

As Introduced

**128th General Assembly
Regular Session
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H. B. No. 260

Representatives Stewart, Heard

**Cosponsors: Representatives Book, Domenick, Dyer, Foley, Garland,
Letson, Okey, Skindell, Weddington, Williams, B., Yuko**

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A B I L L

To amend sections 3501.01, 3501.02, 3501.03, 3501.05, 1
3501.07, 3501.10, 3501.11, 3501.17, 3501.18, 2
3501.21, 3501.30, 3501.38, 3503.01, 3503.04, 3
3503.06, 3503.10, 3503.11, 3503.14, 3503.15, 4
3503.16, 3503.19, 3503.21, 3503.24, 3503.28, 5
3505.03, 3505.04, 3505.06, 3505.062, 3505.08, 6
3505.10, 3505.12, 3505.13, 3505.18, 3505.181, 7
3505.182, 3505.183, 3505.20, 3505.21, 3505.23, 8
3505.28, 3505.30, 3506.11, 3506.12, 3506.21, 9
3509.01, 3509.02, 3509.03, 3509.031, 3509.04, 10
3509.05, 3509.06, 3509.08, 3509.09, 3511.02, 11
3511.04, 3511.05, 3511.06, 3511.08, 3511.10, 12
3511.11, 3511.13, 3513.05, 3513.19, 3513.30, 13
3513.31, 3517.01, 3517.012, 3517.02, 3517.03, 14
3521.03, 4507.13, and 4507.52, to enact new 15
sections 3509.07 and 3511.09 and sections 125.042, 16
3503.141, 3503.142, 3507.01, 3507.02, 3507.03, 17
3511.041, 3599.121, and 3599.191, and to repeal 18
sections 3503.18, 3505.19, 3505.22, 3506.13, 19
3509.07, 3511.07, 3511.09, 3511.12, and 3513.20 of 20
the Revised Code to revise the Election Law. 21
22

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

Section 1. That sections 3501.01, 3501.02, 3501.03, 3501.05, 23
3501.07, 3501.10, 3501.11, 3501.17, 3501.18, 3501.21, 3501.30, 24
3501.38, 3503.01, 3503.04, 3503.06, 3503.10, 3503.11, 3503.14, 25
3503.15, 3503.16, 3503.19, 3503.21, 3503.24, 3503.28, 3505.03, 26
3505.04, 3505.06, 3505.062, 3505.08, 3505.10, 3505.12, 3505.13, 27
3505.18, 3505.181, 3505.182, 3505.183, 3505.20, 3505.21, 3505.23, 28
3505.28, 3505.30, 3506.11, 3506.12, 3506.21, 3509.01, 3509.02, 29
3509.03, 3509.031, 3509.04, 3509.05, 3509.06, 3509.08, 3509.09, 30
3511.02, 3511.04, 3511.05, 3511.06, 3511.08, 3511.10, 3511.11, 31
3511.13, 3513.05, 3513.19, 3513.30, 3513.31, 3517.01, 3517.012, 32
3517.02, 3517.03, 3521.03, 4507.13, and 4507.52 be amended and new 33
sections 3509.07 and 3511.09 and sections 125.042, 3503.141, 34
3503.142, 3507.01, 3507.02, 3507.03, 3511.041, 3599.121, and 35
3599.191 of the Revised Code be enacted to read as follows: 36

Sec. 125.042. (A) The department of administrative services, 38
by rule adopted under Chapter 119. of the Revised Code, shall 39
establish a purchasing program through which the department enters 40
into purchase contracts for supplies used by boards of elections, 41
including any polling place supplies required under section 42
3501.30 of the Revised Code. A board of elections that opts to 43
participate in the purchasing program may purchase its supplies 44
through the contracts entered into by the department. 45

(B) Purchases that a board of elections makes under this 46
section are exempt from any competitive selection procedures 47
otherwise required by law. 48

Sec. 3501.01. As used in the sections of the Revised Code 49
relating to elections and political communications: 50

(A) "General election" means the election held on the first 51
Tuesday after the first Monday in each November. 52

(B) "Regular municipal election" means the election held on 53
the first Tuesday after the first Monday in November in each 54
odd-numbered year. 55

(C) "Regular state election" means the election held on the 56
first Tuesday after the first Monday in November in each 57
even-numbered year. 58

(D) "Special election" means any election other than those 59
elections defined in other divisions of this section. A special 60
election may be held only on the first Tuesday after the first 61
Monday in ~~February, May, August,~~ or November, or on the day 62
authorized by a particular municipal or county charter for the 63
holding of a primary election, except that in any year in which a 64
presidential primary election is held, no special election shall 65
be held in ~~February or May,~~ except as authorized by a municipal or 66
county charter, but may be held on the first Tuesday after the 67
first Monday in March. 68

(E)(1) "Primary" or "primary election" means an election held 69
for the purpose of nominating persons as candidates of political 70
parties for election to offices, and for the purpose of electing 71
persons as members of the controlling committees of political 72
parties and as delegates and alternates to the conventions of 73
political parties. Primary elections shall be held on the first 74
Tuesday after the first Monday in May of each year except in years 75
in which a presidential primary election is held. 76

(2) "Presidential primary election" means a primary election 77
as defined by division (E)(1) of this section at which an election 78
is held for the purpose of choosing delegates and alternates to 79
the national conventions of the major political parties pursuant 80
to section 3513.12 of the Revised Code. Unless otherwise 81

specified, presidential primary elections are included in 82
references to primary elections. In years in which a presidential 83
primary election is held, all primary elections shall be held on 84
the first Tuesday after the first Monday in March except as 85
otherwise authorized by a municipal or county charter. 86

(F) "Political party" means any group of voters meeting the 87
requirements set forth in section 3517.01 of the Revised Code for 88
the formation and existence of a political party. 89

(1) "Major political party" means any political party 90
organized under the laws of this state whose candidate for any of 91
the offices of governor, secretary of state, auditor of state, 92
treasurer of state, attorney general, or United States senator or 93
nominees for presidential electors received no less than twenty 94
per cent of the total vote cast for ~~such office~~ any of those 95
offices at either of the two most recent regular state ~~election~~ 96
elections. 97

~~(2) "Intermediate political party" means any political party~~ 98
~~organized under the laws of this state whose candidate for~~ 99
~~governor or nominees for presidential electors received less than~~ 100
~~twenty per cent but not less than ten per cent of the total vote~~ 101
~~cast for such office at the most recent regular state election.~~ 102

~~(3)~~ "Minor political party" means any political party 103
organized under the laws of this state whose candidate for any of 104
the offices of governor, secretary of state, auditor of state, 105
treasurer of state, attorney general, or United States senator or 106
nominees for presidential electors received less than ~~ten~~ twenty 107
per cent but not less than ~~five~~ one per cent of the total vote 108
cast for ~~such office~~ any of those offices at either of the two 109
most recent regular state ~~election~~ elections or which has filed 110
with the secretary of state, subsequent to any ~~election~~ two 111
successive regular state elections in which it received less than 112
~~five~~ one per cent of ~~such~~ the vote for any of those offices, a 113

petition signed by qualified electors equal in number to at least 114
one-quarter of one per cent of the total vote cast for ~~such the~~ 115
office of governor in the last preceding regular state election, 116
except that a newly formed political party shall be known as a 117
minor political party until the time of the first regular state 118
election ~~for governor or president which~~ that occurs not less than 119
twelve months subsequent to the formation of such party, after 120
which election the status of such party as either a major or minor 121
political party shall be determined by the vote percentage 122
received by the party's candidate for any of the office offices of 123
governor or president, secretary of state, auditor of state, 124
treasurer of state, attorney general, or United States senator, or 125
nominees for presidential electors. 126

(G) "Dominant party in a precinct" or "dominant political 127
party in a precinct" means that political party whose candidate 128
for election to the office of governor at the most recent regular 129
state election at which a governor was elected received more votes 130
than any other person received for election to that office in such 131
precinct at such election. 132

(H) "Candidate" means any qualified person certified in 133
accordance with the provisions of the Revised Code for placement 134
on the official ballot of a primary, general, or special election 135
to be held in this state, or any qualified person who claims to be 136
a write-in candidate, or who knowingly assents to being 137
represented as a write-in candidate by another at either a 138
primary, general, or special election to be held in this state. 139

(I) "Independent candidate" means any candidate who claims 140
not to be affiliated with a political party, and whose name has 141
been certified on the office-type ballot at a general or special 142
election through the filing of a statement of candidacy and 143
nominating petition, as prescribed in section 3513.257 of the 144
Revised Code. 145

(J) "Nonpartisan candidate" means any candidate whose name is required, pursuant to section 3505.04 of the Revised Code, to be listed on the nonpartisan ballot, including all candidates for judicial office, for member of any board of education, for municipal or township offices in which primary elections are not held for nominating candidates by political parties, and for offices of municipal corporations having charters that provide for separate ballots for elections for these offices.

(K) "Party candidate" means any candidate who claims to be a member of a political party, whose name has been certified on the office-type ballot at a general or special election through the filing of a declaration of candidacy and petition of candidate, and who has won the primary election of the candidate's party for the public office the candidate seeks, is nominated pursuant to section 3513.02 of the Revised Code, or is selected by party committee in accordance with section 3513.31 of the Revised Code.

(L) "Officer of a political party" includes, but is not limited to, any member, elected or appointed, of a controlling committee, whether representing the territory of the state, a district therein, a county, township, a city, a ward, a precinct, or other territory, of a major, ~~intermediate~~, or minor political party.

(M) "Question or issue" means any question or issue certified in accordance with the Revised Code for placement on an official ballot at a general or special election to be held in this state.

(N) "Elector" or "qualified elector" means a person having the qualifications provided by law to be entitled to vote.

(O) "Voter" means an elector who votes at an election.

(P) "Voting residence" means that place of residence of an elector which shall determine the precinct in which the elector may vote.

(Q) "Precinct" means a district within a county established	177
by the board of elections of such county within which all	178
qualified electors having a voting residence therein may vote at	179
the same polling place.	180
(R) "Polling place" means that place provided for each	181
precinct at which the electors having a voting residence in such	182
precinct may vote.	183
(S) "Board" or "board of elections" means the board of	184
elections appointed in a county pursuant to section 3501.06 of the	185
Revised Code.	186
(T) "Political subdivision" means a county, township, city,	187
village, or school district.	188
(U) "Election officer" or "election official" means any of	189
the following:	190
(1) Secretary of state;	191
(2) Employees of the secretary of state serving the division	192
of elections in the capacity of attorney, administrative officer,	193
administrative assistant, elections administrator, office manager,	194
or clerical supervisor;	195
(3) Director of a board of elections;	196
(4) Deputy director of a board of elections;	197
(5) Member of a board of elections;	198
(6) Employees of a board of elections;	199
(7) Precinct polling place judges;	200
(8) Employees appointed by the boards of elections on a	201
temporary or part-time basis.	202
(V) "Acknowledgment notice" means a notice sent by a board of	203
elections, on a form prescribed by the secretary of state,	204
informing a voter registration applicant or an applicant who	205

wishes to change the applicant's residence or name of the status 206
of the application; the information necessary to complete or 207
update the application, if any; and if the application is 208
complete, the precinct in which the applicant is to vote. 209

(W) "Confirmation notice" means a notice sent by a board of 210
elections, on a form prescribed by the secretary of state, to a 211
registered elector to confirm the registered elector's current 212
address. 213

(X) "Designated agency" means an office or agency in the 214
state that provides public assistance or that provides 215
state-funded programs primarily engaged in providing services to 216
persons with disabilities and that is required by the National 217
Voter Registration Act of 1993 to implement a program designed and 218
administered by the secretary of state for registering voters, or 219
any other public or government office or agency that implements a 220
program designed and administered by the secretary of state for 221
registering voters, including the department of job and family 222
services, the program administered under section 3701.132 of the 223
Revised Code by the department of health, the department of mental 224
health, the department of mental retardation and developmental 225
disabilities, the rehabilitation services commission, and any 226
other agency the secretary of state designates. "Designated 227
agency" does not include public high schools and vocational 228
schools, public libraries, or the office of a county treasurer. 229

(Y) "National Voter Registration Act of 1993" means the 230
"National Voter Registration Act of 1993," 107 Stat. 77, 42 231
U.S.C.A. 1973gg. 232

(Z) "Voting Rights Act of 1965" means the "Voting Rights Act 233
of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. 234

(AA) "Photo identification" means a document that meets each 235
of the following requirements: 236

(1) It shows the name of the individual to whom it was 237
issued, which shall substantially conform to the name in the poll 238
list or signature pollbook. 239

~~(2) It shows the current address of the individual to whom it 240
was issued, which shall conform to the address in the poll list or 241
signature pollbook, except for a driver's license or a state 242
identification card issued under section 4507.50 of the Revised 243
Code, which may show either the current or former address of the 244
individual to whom it was issued, regardless of whether that 245
address conforms to the address in the poll list or signature 246
pollbook. 247~~

~~(3) It shows a photograph of the individual to whom it was 248
issued. 249~~

~~(4)(3) It ~~includes~~ is not expired, if an expiration date ~~that~~ 250
~~has not passed~~ appears on the document. 251~~

~~(5)(4) It was issued by the government of the United States 252
or this state. 253~~

(BB) "Identification" means either of the following: 254

(1) A current and valid photo identification; 255

(2) Any two items that meet all of the following criteria: 256

(a) The item lists the elector's name in a manner that 257
substantially conforms to the elector's name in the statewide 258
voter registration database. 259

(b) The item was issued by any of the following sources: 260

(i) A nonprofit organization; 261

(ii) An institution; 262

(iii) A business; or 263

(iv) A government entity. 264

(c) The item is current and valid. 265

(CC) "First-time mail-in registrant" means an individual who submitted a voter registration application by mail, who has not previously voted in a federal election in this state, and who did not include any of the following with the voter registration application:

(1) The applicant's driver's license number;

(2) At least the last four digits of the applicant's social security number;

(3) A copy of a current and valid photo identification that shows the name and address of the applicant; or

(4) A copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the applicant.

(DD) "First-time mail-in registrant identification" means a current and valid photo identification or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the elector.

Sec. 3501.02. General elections in the state and its political subdivisions shall be held as follows:

(A) For the election of electors of president and vice-president of the United States, in the year of 1932 and every four years thereafter;

(B) For the election of a member of the senate of the United States, in the years 1932 and 1934, and every six years after each of such years; except as otherwise provided for filling vacancies;

(C) For the election of representatives in the congress of the United States and of elective state and county officers including elected members of the state board of education, in the even-numbered years; except as otherwise provided for filling

vacancies;	296
(D) For municipal and township officers, members of boards of education, judges and clerks of municipal courts, in the odd-numbered years;	297 298 299
(E) Proposed constitutional amendments or proposed measures submitted by the general assembly or by initiative or referendum petitions to the voters of the state at large may be submitted to <u>at</u> the general election in any year occurring at least sixty one <u>hundred twenty-five</u> days, in case of a referendum, and ninety one <u>hundred twenty-five</u> days, in the case of an initiated measure, subsequent to the filing of the petitions therefor. Proposed constitutional amendments submitted by the general assembly to the voters of the state at large may be submitted at a special election occurring on the day in any year specified by division (E) of section 3501.01 of the Revised Code for the holding of a primary election, when a special election on that date is designated by the general assembly in the resolution adopting the proposed constitutional amendment.	300 301 302 303 304 305 306 307 308 309 310 311 312 313
No <u>Notwithstanding any provision of the Revised Code to the contrary, no</u> special election shall be held on a day other than <u>the day that a primary election may be held or</u> the day of a general election, unless a law or <u>municipal or county</u> charter provides otherwise, regarding the submission of a question or issue to the voters of a county, township, city, village, or school district, <u>or other district</u> .	314 315 316 317 318 319 320
(F) Any question or issue, except a candidacy, to be voted upon at an election shall be certified, for placement upon the ballot, to the board of elections not later than four p.m. of the seventy-fifth day before the day of the election.	321 322 323 324
Sec. 3501.03. <u>(A)</u> At least ten days before the time for holding an election the board of elections shall give public	325 326

notice by a proclamation, posted in a conspicuous place in the 327
courthouse and city hall, or by one insertion in a newspaper 328
published in the county, but if no newspaper is published in such 329
county, then in a newspaper of general circulation therein. 330

(B) In the case of an election by mail held under Chapter 331
3507. of the Revised Code, the board shall give the notice 332
required by division (A) of this section at least ten days before 333
the date on which the board mails the absent voter's ballots 334
pursuant to section 3507.02 of the Revised Code. The notice shall 335
indicate that a person who is a qualified elector may vote at the 336
office of the board if the person moves from one precinct to 337
another or changes the person's name on or prior to the day before 338
the election and has not filed with the board a notice of change 339
of residence or change of name, respectively. 340

(C) The board shall have authority to publicize information 341
relative to registration or elections. 342

Sec. 3501.05. The secretary of state shall do all of the 343
following: 344

(A) Appoint all members of boards of elections; 345

(B) Issue instructions by directives and advisories in 346
accordance with section 3501.053 of the Revised Code to members of 347
the boards as to the proper methods of conducting elections; ~~i~~ 348

(C) Prepare rules and instructions for the conduct of 349
elections; 350

(D) ~~Publish and furnish~~ Provide to the boards ~~from time to~~ 351
~~time a sufficient number of indexed copies of~~ an electronic link 352
to all election laws then in force; 353

(E) Edit and issue all pamphlets concerning proposed laws or 354
amendments required by law to be submitted to the voters; 355

(F) Prescribe the form of registration cards, blanks, and 356

records;	357
(G) Determine and prescribe the forms of ballots and the	358
forms of all blanks, cards of instructions, pollbooks, tally	359
sheets, certificates of election, and forms and blanks required by	360
law for use by candidates, committees, and boards;	361
(H) Prepare the ballot title or statement to be placed on the	362
ballot for any proposed law or amendment to the constitution to be	363
submitted to the voters of the state;	364
(I) Except as otherwise provided in section 3519.08 of the	365
Revised Code, certify to the several boards the forms of ballots	366
and names of candidates for state offices, and the form and	367
wording of state referendum questions and issues, as they shall	368
appear on the ballot;	369
(J) Except as otherwise provided in division (I)(2)(b) of	370
section 3501.38 of the Revised Code, give final approval to ballot	371
language for any local question or issue approved and transmitted	372
by boards of elections under section 3501.11 of the Revised Code;	373
(K) Receive all initiative and referendum petitions on state	374
questions and issues and determine and certify to the sufficiency	375
of those petitions;	376
(L) Require such reports from the several boards as are	377
provided by law, or as the secretary of state considers necessary;	378
(M) Compel the observance by election officers in the several	379
counties of the requirements of the election laws;	380
(N)(1) Except as otherwise provided in division (N)(2) of	381
this section, investigate the administration of election laws,	382
frauds, and irregularities in elections in any county, and report	383
violations of election laws to the attorney general or prosecuting	384
attorney, or both, for prosecution;	385
(2) On and after August 24, 1995, report a failure to comply	386

with or a violation of a provision in sections 3517.08 to 3517.13, 387
3517.17, 3517.18, 3517.20 to 3517.22, 3599.03, or 3599.031 of the 388
Revised Code, whenever the secretary of state has or should have 389
knowledge of a failure to comply with or a violation of a 390
provision in one of those sections, by filing a complaint with the 391
Ohio elections commission under section 3517.153 of the Revised 392
Code; 393

(O) Make an annual report to the governor containing the 394
results of elections, the cost of elections in the various 395
counties, a tabulation of the votes in the several political 396
subdivisions, and other information and recommendations relative 397
to elections the secretary of state considers desirable; 398

(P) Prescribe and distribute to boards of elections a list of 399
instructions indicating all legal steps necessary to petition 400
successfully for local option elections under sections 4301.32 to 401
4301.41, 4303.29, 4305.14, and 4305.15 of the Revised Code; 402

(Q) Adopt rules pursuant to Chapter 119. of the Revised Code 403
for the removal by boards of elections of ineligible voters from 404
the statewide voter registration database and, if applicable, from 405
the poll list or signature pollbook used in each precinct, which 406
rules shall provide for all of the following: 407

(1) A process for the removal of voters who have changed 408
residence, which shall be uniform, nondiscriminatory, and in 409
compliance with the Voting Rights Act of 1965 and the National 410
Voter Registration Act of 1993, including a program that uses the 411
national change of address service provided by the United States 412
postal system through its licensees; 413

(2) A process for the removal of ineligible voters under 414
section 3503.21 of the Revised Code; 415

(3) A uniform system for marking or removing the name of a 416
voter who is ineligible to vote from the statewide voter 417

registration database and, if applicable, from the poll list or 418
signature pollbook used in each precinct and noting the reason for 419
that mark or removal. 420

(R) Prescribe a general program for registering voters or 421
updating voter registration information, such as name and 422
residence changes, by boards of elections, designated agencies, 423
offices of deputy registrars of motor vehicles, public high 424
schools and vocational schools, public libraries, and offices of 425
county treasurers consistent with the requirements of ~~section~~ 426
sections 3503.09 to 3503.11 of the Revised Code; 427

(S) Prescribe a program of distribution of voter registration 428
forms through boards of elections, designated agencies, offices of 429
the registrar and deputy registrars of motor vehicles, public high 430
schools and vocational schools, public libraries, and offices of 431
county treasurers; 432

(T) To the extent feasible, provide copies, at no cost and 433
upon request, of the voter registration form in post offices in 434
this state; 435

(U) Adopt rules pursuant to section 111.15 of the Revised 436
Code for the purpose of implementing the program for registering 437
voters through boards of elections, designated agencies, and the 438
offices of the registrar and deputy registrars of motor vehicles 439
consistent with this chapter and the requirements of sections 440
3503.09 to 3503.11 of the Revised Code; 441

(V) Establish the full-time position of Americans with 442
Disabilities Act coordinator within the office of the secretary of 443
state to do all of the following: 444

(1) Assist the secretary of state with ensuring that there is 445
equal access to polling places for persons with disabilities; 446

(2) Assist the secretary of state with ensuring that each 447
voter may cast the voter's ballot in a manner that provides the 448

same opportunity for access and participation, including privacy 449
and independence, as for other voters; 450

(3) Advise the secretary of state in the development of 451
standards for the certification of voting machines, marking 452
devices, and automatic tabulating equipment. 453

(W) Establish and maintain a computerized statewide database 454
of all legally registered voters under section 3503.15 of the 455
Revised Code that complies with the requirements of the "Help 456
America Vote Act of 2002," Pub. L. No. 107-252, 116 Stat. 1666, 457
and provide training in the operation of that system; 458

(X) Ensure that all directives, advisories, other 459
instructions, or decisions issued or made during or as a result of 460
any conference or teleconference call with a board of elections to 461
discuss the proper methods and procedures for conducting 462
elections, to answer questions regarding elections, or to discuss 463
the interpretation of directives, advisories, or other 464
instructions issued by the secretary of state are posted on a web 465
site of the office of the secretary of state as soon as is 466
practicable after the completion of the conference or 467
teleconference call, but not later than the close of business on 468
the same day as the conference or teleconference call takes 469
place. 470

(Y) Publish a report on a web site of the office of the 471
secretary of state not later than one month after the completion 472
of the canvass of the election returns for each primary and 473
general election, identifying, by county, the number of absent 474
voter's ballots cast and the number of those ballots that were 475
counted, and the number of provisional ballots cast and the number 476
of those ballots that were counted, for that election. The 477
secretary of state shall maintain the information on the web site 478
in an archive format for each subsequent election. 479

(Z) Conduct voter education outlining voter identification, 480
absent voters ballot, provisional ballot, and other voting 481
requirements; 482

(AA) Establish a procedure by which a registered elector may 483
make available to a board of elections a more recent signature to 484
be used in the poll list or signature pollbook produced by the 485
board of elections of the county in which the elector resides; 486
487

(BB) Disseminate information, which may include all or part 488
of the official explanations and arguments, by means of direct 489
mail or other written publication, broadcast, or other means or 490
combination of means, as directed by the Ohio ballot board under 491
division (F) of section 3505.062 of the Revised Code, in order to 492
inform the voters as fully as possible concerning each proposed 493
constitutional amendment, proposed law, or referendum; 494

(CC) Perform other duties required by law. 495

Whenever a primary election is held under section 3513.32 of 496
the Revised Code or a special election is held under section 497
3521.03 of the Revised Code to fill a vacancy in the office of 498
representative to congress, the secretary of state shall establish 499
a deadline, notwithstanding any other deadline required under the 500
Revised Code, by which any or all of the following shall occur: 501
the filing of a declaration of candidacy and petitions or a 502
statement of candidacy and nominating petition together with the 503
applicable filing fee; the filing of protests against the 504
candidacy of any person filing a declaration of candidacy or 505
nominating petition; the filing of a declaration of intent to be a 506
write-in candidate; the filing of campaign finance reports; the 507
preparation of, and the making of corrections or challenges to, 508
precinct voter registration lists; the receipt of applications for 509
absent voter's ballots or armed service absent voter's ballots; 510
the supplying of election materials to precincts by boards of 511

elections; the holding of hearings by boards of elections to 512
consider challenges to the right of a person to appear on a voter 513
registration list; and the scheduling of programs to instruct or 514
reinstruct election officers. 515

In the performance of the secretary of state's duties as the 516
chief election officer, the secretary of state may administer 517
oaths, issue subpoenas, summon witnesses, compel the production of 518
books, papers, records, and other evidence, and fix the time and 519
place for hearing any matters relating to the administration and 520
enforcement of the election laws. 521

In any controversy involving or arising out of the adoption 522
of registration or the appropriation of funds for registration, 523
the secretary of state may, through the attorney general, bring an 524
action in the name of the state in the court of common pleas of 525
the county where the cause of action arose or in an adjoining 526
county, to adjudicate the question. 527

In any action involving the laws in Title XXXV of the Revised 528
Code wherein the interpretation of those laws is in issue in such 529
a manner that the result of the action will affect the lawful 530
duties of the secretary of state or of any board of elections, the 531
secretary of state may, on the secretary of state's motion, be 532
made a party. 533

The secretary of state may apply to any court that is hearing 534
a case in which the secretary of state is a party, for a change of 535
venue as a substantive right, and the change of venue shall be 536
allowed, and the case removed to the court of common pleas of an 537
adjoining county named in the application or, if there are cases 538
pending in more than one jurisdiction that involve the same or 539
similar issues, the court of common pleas of Franklin county. 540

Public high schools and vocational schools, public libraries, 541
and the office of a county treasurer shall implement voter 542

registration programs as directed by the secretary of state 543
pursuant to this section. 544

Sec. 3501.07. At a meeting held not more than sixty nor less 545
than fifteen days before the expiration date of the term of office 546
of a member of the board of elections, or within fifteen days 547
after a vacancy occurs in the board, the county executive 548
committee of the major political party entitled to the appointment 549
may make and file a recommendation with the secretary of state for 550
the appointment of a qualified elector. The secretary of state 551
shall appoint such elector, unless ~~he~~ the secretary of state has 552
reason to believe that the elector would not be a competent member 553
of such board. In such cases the secretary of state shall so state 554
in writing to the ~~chairman~~ chairperson of such county executive 555
committee, with the reasons therefor, and such committee may 556
either recommend another elector or may apply for a writ of 557
mandamus to the supreme court to compel the secretary of state to 558
appoint the elector so recommended. In such action the burden of 559
proof to show the qualifications of the person so recommended 560
shall be on the committee making the recommendation. If no such 561
recommendation is made or if a writ of mandamus has not been 562
granted, the secretary of state shall make the appointment, and 563
that decision shall be final. If a recommendation is made, the 564
secretary shall appoint that elector unless the secretary of state 565
has reason to believe that the elector would not be a competent 566
member of the board. In that case, the secretary of state shall so 567
state in writing to the chairperson of the county executive 568
committee and shall make the appointment. That decision shall be 569
final. 570

If a vacancy on the board of elections is to be filled by a 571
minor ~~or an intermediate~~ political party, authorized officials of 572
that party may within fifteen days after the vacancy occurs 573
~~recommend a qualified person to the secretary of state for~~ 574

appointment to such vacancy make and file with the secretary of 575
state a recommendation for the appointment of a qualified elector. 576
The secretary of state shall appoint that elector unless the 577
secretary of state has reason to believe that the elector would 578
not be a competent member of the board. In that case, the 579
secretary of state shall so state in writing to the authorized 580
party officials, with the reasons therefor, and the party 581
officials may either recommend another elector or may apply for a 582
writ of mandamus to the supreme court to compel the secretary of 583
state to appoint the elector so recommended. In such action the 584
burden of proof to show the qualifications of the person so 585
recommended shall be on the party officials making the 586
recommendation. If no such recommendation is made or such writ of 587
mandamus has not been granted, the secretary of state shall make 588
the appointment. If a recommendation is made, the secretary shall 589
appoint such elector, unless the secretary of state has reason to 590
believe that the elector would not be a competent member of such 591
board. In such cases the secretary of state shall so state in 592
writing to the authorized party officials, and shall make the 593
appointment. That decision shall be final. 594

Sec. 3501.10. (A) The board of elections shall, as an expense 595
of the board, provide suitable rooms for its offices and records 596
and the necessary and proper furniture and supplies for those 597
rooms. The board may lease such offices and rooms, necessary to 598
its operation, for the length of time and upon the terms the board 599
deems in the best interests of the public, provided that the term 600
of any such lease shall not exceed fifteen years. 601

Thirty days prior to entering into such a lease, the board 602
shall notify the board of county commissioners in writing of its 603
intent to enter into the lease. The notice shall specify the terms 604
and conditions of the lease. Prior to the thirtieth day after 605
receiving that notice and before any lease is entered into, the 606

board of county commissioners may reject the proposed lease by a 607
majority vote. After receiving written notification of the 608
rejection by the board of county commissioners, the board of 609
elections shall not enter into the lease that was rejected, but 610
may immediately enter into additional lease negotiations, subject 611
to the requirements of this section. 612

The board of elections in any county may, by resolution, 613
request that the board of county commissioners submit to the 614
electors of the county, in accordance with section 133.18 of the 615
Revised Code, the question of issuing bonds for the acquisition of 616
real estate and the construction on it of a suitable building with 617
necessary furniture and equipment for the proper administration of 618
the duties of the board of elections. The resolution declaring the 619
necessity for issuing such bonds shall relate only to the 620
acquisition of real estate and to the construction, furnishing, 621
and equipping of a building as provided in this division. 622

(B) The board of elections in each county shall keep its 623
offices, or one or more of its branch registration offices, open 624
for the performance of its duties until nine p.m. on the last day 625
of registration before a general or primary election. At all other 626
times during each week, the board shall keep its offices and rooms 627
open for a period of time that the board considers necessary for 628
the performance of its duties. 629

(C) The board of elections may maintain permanent or 630
temporary branch offices at any place within the county, ~~provided~~ 631
~~that, if the board of elections permits electors to vote at a~~ 632
~~branch office, electors shall not be permitted to vote at any~~ 633
~~other branch office or any other office of the board of elections.~~ 634
The board shall not employ more than four such locations for the 635
purpose of allowing voters to cast absent voter's ballots in 636
person at an election. 637

An affirmative vote of three members of the board is required 638

to establish more than one location at which voters may cast
absent voter's ballots in person at an election. In the case of a
tie vote or disagreement in the board, the board shall submit the
matter to the secretary of state in accordance with division (X)
of section 3501.11 of the Revised Code.

If the board votes to establish more than one location at
which voters may cast absent voter's ballots in person, the board
shall submit to the secretary of state a plan for the location of
those voting locations.

(D) The secretary of state shall establish, by rule adopted
under Chapter 119. of the Revised Code, the form and content for
voting location plans required to be submitted to the secretary of
state under division (C) of this section. The rules shall address
the equitable distribution of locations at which voters may cast
absent voter's ballots in person, including the distribution of
those locations with respect to a county's unique geography,
population distribution, minority voter access, and ease of voter
access to the locations. The rules also shall include provisions
to ensure, to the extent practical, that the plans will not result
in locations that will unduly favor any political party.

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

(A) Establish, define, provide, rearrange, and combine
election precincts in accordance with section 3501.18 of the
Revised Code and any directive the secretary of state may provide;

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

(C) Provide for the purchase, preservation, and maintenance 669
of booths, ballot boxes, books, maps, flags, blanks, cards of 670
instructions, and other forms, papers, and equipment used in 671
registration, nominations, and elections; 672

(D) Appoint and remove its director, deputy director, and 673
employees and all registrars, judges, and other officers of 674
elections, fill vacancies, and designate the ward or district and 675
precinct in which each shall serve; 676

(E) Make and issue rules and instructions, not inconsistent 677
with law or the rules, directives, or advisories issued by the 678
secretary of state, as it considers necessary for the guidance of 679
election officers and voters; 680

(F) Advertise and contract for the printing of all ballots 681
and other supplies used in registrations and elections, or provide 682
for the acquisition of those supplies through the department of 683
administrative services; 684

(G) Provide for the issuance of all notices, advertisements, 685
and publications concerning elections, except as otherwise 686
provided in division (G) of section 3501.17 and divisions (F) and 687
(G) of section 3505.062 of the Revised Code; 688

(H) Provide for the delivery of ballots, pollbooks, and other 689
required papers and material to the polling places; 690

(I) Cause the polling places to be suitably provided with 691
voting machines, marking devices, automatic tabulating equipment, 692
stalls, and other required supplies. In fulfilling this duty, each 693
board of a county that uses voting machines, marking devices, or 694
automatic tabulating equipment shall ~~conduct a full vote of the~~ 695
~~board during a public session of the board on~~ provide for the 696
allocation and distribution of voting machines, marking devices, 697
and automatic tabulating equipment ~~for each precinct in the county~~ 698
in accordance with section 3506.12 of the Revised Code. 699

(J) Investigate irregularities, nonperformance of duties, or 700
violations of Title XXXV of the Revised Code by election officers 701
and other persons; administer oaths, issue subpoenas, summon 702
witnesses, and compel the production of books, papers, records, 703
and other evidence in connection with any such investigation; and 704
report the facts to the prosecuting attorney or the secretary of 705
state; 706

(K) Review, examine, and certify the sufficiency and validity 707
of petitions and nomination papers, and, after certification, 708
return to the secretary of state all petitions and nomination 709
papers that the secretary of state forwarded to the board; 710

(L) Receive the returns of elections, canvass the returns, 711
make abstracts of them, and transmit those abstracts to the proper 712
authorities; 713

(M) Issue certificates of election on forms to be prescribed 714
by the secretary of state; 715

(N) Make an annual report to the secretary of state, on the 716
form prescribed by the secretary of state, containing a statement 717
of the number of voters registered, elections held, votes cast, 718
appropriations received, expenditures made, and other data 719
required by the secretary of state; 720

(O) Prepare and submit to the proper appropriating officer a 721
budget estimating the cost of elections for the ensuing fiscal 722
year; 723

(P) Perform other duties as prescribed by law or the rules, 724
directives, or advisories of the secretary of state; 725

(Q) Investigate and determine the residence qualifications of 726
electors; 727

(R) Administer oaths in matters pertaining to the 728
administration of the election laws; 729

(S) Prepare and submit to the secretary of state, whenever
the secretary of state requires, a report containing the names and
residence addresses of all incumbent county, municipal, township,
and board of education officials serving in their respective
counties;

(T) Establish and maintain a voter registration database of
all qualified electors in the county who offer to register;

(U) Maintain voter registration records, make reports
concerning voter registration as required by the secretary of
state, and remove ineligible electors from voter registration
lists in accordance with law and directives of the secretary of
state;

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

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

"NOTICE 747

Ohio law prohibits any person from voting or attempting to
vote more than once at the same election. 748
749

Violators are guilty of a felony of the fourth degree and
shall be imprisoned and additionally may be fined in accordance
with law." 750
751
752

(X) In all cases of a tie vote or a disagreement in the
board, if no decision can be arrived at, the director or
chairperson shall submit the matter in controversy, not later than
fourteen days after the tie vote or the disagreement, to the
secretary of state, who shall summarily decide the question, and
the secretary of state's decision shall be final-i

(Y) Assist each designated agency, deputy registrar of motor 759

vehicles, public high school and vocational school, public 760
library, and office of a county treasurer in the implementation of 761
a program for registering voters at all voter registration 762
locations as prescribed by the secretary of state. Under this 763
program, each board of elections shall direct to the appropriate 764
board of elections any voter registration applications for persons 765
residing outside the county where the board is located within five 766
days after receiving the applications. 767

(Z) On any day on which an elector may vote in person at the 768
office of the board or at another site designated by the board, 769
consider the board or other designated site a polling place for 770
that day. All requirements or prohibitions of law that apply to a 771
polling place shall apply to the office of the board or other 772
designated site on that day. 773

Sec. 3501.17. (A) The expenses of the board of elections 774
shall be paid from the county treasury, in pursuance of 775
appropriations by the board of county commissioners, in the same 776
manner as other county expenses are paid. If the board of county 777
commissioners fails to appropriate an amount sufficient to provide 778
for the necessary and proper expenses of the board of elections 779
pertaining to the conduct of elections, the board of elections may 780
apply to the court of common pleas within the county, which shall 781
fix the amount necessary to be appropriated and the amount shall 782
be appropriated. Payments shall be made upon vouchers of the board 783
of elections certified to by its chairperson or acting chairperson 784
and the director or deputy director, upon warrants of the county 785
auditor. 786

The board of elections shall not incur any obligation 787
involving the expenditure of money unless there are moneys 788
sufficient in the funds appropriated therefor to meet the 789
obligation. If the board of elections requests a transfer of funds 790

from one of its appropriation items to another, the board of 791
county commissioners shall adopt a resolution providing for the 792
transfer except as otherwise provided in section 5705.40 of the 793
Revised Code. The expenses of the board of elections shall be 794
apportioned among the county and the various subdivisions as 795
provided in this section, and the amount chargeable to each 796
subdivision shall be withheld by the auditor from the moneys 797
payable thereto at the time of the next tax settlement. At the 798
time of submitting budget estimates in each year, the board of 799
elections shall submit to the taxing authority of each 800
subdivision, upon the request of the subdivision, an estimate of 801
the amount to be withheld from the subdivision during the next 802
fiscal year. 803

(B) Except as otherwise provided in ~~division~~ divisions (C) 804
and (F) of this section, the compensation of the members of the 805
board of elections and of the director, deputy director, and 806
regular employees in the board's offices, other than compensation 807
for overtime worked; the expenditures for the rental, furnishing, 808
and equipping of the office of the board and for the necessary 809
office supplies for the use of the board; the expenditures for the 810
acquisition, repair, care, and custody of the polling places, 811
booths, guardrails, and other equipment for polling places; the 812
cost of tally sheets, maps, flags, ballot boxes, and all other 813
permanent records and equipment; the cost of all elections held in 814
and for the state and county; and all other expenses of the board 815
which are not chargeable to a political subdivision in accordance 816
with this section shall be paid in the same manner as other county 817
expenses are paid. 818

