) If the spouse or dependent of a service member is the 1946



voter, ~~he~~ the spouse or dependent may vote only in the precinct in 1947  
which ~~he~~ the spouse or dependent has a voting residence in the 1948  
state, and that voting residence shall be that place in the 1949  
precinct in which ~~he~~ the spouse or dependent resided immediately 1950  
preceding the time of leaving the state for the purpose of being 1951  
with or near the service member, provided that the time during 1952  
which ~~he~~ the spouse or dependent continuously resided in the state 1953  
immediately preceding the time of leaving the state for the 1954  
purpose of being with or near the service member plus the time 1955  
subsequent to such leaving and prior to the day of such general, 1956  
special, or primary election is equal to or exceeds thirty days. 1957

(C) If the service member or ~~his~~ the service member's spouse 1958  
or dependent establishes a permanent residence in a precinct other 1959  
than the precinct in which ~~he~~ the person resided immediately 1960  
preceding the commencement of ~~his~~ the service member's service, 1961  
the voting residence of both the service member and ~~his~~ the 1962  
service member's spouse or dependent shall be the precinct of such 1963  
permanent residence, provided that the time during which ~~he~~ the 1964  
service member continuously resided in the state immediately 1965  
preceding the commencement of such service plus the time 1966  
subsequent to such commencement and prior to the day of such 1967  
general, special, or primary election is equal to or exceeds 1968  
thirty days. 1969

**Sec. 3511.02.** Notwithstanding any section of the Revised Code 1970  
to the contrary, whenever any person applies for registration as a 1971  
voter on a form adopted in accordance with federal regulations 1972  
relating to the "Uniformed and Overseas Citizens Absentee Voting 1973  
Act," 100 Stat. 924, 42 U.S.C.A. 1973ff (1986), this application 1974  
shall be sufficient for voter registration and as a request for an 1975  
~~absent voter's~~ early voting ballot. Early voting ballots shall be 1976  
considered absentee ballots for the purpose of applications 1977  
received pursuant to that act. Armed service ~~absent voter's~~ early 1978

voting ballots may be obtained by any person meeting the 1979  
requirements of section 3511.01 of the Revised Code by applying to 1980  
the director of the board of elections of the county in which the 1981  
person's voting residence is located, in one of the following 1982  
ways: 1983

(A) That person may make written application for those 1984  
ballots. The person may personally deliver the application to the 1985  
director or may mail it, send it by facsimile machine, or 1986  
otherwise send it to the director. The application need not be in 1987  
any particular form but shall contain all of the following 1988  
information: 1989

(1) The elector's name; 1990

(2) The elector's signature; 1991

(3) The address at which the elector is registered to vote; 1992

(4) The elector's date of birth; 1993

(5) One of the following: 1994

(a) The elector's driver's license number; 1995

(b) The last four digits of the elector's social security 1996  
number; 1997

(c) A copy of the elector's current and valid photo 1998  
identification, a copy of a military identification that shows the 1999  
elector's name and current address, or a copy of a current utility 2000  
bill, bank statement, government check, paycheck, or other 2001  
government document, other than a notice of an election mailed by 2002  
a board of elections under section 3501.19 of the Revised Code or 2003  
a notice of voter registration mailed by a board of elections 2004  
under section 3503.19 of the Revised Code, that shows the name and 2005  
address of the elector. 2006

(6) A statement identifying the election for which ~~absent~~ 2007  
~~voter's~~ early voting ballots are requested; 2008

(7) A statement that the person requesting the ballots is a qualified elector;	2009 2010
(8) A statement that the elector is an absent uniformed services voter as defined in 42 U.S.C. 1973ff-6;	2011 2012
(9) A statement of the elector's length of residence in the state immediately preceding the commencement of service or immediately preceding the date of leaving to be with or near the service member, whichever is applicable;	2013 2014 2015 2016
(10) If the request is for primary election ballots, the elector's party affiliation;	2017 2018
(11) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed;	2019 2020
(12) If the elector desires ballots to be sent to the elector by facsimile machine, the telephone number to which they shall be so sent.	2021 2022 2023
(B) A voter or any relative of a voter listed in division (C) of this section may use a single federal post card application to apply for armed service <del>absent voter's</del> <u>absentee</u> ballots for use at the primary and general elections in a given year and any special election to be held on the day in that year specified by division (E) of section 3501.01 of the Revised Code for the holding of a primary election, designated by the general assembly for the purpose of submitting constitutional amendments proposed by the general assembly to the voters of the state. <u>Early voting ballots shall be considered absentee ballots for the purpose of the federal post card application.</u> A single federal postcard application shall be processed by the board of elections pursuant to section 3511.04 of the Revised Code the same as if the voter had applied separately for armed service <del>absent voter's</del> <u>early voting</u> ballots for each election.	2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038
(C) Application to have armed service <del>absent voter's</del> <u>early</u>	2039

voting ballots mailed or sent by facsimile machine to such a 2040  
person may be made by the spouse when the person is a service 2041  
member, or by the father, mother, father-in-law, mother-in-law, 2042  
grandfather, grandmother, brother or sister of the whole blood or 2043  
half blood, son, daughter, adopting parent, adopted child, 2044  
stepparent, stepchild, uncle, aunt, nephew, or niece of such a 2045  
person. The application shall be in writing upon a blank form 2046  
furnished only by the director or on a single federal post card as 2047  
provided in division (B) of this section. The form of the 2048  
application shall be prescribed by the secretary of state. The 2049  
director shall furnish that blank form to any of the relatives 2050  
specified in this division desiring to make the application, only 2051  
upon the request of such a relative made in person at the office 2052  
of the board or upon the written request of such a relative mailed 2053  
to the office of the board. The application, subscribed and sworn 2054  
to by the applicant, shall contain all of the following: 2055

(1) The full name of the elector for whom ballots are 2056  
requested; 2057

(2) A statement that the elector is an absent uniformed 2058  
services voter as defined in 42 U.S.C. 1973ff-6; 2059

(3) The address at which the elector is registered to vote; 2060

(4) A statement identifying the elector's length of residence 2061  
in the state immediately preceding the commencement of service, or 2062  
immediately preceding the date of leaving to be with or near a 2063  
service member, as the case may be; 2064

(5) The elector's date of birth; 2065

(6) One of the following: 2066

(a) The elector's driver's license number; 2067

(b) The last four digits of the elector's social security 2068  
number; 2069

(c) A copy of the elector's current and valid photo 2070  
identification, a copy of a military identification that shows the 2071  
elector's name and current address, or a copy of a current utility 2072  
bill, bank statement, government check, paycheck, or other 2073  
government document, other than a notice of an election mailed by 2074  
a board of elections under section 3501.19 of the Revised Code or 2075  
a notice of voter registration mailed by a board of elections 2076  
under section 3503.19 of the Revised Code, that shows the name and 2077  
address of the elector. 2078

(7) A statement identifying the election for which ~~absent~~ 2079  
~~voter's~~ early voting ballots are requested; 2080

(8) A statement that the person requesting the ballots is a 2081  
qualified elector; 2082

(9) If the request is for primary election ballots, the 2083  
elector's party affiliation; 2084

(10) A statement that the applicant bears a relationship to 2085  
the elector as specified in division (C) of this section; 2086

(11) The address to which ballots shall be mailed or the 2087  
telephone number to which ballots shall be sent by facsimile 2088  
machine; 2089

(12) The signature and address of the person making the 2090  
application. 2091

Each application for armed service ~~absent voter's~~ early 2092  
voting ballots shall be delivered to the director not earlier than 2093  
the first day of January of the year of the elections for which 2094  
the armed service ~~absent voter's~~ early voting ballots are 2095  
requested or not earlier than ninety days before the day of the 2096  
election at which the ballots are to be voted, whichever is 2097  
earlier, and not later than twelve noon of the third day preceding 2098  
the day of the election, or not later than the close of regular 2099  
business hours on the day before the day of the election at which 2100

those ballots are to be voted if the application is delivered in 2101  
person to the office of the board. 2102

(D) If the voter for whom the application is made is entitled 2103  
to vote for presidential and vice-presidential electors only, the 2104  
applicant shall submit to the director in addition to the 2105  
requirements of divisions (A), (B), and (C) of this section, a 2106  
statement to the effect that the voter is qualified to vote for 2107  
presidential and vice-presidential electors and for no other 2108  
offices. 2109

**Sec. 3511.03.** The board of elections of each county shall 2110  
provide armed service ~~absent voter's~~ early voting ballots for use 2111  
at each election. Such ballots for general or primary elections 2112  
shall be prescribed on the sixtieth day before the day of such 2113  
elections and shall be the same as provided for ~~absent~~ early 2114  
voters in section 3509.01 of the Revised Code. 2115