(C) The compensation for overtime worked by members of boards 819
of elections and by the director, deputy director, and regular 820
employees in the office of a board of elections to prepare for and 821
conduct the primary or election; the compensation of judges of 822

elections and intermittent employees in the board's offices; the 823
cost of renting, moving, heating, and lighting polling places and 824
of placing and removing ballot boxes and other fixtures and 825
equipment thereof, including voting machines, marking devices, and 826
automatic tabulating equipment; the cost of printing and 827
delivering ballots, cards of instructions, registration lists 828
required under section 3503.23 of the Revised Code, and other 829
election supplies, including the supplies required to comply with 830
division (H) of section 3506.01 of the Revised Code; the cost of 831
contractors engaged by the board to prepare, program, test, and 832
operate voting machines, marking devices, and automatic tabulating 833
equipment; and all other expenses of conducting primaries and 834
elections in the odd-numbered years shall be charged to the 835
subdivisions in and for which such primaries or elections are 836
held. The charge for each primary or general election in 837
odd-numbered years for each subdivision shall be determined in the 838
following manner: first, the total cost of all chargeable items 839
used in conducting such elections shall be ascertained; second, 840
the total charge shall be divided by the number of precincts 841
participating in such election, in order to fix the cost per 842
precinct; third, the cost per precinct shall be prorated by the 843
board of elections to the subdivisions conducting elections ~~for~~ 844
~~the nomination or election of offices~~ in such precinct; fourth, 845
the total cost for each subdivision shall be determined by adding 846
the charges prorated to it in each precinct within the 847
subdivision. 848

(D) The entire cost of preparing for and conducting special 849
elections held on a day other than the day of a primary or general 850
election, both in odd-numbered or in even-numbered years, shall be 851
charged to the subdivision. Where a special election is held on 852
the same day as a primary or general election in an even-numbered 853
year, the subdivision submitting the special election shall be 854
charged only for the cost of ballots and advertising. Where a 855

special election is held on the same day as a primary or general 856
election in an odd-numbered year, the subdivision submitting the 857
special election shall be charged for the cost of ballots and 858
advertising for such special election, in addition to the charges 859
prorated to such subdivision for ~~the election or nomination of~~ 860
~~candidates in~~ each precinct within the subdivision, as set forth 861
in the preceding paragraph. 862

(E) Where a special election is held on the day specified by 863
division (E) of section 3501.01 of the Revised Code for the 864
holding of a primary election, for the purpose of submitting to 865
the voters of the state constitutional amendments proposed by the 866
general assembly, and a subdivision conducts a special election on 867
the same day, the entire cost of preparing for and conducting the 868
special election shall be divided proportionally between the state 869
and the subdivision based upon a ratio determined by the number of 870
issues placed on the ballot by each, except as otherwise provided 871
in division (G) of this section. Such proportional division of 872
cost shall be made only to the extent funds are available for such 873
purpose from amounts appropriated by the general assembly to the 874
secretary of state. If a primary election is also being conducted 875
in the subdivision, the costs shall be apportioned as otherwise 876
provided in this section. 877

(F) When a precinct is open during a general, primary, or 878
special election solely for the purpose of submitting to the 879
voters a statewide ballot issue, the state shall bear the entire 880
cost of the election in that precinct and shall reimburse the 881
county for all expenses incurred in opening the precinct. 882

(G) The state shall bear the entire cost of advertising in 883
newspapers statewide ballot issues, explanations of those issues, 884
and arguments for or against those issues, as required by Section 885
1g of Article II and Section 1 of Article XVI, Ohio Constitution, 886
and any other section of law. Appropriations made to the 887

controlling board shall be used to reimburse the secretary of 888
state for all expenses the secretary of state incurs for such 889
advertising under division (G) of section 3505.062 of the Revised 890
Code. 891

(H) The cost of renting, heating, and lighting registration 892
places; the cost of the necessary books, forms, and supplies for 893
the conduct of registration; and the cost of printing and posting 894
precinct registration lists shall be charged to the subdivision in 895
which such registration is held. 896

(I) At the request of a majority of the members of the board 897
of elections, the board of county commissioners may, by 898
resolution, establish an elections revenue fund. Except as 899
otherwise provided in this division, the purpose of the fund shall 900
be to accumulate revenue withheld by or paid to the county under 901
this section for the payment of any expense related to the duties 902
of the board of elections specified in section 3501.11 of the 903
Revised Code, upon approval of a majority of the members of the 904
board of elections. The fund shall not accumulate any revenue 905
withheld by or paid to the county under this section for the 906
compensation of the members of the board of elections or of the 907
director, deputy director, or other regular employees in the 908
board's offices, other than compensation for overtime worked. 909

Notwithstanding sections 5705.14, 5705.15, and 5705.16 of the 910
Revised Code, the board of county commissioners may, by 911
resolution, transfer money to the elections revenue fund from any 912
other fund of the political subdivision from which such payments 913
lawfully may be made. Following an affirmative vote of a majority 914
of the members of the board of elections, the board of county 915
commissioners may, by resolution, rescind an elections revenue 916
fund established under this division. If an elections revenue fund 917
is rescinded, money that has accumulated in the fund shall be 918
transferred to the county general fund. 919

(J) As used in this section: 920

(1) "Political subdivision" and "subdivision" mean any board 921
of county commissioners, board of township trustees, legislative 922
authority of a municipal corporation, board of education, or any 923
other board, commission, district, or authority that is empowered 924
to levy taxes or permitted to receive the proceeds of a tax levy, 925
regardless of whether the entity receives tax settlement moneys as 926
described in division (A) of this section; 927

(2) "Statewide ballot issue" means any ballot issue, whether 928
proposed by the general assembly or by initiative or referendum, 929
that is submitted to the voters throughout the state. 930

Sec. 3501.18. (A) The board of elections may divide a 931
political subdivision within its jurisdiction into precincts, 932
establish, define, divide, rearrange, and combine the several 933
election precincts within its jurisdiction, ~~and~~ or change the 934
location of the polling place for each precinct when it is 935
necessary to maintain the requirements as to the number of voters 936
in a precinct and to provide for the convenience of the voters and 937
the proper conduct of elections. Any change in the number of 938
precincts or in precinct boundaries shall be made in accordance 939
with any directive the secretary of state may provide and, if 940
applicable, division (C) of this section. No change in the number 941
of precincts or in precinct boundaries shall be made during the 942
twenty-five days immediately preceding a primary or general 943
election or between the first day of January and the day on which 944
the members of county central committees are elected in the years 945
in which those committees are elected. Except as otherwise 946
provided in division (C) of this section, each precinct shall 947
contain a number of electors, not to exceed one thousand four 948
hundred, that the board of elections determines to be a reasonable 949
number after taking into consideration the type and amount of 950

available equipment, prior voter turnout, the size and location of 951
each selected polling place, available parking, availability of an 952
adequate number of poll workers, and handicap accessibility and 953
other accessibility to the polling place. 954

If the board changes the boundaries of a precinct after the 955
filing of a local option election petition pursuant to sections 956
4301.32 to 4301.41, 4303.29, or 4305.14 of the Revised Code that 957
calls for a local option election to be held in that precinct, the 958
local option election shall be held in the area that constituted 959
the precinct at the time the local option petition was filed, 960
regardless of the change in the boundaries. 961

If the board changes the boundaries of a precinct in order to 962
meet the requirements of division (B)(1) of this section in a 963
manner that causes a member of a county central committee to no 964
longer qualify as a representative of an election precinct in the 965
county, of a ward of a city in the county, or of a township in the 966
county, the member shall continue to represent the precinct, ward, 967
or township for the remainder of the member's term, regardless of 968
the change in boundaries. 969

In an emergency, the board may provide more than one polling 970
place in a precinct. In order to provide for the convenience of 971
the voters, the board may locate polling places for voting or 972
registration outside the boundaries of precincts, provided that 973
the nearest public school or public building shall be used if the 974
board determines it to be available and suitable for use as a 975
polling place. Except in an emergency, no change in the number or 976
location of the polling places in a precinct shall be made during 977
the twenty-five days immediately preceding a primary or general 978
election. 979

Electors who have failed to respond within thirty days to any 980
confirmation notice shall not be counted in determining the size 981
of any precinct under this section. 982

(B)(1) Except as otherwise provided in division (B)(2) of 983
this section, a board of elections shall ~~determine~~ set all 984
precinct boundaries using geographical units used by the United 985
States department of commerce, bureau of the census, in reporting 986
the decennial census of Ohio. 987

(2) The board of elections may apply to the secretary of 988
state for a waiver from the requirement of division (B)(1) of this 989
section ~~when~~ if it is not feasible to comply with that requirement 990
because of unusual physical boundaries or residential development 991
practices that would cause unusual hardship for voters. The board 992
shall identify the affected precincts and census units, explain 993
the reason for the waiver request, and include a map illustrating 994
where the census units will be split because of the requested 995
waiver. If the secretary of state approves the waiver and so 996
notifies the board of elections in writing, the board may change a 997
precinct boundary as necessary under this section, notwithstanding 998
the requirement in division (B)(1) of this section. 999

1000

(C) The board of elections may apply to the secretary of 1001
state for a waiver from the requirement of division (A) of this 1002
section regarding the number of electors in a precinct when the 1003
use of geographical units used by the United States department of 1004
commerce, bureau of the census, will cause a precinct to contain 1005
more than one thousand four hundred electors. The board shall 1006
identify the affected precincts and census units, explain the 1007
reason for the waiver request, and include a map illustrating 1008
where census units will be split because of the requested waiver. 1009
If the secretary of state approves the waiver and so notifies the 1010
board of elections in writing, the board may change a precinct 1011
boundary as necessary to meet the requirements of division (B)(1) 1012
of this section. 1013

Sec. 3501.21. When the board of elections ~~considers it~~ 1014
~~necessary to change, divide, or combine~~ changes, divides, or 1015
combines any precinct or ~~to relocate~~ relocates a polling place in 1016
accordance with section 3501.18 of the Revised Code, it shall 1017
notify, prior to the next election, each of the registrants in the 1018
precinct of the change by mail. ~~On and after August 1, 2000, when~~ 1019
Within five days after the board approves changes to the 1020
boundaries of any precinct or relocation of a polling place, it 1021
shall notify the secretary of state of the change ~~not later than~~ 1022
~~forty five days after making the change.~~ 1023

Sec. 3501.30. (A) The board of elections shall provide for 1024
each polling place the necessary ballot boxes, official ballots, 1025
cards of instructions, registration forms, pollbooks or poll 1026
lists, tally sheets, forms on which to make summary statements, 1027
writing implements, paper, and all other supplies necessary for 1028
casting and counting the ballots and recording the results of the 1029
voting at the polling place. The pollbooks or poll lists shall 1030
have certificates appropriately printed on them for the signatures 1031
of all the precinct officials, by which they shall certify that, 1032
to the best of their knowledge and belief, the pollbooks or poll 1033
lists correctly show the names of all electors who voted in the 1034
polling place at the election indicated in the pollbooks or poll 1035
lists. 1036

All of the following shall be included among the supplies 1037
provided to each polling place: 1038

(1) A large map of each appropriate precinct, which shall be 1039
displayed prominently to assist persons who desire to register or 1040
vote on election day. Each map shall show all streets within the 1041
precinct and contain identifying symbols of the precinct in bold 1042
print. 1043

(2) Any materials, postings, or instructions required to 1044
comply with state or federal laws; 1045

(3) A flag of the United States approximately two and 1046
one-half feet in length along the top, which shall be displayed 1047
outside the entrance to the polling place during the time it is 1048
open for voting; 1049

(4) Two or more small flags of the United States 1050
approximately fifteen inches in length along the top, which shall 1051
be placed at a distance of one hundred feet from the polling place 1052
on the thoroughfares or walkways leading to the polling place, to 1053
mark the distance within which persons other than election 1054
officials, observers, police officers, and electors waiting to 1055
mark, marking, or casting their ballots shall not loiter, 1056
congregate, or engage in any kind of election campaigning. ~~Where~~ 1057
~~small flags cannot reasonably be placed one hundred feet from the~~ 1058
~~polling place, the presiding election judge shall place the flags~~ 1059
~~as near to one hundred feet from the entrance to the polling place~~ 1060
~~as is physically possible.~~ Police officers and all election 1061
officials shall see that this prohibition against loitering and 1062
congregating is enforced. 1063

When the period of time during which the polling place is 1064
open for voting expires, all of the flags described in this 1065
division shall be taken into the polling place and shall be 1066
returned to the board together with all other election supplies 1067
required to be delivered to the board. 1068

(B) The board of elections shall follow the instructions and 1069
advisories of the secretary of state in the production and use of 1070
polling place supplies. 1071

Sec. 3501.38. All declarations of candidacy, nominating 1072
petitions, or other petitions presented to or filed with the 1073
secretary of state or a board of elections or with any other 1074

public office for the purpose of becoming a candidate for any 1075
nomination or office or for the holding of an election on any 1076
issue shall, in addition to meeting the other specific 1077
requirements prescribed in the sections of the Revised Code 1078
relating to them, be governed by the following rules: 1079

(A) Only electors qualified to vote on the candidacy or issue 1080
which is the subject of the petition shall sign a petition. Each 1081
signer shall be a registered elector pursuant to section 3503.11 1082
of the Revised Code. The facts of qualification shall be 1083
determined as of the date when the petition is filed. 1084

(B) Signatures shall be affixed in ink. Each signer may also 1085
print the signer's name, so as to clearly identify the signer's 1086
signature. 1087

(C) Each signer shall place on the petition after the 1088
signer's name the date of signing and the location of the signer's 1089
voting residence, including the street and number if in a 1090
municipal corporation or the rural route number, post office 1091
address, or township if outside a municipal corporation. The 1092
voting address given on the petition shall be the address 1093
appearing in the registration records at the board of elections. 1094

(D) Except as otherwise provided in section 3501.382 of the 1095
Revised Code, no person shall write any name other than the 1096
person's own on any petition. Except as otherwise provided in 1097
section 3501.382 of the Revised Code, no person may authorize 1098
another to sign for the person. If a petition contains the 1099
signature of an elector two or more times, only the first 1100
signature shall be counted. 1101

(E)~~(1)~~ On each petition paper, the circulator shall indicate 1102
the number of signatures contained on it, and shall sign a 1103
statement made under penalty of election falsification that the 1104
circulator witnessed the affixing of every signature, that all 1105

signers were to the best of the circulator's knowledge and belief 1106
qualified to sign, and that every signature is to the best of the 1107
circulator's knowledge and belief the signature of the person 1108
whose signature it purports to be or of an attorney in fact acting 1109
pursuant to section 3501.382 of the Revised Code. On the 1110
circulator's statement for a ~~declaration of candidacy or~~ 1111
~~nominating petition for a person seeking to become a statewide~~ 1112
~~candidate or for a statewide initiative or a statewide referendum~~ 1113
petition paper, the circulator shall identify the circulator's 1114
name, the address of the circulator's permanent residence, and the 1115
name and address of the person employing the circulator to 1116
circulate the petition, if any. 1117

~~(2) As used in division (E) of this section, "statewide 1118
candidate" means the joint candidates for the offices of governor 1119
and lieutenant governor or a candidate for the office of secretary 1120
of state, auditor of state, treasurer of state, or attorney 1121
general.~~ 1122

(F) Except as otherwise provided in section 3501.382 of the 1123
Revised Code, if a circulator knowingly permits an unqualified 1124
person to sign a petition paper or permits a person to write a 1125
name other than the person's own on a petition paper, that 1126
petition paper is invalid; otherwise, the signature of a person 1127
not qualified to sign shall be rejected but shall not invalidate 1128
the other valid signatures on the paper. 1129

(G) The circulator of a petition may, before filing it in a 1130
public office, strike from it any signature the circulator does 1131
not wish to present as a part of the petition. 1132

(H) Any signer of a petition or an attorney in fact acting 1133
pursuant to section 3501.382 of the Revised Code on behalf of a 1134
signer may remove the signer's signature from that petition at any 1135
time before the petition is filed in a public office by striking 1136
the signer's name from the petition; no signature may be removed 1137

after the petition is filed in any public office. 1138

(I)(1) No alterations, corrections, or additions may be made 1139
to a petition after it is filed in a public office. 1140

(2)(a) No declaration of candidacy, nominating petition, or 1141
other petition for the purpose of becoming a candidate may be 1142
withdrawn after it is filed in a public office. Nothing in this 1143
division prohibits a person from withdrawing as a candidate as 1144
otherwise provided by law. 1145

(b) No petition presented to or filed with the secretary of 1146
state, a board of elections, or any other public office for the 1147
purpose of the holding of an election on any question or issue may 1148
be resubmitted after it is withdrawn from a public office. Nothing 1149
in this division prevents a question or issue petition from being 1150
withdrawn by the filing of a written notice of the withdrawal by a 1151
majority of the members of the petitioning committee with the same 1152
public office with which the petition was filed prior to the 1153
sixtieth day before the election at which the question or issue is 1154
scheduled to appear on the ballot. 1155

(J) All declarations of candidacy, nominating petitions, or 1156
other petitions under this section shall be accompanied by the 1157
following statement in boldface capital letters: WHOEVER COMMITS 1158
ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. 1159

(K) All separate petition papers shall be filed at the same 1160
time, as one instrument. 1161

(L) If a board of elections distributes for use a petition 1162
form for a declaration of candidacy, nominating petition, or any 1163
type of question or issue petition that does not satisfy the 1164
requirements of law as of the date of that distribution, the board 1165
shall not invalidate the petition on the basis that the petition 1166
form does not satisfy the requirements of law, if the petition 1167
otherwise is valid. Division (L) of this section applies only if 1168

the candidate received the petition from the board within ninety 1169
days of when the petition is required to be filed. 1170

Sec. 3503.01. (A) Every citizen of the United States who is 1171
of the age of eighteen years or over ~~and~~, who ~~has~~ will have been a 1172
resident of the state for thirty days ~~immediately preceding the by~~ 1173
the day of an election at which the citizen offers to vote, who is 1174
a resident of the county ~~and precinct~~ in which the citizen offers 1175
to vote, and ~~has~~ who will have been registered to vote for thirty 1176
days by the day of an election, has the qualifications of an 1177
elector and may vote at all elections in the precinct in which the 1178
citizen resides. 1179

(B) When only a portion of a precinct is included within the 1180
boundaries of an election district, the board of elections may 1181
assign the electors residing in such portion of a precinct to the 1182
nearest precinct or portion of a precinct within the boundaries of 1183
such election district for the purpose of voting at any special 1184
election held in such district. In any election in which only a 1185
part of the electors in a precinct is qualified to vote, the board 1186
may assign voters in such part to an adjoining precinct. Such 1187
assignment may be made to an adjoining precinct in another county 1188
with the consent and approval of the board of elections of such 1189
other county if the number of voters assigned to vote in a 1190
precinct in another county is two hundred or less. 1191

The board shall notify all such electors so assigned, at 1192
least ten days prior to the holding of any such election, of the 1193
location of the polling place where they are entitled to vote at 1194
such election. 1195

As used in division (B) of this section, "election district" 1196
means a school district, municipal corporation, township, or other 1197
political subdivision that includes territory in more than one 1198
precinct or any other district or authority that includes 1199

territory in more than one precinct and that is authorized by law 1200
to place an issue on the ballot at a special election. 1201

Sec. 3503.04. Persons who are inmates of a public or private 1202
institution who are citizens of the United States and have resided 1203
in this state thirty days immediately preceding the election, and 1204
who are otherwise qualified as to age ~~and residence within the~~ 1205
~~county~~ shall ~~have their lawful residence in the county, city,~~ 1206
~~village and township in which said~~ be permitted to register to 1207
vote at the address of that institution ~~is located~~ provided, that 1208
the lawful residence of a qualified elector who is an inmate in 1209
such an institution for temporary treatment only, shall be the 1210
residence from which ~~he~~ the elector entered such institution. 1211

Sec. 3503.06. (A) No person shall be entitled to vote at any 1212
election, or to sign ~~or circulate any declaration of candidacy or~~ 1213
~~any nominating, or recall~~ petition, unless the person is 1214
registered as an elector and will have resided in the county ~~and~~ 1215
~~precinct~~ where the person is registered for at least thirty days 1216
at the time of the next election. 1217

(B)~~(1)~~ No person shall be entitled to circulate any 1218
~~initiative or referendum~~ petition unless the person is ~~a resident~~ 1219
~~of this state~~ at least eighteen years of age. 1220

~~(2) All election officials, in determining the residence of a~~ 1221
~~person circulating a petition under division (B)(1) of this~~ 1222
~~section, shall be governed by the following rules:~~ 1223

~~(a) That place shall be considered the residence of a person~~ 1224
~~in which the person's habitation is fixed and to which, whenever~~ 1225
~~the person is absent, the person has the intention of returning.~~ 1226

~~(b) A person shall not be considered to have lost the~~ 1227
~~person's residence who leaves the person's home and goes into~~ 1228
~~another state for temporary purposes only, with the intention of~~ 1229

returning. 1230

~~(c) A person shall not be considered to have gained a residence in any county of this state into which the person comes for temporary purposes only, without the intention of making that county the permanent place of abode.~~ 1231
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~~(d) If a person removes to another state with the intention of making that state the person's residence, the person shall be considered to have lost the person's residence in this state.~~ 1235
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~~(e) Except as otherwise provided in division (B)(2)(f) of this section, if a person removes from this state and continuously resides outside this state for a period of four years or more, the person shall be considered to have lost the person's residence in this state, notwithstanding the fact that the person may entertain an intention to return at some future period.~~ 1238
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~~(f) If a person removes from this state to engage in the services of the United States government, the person shall not be considered to have lost the person's residence in this state during the period of that service, and likewise should the person enter the employment of the state, the place where that person resided at the time of the person's removal shall be considered to be the person's place of residence.~~ 1244
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~~(g) If a person goes into another state and, while there, exercises the right of a citizen by voting, the person shall be considered to have lost the person's residence in this state.~~ 1251
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~~(C) No person shall be entitled to sign any initiative or referendum petition unless the person is registered as an elector and will have resided in the county and precinct where the person is registered for at least thirty days at the time of the next election.~~ 1254
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Sec. 3503.10. (A) ~~Each designated agency shall designate The~~ 1259

secretary of state shall be the chief elections official who 1260
coordinates Ohio's responsibilities under section 7 of the 1261
National Voter Registration Act of 1993. To fulfill that 1262
responsibility, not later than one hundred twenty days after the 1263
effective date of this section or not later than one hundred 1264
twenty days after an agency is determined to be a designated 1265
agency in accordance with division (X) of section 3501.01 of the 1266
Revised Code, the secretary of state shall enter into a memorandum 1267
of understanding with the head of the state agency with 1268
supervisory authority over each designated agency for the purpose 1269
of prescribing a general program for registering voters or 1270
updating voter registration information, such as name and 1271
residence changes, consistent with the National Voter Registration 1272
Act of 1993. The secretary of state and the head of each 1273
applicable state agency shall enter into a new memorandum of 1274
understanding for the purpose of complying with section 7 of the 1275
National Voter Registration Act of 1993 every four years 1276
thereafter beginning on December 1, 2011. 1277

The designated agency shall agree to do all of the following, 1278
at a minimum, in the memorandum of understanding that it enters 1279
into with the secretary of state under this section: 1280

(1) Affirm its agreement to comply with the requirements of 1281
the National Voter Registration Act of 1993; 1282

(2) Create and submit, within ninety days after the agency 1283
and the secretary of state enter into the memorandum of 1284
understanding, an agency plan for implementing the general program 1285
for registering voters or updating voter registration information 1286
prescribed by the secretary of state; transmit that plan and any 1287
subsequent amendments to the secretary of state within five 1288
business days after the plan is approved by the head of the 1289
agency; post the plan on the agency's web site, if available, and 1290
at the agency's office; and update the plan within ninety days 1291

after entering into any future memorandum of understanding or 1292
whenever the agency deems such an update to be necessary; 1293

(3) Implement the general program for registering voters or 1294
updating voter registration information prescribed by the 1295
secretary of state and agree that the secretary of state may 1296
administer oaths, issue subpoenas, summon witnesses, compel the 1297
production of books, papers, records, and other evidence, and fix 1298
the time and place for hearing any matters relating to the 1299
administration and enforcement of this chapter and the memorandum 1300
of understanding; 1301

(4) Designate one person within that agency to serve as 1302
coordinator for the voter registration program within the agency 1303
and its departments, divisions, and programs. The designated 1304
person shall be trained under a program designed by the secretary 1305
of state and shall be responsible for administering all aspects of 1306
the voter registration program for that agency as prescribed by 1307
the secretary of state. The designated person shall receive no 1308
additional compensation for performing such duties. 1309

(5) Prominently place signs, prescribed by the secretary of 1310
state, in all designated agency offices alerting clients that they 1311
must be offered the opportunity to register to vote or to update 1312
their voter registration; 1313

(6) Report quarterly to the secretary of state all of the 1314
following: 1315

(a) The combined number of new and updated registrations 1316
received by the agency during the previous quarter; 1317

(b) The number of new registrations received by the agency 1318
during the previous quarter; 1319

(c) The number of updated registrations received by the 1320
agency during the previous quarter; 1321

(d) The number of people who were offered the opportunity to register or update their registrations but declined to do so at the agency during the previous quarter; and 1322
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(e) The total number of clients served by the agency during the previous quarter. 1325
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(7) Allow an individual to register a complaint to either the designated agency or, if available, to a central complaint hotline about an agency's failure to offer to clients the opportunity to register to vote or update their voter registrations; 1327
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(8) Agree that any individual or the secretary of state has the authority to initiate a mandamus action before the supreme court if the agency does not correct any deficiency in compliance with this chapter or the memorandum of understanding within forty-five days after receiving written notice of the deficiency from the individual or from the secretary of state; 1331
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(9) Provide electronic registration updates to the secretary of state, if applicable, upon request. 1337
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Not later than sixty days after the effective date of this section, the secretary of state shall provide to each designated agency such information as may be necessary for the agency to comply with the provisions required to be included in the memorandum of understanding entered into under this section, including, but not limited to, prescribed forms and signs, guidance for submitting required reports, and guidance for processing complaints. 1339
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(B) Every designated agency, public high school and vocational school, public library, and office of a county treasurer shall provide in each of its offices or locations voter registration applications and assistance in the registration of persons qualified to register to vote, in accordance with this chapter. 1347
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(C) Every designated agency shall distribute to its 1353
applicants, prior to or in conjunction with distributing a voter 1354
registration application, a form prescribed by the secretary of 1355
state that includes all of the following: 1356

(1) The question, "~~Do you want~~ If you are not registered to 1357
vote where you live now, would you like to apply to register to 1358
vote or update your current voter registration here 1359
today?"--followed by boxes for the applicant to indicate whether 1360
the applicant would like to register or decline to register to 1361
vote, and the statement, highlighted in bold print, "If you do not 1362
check either box, you will be considered to have decided not to 1363
register to vote at this time."; 1364

(2) If the agency provides public assistance, the statement, 1365
"Applying to register or declining to register to vote will not 1366
affect the amount of assistance that you will be provided by this 1367
agency."; 1368

(3) The statement, "If you would like help in filling out the 1369
voter registration application form, we will help you. The 1370
decision whether to seek or accept help is yours. You may fill out 1371
the application form in private."; 1372

(4) The statement, "If you believe that someone has 1373
interfered with your right to register or to decline to register 1374
to vote, your right to privacy in deciding whether to register or 1375
in applying to register to vote, or your right to choose your own 1376
political party or other political preference, you may file a 1377
complaint with the prosecuting attorney of your county or with the 1378
secretary of state," with the address and telephone number for 1379
each such official's office. 1380

(D) Each designated agency shall distribute a voter 1381
registration form prescribed by the secretary of state to each 1382
applicant with each application for service or assistance, and 1383

with each written application or form for recertification, 1384
renewal, or change of address. 1385

(E) Each designated agency shall do all of the following: 1386

(1) Have employees trained to administer the voter 1387
registration program in order to provide to each applicant who 1388
wishes to register to vote and who accepts assistance, the same 1389
degree of assistance with regard to completion of the voter 1390
registration application as is provided by the agency with regard 1391
to the completion of its own form; 1392

(2) Accept completed voter registration applications, voter 1393
registration change of residence forms, and voter registration 1394
change of name forms, regardless of whether the application or 1395
form was distributed by the designated agency, for transmittal to 1396
the office of the board of elections in the county in which the 1397
agency is located. Each designated agency and the appropriate 1398
board of elections shall establish a method by which the voter 1399
registration applications and other voter registration forms are 1400
transmitted to that board of elections within five business days 1401
after being accepted by the agency. 1402

(3) If the designated agency is one that is primarily engaged 1403
in providing services to persons with disabilities under a 1404
state-funded program, and that agency provides services to a 1405
person with disabilities at a person's home, provide the services 1406
described in divisions (E)(1) and (2) of this section at the 1407
person's home; 1408

(4) Keep as confidential, except as required by the secretary 1409
of state for record-keeping purposes, the identity of an agency 1410
through which a person registered to vote or updated the person's 1411
voter registration records, and information relating to a 1412
declination to register to vote made in connection with a voter 1413
registration application issued by a designated agency. 1414

(F) The secretary of state shall prepare and transmit written instructions on the implementation of the voter registration program within each designated agency, public high school and vocational school, public library, and office of a county treasurer. The instructions shall include directions as follows:

(1) That each person designated to assist with voter registration maintain strict neutrality with respect to a person's political philosophies, a person's right to register or decline to register, and any other matter that may influence a person's decision to register or not register to vote;

(2) That each person designated to assist with voter registration not seek to influence a person's decision to register or not register to vote, not display or demonstrate any political preference or party allegiance, and not make any statement to a person or take any action the purpose or effect of which is to lead a person to believe that a decision to register or not register has any bearing on the availability of services or benefits offered, on the grade in a particular class in school, or on credit for a particular class in school;

(3) Regarding when and how to assist a person in completing the voter registration application, what to do with the completed voter registration application or voter registration update form, and when the application must be transmitted to the appropriate board of elections;

(4) Regarding what records must be kept by the agency and where and when those records should be transmitted to satisfy reporting requirements imposed on the secretary of state under the National Voter Registration Act of 1993;

(5) Regarding whom to contact to obtain answers to questions about voter registration forms and procedures.

(G) If the voter registration activity is part of an in-class

voter registration program in a public high school or vocational school, whether prescribed by the secretary of state or independent of the secretary of state, the board of education shall do all of the following:

(1) Establish a schedule of school days and hours during these days when the person designated to assist with voter registration shall provide voter registration assistance;

(2) Designate a person to assist with voter registration from the public high school's or vocational school's staff;

(3) Make voter registration applications and materials available, as outlined in the voter registration program established by the secretary of state pursuant to section 3501.05 of the Revised Code;

(4) Distribute the statement, "applying to register or declining to register to vote will not affect or be a condition of your receiving a particular grade in or credit for a school course or class, participating in a curricular or extracurricular activity, receiving a benefit or privilege, or participating in a program or activity otherwise available to pupils enrolled in this school district's schools.";

(5) Establish a method by which the voter registration application and other voter registration forms are transmitted to the board of elections within five days after being accepted by the public high school or vocational school.

(H) Any person employed by the designated agency, public high school or vocational school, public library, or office of a county treasurer may be designated to assist with voter registration pursuant to this section. The designated agency, public high school or vocational school, public library, or office of a county treasurer shall provide the designated person, and make available such space as may be necessary, without charge to the county or

state. 1477

(I) The secretary of state shall prepare and ~~cause to be~~ 1478
~~displayed~~ designated agencies shall display in a prominent 1479
location in each designated agency a notice that identifies the 1480
person designated to assist with voter registration, the nature of 1481
that person's duties, and where and when that person is available 1482
for assisting in the registration of voters. 1483

A designated agency may furnish additional supplies and 1484
services to disseminate information to increase public awareness 1485
of the existence of a person designated to assist with voter 1486
registration in every designated agency. 1487

(J) This section does not limit any authority a board of 1488
education, superintendent, or principal has to allow, sponsor, or 1489
promote voluntary election registration programs within a high 1490
school or vocational school, including programs in which pupils 1491
serve as persons designated to assist with voter registration, 1492
provided that no pupil is required to participate. 1493

(K) Each public library and office of the county treasurer 1494
shall establish a method by which voter registration forms are 1495
transmitted to the board of elections within five days after being 1496
accepted by the public library or office of the county treasurer. 1497

(L) ~~The department of job and family services and its~~ 1498
~~departments, divisions, and programs shall limit administration of~~ 1499
~~the aspects of the voter registration program for the department~~ 1500
~~to the requirements prescribed by the secretary of state and the~~ 1501
~~requirements of this section and the National Voter Registration~~ 1502
~~Act of 1993. (1) The secretary of state may do any of the~~ 1503
following to effect compliance with this chapter: 1504

(a) Administer oaths, issue subpoenas, summon witnesses, 1505
compel the production of books, papers, records, and other 1506
evidence, and fix the time and place for hearing any matters 1507

relating to the administration and enforcement of this chapter and 1508
the memorandum of understanding required under this section; 1509

(b) Initiate a mandamus action before the supreme court if a 1510
designated agency fails, by the applicable deadline, to enter into 1511
the memorandum of understanding required by this section; 1512

(c) Initiate a mandamus action before the supreme court if 1513
the state or county office of a designated agency does not correct 1514
any deficiency in compliance with this chapter or the memorandum 1515
of understanding within forty-five days after receiving written 1516
notice of the deficiency from the secretary of state. 1517

(2) An individual may do any of the following to effect 1518
compliance with this chapter: 1519

(a) Initiate a mandamus action before the supreme court if a 1520
designated agency fails, by the applicable deadline, to enter into 1521
the memorandum of understanding required by this section; 1522

(b) Initiate a mandamus action before the supreme court if 1523
the state or county office of a designated agency does not correct 1524
any deficiency in compliance with this chapter or the memorandum 1525
of understanding within forty-five days after receiving written 1526
notice of the deficiency from the individual; 1527

(c) Initiate a mandamus action before the supreme court if 1528
the secretary of state does not correct any deficiency in the 1529
proper exercise of the duties of the secretary of state under this 1530
chapter or the memorandum of understanding within forty-five days 1531
after receiving written notice of the deficiency from the 1532
individual. 1533

(3) The head of a state agency with supervisory authority 1534
over a designated agency may do any of the following to effect 1535
compliance with this chapter: 1536

(a) Initiate a mandamus action before the supreme court if 1537

the secretary of state fails, by the applicable deadline, to enter 1538
into the memorandum of understanding required by this section; 1539

(b) Initiate a mandamus action before the supreme court if 1540
the secretary of state does not correct any deficiency in the 1541
proper exercise of the duties of the secretary of state under this 1542
chapter or the memorandum of understanding within forty-five days 1543
after receiving written notice of the deficiency from the state 1544
office of the designated agency; 1545

(c) Initiate a mandamus action before the supreme court if 1546
the county office of that designated agency does not correct any 1547
deficiency in compliance with this chapter or the memorandum of 1548
understanding within forty-five days after receiving written 1549
notice of the deficiency from the state office of that designated 1550
agency. 1551

Sec. 3503.11. ~~When any person applies for~~ The secretary of 1552
state, in consultation with the Ohio bureau of motor vehicles, 1553
shall adopt rules that require any change of address form 1554
submitted to change a person's address for a driver's license, 1555
commercial driver's license, a state of Ohio identification card 1556
issued under section 4507.50 of the Revised Code, or motorcycle 1557
operator's license or endorsement, or for the renewal or duplicate 1558
of any license or endorsement under Chapter 4506. or 4507. of the 1559
Revised Code, ~~the registrar of motor vehicles or deputy registrar~~ 1560
~~shall offer the applicant the opportunity to register to vote or~~ 1561
~~to update the applicant's voter registration~~ to also serve as 1562
notification of change of address for voter registration purposes 1563
unless the person states on the form that the change of address is 1564
not for voter registration purposes or the person is not a 1565
registered voter. The registrar of motor vehicles or deputy 1566
registrar ~~also~~ shall make available to all ~~other~~ customers voter 1567
registration applications and change of residence and change of 1568

~~name, forms, but is not required to offer assistance to these~~ 1569
~~customers in completing a voter registration application or other~~ 1570
~~form.~~ 1571

The registrar or deputy registrar shall send any completed 1572
registration application or any completed change of residence or 1573
change of name form to the board of elections of the county in 1574
which the office of the registrar or deputy registrar is located, 1575
within five business days after accepting the application or other 1576
form. 1577

The registrar shall collect from each deputy registrar 1578
through the reports filed under division (J) of section 4503.03 of 1579
the Revised Code and transmit to the secretary of state 1580
information on the number of voter registration applications and 1581
change of residence or change of name forms completed or declined, 1582
and any additional information required by the secretary of state 1583
to comply with the National Voter Registration Act of 1993. No 1584
information relating to an applicant's decision to decline to 1585
register or update the applicant's voter registration at the 1586
office of the registrar or deputy registrar may be used for any 1587
purpose other than voter registration record-keeping required by 1588
the secretary of state, and all such information shall be kept 1589
confidential. 1590

The secretary of state shall prescribe voter registration 1591
applications and change of residence and change of name forms for 1592
use by the bureau of motor vehicles. The bureau of motor vehicles 1593
shall supply all of its deputy registrars with a sufficient number 1594
of voter registration applications and change of residence and 1595
change of name forms. 1596

Sec. 3503.14. (A) The secretary of state shall prescribe the 1597
form and content of the registration, change of residence, and 1598
change of name forms used in this state. The forms shall meet the 1599

requirements of the National Voter Registration Act of 1993 and shall include spaces for all of the following:

- (1) The voter's name;
- (2) The voter's address;
- (3) The current date;
- (4) The voter's date of birth;
- (5) The voter to provide one or more of the following:
 - (a) The voter's Ohio driver's license number, if any;
 - (b) The last four digits of the voter's social security number, if any;
 - (c) ~~A copy of a current and valid photo identification, a copy of a military identification, 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 voter's name and address~~ The voter's identification.
- (6) The voter's signature.

The registration form shall include a space on which the person registering an applicant shall sign the person's name and provide the person's address and a space on which the person registering an applicant shall name the employer who is employing that person to register the applicant.