**Sec. 3511.04.** (A) If a director of a board of elections 2116  
receives an application for armed service ~~absent voter's~~ early 2117  
voting ballots that does not contain all of the required 2118  
information, the director promptly shall notify the applicant of 2119  
the additional information required to be provided by the 2120  
applicant to complete that application. 2121

(B) Not later than the twenty-fifth day before the day of 2122  
each presidential primary election and not later than the 2123  
thirty-fifth day before the day of each general or other primary 2124  
election, and at the earliest possible time before the day of a 2125  
special election held on a day other than the day on which a 2126  
general or primary election is held, the director of the board of 2127  
elections shall mail or send by facsimile machine armed service 2128  
~~absent voter's~~ early voting ballots then ready for use as provided 2129  
for in section 3511.03 of the Revised Code and for which the 2130

director has received valid applications prior to that time. 2131  
Thereafter, and until twelve noon of the third day preceding the 2132  
day of election, the director shall promptly, upon receipt of 2133  
valid applications for them, mail or send by facsimile machine to 2134  
the proper persons all armed service ~~absent voter's~~ early voting 2135  
ballots then ready for use. 2136

If, after the sixtieth day before the day of a general or 2137  
primary election, any other question, issue, or candidacy is 2138  
lawfully ordered submitted to the electors voting at the general 2139  
or primary election, the board shall promptly provide a separate 2140  
official issue, special election, or other election ballot for 2141  
submitting the question, issue, or candidacy to those electors, 2142  
and the director shall promptly mail or send by facsimile machine 2143  
each such separate ballot to each person to whom the director has 2144  
previously mailed or sent by facsimile machine other armed service 2145  
~~absent voter's~~ early voting ballots. 2146

In mailing armed service ~~absent voter's~~ early voting ballots, 2147  
the director shall use the fastest mail service available, but the 2148  
director shall not mail them by certified mail. 2149

**Sec. 3511.05.** (A) The director of the board of elections 2150  
shall place armed service ~~absent voter's~~ early voting ballots sent 2151  
by mail in an unsealed identification envelope, gummed ready for 2152  
sealing. The director shall include with armed service ~~absent~~ 2153  
~~voter's~~ early voting ballots sent by facsimile machine an 2154  
instruction sheet for preparing a gummed envelope in which the 2155  
ballots shall be returned. The envelope for returning ballots sent 2156  
by either means shall have printed or written on its face a form 2157  
as follows: 2158

"IDENTIFICATION ENVELOPE 2159

Armed Service ~~Absent Voter's~~ Early Voting Ballots-- 2160

Election ..... 2161

(Day of week and date)	2162
Information Concerning Voter	2163
1. What is your full name? .....	2164
(Name must be printed)	2165
2. What is the date of your birth? .....	2166
3. Are you a citizen of the United States? .....	2167
4. Where were you born? .....	2168
5. If a naturalized citizen, when and in what court were you naturalized? .....	2169 2170
6. Are you serving in the armed forces of the United States, or are you the spouse of a person serving in the armed forces of the United States? (Indicate which one) .....	2171 2172 2173
7. What was the date at the commencement of your service, or the date you left the state of Ohio to be with or near your service member spouse? .....	2174 2175 2176
8. Did you reside in the state of Ohio at the time of the commencement of your service, or the time you left the state of Ohio to be with or near your service member spouse? .....	2177 2178 2179
If so: What street and street number? .....	2180
What city or village? .....	2181
What township? .....	2182
What county? .....	2183
What is your present Ohio address? .....	2184
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? .....	2185 2186 2187 2188
10. Will you be outside the United States on the day of the election? ..... (Applicants who answer "yes" to this	2189 2190



question must also check the appropriate box on the return 2191  
envelope to indicate that they will be outside the United States.) 2192

I hereby declare, under penalty of election falsification, 2193  
that the answers to the questions above set out are true and 2194  
correct to the best of my knowledge and belief, and that I am not 2195  
claiming, for the purpose of voting, a voting residence in any 2196  
other state. 2197

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY 2198  
OF THE FIFTH DEGREE. 2199

..... 2200  
(Voter must WRITE the voter's 2201  
usual signature here.)" 2202

If the identification envelope is for use in a primary 2203  
election, it shall contain an additional question as follows: 2204

"11. With what political party are you affiliated? " 2205  
2206

(B) The director shall also mail with the ballots and the 2207  
unsealed identification envelope sent by mail an unsealed return 2208  
envelope, gummed, ready for sealing, for use by the voter in 2209  
returning the voter's marked ballots to the director. The director 2210  
shall send with the ballots and the instruction sheet for 2211  
preparing a gummed envelope sent by facsimile machine an 2212  
instruction sheet for preparing a second gummed envelope as 2213  
described in this division, for use by the voter in returning that 2214  
voter's marked ballots to the director. The return envelope shall 2215  
have two parallel lines, each one quarter of an inch in width, 2216  
printed across its face paralleling the top, with an intervening 2217  
space of one quarter of an inch between such lines. The top line 2218  
shall be one and one-quarter inches from the top of the envelope. 2219  
Between the parallel lines shall be printed: "OFFICIAL ELECTION 2220  
ARMED SERVICE ~~ABSENT VOTER'S~~ EARLY VOTING BALLOTS -- VIA AIR 2221

MAIL." Three blank lines shall be printed in the upper left corner 2222  
on the face of the envelope for the use by the voter in placing 2223  
the voter's complete military, naval, or mailing address on these 2224  
lines, and beneath these lines there shall be printed a box beside 2225  
the words "check if out-of-country." The voter shall check this 2226  
box if the voter will be outside the United States on the day of 2227  
the election. The official title and the post-office address of 2228  
the director to whom the envelope shall be returned shall be 2229  
printed on the face of such envelope in the lower right portion 2230  
below the bottom parallel line. 2231

(C) On the back of each identification envelope and each 2232  
return envelope shall be printed the following: 2233

"Instructions to voter: 2234

If the flap on this envelope is so firmly stuck to the back 2235  
of the envelope when received by you as to require forcible 2236  
opening in order to use it, open the envelope in the manner least 2237  
injurious to it, and, after marking your ballots and enclosing 2238  
same in the envelope for mailing them to the director of the board 2239  
of elections, reclose the envelope in the most practicable way, by 2240  
sealing or otherwise, and sign the blank form printed below. 2241

The flap on this envelope was firmly stuck to the back of the 2242  
envelope when received, and required forced opening before sealing 2243  
and mailing. 2244

..... 2245  
(Signature of voter)" 2246

(D) Division (C) of this section does not apply when ~~absent~~ 2247  
~~voter's~~ early voting ballots are sent by facsimile machine. 2248

**Sec. 3511.051.** All identification envelopes containing ~~absent~~ 2249  
~~voter's~~ early voting ballots for voters who are entitled to vote 2250  
for presidential and vice-presidential electors only shall have 2251

printed or stamped thereon the words, "Presidential Ballots Only." 2252  
2253

**Sec. 3511.06.** The identification envelope provided for in 2254  
section 3511.05 of the Revised Code shall be a No. 10, 24-lb. 2255  
white official envelope, four and one-eighth inches by nine and 2256  
one-half inches in size. The return envelope provided for in such 2257  
section shall be a No. 11, 24-lb. white official envelope, four 2258  
and one-half inches by ten and three-eighths inches in size. The 2259  
envelope in which the two envelopes and the armed service ~~absent~~ 2260  
~~voter's~~ early voting ballots are mailed to the elector shall be a 2261  
No. 12, 24-lb. white official envelope, four and three-quarter 2262  
inches by eleven inches in size, and it shall have two parallel 2263  
lines, each one quarter of an inch in width, printed across its 2264  
face, paralleling the top, with an intervening space of 2265  
one-quarter of an inch between such lines. The top line shall be 2266  
one and one-quarter inches from the top of the envelope. Between 2267  
the parallel lines shall be printed: "official armed service 2268  
~~absent voter's~~ early voting balloting material--via air mail." The 2269  
appropriate return address of the director of the board of 2270  
elections shall be printed in the upper left corner on the face of 2271  
such envelope. Several blank lines shall be printed on the face of 2272  
such envelope in the lower right portion, below the bottom 2273  
parallel line, for writing in the name and address of the elector 2274  
to whom such envelope is mailed. All printing on such envelope 2275  
shall be in red ink. 2276

**Sec. 3511.08.** The director of the board of elections shall 2277  
keep a record of the name and address of each person to whom ~~he~~ 2278  
the director mails or delivers armed service ~~absent voter's~~ early 2279  
voting ballots, the kinds of ballots so mailed or delivered, and 2280  
the name and address of the person who made the application for 2281  
such ballots. After ~~he~~ the director has mailed or delivered such 2282

ballots ~~he~~, the director shall not mail or deliver additional 2283  
ballots of the same kind to such person pursuant to a subsequent 2284  
request unless such subsequent request contains the statement that 2285  
an earlier request had been sent to the director prior to the 2286  
thirtieth day before the election and that the armed service 2287  
~~absent voter's~~ early voting ballots so requested had not been 2288  
received by such person prior to the fifteenth day before the 2289  
election, and provided that the director has not received an 2290  
identification envelope purporting to contain marked armed service 2291  
~~absent voter's~~ early voting ballots from such person. 2292

**Sec. 3511.09.** Upon receiving armed service ~~absent voter's~~ 2293  
early voting ballots, the elector shall cause the questions on the 2294  
face of the identification envelope to be answered, and, by 2295  
writing the elector's usual signature in the proper place on the 2296  
identification envelope, the elector shall declare under penalty 2297  
of election falsification that the answers to those questions are 2298  
true and correct to the best of the elector's knowledge and 2299  
belief. Then, the elector shall note whether there are any voting 2300  
marks on the ballot. If there are any voting marks, the ballot 2301  
shall be returned immediately to the board of elections; 2302  
otherwise, the elector shall cause the ballot to be marked, folded 2303  
separately so as to conceal the markings on it, deposited in the 2304  
identification envelope, and securely sealed in the identification 2305  
envelope. The elector then shall cause the identification envelope 2306  
to be placed within the return envelope, sealed in the return 2307  
envelope, and mailed to the director of the board of elections to 2308  
whom it is addressed. If the elector does not provide the 2309  
elector's driver's license number or the last four digits of the 2310  
elector's social security number on the statement of voter on the 2311  
identification envelope, the elector also shall include in the 2312  
return envelope with the identification envelope a copy of the 2313  
elector's current valid photo identification, a copy of a military 2314

identification that shows the elector's name and current address, 2315  
or a copy of a current utility bill, bank statement, government 2316  
check, paycheck, or other government document, other than a notice 2317  
of an election mailed by a board of elections under section 2318  
3501.19 of the Revised Code or a notice of voter registration 2319  
mailed by a board of elections under section 3503.19 of the 2320  
Revised Code, that shows the name and address of the elector. Each 2321  
elector who will be outside the United States on the day of the 2322  
election shall check the box on the return envelope indicating 2323  
this fact and shall mail the return envelope to the director prior 2324  
to the close of the polls on election day. 2325

Every armed services ~~absent voter's~~ early voting ballot 2326  
identification envelope shall be accompanied by the following 2327  
statement in boldface capital letters: WHOEVER COMMITS ELECTION 2328  
FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. 2329

**Sec. 3511.10.** If, after the thirty-fifth day and before the 2330  
close of the polls on the day of a general or primary election, a 2331  
valid application for armed service ~~absent voter's~~ early voting 2332  
ballots is delivered to the director of the board of elections at 2333  
the office of the board by a person making the application ~~in his~~ 2334  
on the person's own behalf, the director shall forthwith deliver 2335  
to the person all armed service ~~absent voter's~~ early voting 2336  
ballots then ready for use, together with an identification 2337  
envelope. The person shall then immediately retire to a voting 2338  
booth in the office of the board, and mark the ballots. ~~He~~ The 2339  
person shall then fold each ballot separately so as to conceal ~~his~~ 2340  
the person's markings thereon, and deposit all of the ballots in 2341  
the identification envelope and securely seal it. Thereupon ~~he~~ the 2342  
person shall fill in answers to the questions on the face of the 2343  
identification envelope, and by writing ~~his~~ the person's usual 2344  
signature in the proper place thereon, ~~he~~ the person shall declare 2345  
under penalty of election falsification that the answers to those 2346

questions are true and correct to the best of ~~his~~ that person's 2347  
knowledge and belief. He The person shall then deliver the 2348  
identification envelope to the director. If thereafter, and before 2349  
the third day preceding such election, the board provides 2350  
additional separate official issue or special election ballots, as 2351  
provided for in section 3511.04 of the Revised Code, the director 2352  
shall promptly, and not later than twelve noon of the third day 2353  
preceding the day of election, mail such additional ballots to 2354  
such person at the address specified by ~~him~~ that person for that 2355  
purpose. 2356

In the event any person serving in the armed forces of the 2357  
United States is discharged after the closing date of 2358  
registration, and ~~he~~ that person or ~~his~~ that person's spouse, or 2359  
both, meets all the other qualifications set forth in section 2360  
3511.01 of the Revised Code, ~~he or she~~ the person or spouse shall 2361  
be permitted to vote prior to the date of the election in the 2362  
office of the board in ~~his~~ the person's or spouse's county, as set 2363  
forth in this section. 2364

**Sec. 3511.11.** (A) Upon receipt of any return envelope bearing 2365  
the designation "Official Election Armed Service ~~Absent Voter's~~ 2366  
Early Voting Ballot" prior to the twenty-first day after the day 2367  
of a presidential primary election or prior to the eleventh day 2368  
after the day of any other election, the director of the board of 2369  
elections shall open it but shall not open the identification 2370  
envelope contained in it. If, upon so opening the return envelope, 2371  
the director finds ballots in it that are not enclosed in and 2372  
properly sealed in the identification envelope, the director shall 2373  
not look at the markings upon the ballots and shall promptly place 2374  
them in the identification envelope and promptly seal it. If, upon 2375  
so opening the return envelope, the director finds that ballots 2376  
are enclosed in the identification envelope but that it is not 2377  
properly sealed, the director shall not look at the markings upon 2378

the ballots and shall promptly seal the identification envelope. 2379

2380

(B) Armed service ~~absent voter's~~ early voting ballots 2381  
delivered to the director not later than the close of the polls on 2382  
election day shall be counted in the manner provided in section 2383  
3509.06 of the Revised Code. 2384

(C) A return envelope that indicates that the voter will be 2385  
outside of the United States on the day of an election is not 2386  
required to be postmarked in order for an armed service ~~absent~~ 2387  
~~voter's~~ early voting ballot contained in it to be valid. Except as 2388  
otherwise provided in this division, whether or not the return 2389  
envelope containing the ballot is postmarked or contains an 2390  
illegible postmark, an armed service ~~absent voter's~~ early voting 2391  
ballot that is received after the close of the polls on election 2392  
day through the tenth day after the election day or, if the 2393  
election was a presidential primary election, through the 2394  
twentieth day after the election day, and that is delivered in a 2395  
return envelope that indicates that the voter will be outside the 2396  
United States on the day of the election shall be counted on the 2397  
eleventh day after the election day or, if the election was a 2398  
presidential primary election, on the twenty-first day after the 2399  
election day, at the office of the board of elections in the 2400  
manner provided in divisions (C) and (D) of section 3509.06 of the 2401  
Revised Code. However, if a return envelope containing an armed 2402  
service ~~absent voter's~~ early voting ballot is so received and so 2403  
indicates, but it is postmarked, or the identification envelope in 2404  
it is signed, after the close of the polls on election day, the 2405  
armed service ~~absent voter's~~ early voting ballot shall not be 2406  
counted. 2407

(D) Armed service ~~absent voter's~~ early voting ballots 2408  
contained in return envelopes that bear the designation "Official 2409  
Election Armed Service ~~Absent Voter's~~ Early Voting Ballots," that 2410

are received by the director after the close of the polls on the 2411  
day of the election, and that do not indicate they are from voters 2412  
who will be outside the United States on the day of the election, 2413  
armed service ~~absent voter's~~ early voting ballots contained in 2414  
return envelopes that bear that designation, that indicate that 2415  
the voter will be outside the United States on the day of the 2416  
election, and that either are postmarked, or contain an 2417  
identification envelope that is signed, after the close of the 2418  
polls on the day of election, and armed service ~~absent voter's~~ 2419  
early voting ballots contained in return envelopes that bear that 2420  
designation, that so indicate, and that are received after the 2421  
tenth day following the election or, if the election was a 2422  
presidential primary election, after the twentieth day following 2423  
the election, shall not be counted, but shall be preserved in 2424  
their identification envelopes unopened until the time provided by 2425  
section 3505.31 of the Revised Code for the destruction of all 2426  
other ballots used at the election for which ballots were 2427  
provided, at which time they shall be destroyed. 2428

**Sec. 3511.12.** In counting armed service ~~absent voter's~~ early 2429  
voting ballots pursuant to section 3511.11 of the Revised Code, 2430  
the name of each voter, followed by "Armed Service ~~Absent Voter's~~ 2431  
Early Voting Ballot," shall be written in the poll book or poll 2432  
list together with such notations as will indicate the kinds of 2433  
ballots the envelope contained. If any challenge is made and 2434  
sustained, the identification envelope of such voter shall not be 2435  
opened and shall be indorsed "not counted" with the reasons 2436  
therefor. 2437

**Sec. 3511.13.** (A) The poll list or signature pollbook for 2438  
each precinct shall identify each registered elector in that 2439  
precinct who has requested an armed service ~~absent voter's~~ early 2440  
voting ballot for that election. 2441