Except for forms prescribed by the secretary of state under section 3503.11 of the Revised Code, the secretary of state shall permit boards of elections to produce forms that have subdivided spaces for each individual alphanumeric character of the information provided by the voter so as to accommodate the electronic reading and conversion of the voter's information to

data and the subsequent electronic transfer of that data to the 1630
statewide voter registration database established under section 1631
3503.15 of the Revised Code. 1632

(B) None of the following persons who are registering an 1633
applicant in the course of that official's or employee's normal 1634
duties shall sign the person's name, provide the person's address, 1635
or name the employer who is employing the person to register an 1636
applicant on a form prepared under this section: 1637

(1) An election official; 1638

(2) A county treasurer; 1639

(3) A deputy registrar of motor vehicles; 1640

(4) An employee of a designated agency; 1641

(5) An employee of a public high school; 1642

(6) An employee of a public vocational school; 1643

(7) An employee of a public library; 1644

(8) An employee of the office of a county treasurer; 1645

(9) An employee of the bureau of motor vehicles; 1646

(10) An employee of a deputy registrar of motor vehicles; 1647

(11) An employee of an election official. 1648

(C) Except as provided in section 3501.382 of the Revised 1649
Code, any applicant who is unable to sign the applicant's own name 1650
shall make an "X," if possible, which shall be certified by the 1651
signing of the name of the applicant by the person filling out the 1652
form, who shall add the person's own signature. If an applicant is 1653
unable to make an "X," the applicant shall indicate in some manner 1654
that the applicant desires to register to vote or to change the 1655
applicant's name or residence. The person registering the 1656
applicant shall sign the form and attest that the applicant 1657
indicated that the applicant desired to register to vote or to 1658

change the applicant's name or residence. 1659

(D) No registration, change of residence, or change of name 1660
form shall be rejected solely on the basis that a person 1661
registering an applicant failed to sign the person's name or 1662
failed to name the employer who is employing that person to 1663
register the applicant as required under division (A) of this 1664
section. 1665

(E) As used in this section, "registering an applicant" 1666
includes any effort, for compensation, to provide voter 1667
registration forms or to assist persons in completing or returning 1668
those forms. 1669

Sec. 3503.141. (A) A board of elections that receives a voter 1670
registration application by mail shall determine whether the 1671
applicant has previously voted at a federal election in Ohio and 1672
whether the application includes any of the following information: 1673

(1) The applicant's Ohio driver's license number; 1674

(2) The last four digits of the applicant's social security 1675
number; or 1676

(3) A copy of a first-time mail-in registrant identification. 1677

(B) The board of elections shall cause the voter's name in 1678
the county's voter registration records and in the poll list or 1679
signature pollbook for the applicable precinct to be marked to 1680
indicate that the voter shall be required to provide first-time 1681
mail-in registrant identification when the voter appears to vote, 1682
if both of the following apply: 1683

(1) The application does not contain any of the forms of 1684
identification specified in division (A) of this section. 1685

(2) The applicant has not previously voted at a federal 1686
election in Ohio. 1687

(C) At the first election at which a voter whose name has 1688
been marked under division (B) of this section appears to vote, 1689
the voter shall be required to provide first-time mail-in 1690
registrant identification. 1691

(1) If the voter does not have or does not provide first-time 1692
mail-in registrant identification at that election, the voter 1693
shall be permitted to cast a provisional ballot under section 1694
3505.181 of the Revised Code. 1695

(2) If the voter provides first-time mail-in registrant 1696
identification at that election, the board shall remove the 1697
indication that first-time mail-in registrant identification is 1698
required from the county's voter registration records and the poll 1699
list or signature pollbook, and the voter shall be permitted to 1700
vote a regular ballot. 1701

Sec. 3503.142. The secretary of state shall coordinate with 1702
boards of elections to identify, collect, and distribute best 1703
practices for processing voter registrations, including, but not 1704
limited to, best practices for data entry and quality assurance. 1705
The secretary of state shall issue best practice instructions to 1706
boards of elections at least once every two years. 1707

Sec. 3503.15. (A) The secretary of state shall establish and 1708
maintain a statewide voter registration database that shall be 1709
continuously available to each board of elections and to other 1710
agencies as authorized by law. 1711

(B) The statewide voter registration database established 1712
under this section shall be the official list of registered voters 1713
for all elections conducted in this state. 1714

(C) The statewide voter registration database established 1715
under this section shall, at a minimum, include all of the 1716
following: 1717

(1) An electronic network that connects all board of elections offices with the office of the secretary of state and with the offices of all other boards of elections;

(2) A computer program that harmonizes the records contained in the database with records maintained by each board of elections;

(3) An interactive computer program that allows access to the records contained in the database by each board of elections and by any persons authorized by the secretary of state to add, delete, modify, or print database records, and to conduct updates of the database;

(4) A search program capable of verifying registered voters and their registration information by name, driver's license number, birth date, social security number, or current address;

(5) Safeguards and components to ensure that the integrity, security, and confidentiality of the voter registration information is maintained.

(D) The secretary of state shall adopt rules pursuant to Chapter 119. of the Revised Code doing all of the following:

(1) Specifying the manner in which existing voter registration records maintained by boards of elections shall be converted to electronic files for inclusion in the statewide voter registration database;

(2) Establishing a uniform method for entering voter registration records into the statewide voter registration database on an expedited basis, but not less than once per day, if new registration information is received;

(3) Establishing a uniform method for purging canceled voter registration records from the statewide voter registration database in accordance with section 3503.21 of the Revised Code;

(4) Specifying the persons authorized to add, delete, modify, 1748
or print records contained in the statewide voter registration 1749
database and to make updates of that database; 1750

(5) Establishing a process for annually auditing the 1751
information contained in the statewide voter registration 1752
database. 1753

(E) A board of elections promptly shall purge a voter's name 1754
and voter registration information from the statewide voter 1755
registration database in accordance with the rules adopted by the 1756
secretary of state under division (D)(3) of this section after the 1757
cancellation of a voter's registration under section 3503.21 of 1758
the Revised Code. 1759

(F) The secretary of state shall provide training in the 1760
operation of the statewide voter registration database to each 1761
board of elections and to any persons authorized by the secretary 1762
of state to add, delete, modify, or print database records, and to 1763
conduct updates of the database. 1764

(G)(1) The statewide voter registration database established 1765
under this section shall be made available on a web site of the 1766
office of the secretary of state as follows: 1767

(a) Except as otherwise provided in division (G)(1)(b) of 1768
this section, only the following information from the statewide 1769
voter registration database regarding a registered voter shall be 1770
made available on the web site: 1771

(i) The voter's name; 1772

(ii) The voter's address; 1773

(iii) The voter's precinct number; 1774

(iv) The voter's voting history. 1775

(b) During the thirty days before the day of a primary or 1776
general election, the web site interface of the statewide voter 1777

registration database shall permit a voter to search for the 1778
polling location at which that voter may cast a ballot. 1779

(2) The secretary of state shall establish, by rule adopted 1780
under Chapter 119. of the Revised Code, a process for boards of 1781
elections to notify the secretary of state of changes in the 1782
locations of precinct polling places for the purpose of updating 1783
the information made available on the secretary of state's web 1784
site under division (G)(1)(b) of this section. Those rules shall 1785
require a board of elections, during the thirty days before the 1786
day of a primary or general election, to notify the secretary of 1787
state within one business day of any change to the location of a 1788
precinct polling place within the county. 1789

(3) During the thirty days before the day of a primary or 1790
general election, not later than one business day after receiving 1791
a notification from a county pursuant to division (G)(2) of this 1792
section that the location of a precinct polling place has changed, 1793
the secretary of state shall update that information on the 1794
secretary of state's web site for the purpose of division 1795
(G)(1)(b) of this section. 1796

(H)(1) The secretary of state and the registrar of motor 1797
vehicles shall enter into an agreement to match information in the 1798
statewide voter registration database with information in the 1799
database of the registrar of motor vehicles to the extent required 1800
to enable each such official to verify the accuracy of the 1801
information provided on applications for voter registration, as 1802
required under 42 U.S.C. 15483. 1803

(2) The secretary of state shall establish, by rule adopted 1804
under Chapter 119. of the Revised Code, a process for notifying 1805
boards of elections of any relevant nonmatch that the secretary of 1806
state receives under division (H)(1) of this section. 1807

(3) The secretary of state shall establish, by rule adopted 1808

under Chapter 119. of the Revised Code, procedures for boards of 1809
elections to process relevant nonmatches. 1810

(4) Notwithstanding any provision of the Revised Code to the 1811
contrary, a nonmatch shall not be the sole reason for any of the 1812
following: 1813

(a) Failing to add a voter to the statewide voter 1814
registration database; 1815

(b) Challenging or upholding a challenge to a person's voter 1816
registration, a person's right to cast a regular or absent voter's 1817
ballot, or a person's completed regular, provisional, or absent 1818
voter's ballot; 1819

(c) Canceling a person's voter registration; 1820

(d) Requiring a person to vote a provisional ballot; or 1821

(e) Failing to provide a regular ballot or absent voter's 1822
ballot to an otherwise eligible voter. 1823

(5) As used in division (H) of this section, "nonmatch" means 1824
an individual's voter registration record in which any of the 1825
following data fields are not substantially the same when the 1826
secretary of state matches information in the statewide voter 1827
registration database with information in the database of the 1828
registrar of motor vehicles to the extent required to enable each 1829
such official to verify the accuracy of the information provided 1830
on applications for voter registration, as required under 42 1831
U.S.C. 15483: 1832

(a) Ohio driver's license number, if provided by the 1833
individual; 1834

(b) Last four digits of social security number if the 1835
individual did not provide an Ohio driver's license number and did 1836
provide the last four digits of the individual's social security 1837
number; 1838

(c) Date of birth; 1839

(d) Name (first name or derivative, and last name). 1840

Sec. 3503.16. (A) Whenever a registered elector changes the 1841
place of residence of that registered elector from one precinct to 1842
another within a county or from one county to another, or has a 1843
change of name, that registered elector shall report the change by 1844
delivering a change of residence or change of name form, whichever 1845
is appropriate, as prescribed by the secretary of state under 1846
section 3503.14 of the Revised Code to the state or local office 1847
of a designated agency, a public high school or vocational school, 1848
a public library, the office of the county treasurer, the office 1849
of the secretary of state, any office of the registrar or deputy 1850
registrar of motor vehicles, or any office of a board of elections 1851
in person or by a third person. Any voter registration, change of 1852
address, or change of name application, returned by mail, may be 1853
sent only to the secretary of state or the office of a board of 1854
elections. 1855

A registered elector also may update the registration of that 1856
registered elector by filing a change of residence or change of 1857
name form on the day of a special, primary, or general election at 1858
the polling place in the precinct in which that registered elector 1859
resides or at the board of elections or at another site designated 1860
by the board. 1861

(B)(1)~~(a)~~ Any registered elector who moves within a precinct 1862
on or prior to the day of a general, primary, or special election 1863
and has not filed a notice of change of residence with the board 1864
of elections may vote in that election pursuant to division (G) of 1865
this section or by going to that registered elector's assigned 1866
polling place, completing and signing a notice of change of 1867
residence, ~~showing identification in the form of a current and~~ 1868
~~valid photo identification, a military identification, or a copy~~ 1869

~~of a current utility bill, bank statement, government check, 1870
paycheck, or other government document, other than a notice of an 1871
election mailed by a board of elections under section 3501.19 of 1872
the Revised Code or a notice of voter registration mailed by a 1873
board of elections under section 3503.19 of the Revised Code, that 1874
shows the name and current address of the elector, and casting a 1875
ballot. If the elector provides either a driver's license or a 1876
state identification card issued under section 4507.50 of the 1877
Revised Code that does not contain the elector's current residence 1878
address, the elector shall provide the last four digits of the 1879
elector's driver's license number or state identification card 1880
number, and the precinct election official shall mark the poll 1881
list or signature pollbook to indicate that the elector has 1882
provided a driver's license or state identification card number 1883
with a former address and record the last four digits of the 1884
elector's driver's license number or state identification card 1885
number. 1886~~

~~(b) Any registered elector who changes the name of that 1887
registered elector and remains within a precinct on or prior to 1888
the day of a general, primary, or special election and has not 1889
filed a notice of change of name with the board of elections may 1890
vote in that election by going to that registered elector's 1891
assigned polling place, completing and signing a notice of a 1892
change of name, and casting a provisional ballot under section 1893
3505.181 of the Revised Code. 1894~~

(2) Any registered elector who moves from one precinct to 1895
another within a county ~~or moves from one precinct to another and~~ 1896
~~changes the name of that registered elector~~ on or prior to the day 1897
of a general, primary, or special election and has not filed a 1898
notice of change of residence ~~or change of name, whichever is~~ 1899
~~appropriate,~~ with the board of elections may vote in that election 1900
if that registered elector complies with division (G) of this 1901

section or does all of the following: 1902

(a) Appears at anytime during regular business hours ~~on or~~ 1903
after the ~~twenty eighth day prior to the election in which that~~ 1904
~~registered elector wishes to vote or, if the election is held on~~ 1905
~~the day of a presidential primary election, the twenty fifth day~~ 1906
~~prior to the election, through noon of the Saturday prior to the~~ 1907
~~election at the office of the board of elections, appears at any~~ 1908
~~time during regular business hours on the Monday prior to the~~ 1909
close of voter registration for that election at the office of the 1910
board of elections or at another location if pursuant to division 1911
(C) of section 3501.10 of the Revised Code the board has 1912
designated one or more other locations in the county at which 1913
registered electors may vote, or appears on the day of the 1914
election at either of the following locations: 1915

(i) The polling place in the precinct in which that 1916
registered elector resides; 1917

(ii) The office of the board of elections or, if pursuant to 1918
division (C) of section 3501.10 of the Revised Code the board has 1919
designated ~~another location~~ one or more other locations in the 1920
county at which registered electors may vote, at ~~that~~ such other 1921
location instead of the office of the board of elections. 1922

(b) Completes and signs, under penalty of election 1923
falsification, a notice of change of residence ~~or change of name,~~ 1924
~~whichever is appropriate,~~ and files it with election officials at 1925
the polling place, at the office of the board of elections, or, if 1926
pursuant to division (C) of section 3501.10 of the Revised Code 1927
the board has designated ~~another location~~ one or more other 1928
locations in the county at which registered electors may vote, at 1929
~~that~~ such other location instead of the office of the board of 1930
elections, whichever is appropriate; 1931

(c) ~~Votes~~ Casts a ~~provisional~~ ballot ~~under section 3505.181~~ 1932

~~of the Revised Code~~ at the polling place, at the office of the 1933
board of elections, or, if pursuant to division (C) of section 1934
3501.10 of the Revised Code the board has designated ~~another~~ 1935
~~location~~ one or more other locations in the county at which 1936
registered electors may vote, at ~~that~~ such other location instead 1937
of the office of the board of elections, whichever is appropriate, 1938
using the address to which that registered elector has moved ~~or~~ 1939
~~the name of that registered elector as changed, whichever is~~ 1940
~~appropriate;~~ 1941

(d) Completes and signs, under penalty of election 1942
falsification, a statement attesting that that registered elector 1943
moved ~~or had a change of name, whichever is appropriate,~~ on or 1944
prior to the day of the election, has voted a ~~provisional ballot~~ 1945
at the polling place in the precinct in which that registered 1946
elector resides, at the office of the board of elections, or, if 1947
pursuant to division (C) of section 3501.10 of the Revised Code 1948
the board has designated ~~another location~~ one or more other 1949
locations in the county at which registered electors may vote, at 1950
~~that~~ such other location instead of the office of the board of 1951
elections, whichever is appropriate, and will not vote or attempt 1952
to vote at any other location for that particular election. The 1953
statement required under division (B)(2)(d) of this section shall 1954
be included on the notice of change of residence ~~or change of~~ 1955
~~name, whichever is appropriate,~~ required under division (B)(2)(b) 1956
of this section. 1957

(C) Any registered elector who moves from one county to 1958
another county within the state on or prior to the day of a 1959
general, primary, or special election and has not registered to 1960
vote in the county to which that registered elector moved may vote 1961
in that election if that registered elector complies with division 1962
(G) of this section or does all of the following: 1963

(1) Appears at any time during regular business hours ~~on or~~ 1964

after the ~~twenty eighth day~~ prior to the election in which that 1965
registered elector wishes to vote or, if the election is held on 1966
the day of a presidential primary election, the ~~twenty fifth day~~ 1967
prior to the election, through noon of the Saturday prior to the 1968
election at the office of the board of elections or, if pursuant 1969
to ~~division (C) of section 3501.10 of the Revised Code~~ the board 1970
has designated another location in the county at which registered 1971
electors may vote, at that other location instead of the office of 1972
the board of elections, appears during regular business hours on 1973
the ~~Monday~~ prior to the close of voter registration for that 1974
election at the office of the board of elections or, if pursuant 1975
to division (C) of section 3501.10 of the Revised Code the board 1976
has designated ~~another location~~ one or more other locations in the 1977
county at which registered electors may vote, at ~~that~~ such other 1978
location instead of the office of the board of elections, or 1979
appears on the day of the election at the office of the board of 1980
elections or, if pursuant to division (C) of section 3501.10 of 1981
the Revised Code the board has designated ~~another location~~ one or 1982
more other locations in the county at which registered electors 1983
may vote, at ~~that~~ such other location instead of the office of the 1984
board of elections; 1985

(2) Completes and signs, under penalty of election 1986
falsification, a notice of change of residence and files it with 1987
election officials at the board of elections or, if pursuant to 1988
division (C) of section 3501.10 of the Revised Code the board has 1989
designated ~~another location~~ one or more other locations in the 1990
county at which registered electors may vote, at ~~that~~ such other 1991
location instead of the office of the board of elections; 1992

(3) ~~Votes~~ Casts a provisional ballot under section 3505.181 1993
of the Revised Code at the office of the board of elections or, if 1994
pursuant to division (C) of section 3501.10 of the Revised Code 1995
the board has designated ~~another location~~ one or more other 1996

locations in the county at which registered electors may vote, at 1997
~~that~~ such other location instead of the office of the board of 1998
elections, using the address to which that registered elector has 1999
moved; 2000

(4) Completes and signs, under penalty of election 2001
falsification, a statement attesting that that registered elector 2002
has moved from one county to another county within the state on or 2003
prior to the day of the election, has voted at the office of the 2004
board of elections or, if pursuant to division (C) of section 2005
3501.10 of the Revised Code the board has designated ~~another~~ 2006
~~location~~ one or more other locations in the county at which 2007
registered electors may vote, at ~~that~~ such other location instead 2008
of the office of the board of elections, and will not vote or 2009
attempt to vote at any other location for that particular 2010
election. The statement required under division (C)(4) of this 2011
section shall be included on the notice of change of residence 2012
required under division (C)(2) of this section. 2013

~~(D) A person who votes by absent voter's ballots pursuant to 2014
division (C) of this section shall not make written application 2015
for the ballots pursuant to Chapter 3509. of the Revised Code. 2016
Ballots cast pursuant to division (G) of this section shall be set 2017
aside in a special envelope and counted during the official 2018
canvass of votes in the manner provided for in sections 3505.32 2019
and 3509.06 of the Revised Code insofar as that manner is 2020
applicable. The board shall examine the pollbooks to verify that 2021
no ballot was cast at the polls or by absent voter's ballots under 2022
Chapter 3509. or 3511. of the Revised Code by an elector who has 2023
voted by absent voter's ballots pursuant to division (G) of this 2024
section. Any ballot determined to be insufficient for any of the 2025
reasons stated above or stated in section 3509.07 of the Revised 2026
Code shall not be counted. 2027~~

~~Subject to division (C) of section 3501.10 of the Revised 2028~~

~~Code, a board of elections may lease or otherwise acquire a site~~ 2029
~~different from the office of the board at which registered~~ 2030
~~electors may vote pursuant to division (B) or (C) of this section.~~ 2031

(1) Any registered elector who changes the elector's name on or 2032
prior to the day of a general, primary, or special election and 2033
has not filed a notice of change of name with the board of 2034
elections may vote in that election if that registered elector 2035
complies with division (G) of this section or does all of the 2036
following: 2037

(a) Appears at anytime during regular business hours after 2038
the close of voter registration for that election at the office of 2039
the board of elections or at another location if pursuant to 2040
division (C) of section 3501.10 of the Revised Code the board has 2041
designated one or more other locations in the county at which 2042
registered electors may vote, or appears on the day of the 2043
election at either of the following locations: 2044

(i) The polling place in the precinct in which that 2045
registered elector resides; 2046

(ii) The office of the board of elections or, if pursuant to 2047
division (C) of section 3501.10 of the Revised Code the board has 2048
designated one or more other locations in the county at which 2049
registered electors may vote, at such other location instead of 2050
the office of the board of elections. 2051

(b) Completes and signs, under penalty of election 2052
falsification, a notice of change of name and files it with 2053
election officials at the polling place, at the office of the 2054
board of elections, or, if pursuant to division (C) of section 2055
3501.10 of the Revised Code the board has designated one or more 2056
other locations in the county at which registered electors may 2057
vote, at such other location instead of the office of the board of 2058
elections, whichever is appropriate; 2059

(c) Casts a ballot at the polling place, at the office of the board of elections, or, if pursuant to division (C) of section 3501.10 of the Revised Code the board has designated one or more other locations in the county at which registered electors may vote, at such other location instead of the office of the board of elections, whichever is appropriate, using the name of that registered elector as changed;

(d) Completes and signs, under penalty of election falsification, a statement attesting that the registered elector changed the elector's name prior to the day of the election, has voted at the polling place in the precinct in which that registered elector resides, at the office of the board of elections, or, if pursuant to division (C) of section 3501.10 of the Revised Code the board has designated one or more other locations in the county at which registered electors may vote, at such other location instead of the office of the board of elections, whichever is appropriate, and will not vote or attempt to vote at any other location for that particular election. The statement required under division (D)(1)(d) of this section shall be included on the notice of change of name required under division (D)(1)(b) of this section.

(2) A registered elector who moves from one precinct to another within a county and changes the elector's name, on or prior to the day of a general, primary, or special election and has not filed a notice of change of residence and a notice of change of name with the board of elections prior to the thirtieth day before the day of the election may vote in that election if the registered elector complies with division (G) of this section or does both of the following:

(a) Complies with the procedures specified in division (B)(2) of this section for electors who move from one precinct to another within a county before an election; and

(b) Files the notice of change of name specified in division (D)(1)(b) of this section in addition to any change of residence required under division (B)(2) of this section. 2092
2093
2094

(3) A registered elector who moves from one county to another county and changes the elector's name on or prior to the day of a general, primary, or special election and has not filed a notice of change of residence and a notice of change of name with the board of elections prior to the thirtieth day before the day of the election may vote in that election if the registered elector complies with division (G) of this section or does both of the following: 2095
2096
2097
2098
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2100
2101
2102

(a) Complies with the procedures specified in division (C) of this section for electors who move from one county to another before an election; and 2103
2104
2105

(b) Files the notice of change of name specified in division (D)(1)(b) of this section in addition to any notice of change of residence required under division (C) of this section. 2106
2107
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(E) Upon receiving a change of residence or change of name form, the board of elections shall ~~immediately~~ promptly send the registrant an acknowledgment notice. If the change of residence or change of name form is valid, the board shall update the voter's registration as appropriate. If that form is incomplete, the board shall inform the registrant in the acknowledgment notice specified in this division of the information necessary to complete or update that registrant's registration. 2109
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(F) Change of residence and change of name forms shall be available at each polling place, and when these forms are completed, noting changes of residence or name, as appropriate, they shall be filed with election officials at the polling place. Election officials shall return completed forms, together with the pollbooks and tally sheets, to the board of elections. 2117
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The board of elections shall provide change of residence and 2123
change of name forms to the probate court and court of common 2124
pleas. The court shall provide the forms to any person eighteen 2125
years of age or older who has a change of name by order of the 2126
court or who applies for a marriage license. The court shall 2127
forward all completed forms to the board of elections within five 2128
days after receiving them. 2129

(G) A registered elector who otherwise would qualify to vote 2130
under division (B) ~~or~~, (C), or (D) of this section but is unable 2131
to appear at the office of the board of elections or, if pursuant 2132
to division (C) of section 3501.10 of the Revised Code the board 2133
has designated ~~another location~~ one or more other locations in the 2134
county at which registered electors may vote, at ~~that~~ such other 2135
location, ~~on account of personal illness, physical disability, or~~ 2136
~~infirmity~~, may vote ~~on the day of the~~ in that election if that 2137
registered elector does all of the following: 2138

(1) Makes a written application that includes all of the 2139
information required under section 3509.03 of the Revised Code to 2140
the appropriate board for an absent voter's ballot on or after the 2141
~~twenty-seventh~~ twenty-eighth day prior to the election in which 2142
the registered elector wishes to vote through noon of the Saturday 2143
prior to that election and requests that the absent voter's ballot 2144
be sent to the address to which the registered elector has moved 2145
if the registered elector has moved or moved and changed the 2146
elector's name, or to the address of ~~that~~ a registered elector who 2147
has not moved but has had a change of name; 2148

(2) Declares that the registered elector has moved ~~or~~, had a 2150
change of name, or both, ~~whichever is appropriate~~, and otherwise 2151
is qualified to vote under the circumstances described in ~~division~~ 2152
~~(B) or (C)~~ of this section, ~~whichever is appropriate~~, but that the 2153
registered elector is unable to appear at the board of elections 2154

~~because of personal illness, physical disability, or infirmity;~~ 2155
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(3) Completes and returns along with the completed absent 2157
voter's ballot a notice of change of residence indicating the 2158
address to which the registered elector has moved, ~~or~~ a notice of 2159
change of name, or both, whichever is appropriate; 2160

(4) Completes and signs, under penalty of election 2161
falsification, a statement attesting that the registered elector 2162
has moved ~~or~~, had a change of name, or both, on or prior to the 2163
day before the election, has voted by absent voter's ballot 2164
~~because of personal illness, physical disability, or infirmity~~ 2165
~~that prevented the registered elector from appearing at the board~~ 2166
~~of elections~~, and will not vote or attempt to vote at any other 2167
location or by absent voter's ballot mailed to any other location 2168
or address for that particular election. 2169

Sec. 3503.19. (A) Persons qualified to register or to change 2170
their registration because of a change of address or change of 2171
name may register or change their registration in person at any 2172
state or local office of a designated agency, at the office of the 2173
registrar or any deputy registrar of motor vehicles, at a public 2174
high school or vocational school, at a public library, at the 2175
office of a county treasurer, or at a branch office established by 2176
the board of elections, or in person, through another person, or 2177
by mail at the office of the secretary of state or at the office 2178
of a board of elections. A registered elector may also change the 2179
elector's registration on election day at any polling place where 2180
the elector is eligible to vote, in the manner provided under 2181
section 3503.16 of the Revised Code. 2182

Any state or local office of a designated agency, the office 2183
of the registrar or any deputy registrar of motor vehicles, a 2184
public high school or vocational school, a public library, or the 2185

office of a county treasurer shall transmit any voter registration 2186
application or change of registration form that it receives to the 2187
board of elections of the county in which the state or local 2188
office is located, within five business days after receiving the 2189
voter registration application or change of registration form. 2190

An otherwise valid voter registration application that is 2191
returned to the appropriate office other than by mail must be 2192
received by a state or local office of a designated agency, the 2193
office of the registrar or any deputy registrar of motor vehicles, 2194
a public high school or vocational school, a public library, the 2195
office of a county treasurer, the office of the secretary of 2196
state, or the office of a board of elections no later than the 2197
thirtieth day preceding a primary, special, or general election 2198
for the person to qualify as an elector eligible to vote at that 2199
election. An otherwise valid registration application received 2200
after that day entitles the elector to vote at all subsequent 2201
elections. 2202

Any state or local office of a designated agency, the office 2203
of the registrar or any deputy registrar of motor vehicles, a 2204
public high school or vocational school, a public library, or the 2205
office of a county treasurer shall date stamp a registration 2206
application or change of name or change of address form it 2207
receives using a date stamp that does not disclose the identity of 2208
the state or local office that receives the registration. 2209

Voter registration applications, if otherwise valid, that are 2210
returned by mail to the office of the secretary of state or to the 2211
office of a board of elections must be postmarked no later than 2212
the thirtieth day preceding a primary, special, or general 2213
election in order for the person to qualify as an elector eligible 2214
to vote at that election. If an otherwise valid voter registration 2215
application that is returned by mail does not bear a postmark or a 2216
legible postmark, the registration shall be valid for that 2217

election if received by the office of the secretary of state or 2218
the office of a board of elections no later than twenty-five days 2219
preceding any special, primary, or general election. 2220

(B)(1) Any person may apply in person, by telephone, by mail, 2221
or through another person for voter registration forms to the 2222
office of the secretary of state or the office of a board of 2223
elections. 2224

(2)(a) An applicant may return the applicant's completed 2225
registration form in person ~~or by mail~~ to any state or local 2226
office of a designated agency, to a public high school or 2227
vocational school, to a public library, or to the office of a 2228
county treasurer, or in person or by mail to the office of the 2229
secretary of state, ~~or to~~ the office of a board of elections. 2230

(b) Subject to division (B)(2)(c) of this section, an 2231
applicant may return the applicant's completed registration form 2232
through another person to any board of elections or the office of 2233
the secretary of state. 2234

(c) A person who receives compensation for registering a 2235
voter shall return any registration form entrusted to that person 2236
by an applicant to any board of elections or to the office of the 2237
secretary of state. 2238

(d) If a board of elections or the office of the secretary of 2239
state receives a registration form under division (B)(2)(b) or (c) 2240
of this section before the thirtieth day before an election, the 2241
board or the office of the secretary of state, as applicable, 2242
shall forward the registration to the board of elections of the 2243
county in which the applicant is seeking to register to vote 2244
within ten days after receiving the application. If a board of 2245
elections or the office of the secretary of state receives a 2246
registration form under division (B)(2)(b) or (c) of this section 2247
on or after the thirtieth day before an election, the board or the 2248

office of the secretary of state, as applicable, shall forward the 2249
registration to the board of elections of the county in which the 2250
applicant is seeking to register to vote within thirty days after 2251
that election. 2252

(C)(1) A board of elections that receives a voter 2253
registration application and is satisfied as to the truth of the 2254
statements made in the registration form shall register the 2255
applicant not later than ~~twenty~~ ten business days after receiving 2256
the application, unless that application is received during the 2257
~~thirty~~ twenty-eight days immediately preceding the day of an 2258
election. The board shall promptly notify the applicant in writing 2259
of each of the following: 2260

(a) The applicant's registration; 2261

(b) The precinct in which the applicant is to vote; 2262

(c) In bold type as follows: 2263

"Voters must bring identification to the polls in order to 2264
verify identity. Identification may include either a current and 2265
valid photo identification or any two current and valid items that 2266
list the voter's name in a manner that substantially conforms to 2267
the voter's name on the statewide voter registration database and 2268
are from a nonprofit organization, an institution, a business, or 2269
a government entity. Identification for a first-time voter who 2270
registered to vote by mail, did not include proper identification 2271
with the registration application, and has not previously voted in 2272
a federal election in Ohio may include a current and valid photo 2273
identification, a military identification, or a copy of a current 2274
utility bill, bank statement, government check, paycheck, or other 2275
government document, ~~other than this notification or a 2276~~
~~notification of an election mailed by a board of elections,~~ that 2277
shows the voter's name and current address. Voters who do not have 2278
or who do not provide one of these documents will still be able to 2279

~~vote by providing the last four digits of the voter's social
security number and by casting a provisional ballot. Voters who do
not have any of the above forms of identification, including a
social security number, will still be able to vote by signing an
affirmation swearing to the voter's identity under penalty of
election falsification and by casting a provisional ballot."~~

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The notification shall be by nonforwardable mail. If the mail
is returned to the board, it shall investigate and cause the
notification to be delivered to the correct address.

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(2) If the board does not accept the application for
registration, it shall notify the applicant, by whatever means of
contact the applicant has provided on the registration
application, of the reasons for rejecting the application and
request that the applicant provide whatever information or
verification is necessary to complete the application.

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The applicant may provide the required information by mail,
electronic mail, telephone, or facsimile transmission, through the
internet, or in person at the office of the board of elections. If
the application is missing a signature, the applicant may provide
a signed statement that the applicant submitted the application. A
signature provided on a signed statement under this division shall
be considered the applicant's signature on the application for the
purposes of processing an otherwise valid application for voter
registration.

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The secretary of state shall prescribe uniform standards for
processing additional information by mail, electronic mail,
telephone, facsimile transmission, through the internet, or in
person at the office of the board of elections under this
division.

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If the applicant provides the required information, the board

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shall promptly register the applicant. If the information is 2311
provided after the close of voter registration for the next 2312
election, the voter shall not be eligible to vote in that 2313
election. 2314

(3) If, after investigating as required under division (C)(1) 2315
of this section, the board is unable to verify the voter's correct 2316
address, it shall cause the voter's name in the official 2317
registration list and in the poll list or signature pollbook to be 2318
marked to indicate that the voter's notification was returned to 2319
the board. 2320

At the first election at which a voter whose name has been so 2321
marked appears to vote, the voter shall be required to provide 2322
identification to the election officials ~~and to vote by~~ 2323
~~provisional ballot under section 3505.181 of the Revised Code. If~~ 2324
~~the provisional ballot is counted pursuant to division (B)(3) of~~ 2325
~~section 3505.183 of the Revised Code~~ Based on the provided 2326
identification, the board shall correct that voter's registration, 2327
if needed, and shall remove the indication that the voter's 2328
notification was returned from that voter's name on the official 2329
registration list and on the poll list or signature pollbook. ~~If~~ 2330
~~the provisional ballot is not counted pursuant to division~~ 2331
~~(B)(4)(a)(i), (v), or (vi) of section 3505.183 of the Revised~~ 2332
~~Code, the voter's registration shall be canceled. The board shall~~ 2333
~~notify the voter by United States mail of the cancellation.~~ 2334

~~(3)(4)~~ (4) If a notice of the disposition of an otherwise valid 2336
registration application is sent by nonforwardable mail and is 2337
returned undelivered, the person shall be registered as provided 2338
in division (C)~~(2)~~(3) of this section and sent a confirmation 2339
notice by forwardable mail. If the person fails to respond to the 2340
confirmation notice, update the person's registration, or vote ~~by~~ 2341
~~provisional ballot as provided in division (C)(2) of this section~~ 2342

in any election during the period of two federal elections 2343
subsequent to the mailing of the confirmation notice, the person's 2344
registration shall be canceled. 2345

Sec. 3503.21. (A) The registration of a registered elector 2346
shall be canceled upon the occurrence of any of the following: 2347

(1) The filing by a registered elector of a written request 2348
with a board of elections, on a form prescribed by the secretary 2349
of state and signed by the elector, that the registration be 2350
canceled. The filing of such a request does not prohibit an 2351
otherwise qualified elector from reregistering to vote at any 2352
time. 2353

(2) The filing of a notice of the death of the registered 2354
elector as provided in division (F) of this section 3503.18 of the 2355
Revised Code or the filing of an official notice of death of the 2356
registered elector with the board of elections by the chief health 2357
officer of a jurisdiction outside of Ohio; 2358

(3) The conviction of the registered elector of a felony 2359
under the laws of this state, any other state, or the United 2360
States as provided in section 2961.01 of the Revised Code; 2361

(4) The adjudication of incompetency of the registered 2362
elector for the purpose of voting as provided in section 5122.301 2363
of the Revised Code; 2364

(5) The change of residence of the registered elector to a 2365
location outside the county of registration in accordance with 2366
division (B) of this section; 2367

(6) The failure of the registered elector, after having been 2368
mailed a confirmation notice, to do either of the following: 2369

(a) Respond to such a notice and vote at least once during a 2370
period of four consecutive years, which period shall include two 2371
general federal elections; 2372

(b) Update the elector's registration and vote at least once 2373
during a period of four consecutive years, which period shall 2374
include two general federal elections. 2375

(B)(1) The secretary of state shall prescribe procedures to 2376
identify and cancel the registration in a prior county of 2377
residence of any registrant who changes the registrant's voting 2378
residence to a location outside the registrant's current county of 2379
registration. Any procedures prescribed in this division shall be 2380
uniform and nondiscriminatory, and shall comply with the Voting 2381
Rights Act of 1965. The secretary of state may prescribe 2382
procedures under this division that include the use of the 2383
national change of address service provided by the United States 2384
postal system through its licensees. Any program so prescribed 2385
shall be completed not later than ninety days prior to the date of 2386
any primary or general election for federal office. 2387

(2) The registration of any elector identified as having 2388
changed the elector's voting residence to a location outside the 2389
elector's current county of registration shall not be canceled 2390
unless the registrant is sent a confirmation notice on a form 2391
prescribed by the secretary of state and the registrant fails to 2392
respond to the confirmation notice or otherwise update the 2393
registration and fails to vote in any election during the period 2394
of two federal elections subsequent to the mailing of the 2395
confirmation notice. 2396

(C) The registration of a registered elector shall not be 2397
canceled except as provided in this section, division (Q) of 2398
section 3501.05 of the Revised Code, ~~division (C)(2) of section~~ 2399
~~3503.19 of the Revised Code,~~ or division ~~(C)~~(E) of section 3503.24 2400
of the Revised Code. 2401

(D) Boards of elections shall send their voter registration 2402
information to the secretary of state as required under section 2403
3503.15 of the Revised Code. In the first quarter of each 2404

odd-numbered year, the secretary of state shall send the 2405
information to the national change of address service described in 2406
division (B) of this section and request that service to provide 2407
the secretary of state with a list of any voters sent by the 2408
secretary of state who have moved within the last thirty-six 2409
months. The secretary of state shall transmit to each appropriate 2410
board of elections whatever lists the secretary of state receives 2411
from that service. The board shall send a notice to each person on 2412
the list transmitted by the secretary of state requesting 2413
confirmation of the person's change of address, together with a 2414
postage prepaid, preaddressed return envelope containing a form on 2415
which the voter may verify or correct the change of address 2416
information. 2417

(E) The registration of a registered elector described in 2418
division (A)(6) or (B)(2) of this section shall be canceled not 2419
later than one hundred twenty days after the date of the second 2420
general federal election in which the elector fails to vote or not 2421
later than one hundred twenty days after the expiration of the 2422
four-year period in which the elector fails to vote or respond to 2423
a confirmation notice, whichever is later. 2424

(F)(1) The chief health officer of each political subdivision 2425
and the state director of health shall file with the board of 2426
elections, at least once each month, the names, dates of birth, 2427
dates of death, and residence addresses of all Ohio residents, 2428
over eighteen years of age, who have died within such subdivision 2429
or within this state or another state, respectively, within such 2430
month. 2431

(2) At least once each month the probate judge shall file 2432
with the board of elections the names and residence addresses of 2433
all persons over eighteen years of age who have been adjudicated 2434
incompetent for the purpose of voting, as provided in section 2435
5122.301 of the Revised Code. 2436

(3) At least once each month the clerk of the court of common pleas shall file with the board of elections the names and residence addresses of all persons who have been convicted and incarcerated during the previous month of crimes that would disfranchise such persons under existing laws of the state. Reports of conviction and incarceration of crimes under the laws of the United States that would disfranchise an elector and that are provided to the secretary of state by any United States attorney shall be forwarded by the secretary of state to the appropriate board of elections.

(4) Upon receipt of any report described in division (F)(1), (2), or (3) of this section, the board of elections shall promptly cancel the registration of the elector. If the report contains a residence address of an elector in a county other than the county in which the board of elections is located, the director shall promptly send a copy of the report to the appropriate board of elections, which shall cancel the registration.

Sec. 3503.24. (A) Application for the correction of any precinct registration list or a challenge of the right to vote of any registered elector may be made by any qualified elector of the county at the office of the board of elections not later than twenty days prior to the election. The ~~applications~~ application or ~~challenges~~ challenge, with the reasons for the application or challenge, shall be filed with the board on a form prescribed by the secretary of state and shall be signed under penalty of election falsification.