(B)(1) If a registered elector appears to vote in that 2442  
precinct and that elector has requested an armed service ~~absent~~ 2443  
~~voter's~~ early voting ballot for that election but the director has 2444  
not received a sealed identification envelope purporting to 2445  
contain that elector's voted armed service ~~absent voter's~~ early 2446  
voting ballots for that election, the elector shall be permitted 2447  
to cast a provisional ballot under section 3505.181 of the Revised 2448  
Code in that precinct on the day of that election. 2449

(2) If a registered elector appears to vote in that precinct 2450  
and that elector has requested an armed service ~~absent voter's~~ 2451  
early voting ballot for that election and the director has 2452  
received a sealed identification envelope purporting to contain 2453  
that elector's voted armed service ~~absent voter's~~ early voting 2454  
ballots for that election, the elector shall be permitted to cast 2455  
a provisional ballot under section 3505.181 of the Revised Code in 2456  
that precinct on the day of that election. 2457

(C)(1) In counting armed service ~~absent voter's~~ early voting 2458  
ballots under section 3511.11 of the Revised Code, the board of 2459  
elections shall compare the signature of each elector from whom 2460  
the director has received a sealed identification envelope 2461  
purporting to contain that elector's voted armed service ~~absent~~ 2462  
~~voter's~~ early voting ballots for that election to the signature on 2463  
the elector's registration form. Except as otherwise provided in 2464  
division (C)(3) of this section, if the board of elections 2465  
determines that the armed service ~~absent voter's~~ early voting 2466  
ballot in the sealed identification envelope is valid, it shall be 2467  
counted. If the board of elections determines that the signature 2468  
on the sealed identification envelope purporting to contain the 2469  
elector's voted armed service ~~absent voter's~~ early voting ballot 2470  
does not match the signature on the elector's registration form, 2471  
the ballot shall be set aside and the board shall examine, during 2472  
the time prior to the beginning of the official canvass, the poll 2473

list or signature pollbook from the precinct in which the elector 2474  
is registered to vote to determine if the elector also cast a 2475  
provisional ballot under section 3505.181 of the Revised Code in 2476  
that precinct on the day of the election. 2477

(2) The board of elections shall count the provisional 2478  
ballot, instead of the armed service ~~absent voter's~~ early voting 2479  
ballot, of an elector from whom the director has received an 2480  
identification envelope purporting to contain that elector's voted 2481  
armed service ~~absent voter's~~ early voting ballots, if both of the 2482  
following apply: 2483

(a) The board of elections determines that the signature of 2484  
the elector on the outside of the identification envelope in which 2485  
the armed service ~~absent voter's~~ early voting ballots are enclosed 2486  
does not match the signature of the elector on the elector's 2487  
registration form; 2488

(b) The elector cast a provisional ballot in the precinct on 2489  
the day of the election. 2490

(3) If the board of elections does not receive the sealed 2491  
identification envelope purporting to contain the elector's voted 2492  
armed service ~~absent voter's~~ early voting ballot by the applicable 2493  
deadline established under section 3511.11 of the Revised Code, 2494  
the provisional ballot cast under section 3505.181 of the Revised 2495  
Code in that precinct on the day of the election shall be counted 2496  
as valid, if that provisional ballot is otherwise determined to be 2497  
valid pursuant to section 3505.183 of the Revised Code. 2498

(D) If the board of elections counts a provisional ballot 2499  
under division (C)(2) or (3) of this section, the returned 2500  
identification envelope of that elector shall not be opened, and 2501  
the ballot within that envelope shall not be counted. The 2502  
identification envelope shall be endorsed "Not Counted" with the 2503  
reason the ballot was not counted. 2504

Sec. 3513.052. (A) No person shall seek nomination or 2505  
election to any of the following offices or positions at the same 2506  
election by filing a declaration of candidacy and petition, a 2507  
declaration of intent to be a write-in candidate, or a nominating 2508  
petition, or by becoming a candidate through party nomination in a 2509  
primary election, or by the filling of a vacancy under section 2510  
3513.30 or 3513.31 of the Revised Code: 2511

(1) Two or more state offices; 2512

(2) Two or more county offices; 2513

(3) A state office and a county office; 2514

(4) A federal office and a state or county office; 2515

(5) Any combination of two or more municipal or township 2516  
offices, positions as a member of a city, local, or exempted 2517  
village board of education, or positions as a member of a 2518  
governing board of an educational service center. 2519

(B) The secretary of state or a board of elections shall not 2520  
accept for filing a declaration of candidacy and petition, a 2521  
declaration of intent to be a write-in candidate, or a nominating 2522  
petition of a person seeking to become a candidate if that person, 2523  
for the same election, has already filed a declaration of 2524  
candidacy, a declaration of intent to be a write-in candidate, or 2525  
a nominating petition, or has become a candidate through party 2526  
nomination at a primary election or by the filling of a vacancy 2527  
under section 3513.30 or 3513.31 of the Revised Code for: 2528

(1) Any federal, state, or county office, if the declaration 2529  
of candidacy, declaration of intent to be a write-in candidate, or 2530  
nominating petition is for a state or county office; 2531

(2) Any municipal or township office, or for member of a 2532  
city, local, or exempted village board of education, or for member 2533  
of a governing board of an educational service center, if the 2534

declaration of candidacy, declaration of intent to be a write-in 2535  
candidate, or nominating petition is for a municipal or township 2536  
office, or for member of a city, local, or exempted village board 2537  
of education, or for member of a governing board of an educational 2538  
service center. 2539

(C)(1) If the secretary of state determines, before the day 2540  
of the primary election, that a person is seeking nomination to 2541  
more than one office at that election in violation of division (A) 2542  
of this section, the secretary of state shall do one of the 2543  
following: 2544

(a) If each office or the district for each office for which 2545  
the person is seeking nomination is wholly within a single county 2546  
and none of those offices is a federal office, the secretary of 2547  
state shall notify the board of elections of that county. The 2548  
board then shall determine the date on which the person first 2549  
sought to become a candidate for each of those offices by filing a 2550  
declaration of candidacy or a declaration of intent to be a 2551  
write-in candidate or by the filling of a vacancy under section 2552  
3513.30 of the Revised Code. The board shall vote promptly to 2553  
disqualify that person as a candidate for each office for which 2554  
the person sought to become a candidate after the date on which 2555  
the person first sought to become a candidate for any of those 2556  
offices. If the board determines that the person sought to become 2557  
a candidate for more than one of those offices on the same date, 2558  
the board shall vote promptly to disqualify that person as a 2559  
candidate for each office that would be listed on the ballot below 2560  
the highest office for which that person seeks nomination, 2561  
according to the ballot order prescribed under section 3505.03 of 2562  
the Revised Code. 2563

(b) If one or more of the offices for which the person is 2564  
seeking nomination is a state office or an office with a district 2565  
larger than a single county and none of the offices for which the 2566

person is seeking nomination is a federal office, the secretary of 2567  
state shall determine the date on which the person first sought to 2568  
become a candidate for each of those offices by filing a 2569  
declaration of candidacy or a declaration of intent to be a 2570  
write-in candidate or by the filling of a vacancy under section 2571  
3513.30 of the Revised Code. The secretary of state shall order 2572  
the board of elections of each county in which the person is 2573  
seeking to appear on the ballot to disqualify that person as a 2574  
candidate for each office for which the person sought to become a 2575  
candidate after the date on which the person first sought to 2576  
become a candidate for any of those offices. If the secretary of 2577  
state determines that the person sought to become a candidate for 2578  
more than one of those offices on the same date, the secretary of 2579  
state shall order the board of elections of each county in which 2580  
the person is seeking to appear on the ballot to disqualify that 2581  
person as a candidate for each office that would be listed on the 2582  
ballot below the highest office for which that person seeks 2583  
nomination, according to the ballot order prescribed under section 2584  
3505.03 of the Revised Code. Each board of elections so notified 2585  
shall vote promptly to disqualify the person as a candidate in 2586  
accordance with the order of the secretary of state. 2587

(c) If each office or the district for each office for which 2588  
the person is seeking nomination is wholly within a single county 2589  
and any of those offices is a federal office, the secretary of 2590  
state shall notify the board of elections of that county. The 2591  
board then shall vote promptly to disqualify that person as a 2592  
candidate for each office that is not a federal office. 2593

(d) If one or more of the offices for which the person is 2594  
seeking nomination is a state office and any of the offices for 2595  
which the person is seeking nomination is a federal office, the 2596  
secretary of state shall order the board of elections of each 2597  
county in which the person is seeking to appear on the ballot to 2598

disqualify that person as a candidate for each office that is not 2599  
a federal office. Each board of elections so notified shall vote 2600  
promptly to disqualify the person as a candidate in accordance 2601  
with the order of the secretary of state. 2602

(2) If a board of elections determines, before the day of the 2603  
primary election, that a person is seeking nomination to more than 2604  
one office at that election in violation of division (A) of this 2605  
section, the board shall do one of the following: 2606

(a) If each office or the district for each office for which 2607  
the person is seeking nomination is wholly within that county and 2608  
none of those offices is a federal office, the board shall 2609  
determine the date on which the person first sought to become a 2610  
candidate for each of those offices by filing a declaration of 2611  
candidacy or a declaration of intent to be a write-in candidate or 2612  
by the filling of a vacancy under section 3513.30 of the Revised 2613  
Code. The board shall vote promptly to disqualify that person as a 2614  
candidate for each office for which the person sought to become a 2615  
candidate after the date on which the person first sought to 2616  
become a candidate for any of those offices. If the board 2617  
determines that the person sought to become a candidate for more 2618  
than one of those offices on the same date, the board shall vote 2619  
promptly to disqualify that person as a candidate for each office 2620  
that would be listed on the ballot below the highest office for 2621  
which that person seeks nomination, according to the ballot order 2622  
prescribed under section 3505.03 of the Revised Code. 2623

(b) If one or more of the offices for which the person is 2624  
seeking nomination is a state office or an office with a district 2625  
larger than a single county and none of the offices for which the 2626  
person is seeking nomination is a federal office, the board shall 2627  
notify the secretary of state. The secretary of state then shall 2628  
determine the date on which the person first sought to become a 2629  
candidate for each of those offices by filing a declaration of 2630

candidacy or a declaration of intent to be a write-in candidate or 2631  
by the filling of a vacancy under section 3513.30 of the Revised 2632  
Code. The secretary of state shall order the board of elections of 2633  
each county in which the person is seeking to appear on the ballot 2634  
to disqualify that person as a candidate for each office for which 2635  
the person sought to become a candidate after the date on which 2636  
the person first sought to become a candidate for any of those 2637  
offices. If the secretary of state determines that the person 2638  
sought to become a candidate for more than one of those offices on 2639  
the same date, the secretary of state shall order the board of 2640  
elections of each county in which the person is seeking to appear 2641  
on the ballot to disqualify that person as a candidate for each 2642  
office that would be listed on the ballot below the highest office 2643  
for which that person seeks nomination, according to the ballot 2644  
order prescribed under section 3505.03 of the Revised Code. Each 2645  
board of elections so notified shall vote promptly to disqualify 2646  
the person as a candidate in accordance with the order of the 2647  
secretary of state. 2648

(c) If each office or the district for each office for which 2649  
the person is seeking nomination is wholly within a single county 2650  
and any of those offices is a federal office, the board shall vote 2651  
promptly to disqualify that person as a candidate for each office 2652  
that is not a federal office. 2653

(d) If one or more of the offices for which the person is 2654  
seeking nomination is a state office and any of the offices for 2655  
which the person is seeking nomination is a federal office, the 2656  
board shall notify the secretary of state. The secretary of state 2657  
then shall order the board of elections of each county in which 2658  
the person is seeking to appear on the ballot to disqualify that 2659  
person as a candidate for each office that is not a federal 2660  
office. Each board of elections so notified shall vote promptly to 2661  
disqualify the person as a candidate in accordance with the order 2662

of the secretary of state. 2663

(D)(1) If the secretary of state determines, after the day of 2664  
the primary election and before the day of the general election, 2665  
that a person is seeking election to more than one office at that 2666  
election in violation of division (A) of this section, the 2667  
secretary of state shall do one of the following: 2668

(a) If each office or the district for each office for which 2669  
the person is seeking election is wholly within a single county 2670  
and none of those offices is a federal office, the secretary of 2671  
state shall notify the board of elections of that county. The 2672  
board then shall determine the offices for which the person seeks 2673  
to appear as a candidate on the ballot. The board shall vote 2674  
promptly to disqualify that person as a candidate for each office 2675  
that would be listed on the ballot below the highest office for 2676  
which that person seeks election, according to the ballot order 2677  
prescribed under section 3505.03 of the Revised Code. If the 2678  
person sought nomination at a primary election and has not yet 2679  
been issued a certificate of nomination, the board shall not issue 2680  
that certificate for that person for any office that would be 2681  
listed on the ballot below the highest office for which that 2682  
person seeks election, according to the ballot order prescribed 2683  
under section 3505.03 of the Revised Code. 2684

(b) If one or more of the offices for which the person is 2685  
seeking election is a state office or an office with a district 2686  
larger than a single county and none of the offices for which the 2687  
person is seeking election is a federal office, the secretary of 2688  
state shall promptly investigate and determine the offices for 2689  
which the person seeks to appear as a candidate on the ballot. The 2690  
secretary of state shall order the board of elections of each 2691  
county in which the person is seeking to appear on the ballot to 2692  
disqualify that person as a candidate for each office that would 2693  
be listed on the ballot below the highest office for which that 2694



person seeks election, according to the ballot order prescribed 2695  
under section 3505.03 of the Revised Code. Each board of elections 2696  
so notified shall vote promptly to disqualify the person as a 2697  
candidate in accordance with the order of the secretary of state. 2698  
If the person sought nomination at a primary election and has not 2699  
yet been issued a certificate of nomination, the board shall not 2700  
issue that certificate for that person for any office that would 2701  
be listed on the ballot below the highest office for which that 2702  
person seeks election, according to the ballot order prescribed 2703  
under section 3505.03 of the Revised Code. 2704

(c) If each office or the district for each office for which 2705  
the person is seeking election is wholly within a single county 2706  
and any of those offices is a federal office, the secretary of 2707  
state shall notify the board of elections of that county. The 2708  
board then shall vote promptly to disqualify that person as a 2709  
candidate for each office that is not a federal office. If the 2710  
person sought nomination at a primary election and has not yet 2711  
been issued a certificate of nomination, the board shall not issue 2712  
that certificate for that person for any office that is not a 2713  
federal office. 2714

(d) If one or more of the offices for which the person is 2715  
seeking election is a state office and any of the offices for 2716  
which the person is seeking election is a federal office, the 2717  
secretary of state shall order the board of elections of each 2718  
county in which the person is seeking to appear on the ballot to 2719  
disqualify that person as a candidate for each office that is not 2720  
a federal office. Each board of elections so notified shall vote 2721  
promptly to disqualify the person as a candidate in accordance 2722  
with the order of the secretary of state. If the person sought 2723  
nomination at a primary election and has not yet been issued a 2724  
certificate of nomination, the board shall not issue that 2725  
certificate for that person for any office that is not a federal 2726

office. 2727

(2) If a board of elections determines, after the day of the 2728  
primary election and before the day of the general election, that 2729  
a person is seeking election to more than one office at that 2730  
election in violation of division (A) of this section, the board 2731  
of elections shall do one of the following: 2732

(a) If each office or the district for each office for which 2733  
the person is seeking election is wholly within that county and 2734  
none of those offices is a federal office, the board shall 2735  
determine the offices for which the person seeks to appear as a 2736  
candidate on the ballot. The board shall vote promptly to 2737  
disqualify that person as a candidate for each office that would 2738  
be listed on the ballot below the highest office for which that 2739  
person seeks election, according to the ballot order prescribed 2740  
under section 3505.03 of the Revised Code. If the person sought 2741  
nomination at a primary election and has not yet been issued a 2742  
certificate of nomination, the board shall not issue that 2743  
certificate for that person for any office that would be listed on 2744  
the ballot below the highest office for which that person seeks 2745  
election, according to the ballot order prescribed under section 2746  
3505.03 of the Revised Code. 2747

(b) If one or more of the offices for which the person is 2748  
seeking election is a state office or an office with a district 2749  
larger than a single county and none of the offices for which the 2750  
person is seeking election is a federal office, the board shall 2751  
notify the secretary of state. The secretary of state promptly 2752  
shall investigate and determine the offices for which the person 2753  
seeks to appear as a candidate on the ballot. The secretary of 2754  
state shall order the board of elections of each county in which 2755  
the person is seeking to appear on the ballot to disqualify that 2756  
person as a candidate for each office that would be listed on the 2757  
ballot below the highest office for which that person seeks 2758

election, according to the ballot order prescribed under section 2759  
3505.03 of the Revised Code. Each board of elections so notified 2760  
shall vote promptly to disqualify the person as a candidate in 2761  
accordance with the order of the secretary of state. If the person 2762  
sought nomination at a primary election and has not yet been 2763  
issued a certificate of nomination, the board shall not issue that 2764  
certificate for that person for any office that would be listed on 2765  
the ballot below the highest office for which that person seeks 2766  
election, according to the ballot order prescribed under section 2767  
3505.03 of the Revised Code. 2768

(c) If each office or the district for each office for which 2769  
the person is seeking election is wholly within that county and 2770  
any of those offices is a federal office, the board shall vote 2771  
promptly to disqualify that person as a candidate for each office 2772  
that is not a federal office. If the person sought nomination at a 2773  
primary election and has not yet been issued a certificate of 2774  
nomination, the board shall not issue that certificate for that 2775  
person for any office that is not a federal office. 2776