(B) A challenge to an elector's right to vote shall be considered by the board of elections only if the elector is being challenged on any of the following grounds:

(1) That the person is not a resident of the precinct in

which the person is registered to vote; 2468

(2) That the person is not a citizen of the United States; 2469

(3) That the person is not eighteen years of age or older; 2470

(4) That the person is not a qualified elector for that 2471
election. 2472

Challenges shall be made only if the challenger knows or 2473
reasonably believes that the challenged elector is not qualified 2474
and entitled to vote. 2475

(C) On receiving an application or challenge filed under this 2476
section, the board of elections promptly shall review the board's 2477
records. If the board is able to determine that an application or 2478
a challenge should be granted or denied solely on the basis of the 2479
records maintained by the board, the board immediately shall vote 2480
to grant or deny that application or challenge. 2481

~~If the board is not able to determine whether an application~~ 2482
~~or challenge should be granted or denied solely on the basis of~~ 2483
~~the records maintained by the board~~ If the board is able to 2484
determine that an application for the correction of any precinct 2485
registration list should be granted solely on the basis of the 2486
records maintained by the board, the board immediately shall vote 2487
to grant that application. 2488

Otherwise, the director shall promptly set a time and date 2489
for a hearing before the board. ~~Except as otherwise provided in~~ 2490
~~division (D) of this section, the~~ The hearing shall be held, and 2491
the application or challenge shall be decided, no later than ten 2492
days after the board receives the application or challenge. The 2493
director shall send written notice to any elector whose right to 2494
vote is challenged and to any person whose name is alleged to have 2495
been omitted from a registration list. The notice shall inform the 2496
person of ~~the time and date of the hearing, and of the person's~~ 2497
~~right to appear and testify, call witnesses, and be represented by~~ 2498

~~counsel. The all of the following:~~ 2499

(1) That an application for the correction of a precinct registration list or a challenge of the right to vote of the registered elector has been made; 2500
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(2) The name of the person submitting the application or challenge, as applicable, which shall be accompanied by a copy of the application or challenge form submitted to the board; 2503
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(3) The time, date, and place of the hearing; 2506

(4) That the elector has a right to appear and testify at the public hearing and present evidence relevant to the challenge or application; 2507
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(5) That the elector has a right to call and subpoena witnesses to appear at the hearing; 2510
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(6) That the elector has a right to be represented by counsel at the hearing and may cross-examine witnesses; 2512
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(7) That, at the conclusion of the hearing, the cancellation of the voter's registration or correction of the precinct registration list requires a majority vote of the members of the board of elections. 2514
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The notice shall be sent by first class mail no later than ~~three~~ seven days before the day of any scheduled hearing. The director shall also provide the person who filed the application or challenge with ~~such~~ the same written notice ~~of the date and time of the hearing.~~ 2518
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At the request of either party or any member of the board, the board shall issue subpoenas to witnesses to appear and testify before the board at a hearing held under this section. All witnesses shall testify under oath. ~~The~~

(D) The board shall reach a decision on all applications and challenges immediately after hearing. A public vote of three 2523
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members of the board shall be necessary to uphold a challenge on a 2529
person's right to vote or to correct a precinct registration list 2530
under this section. In the case of a tie vote or disagreement in 2531
the board, the board shall submit the matter and all related 2532
materials to the secretary of state in accordance with division 2533
(X) of section 3501.11 of the Revised Code. 2534

~~(C)~~(E) If the board decides that any such person is not 2535
entitled to have the person's name on the registration list, the 2536
person's name shall be removed from the list and the person's 2537
registration forms canceled. If the board decides that the name of 2538
any such person should appear on the registration list, it shall 2539
be added to the list, and the person's registration forms placed 2540
in the proper registration files. All such corrections and 2541
additions shall be made on a copy of the precinct lists, which 2542
shall constitute the poll lists, to be furnished to the respective 2543
precincts with other election supplies on the day preceding the 2544
election, to be used by the election officials in receiving the 2545
signatures of voters and in checking against the registration 2546
forms. 2547

~~(D)(1) If an application or challenge for which a hearing is~~ 2548
~~required to be conducted under division (B) of this section is~~ 2549
~~filed after the thirtieth day before the day of an election, the~~ 2550
~~board of elections, in its discretion, may postpone that hearing~~ 2551
~~and any notifications of that hearing until after the day of the~~ 2552
~~election. Any hearing postponed under this division shall be~~ 2553
~~conducted not later than ten days after the day of the election.~~ 2554

~~(2) The board of elections shall cause the name of any~~ 2555
~~registered elector whose registration is challenged and whose~~ 2556
~~challenge hearing is postponed under division (D)(1) of this~~ 2557
~~section to be marked in the official registration list and in the~~ 2558
~~poll list or signature pollbook for that elector's precinct to~~ 2559
~~indicate that the elector's registration is subject to challenge.~~ 2560

~~(3) Any elector who is the subject of an application or challenge hearing that is postponed under division (D)(1) of this section shall be permitted to vote a provisional ballot under section 3505.181 of the Revised Code. The validity of a provisional ballot cast pursuant to this section shall be determined in accordance with section 3505.183 of the Revised Code, except that no such provisional ballot shall be counted unless the hearing conducted under division (B) of this section after the day of the election results in the elector's inclusion in the official registration list.~~

Sec. 3503.28. (A) The secretary of state shall develop an information brochure regarding voter registration. The brochure shall include, but is not limited to, all of the following information:

(1) The applicable deadlines for registering to vote or for returning an applicant's completed registration form;

(2) The applicable deadline for returning an applicant's completed registration form if the person returning the form is being compensated for registering voters;

(3) The locations to which a person may return an applicant's completed registration form;

(4) The location to which a person who is compensated for registering voters may return an applicant's completed registration form;

(5) The registration and affirmation requirements applicable to persons who are compensated for registering voters under section 3503.29 of the Revised Code;

(6) A notice, which shall be written in bold type, stating as follows:

"Voters must bring identification to the polls in order to

verify identity. Identification may include a current and valid 2591
photo identification or any two current and valid items that list 2592
the voter's name in a manner that substantially conforms to the 2593
voter's name on the statewide voter registration database and are 2594
from a nonprofit organization, an institution, a business, or a 2595
government entity. Identification for a first-time voter who 2596
registered to vote by mail, did not include proper identification 2597
with the registration application, and has not previously voted in 2598
a federal election in Ohio may include a current and valid photo 2599
identification, a military identification, or a copy of a current 2600
utility bill, bank statement, government check, paycheck, or other 2601
government document, ~~other than a notice of an election or a voter~~ 2602
~~registration notification sent by a board of elections,~~ that shows 2603
the voter's name and current address. Voters who do not have or 2604
who do not provide one of these documents will still be able to 2605
vote ~~by providing the last four digits of the voter's social~~ 2606
~~security number and by casting a provisional ballot. Voters who do~~ 2607
~~not have any of the above forms of identification, including a~~ 2608
~~social security number, will still be able to vote by signing an~~ 2609
~~affirmation swearing to the voter's identity under penalty of~~ 2610
~~election falsification and by casting a provisional ballot."~~ 2611

(B) Except as otherwise provided in division (D) of this 2613
section, a board of elections, designated agency, public high 2614
school, public vocational school, public library, office of a 2615
county treasurer, or deputy registrar of motor vehicles shall 2616
distribute a copy of the brochure developed under division (A) of 2617
this section to any person who requests more than two voter 2618
registration forms at one time. 2619

(C)(1) The secretary of state shall provide the information 2620
required to be included in the brochure developed under division 2621
(A) of this section to any person who prints a voter registration 2622

form that is made available on a web site of the office of the 2623
secretary of state. 2624

(2) If a board of elections operates and maintains a web 2625
site, the board shall provide the information required to be 2626
included in the brochure developed under division (A) of this 2627
section to any person who prints a voter registration form that is 2628
made available on that web site. 2629

(D) A board of elections shall not be required to distribute 2630
a copy of a brochure under division (B) of this section to any of 2631
the following officials or employees who are requesting more than 2632
two voter registration forms at one time in the course of the 2633
official's or employee's normal duties: 2634

(1) An election official; 2635

(2) A county treasurer; 2636

(3) A deputy registrar of motor vehicles; 2637

(4) An employee of a designated agency; 2638

(5) An employee of a public high school; 2639

(6) An employee of a public vocational school; 2640

(7) An employee of a public library; 2641

(8) An employee of the office of a county treasurer; 2642

(9) An employee of the bureau of motor vehicles; 2643

(10) An employee of a deputy registrar of motor vehicles; 2644

(11) An employee of an election official. 2645

(E) As used in this section, "registering voters" includes 2646
any effort, for compensation, to provide voter registration forms 2647
or to assist persons in completing or returning those forms. 2648

Sec. 3505.03. On the office type ballot shall be printed the 2649
names of all candidates for election to offices, except judicial 2650

offices, who were nominated at the most recent primary election as 2651
candidates of a political party or who were nominated in 2652
accordance with section 3513.02 of the Revised Code, and the names 2653
of all candidates for election to offices who were nominated by 2654
nominating petitions, except candidates for judicial offices, for 2655
member of the state board of education, for member of a board of 2656
education, for municipal offices, and for township offices. 2657

The face of the ballot below the stub shall be substantially 2658
in the following form: 2659

~~"OFFICIAL OFFICE TYPE BALLOT~~ Official Office Type Ballot 2660

(A) To vote ~~for a candidate record, mark~~ your ~~vote in the~~ 2661
~~manner provided~~ choice next to the candidate's name ~~of such~~ 2662
~~candidate.~~ 2663

(B) If you ~~tear, soil, deface, or erroneously mark this~~ 2664
~~ballot, return it to the precinct election officers or, if you~~ 2665
~~cannot return it, notify the precinct election officers, and~~ 2666
~~obtain another ballot~~ make a mistake or want to change your vote, 2667
ask an election official for a new ballot. You may ask for a new 2668
ballot up to two times." 2669

The order in which the offices shall be listed on the ballot 2670
shall be prescribed by, and certified to each board of elections 2671
by, the secretary of state; provided that for state, district, and 2672
county offices the order from top to bottom shall be as follows: 2673
governor and lieutenant governor, attorney general, auditor of 2674
state, secretary of state, treasurer of state, United States 2675
senator, representative to congress, state senator, state 2676
representative, county commissioner, county auditor, prosecuting 2677
attorney, clerk of the court of common pleas, sheriff, county 2678
recorder, county treasurer, county engineer, and coroner. The 2679
offices of governor and lieutenant governor shall be printed on 2680
the ballot in a manner that requires a voter to cast one vote 2681
jointly for the candidates who have been nominated by the same 2682

political party or petition. 2683

The names of all candidates for an office shall be arranged 2684
in a group under the title of that office, and, except for 2685
~~absentee~~ absent voter's ballots or when the number of candidates 2686
for a particular office is the same as the number of candidates to 2687
be elected for that office, shall be rotated from one precinct to 2688
another. On ~~absentee~~ absent voter's ballots, the names of all 2689
candidates for an office shall be arranged in a group under the 2690
title of that office and shall be so alternated that each name 2691
shall appear, insofar as may be reasonably possible, substantially 2692
an equal number of times at the beginning, at the end, and in each 2693
intermediate place, if any, of the group in which such name 2694
belongs, unless the number of candidates for a particular office 2695
is the same as the number of candidates to be elected for that 2696
office. 2697

The method of printing the ballots to meet the rotation 2698
requirement of this section shall be as follows: the least common 2699
multiple of the number of names in each of the several groups of 2700
candidates shall be used, and the number of changes made in the 2701
printer's forms in printing the ballots shall correspond with that 2702
multiple. The board of elections shall number all precincts in 2703
regular serial sequence. In the first precinct, the names of the 2704
candidates in each group shall be listed in alphabetical order. In 2705
each succeeding precinct, the name in each group that is listed 2706
first in the preceding precinct shall be listed last, and the name 2707
of each candidate shall be moved up one place. In each precinct 2708
using paper ballots, the printed ballots shall then be assembled 2709
in tablets. ~~Under~~ 2710

The title of each office and the name of each candidate shall 2711
be printed flush left and shall not be centered on the ballot or 2712
in any column appearing on the ballot. The name of each candidate 2713
shall be printed using standard capitalization in accordance with 2714

instructions provided by the secretary of state and shall not be 2715
printed using all capital letters. 2716

Except as otherwise provided in any section of the Revised 2717
Code, the names of candidates for nomination or election to the 2718
same office shall not appear on different pages of a printed 2719
ballot. To the extent practical, the names of candidates for 2720
nomination or election to the same office shall not appear in 2721
different columns on the same page. 2722

Except as otherwise provided in any section of the Revised 2723
Code, the names of candidates for nomination or election to the 2724
same office shall not appear on different ballot screens on direct 2725
recording electronic voting machines. To the extent practical, the 2726
names of candidates for the same office shall not appear in 2727
different columns on the same screen. 2728

Under the name of each candidate nominated at a primary 2729
election ~~and each candidate~~ nominated pursuant to section 3513.02 2730
of the Revised Code, or certified by a party committee to fill a 2731
vacancy under section 3513.31 of the Revised Code shall be 2732
printed, in less prominent type face than that in which the 2733
candidate's name is printed, the name of the political party by 2734
which the candidate was nominated or certified. Under the name of 2735
each candidate appearing on the ballot who filed a nominating 2736
petition and requested a ballot designation as a nonparty 2737
candidate under section 3513.257 of the Revised Code shall be 2738
printed, in less prominent type face than that in which the 2739
candidate's name is printed, the designation of "nonparty 2740
candidate." Under the name of each candidate appearing on the 2741
ballot who filed a nominating petition and requested a ballot 2742
designation as an other-party candidate under section 3513.257 of 2743
the Revised Code shall be printed, in less prominent type face 2744
than that in which the candidate's name is printed, the 2745
designation of "other-party candidate." No designation shall 2746

appear under the name of a candidate appearing on the ballot who 2747
filed a nominating petition and requested that no ballot 2748
designation appear under the candidate's name under section 2749
3513.257 of the Revised Code, or who filed a nominating petition 2750
and failed to request a ballot designation either as a nonparty 2751
candidate or as an other-party candidate under that section. 2752

Except as provided in this section, no words, designations, 2753
or emblems descriptive of a candidate or the candidate's political 2754
affiliation, or indicative of the method by which the candidate 2755
was nominated or certified, shall be printed under or after a 2756
candidate's name that is printed on the ballot. 2757

Sec. 3505.04. On the nonpartisan ballot shall be printed the 2758
names of all nonpartisan candidates for election to judicial 2759
office, office of member of the state board of education, office 2760
of member of a board of education, municipal or township offices 2761
for municipal corporations and townships in which primary 2762
elections are not held for nomination of candidates by political 2763
parties, and municipal offices of municipal corporations having 2764
charters which provide for separate ballots for elections for such 2765
municipal offices. 2766

Such ballots shall have printed across the top, and below the 2767
stubs, "Official Nonpartisan Ballot." 2768

The order in which the offices are listed on the ballot shall 2769
be prescribed by, and certified to each board of elections by, the 2770
secretary of state; provided that the office of member of the 2771
state board of education shall be listed first on the ballot, then 2772
state, district, and county judicial offices shall be listed on 2773
the ballot in such order, followed by municipal and township 2774
offices, and by offices of member of a board of education, in the 2775
order stated. 2776

Within the rectangular space within which the title of each 2777

judicial office is printed on the ballot and immediately below 2778
such title shall be printed the date of the commencement of the 2779
term of the office, if a full term, as follows: "Full term 2780
commencing(Date).....," or the date of the end of the 2781
term of the office, if an unexpired term, as follows: "Unexpired 2782
term ending(Date)....." 2783

The secretary of state shall prescribe the information and 2784
directions to the voter to be printed on the ballot within the 2785
rectangular space in which the title of office of member of the 2786
state board of education appears. 2787

Within the rectangular space within which the title of each 2788
office for member of a board of education is printed on the ballot 2789
shall be printed "For Member of Board of Education," and the 2790
number to be elected, directions to the voter as to voting for 2791
one, two, or more, and, if the office to be voted for is member of 2792
a board of education of a city school district, words shall be 2793
printed in said space on the ballot to indicate whether candidates 2794
are to be elected from subdistricts or at large. 2795

The names of all nonpartisan candidates for an office shall 2796
be arranged in a group under the title of that office, and shall 2797
be rotated and printed on the ballot as provided in section 2798
3505.03 of the Revised Code. 2799

The title of each office and the name of each candidate shall 2800
be printed flush left and shall not be centered on the ballot or 2801
in any column appearing on the ballot. The name of each candidate 2802
shall be printed using standard capitalization in accordance with 2803
instructions provided by the secretary of state and shall not be 2804
printed using all capital letters. No name or designation of any 2805
political party nor any words, designations, or emblems 2806
descriptive of a candidate or ~~his~~ the candidate's political 2807
affiliation, or indicative of the method by which such candidate 2808
was nominated or certified, shall be printed under or after any 2809

nonpartisan candidate's name which is printed on the ballot. 2810

Sec. 3505.06. (A) On the questions and issues ballot shall be 2811
printed all questions and issues to be submitted at any one 2812
election together with the percentage of affirmative votes 2813
necessary for passage as required by law. Such ballot shall have 2814
printed across the top thereof, and below the stubs, "Official 2815
Questions and Issues Ballot." 2816

(B)(1) Questions and issues shall be grouped together on the 2817
ballot from top to bottom as provided in division (B)(1) of this 2818
section, except as otherwise provided in division (B)(2) of this 2819
section. State questions and issues shall always appear as the top 2820
group of questions and issues. In calendar year 1997, the 2821
following questions and issues shall be grouped together on the 2822
ballot, in the following order from top to bottom, after the state 2823
questions and issues: 2824

(a) County questions and issues; 2825

(b) Municipal questions and issues; 2826

(c) Township questions and issues; 2827

(d) School or other district questions and issues. 2828

In each succeeding calendar year after 1997, each group of 2829
questions and issues described in division (B)(1)(a) to (d) of 2830
this section shall be moved down one place on the ballot except 2831
that the group that was last on the ballot during the immediately 2832
preceding calendar year shall appear at the top of the ballot 2833
after the state questions and issues. The rotation shall be 2834
performed only once each calendar year, beginning with the first 2835
election held during the calendar year. The rotation of groups of 2836
questions and issues shall be performed during each calendar year 2837
as required by division (B)(1) of this section, even if no 2838
questions and issues from any one or more such groups appear on 2839

the ballot at any particular election held during that calendar year. 2840
2841

(2) Questions and issues shall be grouped together on the ballot, from top to bottom, in the following order when it is not practicable to group them together as required by division (B)(1) of this section because of the type of voting machines used by the board of elections: state questions and issues, county questions and issues, municipal questions and issues, township questions and issues, and school or other district questions and issues. The particular order in which each of a group of state questions or issues is placed on the ballot shall be determined by, and certified to each board of elections by, the secretary of state. 2842
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(3) Failure of the board of elections to rotate questions and issues as required by division (B)(1) of this section does not affect the validity of the election at which the failure occurred, and is not grounds for contesting an election under section 3515.08 of the Revised Code. 2852
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(C) The particular order in which each of a group of county, municipal, township, or school district questions or issues is placed on the ballot shall be determined by the board providing the ballots. 2857
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(D) The printed matter pertaining to each question or issue on the ballot shall be enclosed at the top and bottom thereof by a heavy horizontal line across the width of the ballot. Immediately below such top line shall be printed a brief title descriptive of the question or issue below it, such as "Proposed Constitutional Amendment," "Proposed Bond Issue," "Proposed Annexation of Territory," "Proposed Increase in Tax Rate," or such other brief title as will be descriptive of the question or issue to which it pertains, together with a brief statement of the percentage of affirmative votes necessary for passage, such as "A sixty-five per cent affirmative vote is necessary for passage," "A majority vote 2861
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is necessary for passage," or such other brief statement as will 2872
be descriptive of the percentage of affirmative votes required. 2873

(E)(1) The questions and issues ballot need not contain the 2874
full text of the proposal to be voted upon. A condensed text that 2875
will properly describe the question, issue, or an amendment 2876
proposed by other than the general assembly shall be used as 2877
prepared and certified by the secretary of state for state-wide 2878
questions or issues or by the board for local questions or issues. 2879
If other than a full text is used, the full text of the proposed 2880
question, issue, or amendment together with the percentage of 2881
affirmative votes necessary for passage as required by law shall 2882
be posted in each polling place in some spot that is easily 2883
accessible to the voters. 2884

(2)(a) Except as otherwise provided in division (E)(2)(b) of 2885
this section, ballot language for any state or local question, 2886
issue, or amendment shall not exceed three hundred words. 2887

(b) Division (E)(2)(a) of this section shall not apply to any 2888
question, issue, or amendment if the Revised Code or a municipal 2889
or county charter specifies a ballot form or ballot language for 2890
that question, issue, or amendment, and the ballot form or ballot 2891
language specified in the Revised Code or a municipal or county 2892
charter exceeds three hundred words. 2893

(F) Each question and issue appearing on the questions and 2894
issues ballot may be consecutively numbered. The question or issue 2895
determined to appear at the top of the ballot may be designated on 2896
the face thereof by the Arabic numeral "1" and all questions and 2897
issues placed below on the ballot shall be consecutively numbered. 2898
Such numeral shall be placed below the heavy top horizontal line 2899
enclosing such question or issue and to the left of the brief 2900
title thereof. 2901

Sec. 3505.062. The Ohio ballot board shall do all of the 2902

following: 2903

(A) Examine, within ten days after its receipt, each written 2904
initiative petition received from the attorney general under 2905
section 3519.01 of the Revised Code to determine whether it 2906
contains only one proposed law or constitutional amendment so as 2907
to enable the voters to vote on a proposal separately. If the 2908
board so determines, it shall certify its approval to the attorney 2909
general, who then shall file with the secretary of state in 2910
accordance with division (A) of section 3519.01 of the Revised 2911
Code a verified copy of the proposed law or constitutional 2912
amendment together with its summary and the attorney general's 2913
certification of it. 2914

If the board determines that the initiative petition contains 2915
more than one proposed law or constitutional amendment, the board 2916
shall divide the initiative petition into individual petitions 2917
containing only one proposed law or constitutional amendment so as 2918
to enable the voters to vote on each proposal separately and 2919
certify its approval to the attorney general. If the board so 2920
divides an initiative petition and so certifies its approval to 2921
the attorney general, the petitioners shall resubmit to the 2922
attorney general appropriate summaries for each of the individual 2923
petitions arising from the board's division of the initiative 2924
petition, and the attorney general then shall review the 2925
resubmissions as provided in division (A) of section 3519.01 of 2926
the Revised Code. 2927

(B) Prescribe the ballot language for constitutional 2928
amendments proposed by the general assembly to be printed on the 2929
questions and issues ballot, which language shall properly 2930
identify the substance of the proposal to be voted upon but shall 2931
not exceed three hundred words; 2932

(C) Prepare an explanation of each constitutional amendment 2933
proposed by the general assembly, which explanation may include 2934

the purpose and effects of the proposed amendment; 2935

(D) Certify the ballot language and explanation, if any, to 2936
the secretary of state no later than seventy-five days before the 2937
election at which the proposed question or issue is to be 2938
submitted to the voters; 2939

(E) Prepare, or designate a group of persons to prepare, 2940
arguments in support of or in opposition to a constitutional 2941
amendment proposed by a resolution of the general assembly, a 2942
constitutional amendment or state law proposed by initiative 2943
petition, or a state law, or section or item of state law, subject 2944
to a referendum petition, if the persons otherwise responsible for 2945
the preparation of those arguments fail to timely prepare and file 2946
them; 2947

(F) Direct the means by which the secretary of state shall 2948
disseminate information concerning proposed constitutional 2949
amendments, proposed laws, and referenda to the voters; 2950

(G) Direct the secretary of state to contract for the 2951
publication in a newspaper of general circulation in each county 2952
in the state of the ballot language, explanations, and arguments 2953
regarding each of the following: 2954

(1) A constitutional amendment or law proposed by initiative 2955
petition under Section 1g of Article II of the Ohio Constitution; 2956

(2) A law, section, or item of law submitted to the electors 2957
by referendum petition under Section 1g of Article II of the Ohio 2958
Constitution; 2959

(3) A constitutional amendment submitted to the electors by 2960
the general assembly under Section 1 of Article XVI of the Ohio 2961
Constitution. 2962

Sec. 3505.08. (A) Ballots shall be provided by the board of 2963
elections for all general and special elections. The ballots shall 2964

be printed with black ink on No. 2 white book paper fifty pounds 2965
in weight per ream assuming such ream to consist of five hundred 2966
sheets of such paper twenty-five by thirty-eight inches in size. 2967
Each ballot shall have attached at the top two stubs, each of the 2968
width of the ballot and not less than one-half inch in length, 2969
except that, if the board of elections has an alternate method to 2970
account for the ballots that the secretary of state has 2971
authorized, each ballot may have only one stub that shall be the 2972
width of the ballot and not less than one-half inch in length. In 2973
the case of ballots with two stubs, the stubs shall be separated 2974
from the ballot and from each other by perforated lines. The top 2975
stub shall be known as Stub B and shall have printed on its face 2976
"Stub B." The other stub shall be known as Stub A and shall have 2977
printed on its face "Stub A." Each stub shall also have printed on 2978
its face "Consecutive Number" 2979

Each ballot of each kind of ballot provided for use in each 2980
precinct shall be numbered consecutively beginning with number 1 2981
by printing such number upon both of the stubs attached to the 2982
ballot. ~~On ballots bearing the names of candidates, each 2983
candidate's name shall be printed in twelve point boldface upper 2984
case type in an enclosed rectangular space, and an enclosed blank 2985
rectangular space shall be provided at the left of the candidate's 2986
name. The name of the political party of a candidate nominated at 2987
a primary election or certified by a party committee shall be 2988
printed in ten point lightface upper and lower case type and shall 2989
be separated by a two point blank space. The name of each 2990
candidate shall be indented one space within the enclosed 2991
rectangular space, and the name of the political party shall be 2992
indented two spaces within the enclosed rectangular space.~~ 2993

~~The title of each office on the ballots shall be printed in 2994
twelve point boldface upper and lower case type in a separate 2995
enclosed rectangular space. A four point rule shall separate the 2996~~

~~name of a candidate or a group of candidates for the same office 2997
from the title of the office next appearing below on the ballot; a 2998
two point rule shall separate the title of the office from the 2999
names of candidates; and a one point rule shall separate names of 3000
candidates. Headings shall be printed in display Roman type. When 3001
the names of several candidates are grouped together as candidates 3002
for the same office, there shall be printed on the ballots 3003
immediately below the title of the office and within the separate 3004
rectangular space in which the title is printed "Vote for not more 3005
than, " in six point boldface upper and lower case filling 3006
the blank space with that number which will indicate the number of 3007
persons who may be lawfully elected to the office. 3008~~

~~Columns on ballots shall be separated from each other by a 3009
heavy vertical border or solid line at least one eighth of an inch 3010
wide, and a similar vertical border or line shall enclose the left 3011
and right side of ballots. Ballots shall be trimmed along the 3012
sides close to such lines. 3013~~

The ballots provided for by this section shall be comprised 3014
of four kinds of ballots designated as follows: office type 3015
ballot; nonpartisan ballot; questions and issues ballot; and 3016
presidential ballot. 3017

~~On the back of each office type ballot shall be printed 3018
"Official Office Type Ballot;" on the back of each nonpartisan 3019
ballot shall be printed "Official Nonpartisan Ballot;" on the back 3020
of each questions and issues ballot shall be printed "Official 3021
Questions and Issues Ballot;" and on the back of each presidential 3022
ballot shall be printed "Official Presidential Ballot." On the 3023
back of every ballot also shall be printed the date of the 3024
election at which the ballot is used and the facsimile signatures 3025
of the members of the board of the county in which the ballot is 3026
used. For the purpose of identifying the kind of ballot, the back 3027
of every ballot may be numbered in the order the board shall 3028~~

determine. The numbers shall be printed in not less than 3029
thirty-six point type above the words "Official Office Type 3030
Ballot," "Official Nonpartisan Ballot," "Official Questions and 3031
Issues Ballot," or "Official Presidential Ballot," as the case may 3032
be. Ballot boxes bearing corresponding numbers shall be furnished 3033
for each precinct in which the above-described numbered ballots 3034
are used. 3035

On ~~the back of~~ every ballot used, there shall be a solid 3036
black line printed opposite the blank rectangular space that is 3037
used to mark the choice of the voter. This line shall be printed 3038
wide enough so that the mark in the blank rectangular space will 3039
not be visible from the back side of the ballot. 3040

Sample ballots may be printed by the board of elections for 3041
all general elections. The ballots shall be printed on colored 3042
paper, and "Sample Ballot" shall be plainly printed in boldface 3043
type on the face of each ballot. ~~In counties of less than one 3044
hundred thousand population, the board may print not more than 3045
five hundred sample ballots; in all other counties, it may print 3046
not more than one thousand sample ballots.~~ The sample ballots 3047
shall not be distributed by a political party or a candidate, nor 3048
shall a political party or candidate cause their title or name to 3049
be imprinted on sample ballots. 3050

(B) Notwithstanding division (A) of this section, in 3051
approving the form of an official ballot, the secretary of state 3052
may authorize the use of fonts, type face settings, and ballot 3053
formats other than those prescribed in that division. 3054

Sec. 3505.10. (A) On the presidential ballot below the stubs 3055
at the top of the face of the ballot shall be printed "Official 3056
Presidential Ballot." ~~entered between the side edges of the 3057
ballot.~~ Below "Official Presidential Ballot" shall be printed a 3058
heavy line ~~entered~~ between the side edges of the ballot. Below 3059

the line shall be printed "~~Instruction~~ instructions to Voters" 3060
~~centered between the side edges of the ballot, and below those~~ 3061
~~words shall be printed the following instructions~~ voters, which 3062
shall be substantially as follows: 3063

~~"(1) To vote for the candidates for president and~~ 3064
~~vice president whose names are printed below, record your vote in~~ 3065
~~the manner provided next to the names of such candidates. That~~ 3066
~~recording of the vote will be counted as a vote for each of the~~ 3067
~~candidates for presidential elector whose names have been~~ 3068
~~certified to the secretary of state and who are members of the~~ 3069
~~same political party as the nominees for president and~~ 3070
~~vice president. A recording of the vote for independent candidates~~ 3071
~~for president and vice president shall be counted as a vote for~~ 3072
~~the presidential electors filed by such candidates with the~~ 3073
~~secretary of state.~~ 3074

~~(2) To vote for candidates for president and vice president~~ 3075
~~in the blank space below, record your vote in the manner provided~~ 3076
~~and write the names of your choice for president and~~ 3077
~~vice president under the respective headings provided for those~~ 3078
~~offices. Such write in will be counted as a vote for the~~ 3079
~~candidates' presidential electors whose names have been properly~~ 3080
~~certified to the secretary of state.~~ 3081

~~(3) If you tear, soil, deface, or erroneously mark this~~ 3082
~~ballot, return it to the precinct election officers or, if you~~ 3083
~~cannot return it, notify the precinct election officers, and~~ 3084
~~obtain another ballot."~~ 3085

"To vote for President and Vice-president, mark your choice 3086
next to the joint candidates' names." 3087

(B) Below those instructions to the voter shall be printed a 3088
single vertical column of enclosed rectangular spaces equal in 3089
number to the number of presidential candidates plus one 3090

additional space for write-in candidates. Each of those 3091
rectangular spaces shall be enclosed by a heavy line along each of 3092
its four sides, and such spaces shall be separated from each other 3093
by one-half inch of open space. 3094

In each of those enclosed rectangular spaces, except the 3095
space provided for write-in candidates, shall be printed the names 3096
of the candidates for president and vice-president certified to 3097
the secretary of state or nominated in one of the following 3098
manners: 3099

(1) Nominated by the national convention of a political party 3100
to which delegates and alternates were elected in this state at 3101
the next preceding primary election. A political party certifying 3102
candidates so nominated shall certify the names of those 3103
candidates to the secretary of state on or before the sixtieth day 3104
before the day of the general election. 3105

(2) Nominated by nominating petition in accordance with 3106
section 3513.257 of the Revised Code. Such a petition shall be 3107
filed on or before the seventy-fifth day before the day of the 3108
general election to provide sufficient time to verify the 3109
sufficiency and accuracy of signatures on it. 3110

(3) Certified to the secretary of state for placement on the 3111
presidential ballot by authorized officials of ~~an intermediate or~~ 3112
a minor political party that has held a state or national 3113
convention for the purpose of choosing those candidates or that 3114
may, without a convention, certify those candidates in accordance 3115
with the procedure authorized by its party rules. The officials 3116
shall certify the names of those candidates to the secretary of 3117
state on or before the sixtieth day before the day of the general 3118
election. The certification shall be accompanied by a designation 3119
of a sufficient number of presidential electors to satisfy the 3120
requirements of law. 3121

The names of candidates for electors of president and vice-president shall not be placed on the ballot, but shall be certified to the secretary of state as required by sections 3513.11 and 3513.257 of the Revised Code. A vote for any candidates for president and vice-president shall be a vote for the electors of those candidates whose names have been certified to the secretary of state.

(C) The arrangement of the printing in each of the enclosed rectangular spaces shall be substantially as follows: Near the top ~~and centered~~ within the rectangular space shall be printed "For President" in ten-point boldface upper and lower case type. Below "For President" shall be printed the name of the candidate for president in twelve-point boldface upper and lower case type. Below the name of the candidate for president shall be printed the name of the political party by which that candidate for president was nominated in eight-point lightface upper and lower case type. Below the name of such political party shall be printed "For Vice-President" in ten-point boldface upper and lower case type. Below "For Vice-President" shall be printed the name of the candidate for vice-president in twelve-point boldface upper and lower case type. Below the name of the candidate for vice-president shall be printed the name of the political party by which that candidate for vice-president was nominated in eight-point lightface upper and lower case type. No political identification or name of any political party shall be printed below the names of presidential and vice-presidential candidates nominated by petition. The title of each office and the name of each candidate shall be printed flush left and shall not be centered on the ballot or in any column appearing on the ballot.

The rectangular spaces on the ballot described in this section shall be rotated and printed as provided in section 3505.03 of the Revised Code.

Sec. 3505.12. The board of elections shall cause to be 3154
printed in English in twelve-point type on paper or cardboard 3155
instructions ~~as issued by the secretary of state~~ for the guidance 3156
of electors in marking their ballots. ~~Such instructions shall~~ 3157
~~inform the voters as to how to prepare the ballots for voting, how~~ 3158
~~to obtain a new ballot in case of accidentally spoiling one, and,~~ 3159
~~in a smaller type, a summary of the important sections of the~~ 3160
~~penal law relating to crimes against the elective franchise. The,~~ 3161
which shall be substantially as follows: 3162

"To vote, mark your choice next to the candidate's name or 3163
answer of your choice." 3164

If you make a mistake or want to change your vote, ask an 3165
election official for a new ballot. You may ask for a new ballot 3166
up to two times." 3167

The precinct election officials shall cause to be posted 3168
immediately in front of or on the polling place and in each voting 3169
shelf one or more of such cards of instructions. 3170

Sec. 3505.13. A contract for the printing of ballots 3171
involving a cost in excess of ~~ten~~ twenty-five thousand dollars 3172
shall not be let until after five days' notice published once in a 3173
leading newspaper published in the county or upon notice given by 3174
mail by the board of elections, addressed to the responsible 3175
printing offices within the state. Except as otherwise provided in 3176
this section, each bid for such printing must be accompanied by a 3177
bond with at least two sureties, or a surety company, satisfactory 3178
to the board, in a sum double the amount of the bid, conditioned 3179
upon the faithful performance of the contract for such printing as 3180
is awarded and for the payment as damages by such bidder to the 3181
board of any excess of cost over the bid which it may be obliged 3182
to pay for such work by reason of the failure of the bidder to 3183

complete the contract. No bid unaccompanied by such bond shall be 3184
considered by the board. The board may, however, waive the 3185
requirement that each bid be accompanied by a bond if the cost of 3186
the contract is ~~ten~~ twenty-five thousand dollars or less. The 3187
contract shall be let to the lowest responsible bidder in the 3188
state. All ballots shall be printed within the state. 3189

Sec. 3505.18. (A)(1) When an elector appears in a polling 3190
place to vote, the elector shall announce to the precinct election 3191
officials the elector's full name and current address and provide 3192
~~proof of the elector's identity in the form of a current and valid~~ 3193
~~photo identification. If the elector's voter registration record~~ 3194
~~is marked pursuant to section 3503.141 of the Revised Code, the~~ 3195
~~elector shall provide first-time mail-in registrant~~ 3196
~~identification, a military identification, or a copy of a current~~ 3197
~~utility bill, bank statement, government check, paycheck, or other~~ 3198
~~government document, other than a notice of an election mailed by~~ 3199
~~a board of elections under section 3501.19 of the Revised Code or~~ 3200
~~a notice of voter registration mailed by a board of elections~~ 3201
~~under section 3503.19 of the Revised Code, that shows the name and~~ 3202
~~current address of the elector. If the elector provides either a~~ 3203
~~driver's license or a state identification card issued under~~ 3204
~~section 4507.50 of the Revised Code that does not contain the~~ 3205
~~elector's current residence address, the elector shall provide the~~ 3206
~~last four digits of the elector's driver's license number or state~~ 3207
~~identification card number, and the precinct election official~~ 3208
~~shall mark the poll list or signature pollbook to indicate that~~ 3209
~~the elector has provided a driver's license or state~~ 3210
~~identification card number with a former address and record the~~ 3211
~~last four digits of the elector's driver's license number or state~~ 3212
~~identification card number.~~ 3213

(2) ~~If an elector has but is unable to provide to the~~ 3214
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~~precinct election officials any of the forms of identification 3216
required under division (A)(1) of this section, but has a social 3217
security number, the elector may provide the last four digits of 3218
the elector's social security number. Upon providing the social 3219
security number information, the elector may cast a provisional 3220
ballot under section 3505.181 of the Revised Code, the envelope of 3221
which ballot shall include that social security number 3222
information. 3223~~

~~(3) If an elector has but is unable to provide to the 3224
precinct election officials any of the forms of identification 3225
required under division (A)(1) of this section and if the elector 3226
has a social security number but is unable to provide the last 3227
four digits of the elector's social security number, the elector 3228
may cast a provisional ballot under section 3505.181 of the 3229
Revised Code. 3230~~

~~(4) If an elector does not have any of the forms of 3231
identification required under division (A)(1) of this section and 3232
cannot provide the last four digits of the elector's social 3233
security number because the elector does not have a social 3234
security number, the elector may execute an affirmation under 3235
penalty of election falsification that the elector cannot provide 3236
the identification required under that division or the last four 3237
digits of the elector's social security number for those reasons. 3238
Upon signing the affirmation, the elector may cast a provisional 3239
ballot under section 3505.181 of the Revised Code. The secretary 3240
of state shall prescribe the form of the affirmation, which shall 3241
include spaces for all of the following: 3242~~

- ~~(a) The elector's name; 3243~~
- ~~(b) The elector's address; 3244~~
- ~~(c) The current date; 3245~~
- ~~(d) The elector's date of birth; 3246~~

~~(c) The elector's signature.~~ 3247

~~(5) If an elector does not have any of the forms of identification required under division (A)(1) of this section and cannot provide the last four digits of the elector's social security number because the elector does not have a social security number, and if the elector declines to execute an affirmation under division (A)(4) of this section, the elector may cast a provisional ballot under section 3505.181 of the Revised Code, the envelope of which ballot shall include the elector's name.~~ 3248
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~~(6) If an elector has but does not have or declines to provide to the precinct election officials ~~any of the forms of~~ identification required under division (A)(1) of this section ~~or the elector has a social security number but declines to provide to the precinct election officials the last four digits of the elector's social security number,~~ the elector may cast a provisional ballot under section 3505.181 of the Revised Code.~~ 3257
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(B) After the elector has announced the elector's full name and current address and provided ~~any of the forms of~~ identification required under division (A)(1) of this section, the elector shall ~~write~~ confirm the elector's name and address by signing the elector's name at the proper place in the poll list or signature pollbook provided for the purpose, except that if, for any reason, an elector is unable to ~~write~~ sign the elector's name ~~and current address~~ in the poll list or signature pollbook, the elector may make the elector's mark at the place intended for the elector's name, and a precinct election official shall write the name of the elector at the proper place on the poll list or signature pollbook following the elector's mark. The making of such a mark shall be attested by the precinct election official, who shall evidence the same by signing the precinct election official's name on the poll list or signature pollbook as a 3264
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witness to the mark. Alternatively, if applicable, an attorney in fact acting pursuant to section 3501.382 of the Revised Code may sign the elector's signature in the poll list or signature pollbook in accordance with that section.

The elector's signature in the poll list or signature pollbook then shall be compared with the elector's signature on the elector's registration form or a digitized signature list as provided for in section 3503.13 of the Revised Code, and if, in the opinion of a majority of the precinct election officials, the signatures are the signatures of the same person, the election officials shall enter the date of the election on the registration form or shall record the date by other means prescribed by the secretary of state. The validity of an attorney in fact's signature on behalf of an elector shall be determined in accordance with section 3501.382 of the Revised Code.

If the right of the elector to vote is not then challenged, or, if being challenged, the elector establishes the elector's right to vote, the elector shall be allowed to proceed to use the voting machine. If voting machines are not being used in that precinct, the judge in charge of ballots shall then detach the next ballots to be issued to the elector from Stub B attached to each ballot, leaving Stub A attached to each ballot, hand the ballots to the elector, and call the elector's name and the stub number on each of the ballots. The judge shall enter the stub numbers opposite the signature of the elector in the pollbook. The elector shall then retire to one of the voting compartments to mark the elector's ballots. No mark shall be made on any ballot which would in any way enable any person to identify the person who voted the ballot.