(d) If one or more of the offices for which the person is 2777  
seeking election is a state office and any of the offices for 2778  
which the person is seeking election is a federal office, the 2779  
board shall notify the secretary of state. The secretary of state 2780  
shall order the board of elections of each county in which the 2781  
person is seeking to appear on the ballot to disqualify that 2782  
person as a candidate for each office that is not a federal 2783  
office. Each board of elections so notified shall vote promptly to 2784  
disqualify the person as a candidate in accordance with the order 2785  
of the secretary of state. If the person sought nomination at a 2786  
primary election and has not yet been issued a certificate of 2787  
nomination, the board shall not issue that certificate for that 2788  
person for any office that is not a federal office. 2789

(E) When a person is disqualified as a candidate under 2790

division (C) or (D) of this section, on or before the sixtieth day 2791  
before the day of the applicable election, or, if the election is 2792  
a presidential primary election, on or before the forty-fifth day 2793  
before the day of the presidential primary election, the board of 2794  
elections shall remove the person's name from the ballot for any 2795  
office for which that person has been disqualified as a candidate 2796  
according to the directions of the secretary of state. When a 2797  
person is disqualified as a candidate under division (C) or (D) of 2798  
this section after the sixtieth day before the day of the 2799  
applicable election, or, if the election is a presidential primary 2800  
election, after the forty-fifth day before the day of the 2801  
presidential primary election, the board of elections shall not 2802  
remove the person's name from the ballot for any office for which 2803  
that person has been disqualified as a candidate. The board of 2804  
elections shall post a notice at each polling location on the day 2805  
of the applicable election, and shall enclose with each ~~absent~~ 2806  
~~voter's~~ early voting ballot given or mailed after the candidate is 2807  
disqualified, a notice that votes for the person for the office 2808  
for which the person has been disqualified as a candidate will be 2809  
void and will not be counted. If the name is not removed from the 2810  
ballots before the day of the election, the votes for the 2811  
disqualified candidate are void and shall not be counted. 2812

(F) Any vacancy created by the disqualification of a person 2813  
as a candidate under division (C) or (D) of this section may be 2814  
filled in the manner provided for in sections 3513.30 and 3513.31 2815  
of the Revised Code. 2816

(G) Nothing in this section or section 3513.04, 3513.041, 2817  
3513.05, 3513.251, 3513.253, 3513.254, 3513.255, 3513.257, 2818  
3513.259, or 3513.261 of the Revised Code prohibits, and the 2819  
secretary of state or a board of elections shall not disqualify, a 2820  
person from being a candidate for an office, if that person timely 2821  
withdraws as a candidate for any offices specified in division (A) 2822

of this section for which that person first sought to become a 2823  
candidate by filing a declaration of candidacy and petition, a 2824  
declaration of intent to be a write-in candidate, or a nominating 2825  
petition, by party nomination in a primary election, or by the 2826  
filling of a vacancy under section 3513.30 or 3513.31 of the 2827  
Revised Code. 2828

(H) As used in this section: 2829

(1) "State office" means the offices of governor, lieutenant 2830  
governor, secretary of state, auditor of state, treasurer of 2831  
state, attorney general, member of the state board of education, 2832  
member of the general assembly, chief justice of the supreme 2833  
court, and justice of the supreme court. 2834

(2) "Timely withdraws" means either of the following: 2835

(a) Withdrawing as a candidate before the applicable deadline 2836  
for filing a declaration of candidacy, declaration of intent to be 2837  
a write-in candidate, or nominating petition for the subsequent 2838  
office for which the person is seeking to become a candidate at 2839  
the same election; 2840

(b) Withdrawing as a candidate before the applicable deadline 2841  
for the filling of a vacancy under section 3513.30 or 3513.31 of 2842  
the Revised Code, if the person is seeking to become a candidate 2843  
for a subsequent office at the same election under either of those 2844  
sections. 2845

**Sec. 3513.15.** The names of the candidates in each group of 2846  
two or more candidates seeking the same nomination or election at 2847  
a primary election, except delegates and alternates to the 2848  
national convention of a political party, shall be rotated and 2849  
printed as provided in section 3505.03 of the Revised Code, except 2850  
that no indication of membership in or affiliation with a 2851  
political party shall be printed after or under the candidate's 2852

name. When the names of the first choices for president of 2853  
candidates for delegate and alternate are not grouped with the 2854  
names of such candidates, the names of the first choices for 2855  
president shall be rotated in the same manner as the names of 2856  
candidates. The specific form and size of the ballot shall be 2857  
prescribed by the secretary of state in compliance with this 2858  
chapter. 2859

It shall not be necessary to have the names of candidates for 2860  
member of a county central committee printed on the ballots 2861  
provided for ~~absentee~~ early voters, and the board may cause the 2862  
names of such candidates to be written on said ballots in the 2863  
spaces provided therefor. 2864

The secretary of state shall prescribe the procedure for 2865  
rotating the names of candidates on the ballot and the form of the 2866  
ballot for the election of delegates and alternates to the 2867  
national convention of a political party in accordance with 2868  
section 3513.151 of the Revised Code. 2869

**Sec. 3513.30.** (A)(1) If only one valid declaration of 2870  
candidacy is filed for nomination as a candidate of a political 2871  
party for an office and that candidate dies prior to the tenth day 2872  
before the primary election, both of the following may occur: 2873

(a) The political party whose candidate died may fill the 2874  
vacancy so created as provided in division (A)(2) of this section. 2875

(b) Any major political party other than the one whose 2876  
candidate died may select a candidate as provided in division 2877  
(A)(2) of this section under either of the following 2878  
circumstances: 2879

(i) No person has filed a valid declaration of candidacy for 2880  
nomination as that party's candidate at the primary election. 2881

(ii) Only one person has filed a valid declaration of 2882

candidacy for nomination as that party's candidate at the primary 2883  
election, that person has withdrawn, died, or been disqualified 2884  
under section 3513.052 of the Revised Code, and the vacancy so 2885  
created has not been filled. 2886

(2) A vacancy may be filled under division (A)(1)(a) and a 2887  
selection may be made under division (A)(1)(b) of this section by 2888  
the appropriate committee of the political party in the same 2889  
manner as provided in divisions (A) to (E) of section 3513.31 of 2890  
the Revised Code for the filling of similar vacancies created by 2891  
withdrawals or disqualifications under section 3513.052 of the 2892  
Revised Code after the primary election, except that the 2893  
certification required under that section may not be filed with 2894  
the secretary of state, or with a board of the most populous 2895  
county of a district, or with the board of a county in which the 2896  
major portion of the population of a subdivision is located, later 2897  
than four p.m. of the tenth day before the day of such primary 2898  
election, or with any other board later than four p.m. of the 2899  
fifth day before the day of such primary election. 2900

(3) If only one valid declaration of candidacy is filed for 2901  
nomination as a candidate of a political party for an office and 2902  
that candidate dies on or after the tenth day before the day of 2903  
the primary election, that candidate is considered to have 2904  
received the nomination of that candidate's political party at 2905  
that primary election, and, for purposes of filling the vacancy so 2906  
created, that candidate's death shall be treated as if that 2907  
candidate died on the day after the day of the primary election. 2908

(B) Any person filing a declaration of candidacy may withdraw 2909  
as such candidate at any time prior to the primary election, or, 2910  
if the primary election is a presidential primary election, at any 2911  
time prior to the fiftieth day before the presidential primary 2912  
election. The withdrawal shall be effected and the statement of 2913  
withdrawal shall be filed in accordance with the procedures 2914

prescribed in division (D) of this section for the withdrawal of 2915  
persons nominated in a primary election or by nominating petition. 2916

(C) A person who is the first choice for president of the 2917  
United States by a candidate for delegate or alternate to a 2918  
national convention of a political party may withdraw consent for 2919  
the selection of the person as such first choice no later than 2920  
four p.m. of the thirtieth day before the day of the presidential 2921  
primary election. Withdrawal of consent shall be for the entire 2922  
slate of candidates for delegates and alternates who named such 2923  
person as their presidential first choice and shall constitute 2924  
withdrawal from the primary election by such delegates and 2925  
alternates. The withdrawal shall be made in writing and delivered 2926  
to the secretary of state. If the withdrawal is delivered to the 2927  
secretary of state on or before the sixtieth day before the day of 2928  
the primary election, or, if the election is a presidential 2929  
primary election, on or before the forty-fifth day before the day 2930  
of the presidential primary election, the boards of elections 2931  
shall remove both the name of the withdrawn first choice and the 2932  
names of such withdrawn candidates from the ballots according to 2933  
the directions of the secretary of state. If the withdrawal is 2934  
delivered to the secretary of state after the sixtieth day before 2935  
the day of the primary election, or, if the election is a 2936  
presidential primary election, after the forty-fifth day before 2937  
the day of the presidential primary election, the board of 2938  
elections shall not remove the name of the withdrawn first choice 2939  
and the names of the withdrawn candidates from the ballots. The 2940  
board of elections shall post a notice at each polling location on 2941  
the day of the primary election, and shall enclose with each 2942  
~~absent voter's~~ early voting ballot given or mailed after the 2943  
candidate withdraws, a notice that votes for the withdrawn first 2944  
choice or the withdrawn candidates will be void and will not be 2945  
counted. If such names are not removed from all ballots before the 2946  
day of the election, the votes for the withdrawn first choice or 2947



the withdrawn candidates are void and shall not be counted. 2948

(D) Any person nominated in a primary election or by 2949  
nominating petition as a candidate for election at the next 2950  
general election may withdraw as such candidate at any time prior 2951  
to the general election. Such withdrawal may be effected by the 2952  
filing of a written statement by such candidate announcing the 2953  
candidate's withdrawal and requesting that the candidate's name 2954  
not be printed on the ballots. If such candidate's declaration of 2955  
candidacy or nominating petition was filed with the secretary of 2956  
state, the candidate's statement of withdrawal shall be addressed 2957  
to and filed with the secretary of state. If such candidate's 2958  
declaration of candidacy or nominating petition was filed with a 2959  
board of elections, the candidate's statement of withdrawal shall 2960  
be addressed to and filed with such board. 2961

(E) When a person withdraws under division (B) or (D) of this 2962  
section on or before the sixtieth day before the day of the 2963  
primary election, or, if the election is a presidential primary 2964  
election, on or before the forty-fifth day before the day of the 2965  
presidential primary election, the board of elections shall remove 2966  
the name of the withdrawn candidate from the ballots according to 2967  
the directions of the secretary of state. When a person withdraws 2968  
under division (B) or (D) of this section after the sixtieth day 2969  
before the day of the primary election, or, if the election is a 2970  
presidential primary election, after the forty-fifth day before 2971  
the day of the presidential primary election, the board of 2972  
elections shall not remove the name of the withdrawn candidate 2973  
from the ballots. The board of elections shall post a notice at 2974  
each polling place on the day of the primary election, and shall 2975  
enclose with each ~~absent voter's~~ early voting ballot given or 2976  
mailed after the candidate withdraws, a notice that votes for the 2977  
withdrawn candidate will be void and will not be counted. If the 2978  
name is not removed from all ballots before the day of the 2979

election, the votes for the withdrawn candidate are void and shall 2980  
not be counted. 2981

**Sec. 3515.01.** Any person for whom votes were cast in a 2982  
primary election for nomination as a candidate for election to an 2983  
office who was not declared nominated may file with the board of 2984  
elections of a county a written application for a recount of the 2985  
votes cast at such primary election in any precinct in such county 2986  
for all persons for whom votes were cast in such precinct for such 2987  
nomination. 2988

Any person who was a candidate at a general, special, or 2989  
primary election for election to an office or ~~position~~ position who 2990  
was not declared elected may file with the board of a county a 2991  
written application for a recount of the votes cast at such 2992  
election in any precinct in such county for all candidates for 2993  
election to such office or position. 2994

Any group of five or more qualified electors may file with 2995  
the board of a county a written application for a recount of the 2996  
votes cast at an election in any precinct in such county upon any 2997  
question or issue, provided that the members of such group shall 2998  
state in such application either that they voted "Yes" or in favor 2999  
of such question or issue and that such question or issue was 3000  
declared defeated or rejected, or that they voted "No" or against 3001  
such question or issue and that such question or issue was 3002  
declared carried or adopted. Such group of electors shall, in such 3003  
application, designate one of the members of the group as ~~chairman~~ 3004  
chairperson, and shall indicate therein the voting residence of 3005  
each member of such group. In all such applications the person 3006  
designated as ~~chairman~~ chairperson is the applicant for the 3007  
purposes of sections 3515.01 to 3515.07 of the Revised Code, and 3008  
all notices required by section 3515.03 of the Revised Code to be 3009  
given to an applicant for a recount shall be given to such person. 3010

In the recount of ~~absentee~~ early voting ballots that are tallied by county instead of by precinct, as provided in section 3509.06 of the Revised Code, the county shall be considered a separate precinct for purposes of recounting such ~~absentee~~ early voting ballots.

**Sec. 3517.08.** (A) The personal expenses of a candidate paid for by the candidate, from the candidate's personal funds, shall not be considered as a contribution by or an expenditure by the candidate and shall not be reported under section 3517.10 of the Revised Code.

(B)(1) An expenditure by a political action committee or a political contributing entity shall not be considered a contribution by the political action committee or the political contributing entity or an expenditure by or on behalf of the candidate if the purpose of the expenditure is to inform only its members by means of mailed publications of its activities or endorsements.

(2) An expenditure by a political party shall not be considered a contribution by the political party or an expenditure by or on behalf of the candidate if the purpose of the expenditure is to inform predominantly the party's members by means of mailed publications or other direct communication of its activities or endorsements, or for voter contact such as sample ballots, ~~absent~~ voter's early voting ballots application mailings, voter registration, or get-out-the-vote activities.

(C) An expenditure by a continuing association, political contributing entity, or political party shall not be considered a contribution to any campaign committee or an expenditure by or on behalf of any campaign committee if the purpose of the expenditure is for the staff and maintenance of the continuing association's, political contributing entity's, or political party's

headquarters, or for a political poll, survey, index, or other 3042  
type of measurement not on behalf of a specific candidate. 3043

(D) The expenses of maintaining a constituent office paid 3044  
for, from the candidate's personal funds, by a candidate who is a 3045  
member of the general assembly at the time of the election shall 3046  
not be considered a contribution by or an expenditure by or on 3047  
behalf of the candidate, and shall not be reported, if the 3048  
constituent office is not used for any candidate's campaign 3049  
activities. 3050

(E) The net contribution of each social or fund-raising 3051  
activity shall be calculated by totaling all contributions to the 3052  
activity minus the expenditures made for the activity. 3053

(F) An expenditure that purchases goods or services shall be 3054  
attributed to an election when the disbursement of funds is made, 3055  
rather than at the time the goods or services are used. The 3056  
secretary of state, under the procedures of Chapter 119. of the 3057  
Revised Code, shall establish rules for the attribution of 3058  
expenditures to a candidate when the candidate is a candidate for 3059  
more than one office during a reporting period and for 3060  
expenditures made in a year in which no election is held. The 3061  
secretary of state shall further define by rule those expenditures 3062  
that are or are not by or on behalf of a candidate. 3063

(G) An expenditure for the purpose of a charitable donation 3064  
may be made if it is made to an organization that is exempt from 3065  
federal income taxation under subsection 501(a) and described in 3066  
subsection 501(c)(3), 501(c)(4), 501(c)(8), 501(c)(10), or 3067  
501(c)(19) of the Internal Revenue Code or is approved by advisory 3068  
opinion of the Ohio elections commission as a legitimate 3069  
charitable organization. Each expenditure under this division 3070  
shall be separately itemized on statements made pursuant to 3071  
section 3517.10 of the Revised Code. 3072

Sec. 3599.11. (A) No person shall knowingly register or make 3073  
application or attempt to register in a precinct in which the 3074  
person is not a qualified voter; or knowingly aid or abet any 3075  
person to so register; or attempt to register or knowingly induce 3076  
or attempt to induce any person to so register; or knowingly 3077  
impersonate another or write or assume the name of another, real 3078  
or fictitious, in registering or attempting to register; or by 3079  
false statement or other unlawful means procure, aid, or attempt 3080  
to procure the erasure or striking out on the register or 3081  
duplicate list of the name of a qualified elector therein; or 3082  
knowingly induce or attempt to induce a registrar or other 3083  
election authority to refuse registration in a precinct to an 3084  
elector thereof; or knowingly swear or affirm falsely upon a 3085  
lawful examination by or before any registering officer; or make, 3086  
print, or issue any false or counterfeit certificate of 3087  
registration or knowingly alter any certificate of registration. 3088

No person shall knowingly register under more than one name 3089  
or knowingly induce any person to so register. 3090

No person shall knowingly make any false statement on any 3091  
form for registration or change of registration or upon any 3092  
application or return envelope for an ~~absent voter's~~ early voting 3093  
ballot. 3094

Whoever violates this division is guilty of a felony of the 3095  
fifth degree. 3096

(B)(1) No person who helps another person register outside an 3097  
official voter registration place shall knowingly destroy, or 3098  
knowingly help another person to destroy, any completed 3099  
registration form. 3100

Whoever violates this division is guilty of election 3101  
falsification, a felony of the fifth degree. 3102

(2)(a) No person who helps another person register outside an official voter registration place shall knowingly fail to return any registration form entrusted to that person to any board of elections or the office of the secretary of state within ten days after that ~~registration~~ registration form is completed, or on or before the thirtieth day before the election, whichever day is earlier, unless the registration form is received by the person within twenty-four hours of the thirtieth day before the election, in which case the person shall return the registration form to any board of elections or the office of the secretary of state within ten days of its receipt.