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

(1) An individual who declares that the individual is a registered voter in the jurisdiction in which the individual desires to vote and that the individual is eligible to vote in an election, but the name of the individual does not appear on the official list of eligible voters for the polling place or an election official asserts that the individual is not eligible to vote;

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

(3) An individual who has but is unable to does not have or declines to provide to the election officials any of the forms of identification required under division (A)(1) of section 3505.18 of the Revised Code and who has a social security number but is unable to provide the last four digits of the individual's social security number as permitted under division (A)(2) of that section;

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

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

(6) An individual whose notification of registration has been

~~returned undelivered to the board of elections and whose name in 3341
the official registration list and in the poll list or signature 3342
pollbook has been marked under division (C)(2) of section 3503.19 3343
of the Revised Code; 3344~~

~~(7) An individual who is challenged under section 3505.20 of 3345
the Revised Code and the election officials determine that the 3346
person is ineligible to vote or are unable to determine the 3347
person's eligibility to vote; 3348~~

~~(8) An individual whose application or challenge hearing has 3349
been postponed until after the day of the election under division 3350
(D)(1) of section 3503.24 of the Revised Code; 3351~~

~~(9) An individual who changes the individual's name and 3352
remains within the precinct, moves from one precinct to another 3353
within a county, moves from one precinct to another and changes 3354
the individual's name, or moves from one county to another within 3355
the state, and completes and signs the required forms and 3356
statements under division (B) or (C) of section 3503.16 of the 3357
Revised Code; 3358~~

~~(10) An individual whose signature, in the opinion of the 3359
precinct officers under section 3505.22 of the Revised Code, is 3360
not that of the person who signed that name in the registration 3361
forms; 3362~~

~~(11) An individual who is challenged under section 3513.20 of 3363
the Revised Code who refuses to make the statement required under 3364
that section, who a majority of the precinct officials find lacks 3365
any of the qualifications to make the individual a qualified 3366
elector, or who a majority of the precinct officials find is not 3367
affiliated with or a member of the political party whose ballot 3368
the individual desires to vote; 3369~~

~~(12) An individual who does not have any of the forms of 3370
identification required under division (A)(1) of section 3505.18 3371~~

~~of the Revised Code, who cannot provide the last four digits of
the individual's social security number under division (A)(2) of
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~~

(4) Any person who is not, at the time the person appears to
vote, eligible to cast a regular or absent voter's ballot.

(B) Notwithstanding any provision of the Revised Code to the
contrary, no person who is deemed ineligible to cast a regular
ballot shall be denied, for any reason, the opportunity to cast a
provisional ballot under this section at any polling location.

(C) An individual who is eligible to cast a provisional
ballot under ~~division~~ divisions (A) and (B) 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.~~ 3402

~~(3) An election official shall provide the individual with a provisional ballot envelope containing the affirmation required under section 3505.182 of the Revised Code.~~ 3403
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(3) The individual shall complete the voter's portion of the affirmation. If the individual is unable to physically complete the voter's portion of the affirmation, an election official shall complete the voter's portion of the affirmation for the individual at the direction of the individual. 3406
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(4) The election official shall review the affirmation to determine if the voter's portion of the affirmation has been completed. If the election official finds that the voter's portion of the affirmation has been completed, the election official shall provide the individual with a provisional ballot. If the election official finds that the voter's portion of the affirmation has not been completed, the official shall direct the individual to properly complete the affirmation. If the individual refuses to complete the affirmation, the election official shall do all of the following: 3411
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(a) Write the individual's name on the affirmation in the space for the individual's name; 3421
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(b) Indicate on the affirmation form that the individual refused to complete the affirmation; 3423
3424

(c) Notify the individual that the provisional ballot will only be counted if the individual signs the affirmation; 3425
3426

(d) Provide the individual with a provisional ballot. 3427

(5) The voter shall place the voted provisional ballot in the completed envelope, seal the envelope, and return the envelope to the election official. 3428
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(6) An election official at the polling place shall transmit 3431

the voter's sealed provisional ballot cast by the individual, the 3432
voter information contained in the written affirmation executed by 3433
the individual under ~~division (B)(2)~~ of this section, or the 3434
individual's name if the individual declines to execute such an 3435
affirmation envelope to an appropriate local election official for 3436
verification under ~~division (B)(4)~~ of this section section 3437
3505.183 of the Revised Code. 3438

~~(4) If the appropriate local election official to whom the 3439
ballot or voter or address information is transmitted under 3440
division (B)(3) of this section determines that the individual is 3441
eligible to vote, the individual's provisional ballot shall be 3442
counted as a vote in that election.~~ 3443

~~(5)(7)(a) At the time that an individual casts a provisional 3444
ballot, the appropriate local election official shall give the 3445
individual written information that states that any individual who 3446
casts a provisional ballot will be able to ascertain under the 3447
system established under ~~division (B)(5)(C)(7)(b)~~ of this section 3448
whether the vote was counted, and, if the vote was not counted, 3449
the reason that the vote was not counted.~~ 3450

(b) The appropriate state or local election official shall 3451
establish a free access system, in the form of a toll-free 3452
telephone number, that any individual who casts a provisional 3453
ballot may access to discover whether the vote of that individual 3454
was counted, and, if the vote was not counted, the reason that the 3455
vote was not counted. The free access system established under 3456
this division also shall provide to an individual whose 3457
provisional ballot was not counted information explaining how that 3458
individual may contact the board of elections to register to vote 3459
or to resolve problems with the individual's voter registration. 3460

The appropriate state or local election official shall 3461
establish and maintain reasonable procedures necessary to protect 3462
the security, confidentiality, and integrity of personal 3463

information collected, stored, or otherwise used by the free 3464
access system established under this division. Access to 3465
information about an individual ballot shall be restricted to the 3466
individual who cast the ballot. 3467

~~(6) If, at the time that an individual casts a provisional 3468
ballot, the individual provides identification in the form of a 3469
current and valid photo identification, a military identification, 3470
or a copy of a current utility bill, bank statement, government 3471
check, paycheck, or other government document, other than a notice 3472
of an election mailed by a board of elections under section 3473
3501.19 of the Revised Code or a notice of voter registration 3474
mailed by a board of elections under section 3503.19 of the 3475
Revised Code, that shows the individual's name and current 3476
address, or provides the last four digits of the individual's 3477
social security number, or executes an affirmation that the 3478
elector does not have any of those forms of identification or the 3479
last four digits of the individual's social security number 3480
because the individual does not have a social security number, or 3481
declines to execute such an affirmation, the appropriate local 3482
election official shall record the type of identification 3483
provided, the social security number information, the fact that 3484
the affirmation was executed, or the fact that the individual 3485
declined to execute such an affirmation and include that 3486
information with the transmission of the ballot or voter or 3487
address information under division (B)(3) of this section. If the 3488
individual declines to execute such an affirmation, the 3489
appropriate local election official shall record the individual's 3490
name and include that information with the transmission of the 3491
ballot under division (B)(3) of this section. 3492~~

~~(7) If an individual casts a provisional ballot pursuant to 3493
division (A)(3), (7), (8), (12), or (13) of this section, the 3494
election official shall indicate, on the provisional ballot 3495~~

~~verification statement required under section 3505.182 of the Revised Code, that the individual is required to provide additional information to the board of elections or that an application or challenge hearing has been postponed with respect to the individual, such that additional information is required for the board of elections to determine the eligibility of the individual who cast the provisional ballot.~~

~~(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, 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- 3527

~~(b) For a provisional ballot cast pursuant to division (A)(7) 3528
of this section to be eligible to be counted, the individual who 3529
cast that ballot, within ten days after the day of that election, 3530
shall provide to the board of elections any identification or 3531
other documentation required to be provided by the applicable 3532
challenge questions asked of that individual under section 3505.20 3533
of the Revised Code. 3534~~

~~(C)(D)(1) If an individual declares that the individual is 3535
eligible to vote in a jurisdiction other than the jurisdiction in 3536
which the individual desires to vote, or if, upon review of the 3537
precinct voting location guide using the residential street 3538
address provided by the individual, an election official at the 3539
polling place at which the individual desires to vote determines 3540
that the individual is not eligible registered to vote in that 3541
jurisdiction precinct, the election official shall direct the 3542
individual to the polling place for the jurisdiction precinct in 3543
which the individual appears to be eligible registered to vote, 3544
explain that the individual may cast a provisional ballot at the 3545
current location but the ballot will not be counted if it is cast 3546
in the wrong precinct county, and provide the telephone number of 3547
the board of elections in case the individual has additional 3548
questions. 3549~~

~~(2) If the individual refuses to travel to the polling place 3550
for the correct jurisdiction or to the office of the board of 3551
elections to cast a ballot, the individual shall be permitted to 3552
vote a provisional ballot at that jurisdiction in accordance with 3553
division ~~(B)(C)~~ of this section. ~~If any of the following apply,~~ 3554
~~the provisional ballot cast by that individual shall not be opened~~ 3555
~~or counted. 3556~~~~

~~(a) The individual is not properly registered in that 3557
jurisdiction. 3558~~

~~(b) The individual is not eligible to vote in that election
in that jurisdiction.~~ 3559
3560

~~(c) The individual's eligibility to vote in that jurisdiction
in that election cannot be established upon examination of the
records on file with the board of elections.~~ 3561
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~~(D)~~(E) The appropriate local election official shall cause 3564
voting information to be publicly posted at each polling place on 3565
the day of each election. 3566

~~(E)~~(F) The secretary of state shall prescribe the form and 3567
content of provisional ballot envelopes. The provisional ballot 3568
envelopes prescribed under this division shall include the 3569
affirmation required by section 3505.182 of the Revised Code. 3570

The provisional ballot envelopes used by each board of 3571
elections in conducting provisional voting within a county shall 3572
conform to the form and content prescribed by the secretary of 3573
state under this division. 3574

(G) As used in this section and sections 3505.182 and 3575
3505.183 of the Revised Code: 3576

(1) "Jurisdiction" means the ~~precinct~~ county in which a 3577
person is a legally qualified elector. 3578

(2) "Precinct voting location guide" means either of the 3579
following: 3580

(a) An electronic or paper record that lists the correct 3581
~~jurisdiction~~ precinct and polling place for either each specific 3582
residential street address in the county or the range of 3583
residential street addresses located in each neighborhood block in 3584
the county; 3585

(b) Any other method that a board of elections creates that 3586
allows a precinct election official or any elector who is at a 3587
polling place in that county to determine the correct ~~jurisdiction~~ 3588

precinct and polling place of any qualified elector who resides in 3589
the county. 3590

(3) "Voting information" means all of the following: 3591

(a) A sample version of the ballot that will be used for that 3592
election; 3593

(b) Information regarding the date of the election and the 3594
hours during which polling places will be open; 3595

(c) Instructions on how to vote, including how to cast a vote 3596
and how to cast a provisional ballot; 3597

(d) Instructions for mail-in registrants and first-time 3598
voters under applicable federal and state laws; 3599

(e) General information on voting rights under applicable 3600
federal and state laws, including information on the right of an 3601
individual to cast a provisional ballot and instructions on how to 3602
contact the appropriate officials if these rights are alleged to 3603
have been violated; 3604

(f) General information on federal and state laws regarding 3605
prohibitions against acts of fraud and misrepresentation. 3606

(4) The "signature" of an individual on a provisional voter's 3607
affirmation includes all of the following: 3608

(a) An individual's mark attested by an election official who 3609
shall write the individual's name on the affirmation and sign the 3610
election official's name as a witness to the mark, if the 3611
individual is unable to physically sign the affirmation; 3612

(b) The attestation of two election officials who shall write 3613
the individual's name on the affirmation and sign the election 3614
officials' names, if the individual is unable to physically make 3615
any mark; and 3616

(c) The signature of an attorney in fact made pursuant to 3617
section 3501.382 of the Revised Code. 3618

~~Sec. 3505.182. Each individual who casts a provisional ballot~~ 3619
~~under section 3505.181 of the Revised Code shall execute a written~~ 3620
~~affirmation. The form of the written affirmation shall be printed~~ 3621
~~upon the face of the provisional ballot envelope and The secretary~~ 3622
~~of state shall prescribe the form and content of a provisional~~ 3623
~~voter's affirmation, which shall be substantially as follows:~~ 3624

"Provisional ~~Ballot~~ Voter's Affirmation 3625
3626

STATE OF OHIO 3627

TO BE COMPLETED BY PROVISIONAL BALLOT VOTER 3628

Voter's Provisional Ballot Affirmation 3629

Please review the following statement and sign. 3630

Your provisional ballot will be counted only if you sign this 3631
affirmation. 3632

~~"I, (Name of provisional voter),~~ 3633
~~solemnly swear or affirm that I am a registered voter in the~~ 3634
~~jurisdiction in which county where I am ~~voting~~ offering to vote~~ 3635
~~this ~~provisional~~ ballot and that I am eligible to vote in the~~ 3636
~~election in which I am voting this ~~provisional~~ ballot.~~ 3637

I understand that, ~~if the above provided information is not~~ 3638
~~fully completed and correct,~~ if the board of elections determines 3639
that I am not registered ~~to vote,~~ a resident of this precinct, or 3640
eligible to vote in this election, or if the board of elections 3641
determines that I have already voted in this election, my 3642
provisional ballot will not be counted. ~~I further understand that~~ 3643
~~knowingly providing false information is a violation of law and~~ 3644
~~subjects me to possible criminal prosecution.~~ 3645

I hereby declare, under penalty of election falsification, 3646
that the above statements are true and correct to the best of my 3647
knowledge and belief." 3648

.....	3649
(Signature of Voter)	3650
.....	3651
(Voter's date of birth)	3652
The last four digits of the voter's social security number	3653
.....	3654
(To be provided if the voter is unable to provide a current and valid photo identification, a military identification, 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)	3655
SIGNATURE OF VOTER (required):.....	3656
PRINT FIRST AND LAST NAME:.....	3657
ADDRESS:	3658
WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.	3659 3660
Additional Information For Determining Ballot Validity	3661
(May be completed at voter's discretion)	3662
Voter's current address:	3663

Voter's former address if	3664
photo identification does	
not contain voter's current	
address	
Voter's driver's license	3665
number or, if not provided	
above, the last four digits	
of voter's social security	
number	
(Please circle number type)	3666
(Voter may attach a copy of any of the following for	3667
identification purposes: a current and valid photo identification,	
a military identification, 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):	3668
..... Requested, but did not receive, absent voter's ballot	3669
..... Other	3670
Verification Statement	3671
(To be completed by election official)	3672
OPTIONAL VOTER REGISTRATION OR UPDATE	3673
<u>The following optional information may be helpful for the</u>	3674
<u>board of elections in processing your provisional ballot. However,</u>	3675
<u>none of the following information may be the only reason for</u>	3676
<u>invalidating your provisional ballot.</u>	3677
Name:	3678
Address:	3679
Date of birth:	3680

<u>Ohio driver's license number:</u>	3681
<u>Last four digits of your Social Security Number</u>	3682
<u>Are you a United States citizen? YES/NO (circle one)</u>	3683
<u>Will you be at least eighteen years of age on or before the</u>	3684
<u>next general election? YES/NO (circle one)</u>	3685
<u>For identification purposes, you may attach a copy of either</u>	3686
<u>a current and valid photo identification or a copy of any two</u>	3687
<u>current and valid items that list your name in a manner that</u>	3688
<u>substantially conforms to your name on the voter registration list</u>	3689
<u>and that are from a nonprofit organization, an institution, a</u>	3690
<u>business, or a government entity.</u>	3691
<u>TO BE COMPLETED BY ELECTION OFFICIAL AFTER VOTER RETURNS BALLOT</u>	3692
<u>The following must be completed by the election official</u>	3693
<u>assisting the voter with the provisional ballot.</u>	3694
<u>REASON THE VOTER RECEIVED A PROVISIONAL BALLOT (check one):</u>	3695
<u>..... Previously requested an absent voter's ballot or a</u>	3696
<u>regular ballot</u>	3697
<u>..... Name does not appear in the pollbook or poll list</u>	3698
<u>..... Did not present valid identification</u>	3699
The Provisional Balloe <u>Voter's</u> Affirmation printed above was	3700
subscribed and affirmed before me this day of	3701
..... (Month), (Year).	3702
(If applicable, the election official must check the	3703
following true statement concerning additional information needed	3704
to determine the eligibility of the provisional voter.)	3705
..... The provisional voter is required to provide	3706
additional information to the board of elections.	3707
..... An application or challenge hearing regarding this	3708
voter has been postponed until after the election.	3709

~~(The election official must check the following true statement concerning identification provided by the provisional voter, if any.)~~ 3710
3711
3712

~~..... The provisional voter provided a current and valid photo identification.~~ 3713
3714

~~..... The provisional voter provided a current valid photo identification, other than a driver's license or a state identification card, with the voter's former address instead of current address and has provided the election official both the current and former addresses.~~ 3715
3716
3717
3718
3719

~~..... The provisional voter provided a military identification 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, with the voter's name and current address.~~ 3720
3721
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~~..... The provisional voter provided the last four digits of the voter's social security number.~~ 3728
3729

~~..... The provisional voter is not able to provide a current and valid photo identification, a military identification, 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, with the voter's name and current address but does have one of these forms of identification. The provisional voter must provide one of the foregoing items of identification to the board of elections within ten days after the election.~~ 3730
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3740

~~..... The provisional voter is not able to provide a current
and valid photo identification, a military identification, 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, with
the voter's name and current address but does have one of these
forms of identification. Additionally, the provisional voter does
have a social security number but is not able to provide the last
four digits of the voter's social security number before voting.
The provisional voter must provide one of the foregoing items of
identification or the last four digits of the voter's social
security number to the board of elections within ten days after
the election.~~

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

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

~~..... The provisional voter declined to provide a current and
valid photo identification, a military identification, a copy of a
current utility bill, bank statement, government check, paycheck,
or other government document with the voter's name and current
address, or the last four digits of the voter's social security~~

~~number but does have one of these forms of identification or a 3773
social security number. The provisional voter must provide one of 3774
the foregoing items of identification or the last four digits of 3775
the voter's social security number to the board of elections 3776
within ten days after the election. 3777~~

I have notified the voter that the voter MUST/MUST NOT 3778
(circle one) provide additional information to the board of 3779
elections within 10 days after Election Day for this provisional 3780
ballot to be counted. 3781

(LIST INFORMATION TO BE PROVIDED, if applicable:) 3782
..... 3783
(Signature of Election Official)" 3784

~~In addition to any information required to be included on the 3785
written affirmation, an An individual casting a provisional ballot 3786
may provide additional information to the election official to 3787
assist the board of elections in determining the individual's 3788
eligibility to vote in that election, including the date and 3789
location at which the individual registered to vote, if known. Any 3790
information so provided shall not be the sole basis for 3791
invalidating the individual's provisional ballot. 3792~~

~~If the individual declines to execute the affirmation, an 3793
appropriate local election official shall comply with division 3794
(B)(6) of section 3505.181 of the Revised Code. 3795~~

Sec. 3505.183. (A) When the ballot boxes are delivered to the 3796
board of elections from the precincts, the board shall separate 3797
the provisional ballot envelopes from the rest of the ballots. 3798
Teams of employees of the board consisting of one member of each 3799
major political party shall place the sealed provisional ballot 3800
envelopes in a secure location within the office of the board. The 3801
sealed provisional ballot envelopes shall remain in that secure 3802
location until the validity of those ballots is determined under 3803

division (B) of this section. While the provisional ballot is 3804
stored in that secure location, and prior to the counting of the 3805
provisional ballots, if the board receives information regarding 3806
the validity of a specific provisional ballot ~~under division (B)~~ 3807
~~of this section~~, the board ~~may~~ shall note, on the sealed 3808
provisional ballot envelope for that ballot, whether the ballot is 3809
valid and entitled to be counted. 3810

(B)(1) ~~To determine~~ In determining whether a provisional 3811
ballot is valid and entitled to be counted, the board shall 3812
examine its registration records and ~~determine whether the~~ 3813
~~individual who cast the provisional ballot is registered and~~ 3814
~~eligible to vote in the applicable election. The board shall~~ 3815
~~examine the information contained in the written affirmation~~ 3816
~~executed by the individual who cast the provisional ballot under~~ 3817
~~division (B)(2) of section 3505.181 of the Revised Code. If the~~ 3818
~~individual declines to execute such an affirmation, the~~ 3819
~~individual's name, written by either the individual or the~~ 3820
~~election official at the direction of the individual, shall be~~ 3821
~~included in a written affirmation in order for the provisional~~ 3822
~~ballot to be eligible to be counted; otherwise, the following~~ 3823
~~information shall be included in the written affirmation in order~~ 3824
~~for the provisional ballot to be eligible to be counted:~~ 3825

(a) ~~The individual's name and signature;~~ 3826

(b) ~~A statement that the individual is a registered voter in~~ 3827
~~the jurisdiction in which the provisional ballot is being voted;~~ 3828

(c) ~~A statement that the individual is eligible to vote in~~ 3829
~~the election in which the provisional ballot is being voted.~~ 3830

(2) ~~In addition to the information required to be included in~~ 3831
~~an affirmation under division (B)(1) of this section, in~~ 3832
~~determining whether a provisional ballot is valid and entitled to~~ 3833
~~be counted, the board also shall examine any additional~~ 3834

information for determining ballot validity provided by the 3835
provisional voter on the affirmation, ~~provided by the provisional~~ 3836
~~voter to an election official under section 3505.182 of the~~ 3837
~~Revised Code,~~ or provided to the board of elections during the ten 3838
days after the day of the election ~~under division (B)(8) of~~ 3839
~~section 3505.181 of the Revised Code,~~ to assist the board in 3840
determining the individual's eligibility to vote. 3841

~~(3)(2)~~ If, in examining a provisional ballot affirmation and 3842
additional information ~~under divisions (B)(1) and (2) of this~~ 3843
~~section,~~ the board determines that all of the following apply, the 3844
provisional ballot envelope shall be opened, and the ballot shall 3845
be placed in a ballot box to be counted: 3846

(a) The individual's signature appears on the affirmation. 3847

~~(b)~~ The individual ~~named on the affirmation~~ is properly 3848
registered to vote. 3849

~~(b)(c)~~ The individual ~~named on the affirmation~~ is eligible to 3850
cast a ballot ~~in the precinct and~~ for the election in which the 3851
individual cast the provisional ballot. 3852

~~(c)~~ The individual ~~provided all of the information required~~ 3853
~~under division (B)(1) of this section in the affirmation that the~~ 3854
~~individual executed at the time the individual cast the~~ 3855
~~provisional ballot.~~ 3856

~~(d)~~ If applicable, the individual ~~provided any additional~~ 3857
~~information required under division (B)(8) of section 3505.181 of~~ 3858
~~the Revised Code within ten days after the day of the election.~~ 3859

~~(e)~~ If applicable, the hearing ~~conducted under division (B)~~ 3860
~~of section 3503.24 of the Revised Code after the day of the~~ 3861
~~election resulted in the individual's inclusion in the official~~ 3862
~~registration list.~~ 3863

~~(4)(a)(3)~~ If, in examining a provisional ballot affirmation 3864

and additional information ~~under divisions (B)(1) and (2) of this~~ 3865
~~section~~, the board determines that any of the following applies, 3866
the provisional ballot envelope shall not be opened, and the 3867
ballot shall not be counted: 3868

~~(i)(a) The individual's signature does not appear on the~~ 3869
~~affirmation.~~ 3870

~~(b) The individual named on the affirmation is not qualified~~ 3871
~~to vote or is not properly registered to vote.~~ 3872

~~(ii) The individual named on the affirmation is not eligible~~ 3873
~~to cast a ballot in the precinct or for the election in which the~~ 3874
~~individual cast the provisional ballot.~~ 3875

~~(iii) The individual did not provide all of the information~~ 3876
~~required under division (B)(1) of this section in the affirmation~~ 3877
~~that the individual executed at the time the individual cast the~~ 3878
~~provisional ballot.~~ 3879

~~(iv)(c) The individual has already cast a ballot for the~~ 3880
~~election in which the individual cast the provisional ballot.~~ 3881

~~(v) If applicable, the individual did not provide any~~ 3882
~~additional information required under division (B)(8) of section~~ 3883
~~3505.181 of the Revised Code within ten days after the day of the~~ 3884
~~election.~~ 3885

~~(vi) If applicable, the hearing conducted under division (B)~~ 3886
~~of section 3503.24 of the Revised Code after the day of the~~ 3887
~~election did not result in the individual's inclusion in the~~ 3888
~~official registration list.~~ 3889

~~(vii) The individual failed to provide a current and valid~~ 3890
~~photo identification, a military identification, a copy of a~~ 3891
~~current utility bill, bank statement, government check, paycheck,~~ 3892
~~or other government document, other than a notice of an election~~ 3893
~~mailed by a board of elections under section 3501.19 of the~~ 3894

~~Revised Code or a notice of voter registration mailed by a board 3895
of elections under section 3503.19 of the Revised Code, with the 3896
voter's name and current address, or the last four digits of the 3897
individual's social security number or to execute an affirmation 3898
under division (A) of section 3505.18 or division (B) of section 3899
3505.181 of the Revised Code. 3900~~

~~(b) If, in examining a provisional ballot affirmation and 3901
additional information under divisions (B)(1) and (2) of this 3902
section, the board is unable to determine either of the following, 3903
the provisional ballot envelope shall not be opened, and the 3904
ballot shall not be counted. 3905~~

~~(i) Whether the individual named on the affirmation is 3906
qualified or properly registered to vote; 3907~~

~~(ii) Whether the individual named on the affirmation is 3908
eligible to cast a ballot in the precinct or for the election in 3909
which the individual cast the provisional ballot. 3910~~

(C) If, in examining a provisional ballot affirmation and 3911
additional information that may have been provided by the 3912
provisional voter, the board determines that the individual named 3913
on the affirmation is a qualified elector but that the individual 3914
is registered to vote in a different precinct than the precinct in 3915
which the individual cast the provisional ballot, the board shall 3916
remake the provisional ballot on a ballot for the appropriate 3917
precinct to reflect the offices, questions, and issues for which 3918
the provisional voter was eligible to cast a ballot and for which 3919
the provisional voter attempted to cast a provisional ballot. The 3920
remade ballot shall be counted for each office, question, and 3921
issue for which the provisional voter was eligible to vote. 3922

(D)(1) For each provisional ballot rejected under division 3924
(B)(4)(3) of this section, the board shall record the name of the 3925

provisional voter who cast the ballot, the identification number 3926
of the provisional ballot envelope, the names of the election 3927
officials who determined the validity of that ballot, the date and 3928
time that the determination was made, and the reason that the 3929
ballot was not counted. 3930

(2) Provisional ballots that are rejected under division 3931
(B)~~(4)~~(3) of this section shall not be counted but shall be 3932
preserved in their provisional ballot envelopes unopened until the 3933
time provided by section 3505.31 of the Revised Code for the 3934
destruction of all other ballots used at the election for which 3935
ballots were provided, at which time they shall be destroyed. 3936

~~(D)~~(E) Provisional ballots that the board determines are 3937
eligible to be counted under division (B)~~(3)~~(2) of this section 3938
shall be counted in the same manner as provided for other ballots 3939
under section 3505.27 of the Revised Code. No provisional ballots 3940
shall be counted in a particular county until the board determines 3941
the eligibility to be counted of all provisional ballots cast in 3942
that county under division (B) of this section for that election. 3943
Observers, as provided in section 3505.21 of the Revised Code, may 3944
be present at all times that the board is determining the 3945
eligibility of provisional ballots to be counted and counting 3946
those provisional ballots determined to be eligible. No person 3947
shall recklessly disclose the count or any portion of the count of 3948
provisional ballots in such a manner as to jeopardize the secrecy 3949
of any individual ballot. 3950

~~(E)~~(F)(1) Except as otherwise provided in division ~~(E)~~(F)(2) 3951
of this section, nothing in this section shall prevent a board of 3952
elections from examining provisional ballot affirmations and 3953
additional information under ~~divisions~~ division (B)~~(1) and (2)~~ of 3954
this section to determine the eligibility of provisional ballots 3955
to be counted during the ten days after the day of an election. 3956

(2) A board of elections shall ~~not examine the provisional~~ 3957

~~ballot affirmation and additional information under divisions 3958
(B)(1) and (2) of this section of any provisional ballot for which 3959
an election official has indicated under division (B)(7) of 3960
section 3505.181 of the Revised Code that additional information 3961
is required for the board of elections to determine the 3962
eligibility of the individual who cast that provisional ballot 3963
until the individual provides any information required under 3964
division (B)(8) of section 3505.181 of the Revised Code, until any 3965
hearing required to be conducted under section 3503.24 of the 3966
Revised Code with regard to the provisional voter is held, or 3967
until vote not earlier than the eleventh day after the day of the 3968
election, ~~whichever is earlier~~ to certify the validity of any 3969
provisional ballot. 3970~~

Sec. 3505.20. (A) Any person offering to vote may be 3971
challenged at the polling place by any judge of elections on any 3972
of the following grounds: 3973

(1) That the person is not a citizen of the United States; 3974

(2) That the person is not a resident of the precinct in 3975
which the person offers to vote; 3976

(3) That the person is not eighteen years of age or older; 3977

(4) That the person is not a qualified elector for that 3978
election. 3979

Challenges shall be made only if the challenger knows or 3980
reasonably believes that the challenged elector is not qualified 3981
and entitled to vote. If the board of elections has ruled on the 3982
question presented by a challenge prior to election day, its 3983
finding and decision shall be final, ~~and~~ the presiding judge shall 3984
be notified in writing, and the judges of elections shall not 3985
challenge the elector on that ground. ~~If the board has not ruled,~~ 3986
~~the question shall be determined as set forth in this section. If~~ 3987

any person is ~~se~~ challenged as unqualified to vote, the presiding 3988
judge shall tender the person the following oath: "You do swear or 3989
affirm under penalty of election falsification that you will fully 3990
and truly answer all of the following questions put to you 3991
concerning your qualifications as an elector at this election." 3992
3993

~~(A)(B)~~ If the person is challenged as unqualified on the 3994
ground that the person is not a citizen, the judges shall put the 3995
following questions: 3996

~~(1) question, "Are you a citizen of the United States?" 3997~~

~~(2) Are you a native or naturalized citizen? 3998~~

~~(3) Where were you born? 3999~~

~~(4) What official documentation do you possess to prove your 4000
citizenship? Please provide that documentation." 4001~~

~~If the person offering to vote claims to be a naturalized 4002
citizen of the United States, the person shall, before the vote is 4003
received, produce for inspection of the judges a certificate of 4004
naturalization and declare under oath that the person is the 4005
identical person named in the certificate. If the person states 4006
under oath that, by reason of the naturalization of the person's 4007
parents or one of them, the person has become a citizen of the 4008
United States, and when or where the person's parents were 4009
naturalized, the certificate of naturalization need not be 4010
produced. If the person is unable to provide a certificate of 4011
naturalization on the day of answers in the affirmative, the 4012
challenge shall be denied. If the judges are unable to verify the 4013
person's eligibility to cast a ballot in the election, the judges 4014
shall provide to the person, and the person may vote, a 4015
provisional ballot under section 3505.181 of the Revised Code. ~~The~~ 4016
~~provisional ballot shall not be counted unless it is properly~~ 4017
~~completed and the board of elections determines that the voter is~~ 4018~~

~~properly registered and eligible to vote in the election.~~ 4019

~~(B) If the person is challenged as unqualified on the ground 4020
that the person has not resided in this state for thirty days 4021
immediately preceding the election, the judges shall put the 4022
following questions: 4023~~

~~(1) Have you resided in this state for thirty days 4024
immediately preceding this election? If so, where have you 4025
resided? 4026~~

~~(2) Did you properly register to vote? 4027~~

~~(3) Can you provide some form of identification containing 4028
your current mailing address in this precinct? Please provide that 4029
identification. 4030~~

~~(4) Have you voted or attempted to vote at any other location 4031
in this or in any other state at this election? 4032~~

~~(5) Have you applied for an absent voter's ballot in any 4033
state for this election? 4034~~

~~If the judges are unable to verify the person's eligibility 4035
to cast a ballot in the election, the judges shall provide to the 4036
person, and the person may vote, a provisional ballot under 4037
section 3505.181 of the Revised Code. The provisional ballot shall 4038
not be counted unless it is properly completed and the board of 4039
elections determines that the voter is properly registered and 4040
eligible to vote in the election. 4041~~

~~(C) If the person is challenged as unqualified on the ground 4042
that the person is not a resident of the precinct where the person 4043
offers to vote, the judges shall put the following questions: 4044
4045~~

~~(1) Do you reside in this precinct? 4046~~

~~(2) When did you move into this precinct? 4047~~

~~(3) When you came into this precinct, did you come for a 4048~~

temporary purpose merely or for the purpose of making it your 4049
home? 4050

(4) What is your current mailing address? 4051

(5) Do you have some official identification containing your 4052
current address in this precinct? Please provide that 4053
identification. 4054

(6) Have you voted or attempted to vote at any other location 4055
in this or in any other state at this election? 4056

(7) Have you applied for any absent voter's ballot in any 4057
state for this election? 4058

The judges shall direct an individual who is not in the 4059
appropriate polling place to the appropriate polling place. If the 4060
individual refuses to go to the appropriate polling place, or if 4061
the judges are unable to verify the person's eligibility to cast a 4062
ballot in the election, the judges shall provide to the person, 4063
and the person may vote, a provisional ballot under section 4064
3505.181 of the Revised Code. ~~The provisional ballot shall not be~~ 4065
~~counted unless it is properly completed and the board of elections~~ 4066
~~determines that the voter is properly registered and eligible to~~ 4067
~~vote in the election.~~ 4068

(D) If the person is challenged as unqualified on the ground 4069
that the person is not of legal voting age, the judges shall put 4070
the following questions: 4071

(1) Are you eighteen years of age or more? 4072

(2) What is your date of birth? 4073

(3) Do you have some official identification verifying your 4074
age? Please provide that identification. 4075

If the judges are unable to verify the person's age and 4076
eligibility to cast a ballot in the election, the judges shall 4077
provide to the person, and the person may vote, a provisional 4078

ballot under section 3505.181 of the Revised Code. ~~The provisional~~ 4079
~~ballot shall not be counted unless it is properly completed and~~ 4080
~~the board of elections determines that the voter is properly~~ 4081
~~registered and eligible to vote in the election.~~ 4082

~~The presiding judge shall put such other questions to the~~ 4083
~~person challenged as are necessary to determine the person's~~ 4084
~~qualifications as an elector at the election. If a person~~ 4085
~~challenged refuses to answer fully any question put to the person,~~ 4086
~~is unable to answer the questions as they were answered on the~~ 4087
~~registration form by the person under whose name the person offers~~ 4088
~~to vote, or refuses to sign the person's name or make the person's~~ 4089
~~mark, or if for any other reason a majority of the judges believes~~ 4090
~~the person is not entitled to vote, the judges shall provide to~~ 4091
~~the person, and the person may vote, a provisional ballot under~~ 4092
~~section 3505.181 of the Revised Code. The provisional ballot shall~~ 4093
~~not be counted unless it is properly completed and the board of~~ 4094
~~elections determines that the voter is properly registered and~~ 4095
~~eligible to vote in the election.~~ 4096

(E) If the person is challenged as unqualified on the ground 4097
that the person is not a qualified elector for the applicable 4098
election, the judges shall put the following questions: 4099

(1) Have you resided in this state for thirty days 4100
immediately preceding the day of this election? If so, where have 4101
you resided? 4102

(2) Did you properly register to vote? 4103

(3) Can you provide some form of identification containing 4104
your current mailing address in this precinct? Please provide that 4105
identification. 4106

(4) Have you voted or attempted to vote at any other location 4107
in this or in any other state at this election? 4108

(5) Have you applied for an absent voter's ballot in any 4109

state for this election? 4110

If the judges are unable to verify the person's eligibility 4111
to cast a ballot in the election, the judges shall provide to the 4112
person, and the person may vote, a provisional ballot under 4113
section 3505.181 of the Revised Code. 4114

(F) A qualified citizen who has certified the citizen's 4115
intention to vote for president and vice-president as provided by 4116
Chapter 3504. of the Revised Code shall be eligible to receive 4117
only the ballot ~~containing~~ for presidential and vice-presidential 4118
candidates. 4119

~~However, prior to the nineteenth day before the day of an~~ 4120
~~election and in accordance with section 3503.24 of the Revised~~ 4121
~~Code, any person qualified to vote may challenge the right of any~~ 4122
~~other person to be registered as a voter, or the right to cast an~~ 4123
~~absent voter's ballot, or to make application for such ballot.~~ 4124
~~Such challenge shall be made in accordance with section 3503.24 of~~ 4125
~~the Revised Code, and the board of elections of the county in~~ 4126
~~which the voting residence of the challenged voter is situated~~ 4127
~~shall make a final determination relative to the legality of such~~ 4128
~~registration or application.~~ 4129

Sec. 3505.21. (A) As used in this section, "during the 4130
casting of the ballots" includes any time during which a board of 4131
elections permits an elector to receive, complete, and return an 4132
absent voter's ballot in person at the office of the board or at 4133
another site designated by the board under division (C) of section 4134
3501.10 of the Revised Code and any time ballots may be cast in a 4135
precinct polling place on the day of an election. 4136

(B) At any primary, special, or general election, any 4137
political party supporting candidates to be voted upon at such 4138
election and any group of five or more candidates may appoint to 4139
the board of elections or to any of the precincts in the county or 4140

city one person, a qualified elector, who shall serve as observer 4141
for such party or such candidates during the casting of the 4142
ballots and during the counting of the ballots; provided that 4143
separate observers may be appointed to serve during the casting 4144
and during the counting of the ballots. No candidate, no uniformed 4145
peace officer as defined by section 2935.01 of the Revised Code, 4146
no uniformed state highway patrol trooper, no uniformed member of 4147
any fire department, no uniformed member of the armed services, no 4148
uniformed member of the organized militia, no person wearing any 4149
other uniform, and no person carrying a firearm or other deadly 4150
weapon shall serve as an observer, nor shall any candidate be 4151
represented by more than one observer at any one precinct or other 4152
voting location except that a candidate who is a member of a party 4153
controlling committee, as defined in section 3517.03 of the 4154
Revised Code, may serve as an observer. ~~Any~~ 4155

(C) Any political party or group of candidates appointing 4156
observers shall notify the board of elections of the names and 4157
addresses of its appointees and ~~the precincts~~ each precinct or 4158
other location at which they shall serve. Notification of 4159
observers appointed to serve on the day of an election shall take 4160
place not less than eleven days before the day of the election on 4161
forms prescribed by the secretary of state and may be amended by 4162
filing an amendment with the board of elections at any time until 4163
four p.m. of the day before the election. Notification of 4164
observers appointed to serve at the office of the board or at 4165
another location during the time absent voter's ballots may be 4166
cast in person shall take place not less than eleven days before 4167
absent voter's ballots are required to be ready for use pursuant 4168
to section 3509.01 of the Revised Code on forms prescribed by the 4169
secretary of state and may be amended by filing an amendment with 4170
the board of elections at any time until four p.m. of the day 4171
before the observer is appointed to serve. The observer serving on 4172
behalf of a political party shall be appointed in writing by the 4173

chairperson and secretary of the respective controlling party 4174
committee. Observers serving for any five or more candidates shall 4175
have their certificates signed by those candidates. Observers 4176
appointed to a precinct may file their certificates of appointment 4177
with the presiding judge of the precinct at the meeting on the 4178
evening prior to the election, or with the presiding judge of the 4179
precinct on the day of the election. ~~Upon~~ Observers appointed to 4180
the office of the board or another designated location to observe 4181
the casting of absent voter's ballots in person prior to the day 4182
of the election may file their certificates with the director of 4183
the board of elections, or, if pursuant to division (C) of section 4184
3501.10 of the Revised Code the board has designated one or more 4185
other locations in the county at which registered electors may 4186
vote, with the election officials at such other location, 4187
whichever is appropriate, on the day that the observers are 4188
scheduled to serve at the office of the board or other designated 4189
location. 4190

Upon the filing of a certificate, the person named as 4191
observer in the certificate shall be permitted to be in and about 4192
the applicable polling place ~~for the precinct~~ during the casting 4193
of the ballots and shall be permitted to watch every proceeding of 4194
the judges of elections from the time of the opening until the 4195
closing of the polls. The observer also may inspect the counting 4196
of all ballots in the polling place or board of elections from the 4197
time of the closing of the polls until the counting is completed 4198
and the final returns are certified and signed. Observers 4199
appointed to serve at the board of elections on the day of an 4200
election under this section may observe at the board of elections 4201
~~and may observe at any precinct in the county.~~ The judges of 4202
elections shall protect such observers in all of the rights and 4203
privileges granted to them by Title XXXV of the Revised Code. 4204

(D) No persons other than the judges of elections, the 4205

observers, a police officer, other persons who are detailed to any 4206
precinct on request of the board of elections, or the secretary of 4207
state or the secretary of state's legal representative shall be 4208
admitted to the polling place, or any room in which a board of 4209
elections is counting ballots, after the closing of the polls 4210
until the counting, certifying, and signing of the final returns 4211
of each election have been completed. 4212

(E) Not later than four p.m. of the twentieth day prior to an 4213
election at which questions are to be submitted to a vote of the 4214
people, any committee that in good faith advocates or opposes a 4215
measure may file ~~a petition~~ an application with the board of any 4216
county asking that the ~~petitioners~~ applicants be recognized as the 4217
committee entitled to appoint observers to the count at the 4218
election. If more than one committee alleging themselves to 4219
advocate or oppose the same measure file such ~~a petition~~ an 4220
application, the board shall decide and ~~announce by registered~~ 4221
~~mail to~~ notify each committee not less than twelve days 4222
immediately preceding the election which committee is recognized 4223
as being entitled to appoint observers. The decision shall ~~not~~ be 4224
final, but any aggrieved party may institute mandamus proceedings 4225
in the court of common pleas of the county in which the board has 4226
jurisdiction to compel the judges of elections to accept the 4227
appointees of such aggrieved party. Any such recognized committee 4228
may appoint an observer to the count in each precinct. Committees 4229
appointing observers shall notify the board of elections of the 4230
names and addresses of its appointees and the precincts at which 4231
they shall serve. Notification shall take place not less than 4232
eleven days before the election on forms prescribed by the 4233
secretary of state and may be amended by filing an amendment with 4234
the board of elections at any time until four p.m. on the day 4235
before the election. A person so appointed shall file the person's 4236
certificate of appointment with the presiding judge in the 4237
precinct in which the person has been appointed to serve. 4238

Observers shall file their certificates before the polls are 4239
closed. In no case shall more than ~~six~~ four observers for such 4240
recognized committees be appointed for any one election in any one 4241
precinct. If more than ~~three~~ two questions are to be voted on, the 4242
committees which have appointed observers may agree upon not to 4243
exceed ~~six~~ four observers, and the judges of elections shall 4244
appoint such observers. If such committees fail to agree, the 4245
judges of elections shall appoint ~~six~~ four observers from the 4246
appointees so certified, in such manner that each side of the 4247
several questions shall be represented. 4248

(F) No person shall serve as an observer at any precinct or 4249
other voting location unless the board of elections of the county 4250
in which such observer is to serve has first been notified of the 4251
name, address, and precinct or other location at which such 4252
observer is to serve. Notification to the board of elections shall 4253
be given by the political party, group of candidates, or committee 4254
appointing such observer as prescribed in this section. No such 4255
observers shall receive any compensation from the county, 4256
municipal corporation, or township, and they shall take the 4257
following oath, to be administered by one of the judges of 4258
elections: 4259

"You do solemnly swear that you will faithfully and 4260
impartially discharge the duties as an official observer, assigned 4261
by law; that you will not cause any delay to persons offering to 4262
vote; and that you will not disclose or communicate to any person 4263
how any elector has voted at such election." 4264

(G)(1) An observer who serves during the casting of the 4265
ballots shall only be permitted to do the following: 4266

(a) Watch and listen to the activities conducted by the 4267
precinct election officials and the interactions between precinct 4268
election officials and voters, as long as the precinct election 4269
officials are not delayed in performing the officials' prescribed 4270

duties and voters are not delayed in casting their ballots; 4271

(b) Document the observer's observations. 4272

(2)(a) No observer who serves during the casting of the 4273
ballots shall interact with any voter while the observer is inside 4274
the polling place, within the area between the polling place and 4275
the small flags of the United States placed on the thoroughfares 4276
and walkways leading to the polling place, or within ten feet of 4277
any elector in line waiting to vote, if the line of electors 4278
waiting to vote extends beyond those small flags. 4279

4280

(b) An observer does not violate division (G)(2)(a) of this 4281
section as a result of an incidental interaction with a voter, 4282
such as an exchange of greetings or directing a voter to an 4283
election official. 4284

Sec. 3505.23. ~~No voter shall be allowed to occupy a voting~~ 4285
~~compartment or use a voting machine more than five minutes when~~ 4286
~~all the voting compartments or machines are in use and voters are~~ 4287
~~waiting to occupy them.~~ Except as otherwise provided by section 4288
3505.24 of the Revised Code, no voter shall occupy a voting 4289
compartment or machine with another person or speak to anyone, nor 4290
shall anyone speak to the voter, while the voter is in a voting 4291
compartment or machine. 4292

In precincts that do not use voting machines the following 4293
procedure shall be followed: 4294

If a voter tears, soils, defaces, or erroneously marks a 4295
ballot the voter may return it to the precinct election officials 4296
and a second ballot shall be issued to the voter. Before returning 4297
a torn, soiled, defaced, or erroneously marked ballot, the voter 4298
shall fold it so as to conceal any marks the voter made upon it, 4299
but the voter shall not remove Stub A therefrom. If the voter 4300

tears, soils, defaces, or erroneously marks such second ballot, 4301
the voter may return it to the precinct election officials, and a 4302
third ballot shall be issued to the voter. In no case shall more 4303
than three ballots be issued to a voter. Upon receiving a returned 4304
torn, soiled, defaced, or erroneously marked ballot the precinct 4305
election officials shall detach Stub A therefrom, write "Defaced" 4306
on the back of such ballot, and place the stub and the ballot in 4307
the separate containers provided therefor. 4308

No elector shall leave the polling place until the elector 4309
returns to the precinct election officials every ballot issued to 4310
the elector with Stub A on each ballot attached thereto, 4311
regardless of whether the elector has or has not placed any marks 4312
upon the ballot. 4313

Before leaving the voting compartment, the voter shall fold 4314
each ballot marked by the voter so that no part of the face of the 4315
ballot is visible, and so that the printing thereon indicating the 4316
kind of ballot it is and the facsimile signatures of the members 4317
of the board of elections are visible. The voter shall then leave 4318
the voting compartment, deliver the voter's ballots, and state the 4319
voter's name to the judge having charge of the ballot boxes, who 4320
shall announce the name, detach Stub A from each ballot, and 4321
announce the number on the stubs. The judges in charge of the poll 4322
lists or poll books shall check to ascertain whether the number so 4323
announced is the number on Stub B of the ballots issued to such 4324
voter, and if no discrepancy appears to exist, the judge in charge 4325
of the ballot boxes shall, in the presence of the voter, deposit 4326
each such ballot in the proper ballot box and shall place Stub A 4327
from each ballot in the container provided therefor. The voter 4328
shall then immediately leave the polling place. 4329

No ballot delivered by a voter to the judge in charge of the 4330
ballot boxes with Stub A detached therefrom, and only ballots 4331
provided in accordance with Title XXXV of the Revised Code, shall 4332

be voted or deposited in the ballot boxes. 4333

In marking a presidential ballot, the voter shall record the 4334
vote in the manner provided on the ballot next to the names of the 4335
candidates for the offices of president and vice-president. Such 4336
ballot shall be considered and counted as a vote for each of the 4337
candidates for election as presidential elector whose names were 4338
certified to the secretary of state by the political party of such 4339
nominees for president and vice-president. 4340

In marking an office type ballot or nonpartisan ballot, the 4341
voter shall record the vote in the manner provided on the ballot 4342
next to the name of each candidate for whom the voter desires to 4343
vote. 4344

In marking a primary election ballot, the voter shall record 4345
the vote in the manner provided on the ballot next to the name of 4346
each candidate for whom the voter desires to vote. If the voter 4347
desires to vote for the nomination of a person whose name is not 4348
printed on the primary election ballot, the voter may do so by 4349
writing such person's name on the ballot in the proper place 4350
provided for such purpose. 4351

In marking a questions and issues ballot, the voter shall 4352
record the vote in the manner provided on the ballot at the left 4353
or at the right of "YES" or "NO" or other words of similar import 4354
which are printed on the ballot to enable the voter to indicate 4355
how the voter votes in connection with each question or issue upon 4356
which the voter desires to vote. 4357

In marking any ballot on which a blank space has been 4358
provided wherein an elector may write in the name of a person for 4359
whom the elector desires to vote, the elector shall write such 4360
person's name in such blank space and on no other place on the 4361
ballot. Unless specific provision is made by statute, no blank 4362
space shall be provided on a ballot for write-in votes, and any 4363

names written on a ballot other than in a blank space provided 4364
therefor shall not be counted or recorded. 4365

Sec. 3505.28. ~~No ballot shall be counted which is marked~~ 4366
~~contrary to law, except that no~~ ballot shall be rejected for any 4367
technical error unless it is impossible to determine the voter's 4368
choice. If two or more ballots are found folded together among the 4369
ballots removed from a ballot box, they shall be deemed to be 4370
fraudulent. Such ballots shall not be counted. They shall be 4371
marked "Fraudulent" and shall be placed in an envelope indorsed 4372
"Not Counted" with the reasons therefor, and such envelope shall 4373
be delivered to the board of elections together with other 4374
uncounted ballots. 4375

No ballot shall be rejected because of being marked with ink 4376
or by any writing instrument other than one of the pencils 4377
provided by the board of elections. 4378

Sec. 3505.30. When the results of the ballots have been 4379
ascertained, such results shall be embodied in a summary statement 4380
to be prepared by the judges in duplicate, on forms provided by 4381
the board of elections. One copy shall be certified by the judges 4382
and posted on the front of the polling place, and one copy, 4383
similarly certified, shall be transmitted without delay to the 4384
board in a sealed envelope along with the other returns of the 4385
election. The board shall, immediately upon receipt of such 4386
summary statements, compile and prepare an unofficial count and 4387
upon its completion shall transmit prepaid, immediately by 4388
telephone, facsimile machine, or other telecommunications device, 4389
the results of such unofficial count to the secretary of state, or 4390
to the board of the most populous county of the district which is 4391
authorized to canvass the returns. Such count, in no event, shall 4392
be made later than twelve noon on the day following the election. 4393
The board shall also, at the same time, certify the results 4394

thereof to the secretary of state ~~by certified mail~~. The board 4395
shall remain in session from the time of the opening of the polls, 4396
continuously, until the results of the election are received from 4397
every precinct in the county and such results are communicated to 4398
the secretary of state. 4399

Sec. 3506.11. The names of all candidates for an office shall 4400
be arranged in a group under the title of the office and printed 4401
on labels so that they may be rotated on the voting machine as 4402
provided in section 3505.03 of the Revised Code. The title of each 4403
office and the name of each candidate shall be printed flush left 4404
and shall not be centered on the ballot, in any column appearing 4405
on the ballot, or in any column appearing on the voting machine. 4406
The name of each candidate shall be printed using standard 4407
capitalization in accordance with instructions provided by the 4408
secretary of state and shall not be printed using all capital 4409
letters. Under the name of each candidate nominated at a primary 4410
election or certified by a party committee to fill a vacancy under 4411
section 3513.31 of the Revised Code, the name of the political 4412
party that nominated or certified the candidate shall be printed 4413
in less prominent typeface than that in which the candidate's name 4414
is printed. 4415

Sec. 3506.12. In counties where marking devices, automatic 4416
tabulating equipment, voting machines, or any combination of these 4417
are in use or are to be used, ~~the board of elections~~ both of the 4418
following apply: 4419

(A) ~~May~~ A board of elections may combine, rearrange, and 4420
enlarge precincts; but the board shall arrange for a sufficient 4421
number of these devices to accommodate the number of electors in 4422
each precinct ~~as determined by the number of votes cast in that~~ 4423
~~precinct at the most recent election for the office of governor,~~ 4424
~~taking into consideration the size and location of each selected~~ 4425

~~polling place, available parking, handicap accessibility and other~~ 4426
~~accessibility to the polling place, and the number of candidates~~ 4427
~~and issues to be voted on by calculating the minimum number of~~ 4428
~~devices required for all precincts, and by allocating additional~~ 4429
~~devices based on the following criteria:~~ 4430

(1) The historic voter turnout in a precinct; 4431

(2) Any increase or decrease in the number of registered 4432
voters in the precinct since the last previous election; 4433

(3) Whether voters in the precinct have historically had 4434
longer-than-average wait times to use voting equipment; 4435

(4) The historic level of requests for absent voter's ballots 4436
in the precinct; 4437

(5) The length of the ballot in a particular precinct for the 4438
applicable election; and 4439

(6) Any other factors prescribed by the secretary of state. 4440

The board shall post the draft voting equipment distribution 4441
plan for public comment at the office of the board of elections 4442
and, if the board of elections maintains a web site, on that web 4443
site, not later than fifteen days before the date of the election 4444
for not less than five business days. After the conclusion of the 4445
public comment period, the board of elections shall conduct a full 4446
vote of the board during a public session of the board on the 4447
allocation of voting machines, marking devices, and automatic 4448
tabulating equipment for each precinct in the county. 4449

Notwithstanding section 3501.22 of the Revised Code, the board may 4450
appoint more than four precinct officers to each precinct if this 4451
is made necessary by the number of voting machines to be used in 4452
that precinct. 4453

(B) Except as otherwise provided in this division, a board of 4454
elections shall establish one or more counting stations to receive 4455

voted ballots and other precinct election supplies after the 4456
precinct polling ~~precincts~~ locations are closed. Those stations 4457
shall be under the supervision and direction of the board of 4458
elections. Processing and counting of voted ballots, and the 4459
preparation of summary sheets, shall be done in the presence of 4460
observers approved by the board. A certified copy of the summary 4461
sheet for the precinct shall be posted at each counting station 4462
immediately after completion of the summary sheet. 4463

~~In counties where punch card ballots are used, one or more 4464
counting stations, located at the board of elections, shall be 4465
established, at which location all punch card ballots shall be 4466
counted.~~ 4467

~~As used in this division, "punch card ballot" has the same 4468
meaning as in section 3506.16 of the Revised Code.~~ 4469

Sec. 3506.21. (A) As used in this section, "optical scan 4470
ballot" means a ballot that is marked by using a specified writing 4471
instrument to fill in a designated position to record a voter's 4472
candidate, question, or issue choice and that can be scanned and 4473
electronically read in order to tabulate the vote. 4474

(B)(1) In addition to marks that can be scanned and 4475
electronically read by automatic tabulating equipment, any of the 4476
following marks, if a majority of those marks are made in a 4477
consistent manner throughout an optical scan ballot, shall be 4478
counted as a valid vote: 4479

(a) A candidate, question, or issue choice that has been 4480
circled by the voter; 4481

(b) An oval beside the candidate, question, or issue choice 4482
that has been circled by the voter; 4483

(c) An oval beside the candidate, question, or issue choice 4484
that has been marked by the voter with an "x," a check mark, or 4485

other recognizable mark; 4486

(d) A candidate, question, or issue choice that has been 4487
marked with a writing instrument that cannot be recognized by 4488
automatic tabulating equipment. 4489

(2) Marks made on an optical scan ballot in accordance with 4490
division (B)(1) of this section shall be counted as valid votes 4491
only if that optical scan ballot contains no marks that can be 4492
scanned and electronically read by automatic tabulating equipment. 4493

(3) ~~If~~ Subject to division (E) of this section, if automatic 4494
tabulating equipment detects that more marks were made on an 4495
optical scan ballot for a particular office, question, or issue 4496
than the number of selections that a voter is allowed by law to 4497
make for that office, question, or issue, the voter's ballot shall 4498
be invalidated for that office, question, or issue. The ballot 4499
shall not be invalidated for any other office, question, or issue 4500
for which the automatic tabulating equipment detects a vote to 4501
have been cast, in accordance with the law. 4502

(C) The secretary of state may adopt rules under Chapter 119. 4503
of the Revised Code to authorize additional types of optical scan 4504
ballots and to specify the types of marks on those ballots that 4505
shall be counted as a valid vote to ensure consistency in the 4506
counting of ballots throughout the state. 4507

(D)(1) A board of elections of a county that uses optical 4508
scan ballots and automatic tabulating equipment as the primary 4509
voting system for the county shall not tabulate the unofficial 4510
results of optical scan ballots voted on election day at a central 4511
location. 4512

(2) A board of elections that provides for the tabulation at 4513
each precinct of voted ballots, and then, at a central location, 4514
combines those precinct ballot totals with ballot totals from 4515
other precincts, including optical scan ballots voted by absent 4516

voters, shall not be considered to be tabulating the unofficial 4517
results of optical scan ballots at a central location for the 4518
purpose of division (D)(1) of this section. 4519

(E) If a voter has marked a ballot for a particular candidate 4520
and also has written in the same candidate's name as a write-in 4521
candidate for the same office, the ballot shall not be invalidated 4522
with respect to that office. The ballot shall be separated from 4523
the remainder of the ballots and preserved so that the ballot can 4524
be remade and tabulated for the official canvass of the election 4525
returns and for any subsequent recount or post-election audit. 4526
4527

The election officials shall remake any such ballot by 4528
properly marking a replacement ballot with a vote for the named 4529
candidate. Ballots remade under this division shall be tabulated 4530
in the same manner as other ballots for the official canvass of 4531
the election returns and for any subsequent recount or 4532
post-election audit. The original ballot shall be marked as having 4533
been remade and shall be retained separately by the board of 4534
elections. 4535

Sec. 3507.01. (A) Notwithstanding any provision of the 4536
Revised Code to the contrary, a board of elections of a county may 4537
conduct the following elections held within the county as an 4538
election by mail: 4539

(1) A special election held on a day other than the day of a 4540
primary or general election as authorized by a municipal or county 4541
charter; 4542

(2) An election to fill a vacancy in a nomination pursuant to 4543
section 3513.312 of the Revised Code or a vacancy in an elective 4544
office pursuant to section 3521.03 of the Revised Code. 4545

(B) A board of elections holding an election to fill a 4546

vacancy for an elective office with a district larger than a 4547
county shall conduct that election as an election by mail only if 4548
the board of elections of each other county in the district also 4549
is conducting the election to fill that vacancy as an election by 4550
mail. 4551

Sec. 3507.02. If a board of elections conducts an election by 4552
mail, the board shall mail an absent voter's ballot on or before 4553
the thirty-fifth day before the day of the election, to each 4554
qualified elector in the county who is entitled to vote on the 4555
office, question, or issue certified for placement on the ballot. 4556
4557

Sec. 3507.03. If a board of elections conducts an election by 4558
mail, the board shall open its office from 6:30 a.m. until 7:30 4559
p.m. on the day of the election to allow qualified voters to vote 4560
in person and to receive completed absent voter's ballots. The 4561
board shall place a notice at all polling places in the county 4562
used at the last regular state election stating the location of 4563
the office of the board of elections, that absent voter's ballots 4564
may be delivered to the office of the board of elections, and that 4565
absent voter's ballots may be cast in person at the office of the 4566
board of elections from 6:30 a.m. until 7:30 p.m. No other polling 4567
places shall be open on the day of the election conducted as an 4568
election by mail. 4569

Sec. 3509.01. (A) The board of elections of each county shall 4570
provide absent voter's ballots for use at every primary and 4571
general election, or special election to be held on the day 4572
specified by division (E) of section 3501.01 of the Revised Code 4573
for the holding of a primary election, designated by the general 4574
assembly for the purpose of submitting constitutional amendments 4575
proposed by the general assembly to the voters of the state. Those 4576

ballots shall be the same size, shall be printed on the same kind of paper, and shall be in the same form as has been approved for use at the election for which those ballots are to be voted; ~~except that, in counties using marking devices, ballot cards may be used for absent voter's ballots, and those absent voters shall be instructed to record the vote in the manner provided on the ballot cards. In counties where punch card ballots are used, those absent voters shall be instructed to examine their marked ballot cards and to remove any chads that remain partially attached to them before returning them to election officials. The secretary of state shall prescribe uniform standards for absent voter's ballot materials, forms, and content. The boards of elections shall adhere to the standards prescribed by the secretary of state in preparing absent voter's ballots under this chapter.~~

(B) The rotation of names of candidates and questions and issues shall be substantially complied with on absent voter's ballots, ~~within the limitation of time allotted.~~ Those ballots shall be designated as "Absent Voter's Ballots." ~~and~~ Except as otherwise provided in division (D) of this section, those ballots shall be printed and ready for use as follows:

(1) For overseas voters and absent uniformed services voters eligible to vote under the "Uniformed and Overseas Citizens Absentee Voting Act," Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 1973ff, et seq., as amended, and for all other voters who are applying to vote absent voter's ballots other than in person, ballots shall be printed and ready for use on the thirty-fifth day before the day of the any election other than a presidential primary election, except that those;

(2) For all voters, other than overseas voters and absent uniformed services voters, who are applying to vote absent voter's ballots in person, ballots shall be printed and ready for use beginning on the twenty-first day before the day of the election

and shall continue to be available for use through five p.m. on 4609
the last Saturday before the day of the election; 4610

(3) For all voters who are applying to vote absent voter's 4611
ballots other than in person, ballots shall be printed and ready 4612
for use on the twenty-fifth day before the day of a presidential 4613
primary election. 4614

(C) Absent voter's ballots provided for use at a general or 4615
primary election, or special election to be held on the day 4616
specified by division (E) of section 3501.01 of the Revised Code 4617
for the holding of a primary election, designated by the general 4618
assembly for the purpose of submitting constitutional amendments 4619
proposed by the general assembly to the voters of the state, shall 4620
include only those questions, issues, and candidacies that have 4621
been lawfully ordered submitted to the electors voting at that 4622
election. 4623

~~Absent~~ (D) If a municipal or county charter authorizes the 4624
holding of a special election on a day other than the day on which 4625
a primary or general election is held, and if the charter 4626
provision makes it impossible for absent voter's ballots to be 4627
printed and ready for use by the deadlines established in division 4628
(B) of this section, absent voter's ballots for those special 4629
~~elections held on days other than the day on which general or~~ 4630
~~primary elections are held~~ shall be ready for use as many days 4631
before the day of the election as reasonably possible under the 4632
~~laws~~ charter provision governing the holding of that special 4633
election. 4634

(E) A copy of the absent voter's ballots shall be forwarded 4635
by the director of the board in each county to the secretary of 4636
state at least twenty-five days before the election. 4637

~~As used in this section, "chad" and "punch card ballot" have~~ 4638
~~the same meanings as in section 3506.16 of the Revised Code.~~ 4639

Sec. 3509.02. (A) Any qualified elector may vote by absent voter's ballots at an election.

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

Sec. 3509.03. (A) Except as provided in section 3509.031 or division (B) of section 3509.08 of the Revised Code, any qualified elector desiring to vote absent voter's ballots at an election shall make written application for those ballots to the director of elections of the county in which the elector's voting residence is located. The written application may be submitted in person, by mail, by facsimile transmission, by electronic mail, or by other electronic means via the internet. The application need not be in any particular form but shall contain all of the following:

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

~~(B)~~(2) The elector's signature or, if the application is

transmitted electronically, an image of the elector's signature; 4670

~~(C)~~(3) The address at which the elector is registered to 4671
vote; 4672

~~(D)~~(4) The elector's date of birth; 4673

~~(E)~~(5) One of the following, unless the elector is a 4674
first-time mail-in registrant: 4675

~~(1)~~(a) The elector's Ohio driver's license number; 4676

~~(2)~~(b) The last four digits of the elector's social security 4677
number; 4678

~~(3)~~(c) A copy of the elector's ~~current and valid photo~~ 4679
~~identification, a copy of a military identification, or a copy of~~ 4680
~~a current utility bill, bank statement, government check,~~ 4681
~~paycheck, or other government document, other than a notice of an~~ 4682
~~election mailed by a board of elections under section 3501.19 of~~ 4683
~~the Revised Code or a notice of voter registration mailed by a~~ 4684
~~board of elections under section 3503.19 of the Revised Code, that~~ 4685
~~shows the name and address of the elector~~ identification. 4686
4687

~~(F)~~(6) A statement identifying the election for which absent 4688
voter's ballots are requested; 4689

~~(G)~~(7) A statement that the person requesting the ballots is 4690
a qualified elector; 4691

~~(H)~~(8) If the request is for primary election ballots, the 4692
elector's party affiliation; 4693

~~(I)~~(9) If the elector desires ballots to be mailed to the 4694
elector, the address to which those ballots shall be mailed; 4695

(10) If the elector is a first-time mail-in registrant, a 4696
copy of the elector's first-time mail-in registrant 4697
identification. 4698

(B) A voter who will be outside the United States on the day of any election during a calendar year may use a single federal post card application to apply for absent voter's ballots. Those ballots shall be sent to the voter for use at the primary and general elections in that 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 unless the voter reports a change in the voter's voting status to the board of elections or the voter's intent to vote in any such election in the precinct in this state where the voter is registered to vote. A single federal postcard application shall be processed by the board of elections pursuant to section 3509.04 of the Revised Code the same as if the voter had applied separately for absent voter's ballots for each election. When ~~mailing~~ sending absent voter's ballots to a voter who applied for them by single federal post card application, the board shall enclose notification to the voter that the voter must report to the board subsequent changes in the voter's voting status or the voter's subsequent intent to vote in any such election in the precinct in this state where the voter is registered to vote. Such notification shall be in a form prescribed by the secretary of state. As used in this ~~section~~ division, "voting status" means the voter's name at the time the voter applied for absent voter's 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.

~~Each~~ (C)(1) An elector may make a single request for absent voter's ballots for all elections at which the elector is eligible to vote during a calendar year. The application shall contain the information specified in division (A) of this section and also shall specify that the elector is requesting absent voter's

ballots for each election during that year. If the elector wishes 4732
to vote primary election ballots, the elector shall state the 4733
elector's party affiliation in the application. 4734

If an elector applies for annual absent voter's ballots under 4735
this division, the application shall be processed by the board of 4736
elections pursuant to section 3509.04 of the Revised Code the same 4737
as if the elector had applied separately for absent voter's 4738
ballots for each election during the applicable calendar year. 4739
Absent voter's ballots shall be sent to the elector for use at 4740
each election during the applicable calendar year for which the 4741
elector is eligible to cast a ballot. When sending absent voter's 4742
ballots to an elector who applied for them under this division, 4743
the board shall enclose notification to the elector that the 4744
elector must report to the board subsequent changes in the 4745
elector's voting status, changes in the elector's address, or the 4746
elector's intent to vote at a polling location in the jurisdiction 4747
in this state where the elector is registered to vote. Such 4748
notification shall be in a form prescribed by the secretary of 4749
state. 4750

If an absent voter's ballot or any official response to an 4751
application for an annual absent voter's ballot is returned 4752
undeliverable to the board of elections, the board shall attempt 4753
to contact the elector to verify the elector's mailing address 4754
using any available contact information in the elector's voter 4755
registration record including the elector's telephone number, 4756
facsimile transmission number, or electronic mail address. If the 4757
board is unable to contact the elector, the board shall not send 4758
absent voter's ballots for any subsequent election to that elector 4759
until the elector submits another application and the information 4760
in that application is verified. The board shall remove from the 4761
poll list or signature pollbook any notation that the elector 4762
requested an absent voter's ballot. The elector may cast a regular 4763

ballot if the elector appears to vote in person on the day of the 4764
election or the elector may cast an absent voter's ballot in 4765
person before the day of the election at the board of elections or 4766
if pursuant to division (C) of section 3501.10 of the Revised Code 4767
the board has designated one or more other locations in the county 4768
at which registered electors may cast an absent voter's ballot in 4769
person, at such other location. 4770

(2) Not later than the fifteenth day of December of each 4771
year, the board of elections shall send an application for annual 4772
absent voter's ballots for the following calendar year to each 4773
person who requested annual absent voter's ballots under division 4774
(C)(1) of this section for the current year. An elector who 4775
completes and returns such an application shall be eligible to 4776
receive annual absent voter's ballots under division (C)(1) of 4777
this section for the applicable year. 4778

(D) Except for annual applications for absent voter's ballots 4779
submitted under division (C)(2) of this section, each application 4780
for absent voter's ballots shall be delivered to the director not 4781
earlier than the first day of January of the year of the elections 4782
for which the absent voter's ballots are requested or not earlier 4783
than ninety days before the day of the election at which the 4784
ballots are to be voted, whichever is earlier, and not later than 4785
twelve noon of the third day before the day of the election at 4786
which the ballots are to be voted, or not later than the close of 4787
regular business hours on the day before the day of the election 4788
at which the ballots are to be voted if the application is 4789
delivered in person to the office of the board. 4790

Sec. 3509.031. (A) Any qualified elector who is a member of 4791
the organized militia called to active duty within the state and 4792
who will be unable to vote on election day on account of that 4793
active duty may make written application for absent voter's 4794

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, send it by electronic mail, send it by other
electronic means via the internet, 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 or, if the application is
transmitted electronically, an image of 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, unless the elector is a first-time
mail-in registrant:

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

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

(c) A copy of the elector's ~~current and valid photo
identification, a copy of a military identification, 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~~ identification.

(6) A statement identifying the election for which absent
voter's ballots are requested;

(7) A statement that the person requesting the ballots is a
qualified elector;

(8) A statement that the elector is a member of the organized militia serving on active duty within the state; 4825
4826

(9) If the request is for primary election ballots, the elector's party affiliation; 4827
4828

(10) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed; 4829
4830

(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; 4831
4832
4833

(12) If the elector is a first-time mail-in registrant, a copy of the elector's first-time mail-in registrant identification. 4834
4835
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(B) Application to have absent voter's ballots mailed ~~or~~ sent by facsimile machine, or otherwise sent 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 that active duty may be made by the spouse of the militia member or the father, mother, father-in-law, mother-in-law, grandfather, grandmother, brother or sister of the whole blood or half blood, son, daughter, adopting parent, adopted child, stepparent, stepchild, uncle, aunt, nephew, or niece of the militia member. The application shall be in writing upon a blank form furnished only by the director. The form of the application shall be prescribed by the secretary of state. The director shall furnish that blank form to any of the relatives specified in this division desiring to make the application, only upon the request of such a relative in person at the office of the board or upon the written request of such a relative mailed, sent by facsimile transmission, sent by electronic mail, or sent by other electronic means via the internet to the office of the board. The application, subscribed and sworn to by the applicant, shall 4837
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contain all of the following: 4856

(1) The full name of the elector for whom ballots are 4857
requested; 4858

(2) A statement that such person is a qualified elector in 4859
the county; 4860

(3) The address at which the elector is registered to vote; 4861

(4) The elector's date of birth; 4862

(5) One of the following, unless the elector is a first-time 4863
mail-in registrant: 4864

(a) The elector's Ohio driver's license number; 4865

(b) The last four digits of the elector's social security 4866
number; 4867

(c) A copy of the elector's ~~current and valid photo~~ 4868
~~identification, a copy of a military identification, or a copy of~~ 4869
~~a current utility bill, bank statement, government check,~~ 4870
~~paycheck, or other government document, other than a notice of an~~ 4871
~~election mailed by a board of elections under section 3501.19 of~~ 4872
~~the Revised Code or a notice of voter registration mailed by a~~ 4873
~~board of elections under section 3503.19 of the Revised Code, that~~ 4874
~~shows the name and address of the elector~~ identification. 4875
4876

(6) A statement identifying the election for which absent 4877
voter's ballots are requested; 4878

(7) A statement that the elector is a member of the organized 4879
militia serving on active duty within the state; 4880

(8) If the request is for primary election ballots, the 4881
elector's party affiliation; 4882

(9) A statement that the applicant bears a relationship to 4883
the elector as specified in division (B) of this section; 4884

(10) The address to which ballots shall be mailed or 4885
telephone number to which ballots shall be sent by facsimile 4886
machine; 4887

(11) The signature or, if the application is transmitted 4888
electronically, an image of the signature and the address of the 4889
person making the application; 4890

(12) If the elector is a first-time mail-in registrant, a 4891
copy of the elector's first-time mail-in registrant 4892
identification. 4893

(C) ~~Applications~~ (1) An elector who is a member of the 4894
organized militia may make a single request for absent voter's 4895
ballots for all elections at which the elector is eligible to vote 4896
during a calendar year. The application shall contain the 4897
information specified in division (A) of this section and also 4898
shall specify that the elector is requesting absent voter's 4899
ballots for each election during that year. If the elector wishes 4900
to vote primary election ballots, the elector shall state the 4901
elector's party affiliation in the application. 4902

If an elector applies for annual absent voter's ballots under 4903
this division, the application shall be processed by the board of 4904
elections pursuant to section 3509.04 of the Revised Code the same 4905
as if the elector had applied separately for absent voter's 4906
ballots for each election during the applicable calendar year. 4907
Absent voter's ballots shall be sent to the elector for use at 4908
each election during the applicable calendar year for which the 4909
elector is eligible to cast a ballot. When sending absent voter's 4910
ballots to an elector who applied for them under this division, 4911
the board shall enclose notification to the elector that the 4912
elector must report to the board subsequent changes in the 4913
elector's voting status, changes in the elector's address, or the 4914
elector's intent to vote at a polling location in the jurisdiction 4915
in this state where the elector is registered to vote. Such 4916

notification shall be in a form prescribed by the secretary of 4917
state. 4918

If an absent voter's ballot or any official response to an 4919
application for an annual absent voter's ballot is returned 4920
undeliverable to the board of elections, the board shall attempt 4921
to contact the elector to verify the elector's mailing address 4922
using any available contact information in the elector's voter 4923
registration record including the elector's telephone number, 4924
facsimile transmission number, or electronic mail address. If the 4925
board is unable to contact the elector, the board shall not send 4926
absent voter's ballots for any subsequent election to that elector 4927
until the elector submits another application and the information 4928
in that application is verified. The board shall remove from the 4929
poll list or signature pollbook any notation that the elector 4930
requested an absent voter's ballot. The elector may cast a regular 4931
ballot if the elector appears to vote in person on the day of the 4932
election or the elector may cast an absent voter's ballot in 4933
person before the day of the election at the board of elections or 4934
if pursuant to division (C) of section 3501.10 of the Revised Code 4935
the board has designated one or more other locations in the county 4936
at which registered electors may cast an absent voter's ballot in 4937
person, at such other location. 4938

(2) Not later than the fifteenth day of December of each 4939
year, the board of elections shall send an application for annual 4940
absent voter's ballots for the following calendar year to each 4941
person who requested annual absent voter's ballots under division 4942
(C)(1) of this section for the current year. An elector who 4943
completes and returns such an application shall be eligible to 4944
receive annual absent voter's ballots under division (C)(1) of 4945
this section for the applicable year. 4946

(D) Except for annual applications for absent voter's ballots 4947
submitted under division (C)(2) of this section, applications to 4948

have absent voter's ballots mailed or sent by facsimile machine 4949
shall not be valid if dated, postmarked, or received by the 4950
director prior to the ninetieth day before the day of the election 4951
for which ballots are requested or if delivered to the director 4952
later than twelve noon of the third day preceding the day of such 4953
election. If, after the ninetieth day and before four p.m. of the 4954
day before the day of an election, a valid application for absent 4955
voter's ballots is delivered to the director of elections at the 4956
office of the board by a militia member making application in the 4957
militia member's own behalf, the director shall forthwith deliver 4958
to the militia member all absent voter's ballots then ready for 4959
use, together with an identification envelope. The militia member 4960
shall then vote the absent voter's ballots in the manner provided 4961
in section 3509.05 of the Revised Code. 4962

4963

Sec. 3509.04. (A) If a director of a board of elections 4964
receives an application for absent voter's ballots that does not 4965
contain all of the required information, the director promptly 4966
shall notify the applicant, by whatever means of contact the 4967
applicant has provided on the application, of the additional 4968
information required to be provided by the applicant to complete 4969
that application. The applicant may provide the required 4970
information by mail, electronic mail, telephone, or facsimile 4971
transmission, through the internet, or in person at the office of 4972
the board of elections. If the application is missing a signature, 4973
the applicant may provide a signed statement that the applicant 4974
submitted the application. A signature provided on a signed 4975
statement under this division shall be considered the applicant's 4976
signature on the application for the purposes of processing an 4977
otherwise valid application for absent voter's ballots. The 4978
secretary of state shall prescribe uniform standards for 4979
processing additional information by mail, electronic mail, 4980

telephone, facsimile transmission, through the internet, or in 4981
person at the office of the board of elections under this 4982
division. 4983

If the applicant provides the required information prior to 4984
the end of the period for voting by absent voter's ballots at that 4985
election, the board shall promptly process the application and 4986
deliver absent voter's ballots to the applicant. 4987

(B) ~~Upon~~ Subject to section 3509.07 of the Revised Code, upon 4988
receipt by the director of elections of an application for absent 4989
voter's ballots that contain all of the required information, as 4990
provided by sections 3509.03 and 3509.031 and division (G) of 4991
section 3503.16 of the Revised Code, the director, if the director 4992
finds that the applicant is a qualified elector, shall deliver to 4993
the applicant in person or mail directly to the applicant by 4994
special delivery mail, air mail, or regular mail, postage prepaid, 4995
proper absent voter's ballots. If the address to which the ballots 4996
are to be sent is located outside of the United States, the board 4997
may deliver the absent voter's ballots to the applicant using a 4998
method other than United States mail. The director shall deliver 4999
or ~~mail~~ send with the ballots an unsealed identification envelope 5000
upon the face of which shall be printed a form substantially as 5001
follows: 5002

"Identification Envelope Statement of Voter 5003

I,(Name of voter), declare under 5004
penalty of election falsification that the ~~within~~ ballot or 5005
ballots contained no voting marks of any kind when I received 5006
them, and I caused the ballot or ballots to be marked, enclosed in 5007
the identification envelope, and sealed in that envelope. 5008