Whoever violates this division is guilty of election falsification, a felony of the fifth degree, unless the person has not previously been convicted of a violation of division (B)(2)(a), (B)(2)(b), (C)(1), or (C)(2) of this section, the violation of this division does not cause any person to miss any voter registration deadline with regard to any election, and the number of voter registration forms that the violator has failed to properly return does not exceed forty-nine, in which case the violator is guilty of a misdemeanor of the first degree.

(b) Subject to division (C)(2) of this section, no person who helps another person register outside an official registration place shall knowingly return any registration form entrusted to that person to any location other than any board of elections or the office of the secretary of state.

Whoever violates this division is guilty of election falsification, a felony of the fifth degree, unless the person has not previously been convicted of a violation of division (B)(2)(a), (B)(2)(b), (C)(1), or (C)(2) of this section, the violation of this division does not cause any person to miss any voter registration deadline with regard to any election, and the number of voter registration forms that the violator has failed to

properly return does not exceed forty-nine, in which case the 3135  
violator is guilty of a misdemeanor of the first degree. 3136

(C)(1) No person who receives compensation for registering a 3137  
voter shall knowingly fail to return any registration form 3138  
entrusted to that person to any board of elections or the office 3139  
of the secretary of state within ten days after that voter 3140  
registration form is completed, or on or before the thirtieth day 3141  
before the election, whichever is earlier, unless the registration 3142  
form is received by the person within twenty-four hours of the 3143  
thirtieth day before the election, in which case the person shall 3144  
return the registration form to any board of elections or the 3145  
office of the ~~secretary~~ secretary of state within ten days of its 3146  
receipt. 3147

Whoever violates this division is guilty of election 3148  
falsification, a felony of the fifth degree, unless the person has 3149  
not previously been convicted of a violation of division 3150  
(B)(2)(a), (B)(2)(b), (C)(1), or (C)(2) of this section, the 3151  
violation of this division does not cause any person to miss any 3152  
voter registration deadline with regard to any election, and the 3153  
number of voter registration forms that the violator has failed to 3154  
properly return does not exceed forty-nine, in which case the 3155  
violator is guilty of a misdemeanor of the first degree. 3156

(2) No person who receives compensation for registering a 3157  
voter shall knowingly return any registration form entrusted to 3158  
that person to any location other than any board of elections or 3159  
the office of the secretary of state. 3160

Whoever violates this division is guilty of election 3161  
falsification, a felony of the fifth degree, unless the person has 3162  
not previously been convicted of a violation of division 3163  
(B)(2)(a), (B)(2)(b), (C)(1), or (C)(2) of this section, the 3164  
violation of this division does not cause any person to miss any 3165  
voter registration deadline with regard to any election, and the 3166

number of voter registration forms that the violator has failed to 3167  
properly return does not exceed forty-nine, in which case the 3168  
violator is guilty of a misdemeanor of the first degree. 3169

(D) As used in division (C) of this section, "registering a 3170  
voter" includes any effort, for compensation, to provide voter 3171  
registration forms or to assist persons in completing or returning 3172  
those forms. 3173

**Sec. 3599.12.** (A) No person shall do any of the following: 3174

(1) Vote or attempt to vote in any primary, special, or 3175  
general election in a precinct in which that person is not a 3176  
legally qualified elector; 3177

(2) Vote or attempt to vote more than once at the same 3178  
election by any means, including voting or attempting to vote both 3179  
by ~~absent voter's~~ early voting ballots under division (G) of 3180  
section 3503.16 of the Revised Code and by regular ballot at the 3181  
polls at the same election, or voting or attempting to vote both 3182  
by ~~absent voter's~~ early voting ballots under division (G) of 3183  
section 3503.16 of the Revised Code and by ~~absent voter's~~ early 3184  
voting ballots under Chapter 3509. or armed service ~~absent voter's~~ 3185  
early voting ballots under Chapter 3511. of the Revised Code at 3186  
the same election; 3187

(3) Impersonate or sign the name of another person, real or 3188  
fictitious, living or dead, and vote or attempt to vote as that 3189  
other person in any such election; 3190

(4) Cast a ballot at any such election after objection has 3191  
been made and sustained to that person's vote; 3192

(5) Knowingly vote or attempt to vote a ballot other than the 3193  
official ballot. 3194

(B) Whoever violates division (A) of this section is guilty 3195  
of a felony of the fourth degree. 3196



Sec. 3599.21. (A) No person shall knowingly do any of the	3197
following:	3198
(1) Impersonate another, or make a false representation in	3199
order to obtain an <del>absent voter's</del> <u>early voting</u> ballot;	3200
(2) Aid or abet a person to vote an <del>absent voter's</del> <u>early</u>	3201
<u>voting</u> ballot illegally;	3202
(3) If the person is an election official, open, destroy,	3203
steal, mark, or mutilate any <del>absent voter's</del> <u>early voting</u> ballot;	3204
(4) Aid or abet another person to open, destroy, steal, mark,	3205
or mutilate any <del>absent voter's</del> <u>early voting</u> ballot after the	3206
ballot has been voted;	3207
(5) Delay the delivery of any <del>absent voter's</del> <u>early voting</u>	3208
ballot with a view to preventing its arrival in time to be	3209
counted;	3210
(6) Hinder or attempt to hinder the delivery or counting of	3211
such <del>absent voter's</del> <u>early voting</u> ballot;	3212
(7) Fail to forward to the appropriate election official an	3213
<del>absent voter's</del> <u>early voting</u> ballot application entrusted to that	3214
person to so forward;	3215
(8) Fail to forward to the appropriate election official an	3216
<del>absent voter's</del> <u>early voting</u> ballot application entrusted to that	3217
person to so forward within ten days after that application is	3218
completed or within such a time period that the failure to so	3219
forward the application disenfranchises the voter with respect to	3220
a particular election, whichever is earlier;	3221
(9) Except as authorized under Chapters 3509. and 3511. of	3222
the Revised Code, possess the <del>absent voter's</del> <u>early voting</u> ballot	3223
of another.	3224
(B)(1) Subject to division (B)(2) of this section, no person	3225

who receives compensation for soliciting persons to apply to vote 3226  
by ~~absent voter's~~ early voting ballots shall fail to forward to 3227  
the appropriate election official an ~~absent voter's~~ early voting 3228  
ballot application entrusted to that person to so forward within 3229  
ten days after that application is completed. 3230

(2) No person who receives compensation for soliciting 3231  
persons to apply to vote by ~~absent voter's~~ early voting ballots 3232  
shall fail to forward to the appropriate election official an 3233  
~~absent voter's~~ early voting ballot application entrusted to that 3234  
person to so forward within such a time period that the failure to 3235  
so forward the application disenfranchises the voter with respect 3236  
to a particular election. 3237

(C) Whoever violates division (A) or (B) of this section is 3238  
guilty of a felony of the fourth degree. 3239

(D) As used in this section, "person who receives 3240  
compensation for soliciting persons to apply to vote by ~~absent~~ 3241  
~~voter's~~ early voting ballots" includes any effort, for 3242  
compensation, to provide ~~absent voter's~~ early voting ballot 3243  
applications or to assist persons in completing those applications 3244  
or returning them to the director of the board of elections of the 3245  
county in which the applicant's voting residence is located. 3246

**Section 2.** That existing sections 3501.05, 3501.29, 3501.90, 3247  
3503.16, 3504.04, 3505.03, 3505.181, 3505.182, 3505.20, 3509.01, 3248  
3509.02, 3509.021, 3509.022, 3509.03, 3509.031, 3509.04, 3509.05, 3249  
3509.06, 3509.07, 3509.08, 3509.09, 3511.01, 3511.02, 3511.03, 3250  
3511.04, 3511.05, 3511.051, 3511.06, 3511.08, 3511.09, 3511.10, 3251  
3511.11, 3511.12, 3511.13, 3513.052, 3513.15, 3513.30, 3515.01, 3252  
3517.08, 3599.11, 3599.12, and 3599.21 of the Revised Code are 3253  
hereby repealed. 3254

**Section 3.** Notwithstanding any provision of the Revised Code 3255  
to the contrary, any absent voter's ballot prepared under Chapter 3256

3509. or 3511. of the Revised Code prior to the effective date of	3257
this act for use in an election conducted on or after the	3258
effective date of this act may be used in that election as if the	3259
ballot were an early voting ballot, regardless of whether the	3260
words "absent voter's ballot" appear on the ballot, identification	3261
envelope, or return envelope.	3262