My voting residence in Ohio is 5009

..... 5010

(Street and Number, if any, or Rural Route and Number) 5011

of (City, Village, or Township) 5012

Ohio, which is in Ward Precinct 5013

~~in that city, village, or township.~~ 5014

~~The primary election ballots, if any, within this envelope~~ 5015

~~are~~ If the election is a primary election, by requesting ballots 5016

of the Party, I hereby declare that I desire to be 5017

affiliated with and support the above-named party. 5018

~~Ballots contained within this envelope are to be voted at the~~ 5019

~~..... (general, special, or primary) election to be held on~~ 5020

~~the day of, ..~~ 5021

My date of birth is (Month and Day), 5022

..... (Year). 5023

(Voter must provide one of the following:) 5024

My Ohio driver's license number is (~~Driver's~~ 5025

Ohio driver's license number). 5026

The last four digits of my Social Security Number are 5027

..... (Last four digits of Social Security Number). 5028

..... In lieu of providing a an Ohio driver's license number 5029

or the last four digits of my Social Security Number, I am 5030

enclosing a copy of ~~one of~~ the following in the return envelope in 5031

which this identification envelope will be mailed: a current and 5032

valid photo identification or two current and valid items that 5033

list my name in a manner that substantially conforms to my name on 5034

the statewide voter registration database and are from a nonprofit 5035

organization, an institution, a business, or a government entity. 5036

If I am a first-time voter who registered to vote by mail, did not 5037

provide identification when I registered to vote, and have not 5038

previously voted at a federal election in Ohio, I am enclosing a 5039

copy of a current and valid photo identification, a military 5040

identification, or a current utility bill, bank statement, 5041

government check, paycheck, or other government document,~~other~~ 5042

~~than a notice of an election mailed by a board of elections under~~ 5043
~~section 3501.19 of the Revised Code or a notice of voter~~ 5044
~~registration mailed by a board of elections,~~ that shows my name 5045
and address. 5046

I hereby declare, under penalty of election falsification, 5047
that the statements above are true, ~~as I verily believe.~~ 5048

..... 5049

(Signature of Voter (required)) 5050

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 5051
THE FIFTH DEGREE." 5052

Before delivering or sending the ballots, the director shall 5053
record the unique identification number located on the stub of the 5054
voter's ballot, the voter's name, and the voter's address, and 5055
shall cause the unique identification number to be copied on the 5056
outside of the voter's identification envelope. The director shall 5057
~~mail~~ send with the ballots and the unsealed identification 5058
envelope an unsealed return envelope upon the face of which shall 5059
be printed the official title and post-office address of the 5060
director. In the upper left corner on the face of the return 5061
envelope, several blank lines shall be printed upon which the 5062
voter may write the voter's name and return address, and beneath 5063
these lines there shall be printed a box beside the words "check 5064
if out-of-country." The voter shall check this box if the voter 5065
will be outside the United States on the day of the election. The 5066
return envelope shall be of such size that the identification 5067
envelope can be conveniently placed within it for returning the 5068
identification envelope to the director. 5069

Sec. 3509.05. (A) When an elector receives an absent voter's 5070
ballot pursuant to the elector's application or request, the 5071
elector shall, before placing any marks on the ballot, note 5072
whether there are any voting marks on it. If there are any voting 5073

marks, the ballot shall be returned immediately to the board of 5074
elections; otherwise, the elector shall cause the ballot to be 5075
marked, folded in a manner that the stub on it ~~and the~~ 5076
~~endorsements and facsimile signatures of the members of the board~~ 5077
~~of elections on the back of it are~~ is visible, and placed and 5078
sealed within the identification envelope received from the 5079
director of elections for that purpose. Then, the elector shall 5080
cause the statement of voter on the outside of the identification 5081
envelope to be completed ~~and signed~~, under penalty of election 5082
falsification. 5083

~~If~~ Unless the elector is a first-time mail-in registrant, the 5084
elector ~~does not~~ shall provide the elector's Ohio driver's license 5085
number or the last four digits of the elector's social security 5086
number on the statement of voter on the identification envelope. 5087
If the elector does not provide the elector's Ohio driver's 5088
license number or the last four digits of the elector's social 5089
security number on the statement of voter, the elector ~~also~~ shall 5090
include in the return envelope with the identification envelope a 5091
copy of the elector's ~~current valid photo identification, a copy~~ 5092
~~of a military identification, or a copy of a current utility bill,~~ 5093
~~bank statement, government check, paycheck, or other government~~ 5094
~~document, other than a notice of an election mailed by a board of~~ 5095
~~elections under section 3501.19 of the Revised Code or a notice of~~ 5096
~~voter registration mailed by a board of elections under section~~ 5097
~~3503.19 of the Revised Code, that shows the name and address of~~ 5098
~~the elector~~ identification. If the elector is a first-time mail-in 5099
registrant, the elector shall include a copy of the elector's 5100
first-time mail-in registrant identification. 5101

The elector shall mail the identification envelope to the 5103
director from whom it was received in the return envelope, postage 5104
prepaid, or the elector may personally deliver it to the director, 5105

or the spouse of the elector, the father, mother, father-in-law, 5106
mother-in-law, grandfather, grandmother, brother, or sister of the 5107
whole or half blood, or the son, daughter, adopting parent, 5108
adopted child, stepparent, stepchild, uncle, aunt, nephew, or 5109
niece of the elector may deliver it to the director. If the 5110
elector is returning the absent voter's ballots from outside the 5111
United States, the elector may return those ballots to the 5112
director by mail, commercial delivery service, personal delivery, 5113
or delivery by a family member. The return envelope shall be 5114
transmitted to the director in no other manner, except as provided 5115
in section 3509.08 of the Revised Code. 5116

Each elector who will be outside the United States on the day 5117
of the election shall check the box on the return envelope 5118
indicating this fact. 5119

When absent voter's ballots are delivered to an elector at 5120
the office of the board, the elector may retire to a voting 5121
compartment provided by the board and there mark the ballots. 5122
Thereupon, the elector shall fold them, place them in the 5123
identification envelope provided, seal the envelope, fill in and 5124
sign the statement on the envelope under penalty of election 5125
falsification, and deliver the envelope to the director of the 5126
board. 5127

Except as otherwise provided in divisions (B) and (C) of this 5128
section, ~~all other~~ envelopes containing marked absent voter's 5129
ballots shall be delivered to the director not later than the 5130
close of the polls on the day of an election. Absent voter's 5131
ballots delivered to the director later than the times specified 5132
shall not be counted, but shall be kept by the board in the sealed 5133
identification envelopes in which they are delivered to the 5134
director, until the time provided by section 3505.31 of the 5135
Revised Code for the destruction of all other ballots used at the 5136
election for which ballots were provided, at which time they shall 5137

be destroyed. 5138

(B)(1) Except as otherwise provided in division (B)(2) of 5139
this section, any return envelope that indicates that the voter 5140
will be outside the United States on the day of the election shall 5141
be delivered to the director prior to the eleventh day after the 5142
election. Ballots delivered in such envelopes that are received 5143
after the close of the polls on election day through the tenth day 5144
thereafter shall be processed and counted on or after the eleventh 5145
day at the board of elections in the manner provided in ~~divisions~~ 5146
division (C) ~~and (D)~~ of section 3509.06 of the Revised Code. Any 5147
such ballots that are signed or postmarked after the close of the 5148
polls on the day of the election or that are received by the 5149
director later than the tenth day following the election shall not 5150
be counted, but shall be kept by the board in the sealed 5151
identification envelopes as provided in division (A) of this 5152
section. 5153

(2) In any year in which a presidential primary election is 5154
held, any return envelope that indicates that the voter will be 5155
outside the United States on the day of the presidential primary 5156
election shall be delivered to the director prior to the 5157
twenty-first day after that election. Ballots delivered in such 5158
envelopes that are received after the close of the polls on 5159
election day through the twentieth day thereafter shall be 5160
processed and counted on or after the twenty-first day at the 5161
board of elections in the manner provided in ~~divisions~~ division 5162
(C) ~~and (D)~~ of section 3509.06 of the Revised Code. Any such 5163
ballots that are signed or postmarked after the close of the polls 5164
on the day of that election or that are received by the director 5165
later than the twentieth day following that election shall not be 5166
counted, but shall be kept by the board in the sealed 5167
identification envelopes as provided in division (A) of this 5168
section. 5169

(C)(1) Except as otherwise provided in division (C)(2) of 5170
this section, any return envelope that is postmarked within the 5171
United States prior to the day of the election shall be delivered 5172
to the director prior to the eleventh day after the election. 5173
Ballots delivered in envelopes postmarked prior to the day of the 5174
election that are received after the close of the polls on 5175
election day through the tenth day thereafter shall be processed 5176
and counted on or after the eleventh day at the board of elections 5177
in the manner provided in ~~divisions~~ division (C) and ~~(D)~~ of 5178
section 3509.06 of the Revised Code. Any such ballots that are 5179
received by the director later than the tenth day following the 5180
election shall not be counted, but shall be kept by the board in 5181
the sealed identification envelopes as provided in division (A) of 5182
this section. 5183

(2) Division (C)(1) of this section shall not apply to any 5184
mail that is postmarked using a postage evidencing system, 5185
including a postage meter, as defined in 39 C.F.R. 501.1. 5186

Sec. 3509.06. (A) Upon receipt of a return envelope 5187
purporting to contain voted absent voter's ballots prior to the 5188
eleventh day after the day of an election, a bipartisan team 5189
consisting of employees of the board of elections shall inspect 5190
the postmark and verify the date the board received the absent 5191
voter's ballot. If either the postmark or the date of receipt do 5192
not meet the applicable deadlines for that election established in 5193
section 3509.05 of the Revised Code, the ballot shall not be 5194
counted. The identification envelope shall not be opened, and it 5195
shall be endorsed "not counted" with the reasons the ballot was 5196
not counted. 5197

If the postmark and date of receipt for a return envelope 5198
purporting to contain voted absent voter's ballots meets the 5199
applicable deadlines for that election established in section 5200

3509.05 of the Revised Code, the bipartisan team shall open that 5201
return envelope but shall not open the identification envelope 5202
contained in it. If, upon opening the return envelope, the 5203
bipartisan team finds ballots in it that are not enclosed in and 5204
properly sealed in the identification envelope, the bipartisan 5205
team shall not look at the markings upon the ballots and shall 5206
promptly place them in the identification envelope and promptly 5207
seal it. If, upon opening the return envelope, the bipartisan team 5208
finds that the ballots are enclosed in the identification envelope 5209
but that it is not properly sealed, the bipartisan team shall not 5210
look at the markings upon the ballots and shall promptly seal the 5211
identification envelope. 5212

The bipartisan team shall cause the identification envelopes, 5213
any associated identification, and the ballots in the 5214
identification envelopes to be properly secured until such time as 5215
they are processed and counted. 5216

~~The board of elections shall determine whether absent voter's~~ 5217
~~ballots shall be processed and counted in each precinct,~~ at the 5218
~~office of the board,~~ or at some other location designated by the 5219
~~board, and shall proceed accordingly under division (B) or (C) of~~ 5220
~~this section.~~ 5221

~~(B) When the board of elections determines that absent~~ 5222
~~voter's ballots shall be counted in each precinct, the director~~ 5223
~~shall deliver to the presiding judge of each precinct on election~~ 5224
~~day identification envelopes purporting to contain absent voter's~~ 5225
~~ballots of electors whose voting residence appears from the~~ 5226
~~statement of voter on the outside of each of those envelopes, to~~ 5227
~~be located in such presiding judge's precinct, and which were~~ 5228
~~received by the director not later than the close of the polls on~~ 5229
~~election day. The director shall deliver to such presiding judge a~~ 5230
~~list containing the name and voting residence of each person whose~~ 5231
~~voting residence is in such precinct to whom absent voter's~~ 5232

~~ballots were mailed.~~ 5233

~~(C) When the board of elections determines that absent voter's ballots shall be counted at the office of the The board of elections or at another location designated by the board, shall appoint special election judges shall be appointed by the board for that the purpose having the same authority as is exercised by precinct judges of processing and counting absent voter's ballots.~~ 5234
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The votes so cast shall be added to the vote totals by the board, 5240
and the absent voter's ballots shall be preserved separately by 5241
the board, in the same manner and for the same length of time as 5242
provided by section 3505.31 of the Revised Code. 5243

~~(D)(C)(1) Each of the identification envelopes purporting to contain absent voter's ballots shall be delivered to the presiding judge of the precinct or the special judge appointed by the board of elections and shall be handled processed and counted as follows: ~~The election officials shall compare the signature of the elector on the outside of the identification envelope with the signature of that elector on the elector's registration form and verify that the absent voter's ballot is eligible to be counted under section 3509.07 of the Revised Code. Any of the precinct officials may challenge the right of the elector named on the identification envelope to vote the absent voter's ballots upon the ground that the signature on the envelope is not the same as the signature on the registration form, or upon any other of the grounds upon which the right of persons to vote may be lawfully challenged. If no such challenge is made, or if such a challenge is made and not sustained, the presiding judge shall open the envelope without defacing the statement of voter and without mutilating the ballots in it, and shall remove the ballots contained in it and proceed to count them.~~ 5244
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~~The name of each person voting who is entitled to vote only~~ 5264

~~an absent voter's presidential ballot shall be entered in a 5265
pollbook or poll list or signature pollbook followed by the words 5266
"Absentee Presidential Ballot." The name of each person voting an 5267
absent voter's ballot, other than such persons entitled to vote 5268
only a presidential ballot, shall be entered in the pollbook or 5269
poll list or signature pollbook and the person's 5270~~

(a) The election officials shall inspect the statement 5271
accompanying an absent voter's ballot to determine if the voter's 5272
signature has been provided. 5273

(b) The election officials shall compare the signature of the 5274
voter as provided on the statement accompanying the absent voter's 5275
ballot with the signature contained in the voter registration 5276
records. 5277

(c) If the election officials find that the voter's signature 5278
has been provided and that the voter is registered and eligible to 5279
cast a ballot in the election, the election officials shall open 5280
the envelope and determine if the stub is attached to or enclosed 5281
with the ballot. If the stub is attached to or enclosed with the 5282
ballot, the election officials shall count that ballot not earlier 5283
than the day of the election. If the stub is not attached to or 5284
enclosed with the ballot, the absent voter's ballot shall not be 5285
counted. The ballot shall be placed in its accompanying 5286
identification envelope, which shall be endorsed "not counted" 5287
with the reasons the ballot was not counted. 5288

(d) If the election officials find that the voter did not 5289
sign the statement of voter on the identification envelope or if 5290
the election officials are unable to determine the identity of the 5291
voter who returned the ballot, the election officials shall use 5292
any information provided on the identification envelope or, if 5293
necessary, cross-reference the unique stub number placed on the 5294
identification envelope with the registration records to identify 5295
the voter for notification under division (G) of this section. 5296

(e) If the voter did not sign the statement of voter on the identification envelope and if the voter fails to correct that defect within ten days after the day of the election in accordance with division (G) of this section, or if the election officials find that the voter is not registered or not eligible to cast a ballot in the election, the voter's absent voter's ballot shall not be counted. The identification envelope shall not be opened, and it shall be endorsed "not counted" with the reasons the ballot was not counted. 5297
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(2) The board of elections may process absent voter's ballots under division (C)(1) of this section during the ten days prior to the day of an election but shall not reveal or cause to be revealed the marks on any ballots. The board shall not count any absent voter's ballot prior to the day of the election. 5306
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(3) Any ballots that are not eligible to be counted under division (C)(1)(c) or (e) of this section shall be the preserved in their identification envelopes until the time provided by section 3505.31 of the Revised Code for the destruction of all other ballots used at the election for which ballots were provided, at which time they shall be destroyed. 5311
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(D) The registration card record of each person voting an absent voter's ballot shall be marked to indicate that the person has voted. 5317
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The date of such election shall also be entered on the elector's registration ~~form~~ record. ~~If any such challenge is made and sustained, the identification envelope of such elector shall not be opened, shall be endorsed "Not Counted" with the reasons the ballots were not counted, and shall be delivered to the board.~~ 5320
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(E) Special election judges, employees or members of the board of elections, or observers shall not disclose the count or 5326
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any portion of the count of absent voter's ballots prior to the 5328
time of the closing of the polling places. No person shall 5329
recklessly disclose the count or any portion of the count of 5330
absent voter's ballots in such a manner as to jeopardize the 5331
secrecy of any individual ballot. 5332

(F) Observers may be appointed under section 3505.21 of the 5333
Revised Code to witness the ~~examination and opening~~ processing of 5334
identification envelopes and the counting of absent voters' 5335
ballots under this section. 5336

(G)(1) If the voter did not sign the statement of voter on 5337
the identification envelope or if the election officials are 5338
unable to determine the identity of the voter who returned the 5339
ballot, the board of elections shall notify the voter, by whatever 5340
means of contact the voter has provided on the identification 5341
envelope or using any available contact information in the voter's 5342
registration record, of the defect and request the voter to verify 5343
the voter's identity for the purpose of processing that absent 5344
voter's ballot. 5345

(2) The voter may verify that the voter was the person who 5346
returned the absent voter's ballot in any of the following ways: 5347

(a) By confirming by mail, electronic mail, telephone, or 5348
facsimile transmission, or through the internet the voter's date 5349
of birth and residence address in a manner that substantially 5350
conforms with the records of the board of elections; 5351

(b) By providing a statement by mail, electronic mail, or 5352
facsimile transmission, or through the internet that the voter 5353
submitted the ballot and by attaching the voter's signature to 5354
that statement. A signature attached to a statement made under 5355
this division shall be considered the voter's signature on the 5356
identification envelope for the purposes of verifying the validity 5357
of that ballot. 5358

(c) By appearing in person at the office of the board of elections and signing the identification envelope. 5359
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(3) The secretary of state shall prescribe uniform standards for processing additional information by mail, electronic mail, telephone, facsimile transmission, through the internet, or in person at the office of the board of elections under division (H) of this section. 5361
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(4) If the voter provides the required information within ten days after the day of the election, the election officials shall complete the processing of the absent voter's ballot under division (C) of this section in the same manner as if that information had been included on the statement of voter at the time the ballot was returned. 5366
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(H) As used in this section: 5372

(1) "Bipartisan team" means a team consisting of two employees of a board of elections who are from different political parties. 5373
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(2) "Processing" an absent voter's ballot means any of the following: 5376
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(a) Examining the sufficiency of an absent voter's ballot identification envelope by reviewing the postmark, the date of receipt by the board of elections, and the presence of the voter's valid signature on the identification envelope and, if the voter's name is signed on the envelope, opening the identification envelope; 5378
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(b) Determining the validity of an absent voter's ballot, including determining whether the proper ballot was delivered to the voter and whether the stub is attached to or enclosed with the ballot; 5384
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(c) Preparing an absent voter's ballot for scanning by 5388

automatic tabulating equipment; 5389

(d) Scanning an absent voter's ballot by automatic tabulating 5390
equipment but only if the equipment used by the board of elections 5391
permits an absent voter's ballot to be scanned without tabulating 5392
or counting the votes on the ballots scanned; and 5393

(e) Identifying absent voter's ballots that cannot be read by 5394
or that are rejected by automatic tabulating equipment and 5395
determining if those ballots need to be remade so that they can be 5396
read by that equipment. 5397

Sec. 3509.07. (A) An elections official of the county in 5398
which an elector applies to vote by absent voter's ballots may 5399
challenge the right of the elector named on the application to 5400
receive absent voter's ballots only on the following grounds: 5401

(1) That the person is not a resident of the precinct for 5402
which the person is applying to vote absent voter's ballots; 5403

(2) That the person is not a citizen of the United States; 5404

(3) That the person is not eighteen years of age or older; 5405

(4) That the person is not a qualified elector for that 5406
election. 5407

Challenges shall be made only if the election official knows 5408
or reasonably believes that the challenged elector is not 5409
qualified and entitled to vote. 5410

(B) If an elector's absent voter's ballot application is 5411
challenged, the application shall be kept with other challenged 5412
absent voter's ballot applications. 5413

(C) Upon receipt of a challenged absent voter's ballot 5414
application, the board of elections promptly shall review the 5415
board's records. If the board is able to determine that a 5416
challenge should be denied solely on the basis of the records 5417

maintained by the board, the board immediately shall vote to deny 5418
the challenge. If the board is unable to determine the outcome of 5419
the challenge solely on the basis of the records maintained by the 5420
board, the board shall notify the elector of the challenge to the 5421
elector's absent voter's ballot application and shall provide an 5422
opportunity for the elector to respond to the challenge. The board 5423
of elections shall use the challenge and notification process 5424
established in section 3503.24 of the Revised Code, except that 5425
the board shall decide the challenge prior to the day of the 5426
election. 5427

(D) If the challenge is denied, an absent voter's ballot 5428
shall promptly be sent to the elector requesting that ballot. If 5429
the board of elections upholds the challenge, the absent voter's 5430
ballot application shall not be processed, no absent voter's 5431
ballot shall be sent to the elector, and the elector shall be 5432
notified of the reason the elector will not receive an absent 5433
voter's ballot. 5434

(E) No election official or other person may challenge the 5435
validity of an absent voter's ballot that has been completed and 5436
returned by the voter under this section. The validity of such a 5437
ballot shall be determined under section 3509.06 of the Revised 5438
Code. 5439

Sec. 3509.08. (A) Any qualified elector, who, on account of 5440
the elector's own personal illness, physical disability, or 5441
infirmity, or on account of the elector's confinement in a jail or 5442
workhouse under sentence for a misdemeanor or awaiting trial on a 5443
felony or misdemeanor, will be unable to travel from the elector's 5444
home or place of confinement to the voting booth in the elector's 5445
precinct on the day of any general, special, or primary election 5446
may make application in writing for an absent voter's ballot to 5447
the director of the board of elections of the elector's county. 5448

The application shall include all of the information required 5449
under section 3509.03 of the Revised Code and shall state the 5450
nature of the elector's illness, physical disability, or 5451
infirmity, or the fact that the elector is confined in a jail or 5452
workhouse and the elector's resultant inability to travel to the 5453
election booth in the elector's precinct on election day. The 5454
application shall not be valid if it is delivered to the director 5455
before the ninetieth day or after twelve noon of the third day 5456
before the day of the election at which the ballot is to be voted. 5457

The absent voter's ballot may be mailed directly to the 5458
applicant at the applicant's voting residence or place of 5459
confinement as stated in the applicant's application, or the board 5460
may designate two board employees belonging to the two major 5461
political parties for the purpose of delivering the ballot to the 5462
disabled or confined elector and returning it to the board, unless 5463
the applicant is confined to a public or private institution 5464
within the county, in which case the board shall designate two 5465
board employees belonging to the two major political parties for 5466
the purpose of delivering the ballot to the disabled or confined 5467
elector and returning it to the board. In all other instances, the 5468
ballot shall be returned to the office of the board in the manner 5469
prescribed in section 3509.05 of the Revised Code. 5470

Any disabled or confined elector who declares to the two 5471
board employees belonging to the two major political parties that 5472
the elector is unable to mark the elector's ballot by reason of 5473
physical infirmity that is apparent to the employees to be 5474
sufficient to incapacitate the voter from marking the elector's 5475
ballot properly, may receive, upon request, the assistance of the 5476
employees in marking the elector's ballot, and they shall 5477
thereafter give no information in regard to this matter. Such 5478
assistance shall not be rendered for any other cause. 5479

When two board employees belonging to the two major political 5480

parties deliver a ballot to a disabled or confined elector, each 5481
of the employees shall be present when the ballot is delivered, 5482
when assistance is given, and when the ballot is returned to the 5483
office of the board, and shall subscribe to the declaration on the 5484
identification envelope. 5485

The secretary of state shall prescribe the form of 5486
application for absent voter's ballots under this division. 5487

This chapter applies to disabled and confined absent voter's 5488
ballots except as otherwise provided in this section. 5489

(B)(1) Any qualified elector who is unable to travel to the 5490
voting booth in the elector's precinct on the day of any general, 5491
special, or primary election may apply to the director of the 5492
board of elections of the county where the elector is a qualified 5493
elector to vote in the election by absent voter's ballot if either 5494
of the following apply: 5495

(a) The elector is confined in a hospital as a result of an 5496
accident or unforeseeable medical emergency occurring before the 5497
election; 5498

(b) The elector's minor child is confined in a hospital as a 5499
result of an accident or unforeseeable medical emergency occurring 5500
before the election. 5501

(2) The application authorized under division (B)(1) of this 5502
section shall be made in writing, shall include all of the 5503
information required under section 3509.03 of the Revised Code, 5504
and shall be delivered to the director not later than three p.m. 5505
on the day of the election. The application shall indicate the 5506
hospital where the applicant or the applicant's child is confined, 5507
the date of the applicant's or the applicant's child's admission 5508
to the hospital, and the offices for which the applicant is 5509
qualified to vote. The applicant may also request that a member of 5510
the applicant's family, as listed in section 3509.05 of the 5511

Revised Code, deliver the absent voter's ballot to the applicant. 5512
The director, after establishing to the director's satisfaction 5513
the validity of the circumstances claimed by the applicant, shall 5514
supply an absent voter's ballot to be delivered to the applicant. 5515
When the applicant or the applicant's child is in a hospital in 5516
the county where the applicant is a qualified elector and no 5517
request is made for a member of the family to deliver the ballot, 5518
the director shall arrange for the delivery of an absent voter's 5519
ballot to the applicant, and for its return to the office of the 5520
board, by two board employees belonging to the two major political 5521
parties according to the procedures prescribed in division (A) of 5522
this section. When the applicant or the applicant's child is in a 5523
hospital outside the county where the applicant is a qualified 5524
elector and no request is made for a member of the family to 5525
deliver the ballot, the director shall arrange for the delivery of 5526
an absent voter's ballot to the applicant by mail, and the ballot 5527
shall be returned to the office of the board in the manner 5528
prescribed in section 3509.05 of the Revised Code. 5529

(3) Any qualified elector who is eligible to vote under 5530
division (B) ~~or~~ (C), or (D) of section 3503.16 of the Revised 5531
Code but is unable to do so because of the circumstances described 5532
in division (B)(2) of this section may vote in accordance with 5533
division (B)(1) of this section if that qualified elector states 5534
in the application for absent voter's ballots that that qualified 5535
elector moved ~~or~~, had a change of name, or both under the 5536
circumstances described in division (B) ~~or~~ (C), or (D) of section 5537
3503.16 of the Revised Code and if that qualified elector complies 5538
with divisions (G)(1) to (4) of section 3503.16 of the Revised 5539
Code. 5540

(C) Any qualified elector described in division (A) or (B)(1) 5541
of this section who needs no assistance to vote or to return 5542
absent voter's ballots to the board of elections may apply for 5543

absent voter's ballots under section 3509.03 of the Revised Code 5544
instead of applying for them under this section. 5545

Sec. 3509.09. (A) The poll list or signature pollbook for 5546
each precinct shall identify each registered elector in that 5547
precinct who has requested an absent voter's ballot for that 5548
election. 5549

(B)(1) If a registered elector appears to vote in that 5550
precinct and that elector has requested an absent voter's ballot 5551
for that election but the director has not received a sealed 5552
identification envelope purporting to contain that elector's voted 5553
absent voter's ballots for that election, the elector shall be 5554
permitted to cast a provisional ballot under section 3505.181 of 5555
the Revised Code in that precinct on the day of that election. 5556

(2) If a registered elector appears to vote in that precinct 5557
and that elector has requested an absent voter's ballot for that 5558
election and the director has received a sealed identification 5559
envelope purporting to contain that elector's voted absent voter's 5560
ballots for that election, the elector shall be permitted to cast 5561
a provisional ballot under section 3505.181 of the Revised Code in 5562
that precinct on the day of that election. 5563

(C)(1) In processing and counting absent voter's ballots 5564
under section 3509.06 of the Revised Code, the board of elections 5565
shall compare the signature of each elector from whom the director 5566
has received a sealed identification envelope purporting to 5567
contain that elector's voted absent voter's ballots for that 5568
election to the signature on that elector's registration ~~form~~ 5569
record. Except as otherwise provided in division (C)(3) of this 5570
section, if the board of elections determines that the absent 5571
voter's ballot in the sealed identification envelope is valid, it 5572
shall be counted. If the board of elections determines that the 5573
signature on the sealed identification envelope purporting to 5574

contain the elector's voted absent voter's ballot does not match 5575
the signature on the elector's registration ~~form~~ record, the 5576
ballot shall be set aside and the board shall examine, during the 5577
time prior to the beginning of the official canvass, the poll list 5578
or signature pollbook from the precinct in which the elector is 5579
registered to vote to determine if the elector also cast a 5580
provisional ballot under section 3505.181 of the Revised Code in 5581
that precinct on the day of the election. 5582

(2) The board of elections shall count the provisional 5583
ballot, instead of the absent voter's ballot, if both of the 5584
following apply: 5585

(a) The board of elections determines that the signature of 5586
the elector on the outside of the identification envelope in which 5587
the absent voter's ballots are enclosed does not match the 5588
signature of the elector on the elector's registration form; 5589

(b) The elector cast a provisional ballot in the precinct on 5590
the day of the election. 5591

(3) If the board of elections does not receive the sealed 5592
identification envelope purporting to contain the elector's voted 5593
absent voter's ballot by the applicable deadline established under 5594
section 3509.05 of the Revised Code, the provisional ballot cast 5595
under section 3505.181 of the Revised Code in that precinct on the 5596
day of the election shall be counted as valid, if that provisional 5597
ballot is otherwise determined to be valid pursuant to section 5598
3505.183 of the Revised Code. 5599

(D) If the board of elections counts a provisional ballot 5600
under division (C)(2) ~~or (3)~~ of this section, the returned 5601
identification envelope of that elector shall not be opened, and 5602
the ballot within that envelope shall not be counted. The 5603
identification envelope shall be endorsed "Not Counted" with the 5604
reason the ballot was not counted. 5605

Sec. 3511.02. Notwithstanding any section of the Revised Code 5606
to the contrary, whenever any person applies for registration as a 5607
voter on a form adopted in accordance with federal regulations 5608
relating to the "Uniformed and Overseas Citizens Absentee Voting 5609
Act," 100 Stat. 924, 42 U.S.C.A. 1973ff (1986), this application 5610
shall be sufficient for voter registration and as a request for an 5611
absent voter's ballot. Armed service absent voter's ballots may be 5612
obtained by any person meeting the requirements of section 3511.01 5613
of the Revised Code by applying to the director of the board of 5614
elections of the county in which the person's voting residence is 5615
located, in one of the following ways: 5616

(A) That person may make written application for those 5618
ballots. The person may personally deliver the application to the 5619
director or may mail it, send it by facsimile machine, send it by 5620
electronic mail, send it by other electronic means via the 5621
internet, or otherwise send it to the director. The application 5622
need not be in any particular form but shall contain all of the 5623
following information: 5624

(1) The elector's name; 5625

(2) The elector's signature or, if the application is 5626
transmitted electronically, an image of the elector's signature; 5627

(3) The address at which the elector is registered to vote; 5628

(4) The elector's date of birth; 5629

(5) One of the following, unless the elector is a first-time 5630
mail-in registrant: 5631

(a) The elector's Ohio driver's license number; 5632

(b) The last four digits of the elector's social security 5633
number; 5634

(c) A copy of the elector's ~~current and valid photo~~ 5635

~~identification, a copy of a military identification, or a copy of 5636
a current utility bill, bank statement, government check, 5637
paycheck, or other government document, other than a notice of an 5638
election mailed by a board of elections under section 3501.19 of 5639
the Revised Code or a notice of voter registration mailed by a 5640
board of elections under section 3503.19 of the Revised Code, that 5641
shows the name and address of the elector identification. 5642~~

5643

(6) A statement identifying the election for which absent 5644
voter's ballots are requested; 5645

(7) A statement that the person requesting the ballots is a 5646
qualified elector; 5647

(8) A statement that the elector is an absent uniformed 5648
services voter as defined in 42 U.S.C. 1973ff-6; 5649

(9) A statement of the elector's length of residence in the 5650
state immediately preceding the commencement of service or 5651
immediately preceding the date of leaving to be with or near the 5652
service member, whichever is applicable; 5653

(10) If the request is for primary election ballots, the 5654
elector's party affiliation; 5655

(11) If the elector desires ballots to be mailed to the 5656
elector, the address to which those ballots shall be mailed; 5657

(12) If the elector desires ballots to be sent to the elector 5658
by facsimile machine, the telephone number to which they shall be 5659
so sent; 5660

(13) If the elector is a first-time mail-in registrant, a 5661
copy of the elector's first-time mail-in registrant 5662
identification. 5663

(B) A voter or any relative of a voter listed in division (C) 5664
of this section may use a single federal post card application to 5665

apply for armed service absent voter's ballots for use at the 5666
primary and general elections in a given year and any special 5667
election to be held on the day in that year specified by division 5668
(E) of section 3501.01 of the Revised Code for the holding of a 5669
primary election, designated by the general assembly for the 5670
purpose of submitting constitutional amendments proposed by the 5671
general assembly to the voters of the state. A single federal 5672
postcard application shall be processed by the board of elections 5673
pursuant to section 3511.04 of the Revised Code the same as if the 5674
voter had applied separately for armed service absent voter's 5675
ballots for each election. 5676

(C) Application to have armed service absent voter's ballots 5677
mailed ~~or~~, sent by facsimile machine, or otherwise sent to such a 5678
person may be made by the spouse when the person is a service 5679
member, or by the father, mother, father-in-law, mother-in-law, 5680
grandfather, grandmother, brother or sister of the whole blood or 5681
half blood, son, daughter, adopting parent, adopted child, 5682
stepparent, stepchild, uncle, aunt, nephew, or niece of such a 5683
person. The application shall be in writing upon a blank form 5684
furnished only by the director or on a single federal post card as 5685
provided in division (B) of this section. The form of the 5686
application shall be prescribed by the secretary of state. The 5687
director shall furnish that blank form to any of the relatives 5688
specified in this division desiring to make the application, only 5689
upon the request of such a relative made in person at the office 5690
of the board or upon the written request of such a relative 5691
mailed, sent by facsimile transmission, sent by electronic mail, 5692
or sent by other electronic means via the internet to the office 5693
of the board. The application, subscribed and sworn to by the 5694
applicant, shall contain all of the following: 5695

(1) The full name of the elector for whom ballots are 5696
requested; 5697

(2) A statement that the elector is an absent uniformed services voter as defined in 42 U.S.C. 1973ff-6;	5698 5699
(3) The address at which the elector is registered to vote;	5700
(4) A statement identifying 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 a service member, as the case may be;	5701 5702 5703 5704
(5) The elector's date of birth;	5705
(6) One of the following, <u>unless the individual is a first-time mail-in registrant</u> :	5706 5707
(a) The elector's <u>Ohio</u> driver's license number;	5708
(b) The last four digits of the elector's social security number;	5709 5710
(c) A copy of the elector's current and valid photo identification, a copy of a military identification, 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 <u>identification</u> .	5711 5712 5713 5714 5715 5716 5717 5718 5719
(7) A statement identifying the election for which absent voter's ballots are requested;	5720 5721
(8) A statement that the person requesting the ballots is a qualified elector;	5722 5723
(9) If the request is for primary election ballots, the elector's party affiliation;	5724 5725
(10) A statement that the applicant bears a relationship to the elector as specified in division (C) of this section;	5726 5727

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

(12) The signature or, if the application is transmitted
electronically, an image of the signature and the address of the
person making the application;

(13) If the elector is a first-time mail-in registrant, a
copy of the elector's first-time mail-in registrant
identification.

~~Each~~ (D)(1) An elector who is eligible to vote armed service
absent voter's ballots may make a single request for armed service
absent voter's ballots for all elections at which the elector is
eligible to vote during a calendar year. The application shall
contain the information specified in division (A) of this section
and also shall specify that the elector is requesting armed
service absent voter's ballots for each election during that year.
If the elector wishes to vote primary election ballots, the
elector shall state the elector's party affiliation in the
application.

If an elector applies for annual armed service absent voter's
ballots under this division, the application shall be processed by
the board of elections pursuant to section 3511.04 of the Revised
Code the same as if the elector had applied separately for armed
service absent voter's ballots for each election during the
applicable calendar year. Armed service absent voter's ballots
shall be sent to the elector for use at each election during the
applicable calendar year for which the elector is eligible to cast
a ballot. When sending armed service absent voter's ballots to an
elector who applied for them under this division, the board shall
enclose notification to the elector that the elector must report
to the board subsequent changes in the elector's voting status,
changes in the elector's address, or the elector's intent to vote

at a polling location in the jurisdiction in this state where the 5760
elector is registered to vote. Such notification shall be in a 5761
form prescribed by the secretary of state. 5762

If an armed service absent voter's ballot or any official 5763
response to an application for an annual armed service absent 5764
voter's ballot is returned undeliverable to the board of 5765
elections, the board shall attempt to contact the elector to 5766
verify the elector's mailing address using any available contact 5767
information in the elector's voter registration record including 5768
the elector's telephone number, facsimile transmission number, or 5769
electronic mail address. If the board is unable to contact the 5770
elector, the board shall not send armed service absent voter's 5771
ballots for any subsequent election to that elector until the 5772
elector submits another application and the information in that 5773
application is verified. The board shall remove from the poll list 5774
or signature pollbook any notation that the elector requested an 5775
armed service absent voter's ballot. The elector may cast a 5776
regular ballot if the elector appears to vote in person on the day 5777
of the election or the elector may cast an armed service absent 5778
voter's ballot in person before the day of the election at the 5779
board of elections or if pursuant to division (C) of section 5780
3501.10 of the Revised Code the board has designated one or more 5781
other locations in the county at which registered electors may 5782
cast an absent voter's ballot in person, at such other location. 5783

(2) Not later than the fifteenth day of December of each 5784
year, the board of elections shall send an application for annual 5785
armed service absent voter's ballots for the following calendar 5786
year to each person who requested annual armed service absent 5787
voter's ballots under division (D)(1) of this section for the 5788
current year. An elector who completes and returns such an 5789
application shall be eligible to receive annual armed service 5790
absent voter's ballots under division (D)(1) of this section for 5791

the applicable year. 5792

(E) Except for annual applications for armed service absent 5793
voter's ballots submitted under division (D)(2) of this section, 5794
each application for armed service absent voter's ballots shall be 5795
delivered to the director not earlier than the first day of 5796
January of the year of the elections for which the armed service 5797
absent voter's ballots are requested or not earlier than ninety 5798
days before the day of the election at which the ballots are to be 5799
voted, whichever is earlier, and not later than twelve noon of the 5800
third day preceding the day of the election, or not later than the 5801
close of regular business hours on the day before the day of the 5802
election at which those ballots are to be voted if the application 5803
is delivered in person to the office of the board. 5804

~~(D)~~(F) If the voter for whom the application is made is 5805
entitled to vote for presidential and vice-presidential electors 5806
only, the applicant shall submit to the director in addition to 5807
the requirements of divisions (A), (B), and (C) of this section, a 5808
statement to the effect that the voter is qualified to vote for 5809
presidential and vice-presidential electors and for no other 5810
offices. 5811

Sec. 3511.04. (A) If a director of a board of elections 5812
receives an application for armed service absent voter's ballots 5813
that does not contain all of the required information, the 5814
director promptly shall notify the applicant, by whatever means of 5815
contact the applicant has provided on the application, of the 5816
additional information required to be provided by the applicant to 5817
complete that application. The applicant may provide the required 5818
information by mail, electronic mail, telephone, or facsimile 5819
transmission, through the internet, or in person at the office of 5820
the board of elections. If the application is missing a signature, 5821
the applicant may provide a signed statement that the applicant 5822

submitted the application. A signature provided on a signed 5823
statement under this division shall be considered the applicant's 5824
signature on the application for the purposes of processing an 5825
otherwise valid application for armed service absent voter's 5826
ballots. The secretary of state shall prescribe uniform standards 5827
for processing additional information by mail, electronic mail, 5828
telephone, facsimile transmission, through the internet, or in 5829
person at the office of the board of elections under this 5830
division. 5831

If the applicant provides the required information prior to 5832
the end of the period for voting by armed service absent voter's 5833
ballots at that election, the board shall promptly process the 5834
application and deliver armed service absent voter's ballots to 5835
the applicant. 5836

(B) ~~Not~~ Subject to section 3511.041 of the Revised Code, not 5837
later than the twenty-fifth day before the day of each 5838
presidential primary election and not later than the thirty-fifth 5839
day before the day of each general or other primary election, and 5840
at the earliest possible time before the day of a special election 5841
held on a day other than the day on which a general or primary 5842
election is held, the director of the board of elections shall 5843
mail ~~or~~, send by facsimile machine, or otherwise send armed 5844
service absent voter's ballots then ready for use as provided for 5845
in section 3511.03 of the Revised Code and for which the director 5846
has received valid applications prior to that time. Thereafter, 5847
and until twelve noon of the third day preceding the day of 5848
election, the director shall promptly, upon receipt of valid 5849
applications for them, mail ~~or~~, send by facsimile machine, or 5850
otherwise send to the proper persons all armed service absent 5851
voter's ballots then ready for use. 5852

If, after the sixtieth day before the day of a general or 5853
primary election, any other question, issue, or candidacy is 5854

lawfully ordered submitted to the electors voting at the general 5855
or primary election, the board shall promptly provide a separate 5856
official issue, special election, or other election ballot for 5857
submitting the question, issue, or candidacy to those electors, 5858
and the director shall promptly mail ~~or~~, send by facsimile 5859
machine, or otherwise send each such separate ballot to each 5860
person to whom the director has previously mailed ~~or~~, sent by 5861
facsimile machine, or otherwise sent other armed service absent 5862
voter's ballots. 5863

In mailing armed service absent voter's ballots, the director 5864
shall use the fastest mail service available, but the director 5865
shall not mail them by certified mail. 5866

Sec. 3511.041. (A) An elections official of the county in 5867
which an elector applies to vote by armed service absent voter's 5868
ballots may challenge the right of the elector named on the 5869
application to receive armed service absent voter's ballots only 5870
on the following grounds: 5871

(1) That the person is not a resident of the precinct for 5872
which the person is applying to vote armed service absent voter's 5873
ballots; 5874

(2) That the person is not a citizen of the United States; 5875

(3) That the person is not eighteen years of age or older; 5876

(4) That the person is not a qualified elector for that 5877
election. 5878

Challenges shall be made only if the election official knows 5879
or reasonably believes that the person is not qualified and 5880
entitled to vote. 5881

(B) If an elector's armed service absent voter's ballot 5882
application is challenged, the application shall be kept with 5883
other challenged armed service absent voter's ballot applications. 5884

(C) Upon receipt of a challenged armed service absent voter's ballot application, the board of elections promptly shall review the board's records. If the board is able to determine that a challenge should be denied solely on the basis of the records maintained by the board, the board immediately shall vote to deny the challenge. If the board is unable to determine the outcome of the challenge solely on the basis of the records maintained by the board, the board shall notify the elector of the challenge to the elector's armed service absent voter's ballot application and shall provide an opportunity for the elector to respond to the challenge. The board of elections shall use the challenge and notification process established in section 3503.24 of the Revised Code, except that the board shall decide the challenge prior to the day of the election.

(D) If the challenge is denied, an armed service absent voter's ballot shall promptly be sent to the elector requesting that ballot. If the board of elections upholds the challenge, the armed service absent voter's ballot application shall not be processed, no armed service absent voter's ballot shall be sent to the elector, and the elector shall be notified of the reason the elector will not receive an armed service absent voter's ballot.

(E) No election official or other person may challenge the validity of an armed service absent voter's ballot that has been completed and returned by the voter under this section. The validity of such a ballot shall be determined under section 3511.11 of the Revised Code, as applicable.

Sec. 3511.05. (A) The director of the board of elections shall place armed service absent voter's ballots sent by mail or other means in an unsealed identification envelope, ~~gummed ready for sealing~~. The director shall include with armed service absent

voter's ballots sent by facsimile machine an instruction sheet for 5916
preparing a ~~gummed~~ an envelope in which the ballots shall be 5917
returned. The envelope for returning ballots sent by either means 5918
shall have printed or written on its face a form substantially as 5919
follows: 5920

"Identification Envelope Statement of Voter 5921

I,(Name of voter), declare under 5922
penalty of election falsification that the ~~within~~ ballot or 5923
ballots contained no voting marks of any kind when I received 5924
them, and I caused the ballot or ballots to be marked, enclosed in 5925
the identification envelope, and sealed in that envelope. 5926

My voting residence in Ohio is 5927

..... 5928

(Street and Number, if any, or Rural Route and Number) 5929

of (City, Village, or Township) 5930

Ohio, which is in Ward Precinct 5931

~~in that city, village, or township.~~ 5932

~~The primary election ballots, if any, within this envelope~~ 5933

~~are~~ If the election is a primary election, by requesting ballots 5934

of the Party, I hereby declare that I desire to be 5935

affiliated with and support the above-named party. 5936

~~Ballots contained within this envelope are to be voted at the~~ 5937

~~..... (general, special, or primary) election to be held on~~ 5938

~~the day of, ..~~ 5939

My date of birth is (Month and Day), 5940

..... (Year). 5941

(Voter must provide one of the following:) 5942

My Ohio driver's license number is (~~Driver's~~ 5943

Ohio driver's license number). 5944

The last four digits of my Social Security Number are 5945

..... (Last four digits of Social Security Number). 5946

..... In lieu of providing ~~a~~ an Ohio driver's license number 5947
or the last four digits of my Social Security Number, I am 5948
enclosing a copy of ~~one of~~ the following in the return envelope in 5949
which this identification envelope will be mailed: a current and 5950
valid photo identification or two current and valid items that 5951
list my name in a manner that substantially conforms to my name on 5952
the statewide voter registration database and that are from a 5953
nonprofit organization, an institution, a business, or a 5954
government entity. If I am a first-time voter who registered to 5955
vote by mail, did not provide identification when I registered to 5956
vote, and have not previously voted at a federal election in Ohio, 5957
I am enclosing a copy of a current and valid photo identification, 5958
a military identification, or a current utility bill, bank 5959
statement, government check, paycheck, or other government 5960
document, ~~other than a notice of an election mailed by a board of~~ 5961
~~elections under section 3501.19 of the Revised Code or a notice of~~ 5962
~~voter registration mailed by a board of elections,~~ that shows my 5963
name and address. 5964

I hereby declare, under penalty of election falsification, 5965
that the statements above are true, ~~as I verily believe.~~ 5966

..... 5967

(Signature of Voter (required)) 5968

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 5969
THE FIFTH DEGREE." 5970

(B) Before delivering or sending the ballots, the director 5971
shall record the unique identification number located on the stub 5972
of the voter's ballot, the voter's name, and the voter's address, 5973
and shall cause the unique identification number to be copied on 5974
the outside of the identification envelope. The director shall 5975
also ~~mail~~ send with the ballots and the unsealed identification 5976
envelope sent by mail or other means an unsealed return envelope, 5977

~~gummed, ready for sealing,~~ for use by the voter in returning the 5978
voter's marked ballots to the director. The director shall send 5979
with the ballots and the instruction sheet for preparing a ~~gummed~~ 5980
an envelope sent by facsimile machine an instruction sheet for 5981
preparing a second ~~gummed~~ envelope as described in this division, 5982
for use by the voter in returning that voter's marked ballots to 5983
the director. The return envelope shall ~~have two parallel lines,~~ 5984
~~each one quarter of an inch in width, printed across its face~~ 5985
~~paralleling the top, with an intervening space of one quarter of~~ 5986
~~an inch between such lines. The top line shall be one and~~ 5987
~~one quarter inches from the top of the envelope. Between the~~ 5988
~~parallel lines shall be printed:~~ have printed on it "OFFICIAL 5989
ELECTION ARMED SERVICE ABSENT VOTER'S BALLOTS — VIA AIR - FIRST 5990
CLASS MAIL." Three blank lines shall be printed in the upper left 5991
corner on the face of the envelope for the use by the voter in 5992
placing the voter's complete military, naval, or mailing address 5993
on these lines, and beneath these lines there shall be printed a 5994
box beside the words "check if out-of-country." The voter shall 5995
check this box if the voter will be outside the United States on 5996
the day of the election. The official title and the post-office 5997
address of the director to whom the envelope shall be returned 5998
shall be printed on the face of such envelope in the lower right 5999
portion below the bottom parallel line. 6000

~~(C) On the back of each identification envelope and each~~ 6001
~~return envelope shall be printed the following:~~ 6002

~~"Instructions to voter:~~ 6003

~~If the flap on this envelope is so firmly stuck to the back~~ 6004
~~of the envelope when received by you as to require forcible~~ 6005
~~opening in order to use it, open the envelope in the manner least~~ 6006
~~injurious to it, and, after marking your ballots and enclosing~~ 6007
~~same in the envelope for mailing them to the director of the board~~ 6008
~~of elections, reclose the envelope in the most practicable way, by~~ 6009

~~sealing or otherwise, and sign the blank form printed below.~~ 6010

~~The flap on this envelope was firmly stuck to the back of the envelope when received, and required forced opening before sealing and mailing.~~ 6011
6012
6013

..... 6014
(Signature of voter)" 6015

~~(D) Division (C) of this section does not apply when absent voter's ballots are sent by facsimile machine.~~ 6016
6017

Sec. 3511.06. The return envelope provided for in section 6018
3511.05 of the Revised Code shall be of such size that the 6019
identification envelope can be conveniently placed within it for 6020
returning the identification envelope to the director. The 6021
envelope in which the two envelopes and the armed service absent 6022
voter's ballots are mailed to the elector shall have ~~two parallel~~ 6023
~~lines, each one quarter of an inch in width, printed across its~~ 6024
~~face, paralleling the top, with an intervening space of~~ 6025
~~one quarter of an inch between such lines. The top line shall be~~ 6026
~~one and one quarter inches from the top of the envelope. Between~~ 6027
~~the parallel lines shall be printed on it: "official armed service~~ 6028
~~absent voter's balloting material via air mail OFFICIAL ARMED~~ 6029
~~SERVICE ABSENT VOTER'S BALLOTING MATERIAL - FIRST CLASS MAIL."~~ 6030
The 6031
appropriate return address of the director of the board of 6032
elections shall be printed in the upper left corner on the face of 6033
such envelope. Several blank lines shall be printed on the face of 6034
such envelope in the lower right portion, below the bottom 6035
parallel line, for writing in the name and address of the elector 6036
to whom such envelope is mailed sent.

Sec. 3511.08. The director of the board of elections shall 6037
keep a record of the name and address of each person to whom ~~he~~ 6038
the director mails, sends, or delivers armed service absent 6039

voter's ballots, the kinds of ballots so mailed, sent, or 6040
delivered, and the name and address of the person who made the 6041
application for ~~such~~ those ballots. After ~~he~~ the director has 6042
mailed, sent, or delivered such ballots ~~he~~ the director shall not 6043
mail, send, or deliver additional ballots of the same kind to such 6044
person pursuant to a subsequent request unless such subsequent 6045
request contains the statement that an earlier request had been 6046
sent to the director prior to the thirtieth day before the 6047
election and that the armed service absent voter's ballots so 6048
requested had not been received by such person prior to the 6049
fifteenth day before the election, and provided that the director 6050
has not received an identification envelope purporting to contain 6051
marked armed service absent voter's ballots from such person. 6052

Sec. 3511.09. (A) When an elector receives an armed service 6053
absent voter's ballot pursuant to the elector's application or 6054
request, the elector shall, before placing any marks on the 6055
ballot, note whether there are any voting marks on it. If there 6056
are any voting marks, the ballot shall be returned immediately to 6057
the board of elections; otherwise, the elector shall cause the 6058
ballot to be marked, folded in a manner that the stub on it is 6059
visible, and placed and sealed within the identification envelope 6060
received from the director of elections for that purpose. Then, 6061
the elector shall cause the statement of voter on the outside of 6062
the identification envelope to be completed, under penalty of 6063
election falsification. 6064

Unless the elector is a first-time mail-in registrant, the 6065
elector shall provide the elector's Ohio driver's license number 6066
or the last four digits of the elector's social security number on 6067
the statement of voter on the identification envelope. If the 6068
elector does not provide the elector's Ohio driver's license 6069
number or the last four digits of the elector's social security 6070
number on the statement of voter, the elector shall include in the 6071

return envelope with the identification envelope a copy of the 6072
elector's identification. If the elector is a first-time mail-in 6073
registrant, the elector shall include a copy of the elector's 6074
first-time mail-in registrant identification. 6075

The elector shall mail the identification envelope to the 6076
director from whom it was received in the return envelope, postage 6077
prepaid, or the elector may personally deliver it to the director, 6078
or the spouse of the elector, the father, mother, father-in-law, 6079
mother-in-law, grandfather, grandmother, brother, or sister of the 6080
whole or half blood, or the son, daughter, adopting parent, 6081
adopted child, stepparent, stepchild, uncle, aunt, nephew, or 6082
niece of the elector may deliver it to the director. If the 6083
elector is returning the armed service absent voter's ballots from 6084
outside the United States, the elector may return those ballots to 6085
the director by mail, commercial delivery service, personal 6086
delivery, or delivery by a family member. The return envelope 6087
shall be transmitted to the director in no other manner, except as 6088
provided in section 3509.08 of the Revised Code. 6089

Each elector who will be outside the United States on the day 6090
of the election shall check the box on the return envelope 6091
indicating this fact. 6092

Sec. 3511.10. If, after the thirty-fifth day and before the 6093
close of the polls on the day of a general or primary election, a 6094
valid application for armed service absent voter's ballots is 6095
delivered to the director of the board of elections at the office 6096
of the board by a person making the application ~~in his~~ on the 6097
person's own behalf, the director shall forthwith deliver to the 6098
person all armed service absent voter's ballots then ready for 6099
use, together with an identification envelope. The person shall 6100
then immediately retire to a voting booth in the office of the 6101
board, and mark the ballots. ~~He~~ The person shall then fold each 6102

ballot separately so as to conceal ~~his~~ the person's markings 6103
thereon, and deposit all of the ballots in the identification 6104
envelope and securely seal it. Thereupon ~~he~~ the person shall fill 6105
in answers to the questions on the face of the identification 6106
envelope, and by writing ~~his~~ the person's usual signature in the 6107
proper place thereon, ~~he~~ the person shall declare under penalty of 6108
election falsification that the answers to those questions are 6109
true and correct to the best of ~~his~~ that person's knowledge and 6110
belief. ~~He~~ The person shall then deliver the identification 6111
envelope to the director. If thereafter, and before the third day 6112
preceding such election, the board provides additional separate 6113
official issue or special election ballots, as provided for in 6114
section 3511.04 of the Revised Code, the director shall promptly, 6115
and not later than twelve noon of the third day preceding the day 6116
of election, mail or otherwise send such additional ballots to 6117
such person at the address specified by ~~him~~ that person for that 6118
purpose. 6119

In the event any person serving in the armed forces of the 6120
United States is discharged after the closing date of 6121
registration, and ~~he~~ that person or ~~his~~ that person's spouse, or 6122
both, meets all the other qualifications set forth in section 6123
3511.01 of the Revised Code, ~~he or she~~ the person or spouse shall 6124
be permitted to vote prior to the date of the election in the 6125
office of the board in ~~his~~ the person's or spouse's county, as set 6126
forth in this section. 6127

Sec. 3511.11. (A) Upon receipt of any return envelope bearing 6128
the designation "Official Election Armed Service Absent Voter's 6129
Ballot" prior to the twenty-first day after the day of a 6130
presidential primary election or prior to the eleventh day after 6131
the day of any other election, ~~the director~~ a bipartisan team 6132
consisting of employees of the board of elections shall inspect 6133
the postmark and verify the date the board received the armed 6134

service absent voter's ballot. If either the postmark, if 6135
applicable, or the date of receipt do not meet the applicable 6136
deadlines for that election established in division (C) or (D) of 6137
this section, the ballot shall not be counted. The identification 6138
envelope shall not be opened, and it shall be endorsed "not 6139
counted" with the reasons the ballot was not counted. 6140

If the postmark, if applicable, and the date of receipt for a 6141
return envelope purporting to contain voted armed service absent 6142
voter's ballots meets the applicable deadlines for that election 6143
established in division (C) or (D) of this section, the bipartisan 6144
team shall open it but shall not open the identification envelope 6145
contained in it. If, upon so opening the return envelope, the 6146
director bipartisan team finds ballots in it that are not enclosed 6147
in and properly sealed in the identification envelope, the 6148
director bipartisan team shall not look at the markings upon the 6149
ballots and shall promptly place them in the identification 6150
envelope and promptly seal it. If, upon so opening the return 6151
envelope, the director bipartisan team finds that ballots are 6152
enclosed in the identification envelope but that it is not 6153
properly sealed, the director bipartisan team shall not look at 6154
the markings upon the ballots and shall promptly seal the 6155
identification envelope. 6156

(B) Armed service absent voter's ballots delivered to the 6157
director not later than the close of the polls on election day 6158
shall be processed and counted in the manner provided in division 6159
(F) of this section ~~3509.06 of the Revised Code.~~ 6160

(C) A return envelope that indicates that the voter will be 6161
outside of the United States on the day of an election is not 6162
required to be postmarked in order for an armed service absent 6163
voter's ballot contained in it to be valid. Except as otherwise 6164
provided in this division, whether or not the return envelope 6165
containing the ballot is postmarked or contains an illegible 6166

postmark, an armed service absent voter's ballot that is received 6167
after the close of the polls on election day through the tenth day 6168
after the election day or, if the election was a presidential 6169
primary election, through the twentieth day after the election 6170
day, and that is delivered in a return envelope that indicates 6171
that the voter will be outside the United States on the day of the 6172
election shall be counted on the eleventh day after the election 6173
day or, if the election was a presidential primary election, on 6174
the twenty-first day after the election day, at the office of the 6175
board of elections in the manner provided in ~~divisions (C) and (D)~~ 6176
division (F) of this section 3509.06 of the Revised Code. However, 6177
if a return envelope containing an armed service absent voter's 6178
ballot is so received and so indicates, but it is postmarked, or 6179
the identification envelope in it is signed, after the close of 6180
the polls on election day, the armed service absent voter's ballot 6181
shall not be counted. The identification envelope shall not be 6182
opened and it shall be endorsed "not counted" with the reasons the 6183
ballot was not counted. 6184

(D)(1) Except as otherwise provided in division (D)(2) of 6185
this section, any return envelope containing an armed service 6186
absent voter's ballot that is postmarked within the United States 6187
prior to the day of the election shall be delivered to the 6188
director prior to the eleventh day after the election. Armed 6189
service absent voter's ballots delivered in envelopes postmarked 6190
prior to the day of the election that are received after the close 6191
of the polls on election day through the tenth day thereafter 6192
shall be counted on the eleventh day at the board of elections in 6193
the manner provided in ~~divisions (C) and (D)~~ division (F) of this 6194
section 3509.06 of the Revised Code. Any such ~~ballots~~ ballot that 6195
~~are~~ is received by the director later than the tenth day following 6196
the election shall not be counted, but shall be kept by the board 6197
in the sealed identification ~~envelopes~~ envelope as provided in 6198
division (A) of this section. The identification envelope shall 6199

not be opened and it shall be endorsed "not counted" with the 6200
reasons the ballot was not counted. 6201

(2) Division (D)(1) of this section shall not apply to any 6202
mail that is postmarked using a postage evidencing system, 6203
including a postage meter, as defined in 39 C.F.R. 501.1. 6204

~~(E) The following types of armed service absent voter's~~ 6205
~~ballots shall not be counted:~~ 6206

~~(1) Armed service absent voter's ballots contained in return~~ 6207
~~envelopes that bear the designation "Official Election Armed~~ 6208
~~Service Absent Voter's Ballots," that are received by the director~~ 6209
~~after the close of the polls on the day of the election, and that~~ 6210
~~either are postmarked, or contain an identification envelope that~~ 6211
~~is signed, on or after election day;~~ 6212

~~(2) Armed service absent voter's ballots contained in return~~ 6213
~~envelopes that bear that designation, that do not indicate they~~ 6214
~~are from voters who will be outside the United States on the day~~ 6215
~~of the election, and that are received after the tenth day~~ 6216
~~following the election or, if the election was a presidential~~ 6217
~~primary election, after the twentieth day following the election;~~ 6218

~~(3) Armed service absent voter's ballots contained in return~~ 6219
~~envelopes that bear that designation, that are received by the~~ 6220
~~director within ten days after the day of the election, and that~~ 6221
~~were postmarked before the day of the election using a postage~~ 6222
~~evidencing system, including a postage meter, as defined in 39~~ 6223
~~C.F.R. 501.1.~~ 6224

~~The uncounted ballots shall be preserved in their~~ 6225
~~identification envelopes unopened until the time provided by~~ 6226
~~section 3505.31 of the Revised Code for the destruction of all~~ 6227
~~other ballots used at the election for which ballots were~~ 6228
~~provided, at which time they shall be destroyed. The board of~~ 6229
~~elections shall appoint special election judges for the purpose of~~ 6230

processing and counting armed service absent voter's ballots. The 6231
votes so cast shall be added to the vote totals by the board, and 6232
the armed service absent voter's ballots shall be preserved 6233
separately by the board, in the same manner and for the same 6234
length of time as provided by section 3505.31 of the Revised Code. 6235

(F)(1) Each of the identification envelopes purporting to 6236
contain armed service absent voter's ballots delivered to the 6237
special judge appointed by the board of elections shall be 6238
processed and counted as follows: 6239

(a) The election officials shall inspect the statement 6240
accompanying an armed service absent voter's ballot to determine 6241
if the voter's signature has been provided. 6242

(b) The election officials shall compare the signature of the 6243
voter as provided on the statement accompanying the armed service 6244
absent voter's ballot with the signature contained in the voter 6245
registration records. 6246

(c) If the election officials find that the voter's signature 6247
has been provided and that the voter is registered and eligible to 6248
cast a ballot in the election, the election officials shall open 6249
the envelope and determine if the stub is attached to or enclosed 6250
with the ballot. If the stub is attached to or enclosed with the 6251
ballot, the election officials shall count that ballot not earlier 6252
than the day of the election. If the stub is not attached to or 6253
enclosed with the ballot, the armed service absent voter's ballot 6254
shall not be counted. The ballot shall be placed in its 6255
accompanying identification envelope, which shall be endorsed "not 6256
counted" with the reasons the ballot was not counted. 6257

(d) If the election officials find that voter did not sign 6258
the statement of voter on the identification envelope or if the 6259
election officials are unable to determine the identity of the 6260
voter who returned the ballot, the election officials shall use 6261

any information provided on the identification envelope or, if 6262
necessary, cross-reference the unique stub number placed on the 6263
identification envelope with the registration records to identify 6264
the voter for notification under division (J) of this section. 6265

(e) If the voter did not sign the statement of voter on the 6266
identification envelope and if the voter fails to correct that 6267
defect within ten days after the day of the election in accordance 6268
with division (J) of this section, or if the election officials 6269
find that the voter is not registered or not eligible to cast a 6270
ballot in the election, the voter's armed service absent voter's 6271
ballot shall not be counted. The identification envelope shall not 6272
be opened and it shall be endorsed "not counted" with the reasons 6273
the ballot was not counted. 6274

(2) The board of elections may process armed service absent 6275
voter's ballots under division (F)(1) of this section during the 6276
ten days prior to the day of an election but shall not reveal or 6277
cause to be revealed the marks on any ballots. The board shall not 6278
count any armed service absent voter's ballot prior to the day of 6279
the election. 6280

(3) Any ballots that are not eligible to be counted under 6281
division (F)(1)(c) or (e) of this section shall be preserved in 6282
their identification envelopes until the time provided by section 6283
3505.31 of the Revised Code for the destruction of all other 6284
ballots used at the election for which ballots were provided, at 6285
which time they shall be destroyed. 6286

(G) The registration record of each person voting an armed 6287
service absent voter's ballot shall be marked to indicate that the 6288
person has voted. The date of such election shall also be entered 6289
on the elector's registration record. 6290

(H) Special election judges, employees or members of the 6291
board of elections, or observers shall not disclose the count or 6292

any portion of the count of armed service absent voter's ballots 6293
prior to the time of the closing of the polling places. No person 6294
shall recklessly disclose the count or any portion of the count of 6295
armed service absent voter's ballots in such a manner as to 6296
jeopardize the secrecy of any individual ballot. 6297

(I) Observers may be appointed under section 3505.21 of the 6298
Revised Code to witness the processing of identification envelopes 6299
and the counting of armed service absent voters' ballots under 6300
this section. 6301

(J)(1) If the voter did not sign the statement of voter on 6302
the identification envelope or if the election officials are 6303
unable to determine the identity of the voter who returned the 6304
ballot, the board of elections shall notify the voter, by whatever 6305
means of contact the voter has provided on the identification 6306
envelope or using any available contact information in the voter's 6307
registration record, of the defect and request the voter to verify 6308
the voter's identity for the purpose of processing that armed 6309
service absent voter's ballot. 6310

(2) The voter may verify that the voter was the person who 6311
returned the armed service absent voter's ballot in any of the 6312
following ways: 6313

(a) By confirming by mail, electronic mail, telephone, or 6314
facsimile transmission, or through the internet the voter's date 6315
of birth and residence address in a manner that substantially 6316
conforms with the records of the board of elections; 6317

(b) By providing a statement by mail, electronic mail, or 6318
facsimile transmission, or through the internet that the voter 6319
submitted the ballot and by attaching the voter's signature to 6320
that statement. A signature attached to a statement made under 6321
this division shall be considered the voter's signature on the 6322
identification envelope for the purposes of verifying the validity 6323

of that ballot. 6324

(c) By appearing in person at the office of the board of elections and signing the identification envelope. 6325
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(3) The secretary of state shall prescribe uniform standards for processing additional information by mail, electronic mail, telephone, facsimile transmission, through the internet, or in person at the office of the board of elections under division (J) of this section. 6327
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(4) If the voter provides the required information within ten days after the day of the election, the election officials shall complete the processing of the armed service absent voter's ballot under division (F) of this section in the same manner as if that information had been included on the statement of voter at the time the ballot was returned. 6332
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(K) As used in this section, "bipartisan team" and "processing" a ballot have the same meanings as in section 3509.06 of the Revised Code. 6338
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Sec. 3511.13. (A) The poll list or signature pollbook for each precinct shall identify each registered elector in that precinct who has requested an armed service absent voter's ballot for that election. 6341
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(B)(1) If a registered elector appears to vote in that precinct and that elector has requested an armed service absent voter's ballot for that election but the director has not received a sealed identification envelope purporting to contain that elector's voted armed service absent voter's ballots for that election, the elector shall be permitted to cast a provisional ballot under section 3505.181 of the Revised Code in that precinct on the day of that election. 6345
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(2) If a registered elector appears to vote in that precinct 6353

and that elector has requested an armed service absent voter's 6354
ballot for that election and the director has received a sealed 6355
identification envelope purporting to contain that elector's voted 6356
armed service absent voter's ballots for that election, the 6357
elector shall be permitted to cast a provisional ballot under 6358
section 3505.181 of the Revised Code in that precinct on the day 6359
of that election. 6360

(C)(1) In processing and counting armed service absent 6361
voter's ballots under section 3511.11 of the Revised Code, the 6362
board of elections shall compare the signature of each elector 6363
from whom the director has received a sealed identification 6364
envelope purporting to contain that elector's voted armed service 6365
absent voter's ballots for that election to the signature on the 6366
elector's registration ~~form~~ record. Except as otherwise provided 6367
in division (C)(3) of this section, if the board of elections 6368
determines that the armed service absent voter's ballot in the 6369
sealed identification envelope is valid, it shall be counted. If 6370
the board of elections determines that the signature on the sealed 6371
identification envelope purporting to contain the elector's voted 6372
armed service absent voter's ballot does not match the signature 6373
on the elector's registration ~~form~~ record, the ballot shall be set 6374
aside and the board shall examine, during the time prior to the 6375
beginning of the official canvass, the poll list or signature 6376
pollbook from the precinct in which the elector is registered to 6377
vote to determine if the elector also cast a provisional ballot 6378
under section 3505.181 of the Revised Code in that precinct on the 6379
day of the election. 6380

(2) The board of elections shall count the provisional 6381
ballot, instead of the armed service absent voter's ballot, of an 6382
elector from whom the director has received an identification 6383
envelope purporting to contain that elector's voted armed service 6384
absent voter's ballots, if both of the following apply: 6385

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

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

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

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

Sec. 3513.05. Each person desiring to become a candidate for a party nomination or for election to an office or position to be voted for at a primary election, except persons desiring to become joint candidates for the offices of governor and lieutenant governor and except as otherwise provided in section 3513.051 of the Revised Code, shall, not later than four p.m. of the seventy-fifth day before the day of the primary election, or if the primary election is a presidential primary election, not later than four p.m. of the sixtieth day before the day of the presidential primary election, file a declaration of candidacy and

petition and pay the fees required under divisions (A) and (B) of 6417
section 3513.10 of the Revised Code. The declaration of candidacy 6418
and all separate petition papers shall be filed at the same time 6419
as one instrument. When the offices are to be voted for at a 6420
primary election, persons desiring to become joint candidates for 6421
the offices of governor and lieutenant governor shall, not later 6422
than four p.m. of the seventy-fifth day before the day of the 6423
primary election, comply with section 3513.04 of the Revised Code. 6424
The prospective joint candidates' declaration of candidacy and all 6425
separate petition papers of candidacies shall be filed at the same 6426
time as one instrument. The secretary of state or a board of 6427
elections shall not accept for filing a declaration of candidacy 6428
and petition of a person seeking to become a candidate if that 6429
person, for the same election, has already filed a declaration of 6430
candidacy or a declaration of intent to be a write-in candidate, 6431
or has become a candidate by the filling of a vacancy under 6432
section 3513.30 of the Revised Code for any federal, state, or 6433
county office, if the declaration of candidacy is for a state or 6434
county office, or for any municipal or township office, if the 6435
declaration of candidacy is for a municipal or township office. 6436

If the declaration of candidacy declares a candidacy which is 6437
to be submitted to electors throughout the entire state, the 6438
petition, including a petition for joint candidates for the 6439
offices of governor and lieutenant governor, shall be signed by at 6440
least one thousand qualified electors who are members of the same 6441
political party as the candidate or joint candidates, and the 6442
declaration of candidacy and petition shall be filed with the 6443
secretary of state; provided that the secretary of state shall not 6444
accept or file any such petition appearing on its face to contain 6445
signatures of more than three thousand electors. 6446

Except as otherwise provided in this paragraph, if the 6447
declaration of candidacy is of one that is to be submitted only to 6448

electors within a district, political subdivision, or portion 6449
thereof, the petition shall be signed by not less than fifty 6450
qualified electors who are members of the same political party as 6451
the political party of which the candidate is a member. If the 6452
declaration of candidacy is for party nomination as a candidate 6453
for member of the legislative authority of a municipal corporation 6454
elected by ward, the petition shall be signed by not less than 6455
twenty-five qualified electors who are members of the political 6456
party of which the candidate is a member. 6457

No such petition, except the petition for a candidacy that is 6458
to be submitted to electors throughout the entire state, shall be 6459
accepted for filing if it appears to contain on its face 6460
signatures of more than three times the minimum number of 6461
signatures. When a petition of a candidate has been accepted for 6462
filing by a board of elections, the petition shall not be deemed 6463
invalid if, upon verification of signatures contained in the 6464
petition, the board of elections finds the number of signatures 6465
accepted exceeds three times the minimum number of signatures 6466
required. A board of elections may discontinue verifying 6467
signatures on petitions when the number of verified signatures 6468
equals the minimum required number of qualified signatures. 6469

If the declaration of candidacy declares a candidacy for 6470
party nomination or for election as a candidate of ~~an intermediate~~ 6471
~~or a~~ minor party, the minimum number of signatures on such 6472
petition is one-half the minimum number provided in this section, 6473
except that, when the candidacy is one for election as a member of 6474
the state central committee or the county central committee of a 6475
political party, the minimum number shall be the same for ~~an~~ 6476
~~intermediate or a~~ minor party as for a major party. 6477

If a declaration of candidacy is one for election as a member 6478
of the state central committee or the county central committee of 6479
a political party, the petition shall be signed by five qualified 6480

electors of the district, county, ward, township, or precinct 6481
within which electors may vote for such candidate. The electors 6482
signing such petition shall be members of the same political party 6483
as the political party of which the candidate is a member. 6484

For purposes of signing or circulating a petition of 6485
candidacy for party nomination or election, an elector is 6486
considered to be a member of a political party if the elector 6487
voted in that party's primary election within the preceding two 6488
calendar years, or if the elector did not vote in any other 6489
party's primary election within the preceding two calendar years. 6490

If the declaration of candidacy is of one that is to be 6491
submitted only to electors within a county, or within a district 6492
or subdivision or part thereof smaller than a county, the petition 6493
shall be filed with the board of elections of the county. If the 6494
declaration of candidacy is of one that is to be submitted only to 6495
electors of a district or subdivision or part thereof that is 6496
situated in more than one county, the petition shall be filed with 6497
the board of elections of the county within which the major 6498
portion of the population thereof, as ascertained by the next 6499
preceding federal census, is located. 6500

A petition shall consist of separate petition papers, each of 6501
which shall contain signatures of electors of only one county. 6502
Petitions or separate petition papers containing signatures of 6503
electors of more than one county shall not thereby be declared 6504
invalid. In case petitions or separate petition papers containing 6505
signatures of electors of more than one county are filed, the 6506
board shall determine the county from which the majority of 6507
signatures came, and only signatures from such county shall be 6508
counted. Signatures from any other county shall be invalid. 6509

Each separate petition paper shall be circulated by one 6510
person only, who shall be the candidate or a joint candidate or a 6511
member of the same political party as the candidate or joint 6512

candidates, and each separate petition paper shall be governed by 6513
the rules set forth in section 3501.38 of the Revised Code. 6514

The secretary of state shall promptly transmit to each board 6515
such separate petition papers of each petition accompanying a 6516
declaration of candidacy filed with the secretary of state as 6517
purport to contain signatures of electors of the county of such 6518
board. The board of the most populous county of a district shall 6519
promptly transmit to each board within such district such separate 6520
petition papers of each petition accompanying a declaration of 6521
candidacy filed with it as purport to contain signatures of 6522
electors of the county of each such board. The board of a county 6523
within which the major portion of the population of a subdivision, 6524
situated in more than one county, is located, shall promptly 6525
transmit to the board of each other county within which a portion 6526
of such subdivision is located such separate petition papers of 6527
each petition accompanying a declaration of candidacy filed with 6528
it as purport to contain signatures of electors of the portion of 6529
such subdivision in the county of each such board. 6530

All petition papers so transmitted to a board and all 6531
petitions accompanying declarations of candidacy filed with a 6532
board shall, under proper regulations, be open to public 6533
inspection until four p.m. of the seventieth day before the day of 6534
the next primary election, or if that next primary election is a 6535
presidential primary election, the fifty-fifth day before that 6536
presidential primary election. Each board shall, not later than 6537
the sixty-eighth day before the day of that primary election, or 6538
if the primary election is a presidential primary election, not 6539
later than the fifty-third day before such presidential primary 6540
election, examine and determine the validity or invalidity of the 6541
signatures on the petition papers so transmitted to or filed with 6542
it and shall return to the secretary of state all petition papers 6543
transmitted to it by the secretary of state, together with its 6544

certification of its determination as to the validity or 6545
invalidity of signatures thereon, and shall return to each other 6546
board all petition papers transmitted to it by such board, 6547
together with its certification of its determination as to the 6548
validity or invalidity of the signatures thereon. All other 6549
matters affecting the validity or invalidity of such petition 6550
papers shall be determined by the secretary of state or the board 6551
with whom such petition papers were filed. 6552

Protests against the candidacy of any person filing a 6553
declaration of candidacy for party nomination or for election to 6554
an office or position, as provided in this section, may be filed 6555
by any qualified elector who is a member of the same political 6556
party as the candidate and who is eligible to vote at the primary 6557
election for the candidate whose declaration of candidacy the 6558
elector objects to, or by the controlling committee of that 6559
political party. The protest shall be in writing, and shall be 6560
filed not later than four p.m. of the sixty-fourth day before the 6561
day of the primary election, or if the primary election is a 6562
presidential primary election, not later than four p.m. of the 6563
forty-ninth day before the day of the presidential primary 6564
election. The protest shall be filed with the election officials 6565
with whom the declaration of candidacy and petition was filed. 6566
Upon the filing of the protest, the election officials with whom 6567
it is filed shall promptly fix the time for hearing it, and shall 6568
forthwith mail notice of the filing of the protest and the time 6569
fixed for hearing to the person whose candidacy is so protested. 6570
They shall also forthwith mail notice of the time fixed for such 6571
hearing to the person who filed the protest. At the time fixed, 6572
such election officials shall hear the protest and determine the 6573
validity or invalidity of the declaration of candidacy and 6574
petition. If they find that such candidate is not an elector of 6575
the state, district, county, or political subdivision in which the 6576
candidate seeks a party nomination or election to an office or 6577

position, or has not fully complied with this chapter, the 6578
candidate's declaration of candidacy and petition shall be 6579
determined to be invalid and shall be rejected; otherwise, it 6580
shall be determined to be valid. That determination shall be 6581
final. 6582

A protest against the candidacy of any persons filing a 6583
declaration of candidacy for joint party nomination to the offices 6584
of governor and lieutenant governor shall be filed, heard, and 6585
determined in the same manner as a protest against the candidacy 6586
of any person filing a declaration of candidacy singly. 6587

The secretary of state shall, on the sixtieth day before the 6588
day of a primary election, or if the primary election is a 6589
presidential primary election, on the forty-fifth day before the 6590
day of the presidential primary election, certify to each board in 6591
the state the forms of the official ballots to be used at the 6592
primary election, together with the names of the candidates to be 6593
printed on the ballots whose nomination or election is to be 6594
determined by electors throughout the entire state and who filed 6595
valid declarations of candidacy and petitions. 6596

The board of the most populous county in a district comprised 6597
of more than one county but less than all of the counties of the 6598
state shall, on the sixtieth day before the day of a primary 6599
election, or if the primary election is a presidential primary 6600
election, on the forty-fifth day before the day of a presidential 6601
primary election, certify to the board of each county in the 6602
district the names of the candidates to be printed on the official 6603
ballots to be used at the primary election, whose nomination or 6604
election is to be determined only by electors within the district 6605
and who filed valid declarations of candidacy and petitions. 6606

The board of a county within which the major portion of the 6607
population of a subdivision smaller than the county and situated 6608
in more than one county is located shall, on the sixtieth day 6609

before the day of a primary election, or if the primary election 6610
is a presidential primary election, on the forty-fifth day before 6611
the day of a presidential primary election, certify to the board 6612
of each county in which a portion of that subdivision is located 6613
the names of the candidates to be printed on the official ballots 6614
to be used at the primary election, whose nomination or election 6615
is to be determined only by electors within that subdivision and 6616
who filed valid declarations of candidacy and petitions. 6617

Sec. 3513.19. (A) ~~It is the duty of any judge of elections,~~ 6618
~~whenever any judge of elections doubts that a person attempting to~~ 6619
~~vote at a primary election is legally entitled to vote at that~~ 6620
~~election, to challenge the right of that person to vote. The right~~ 6621
~~of a~~ Any person offering to vote at a primary election may be 6622
~~challenged upon~~ at the polling place by any judge of elections on 6623
any of the following grounds: 6624

~~(1) That the person whose right to vote is challenged is not~~ 6625
~~a legally qualified elector;~~ 6626

~~(2) That the person has received or has been promised some~~ 6627
~~valuable reward or consideration for the person's vote;~~ 6628

~~(3) That the person is not a citizen of the United States;~~ 6629

(2) That the person is not a resident of the precinct in 6630
which the person offers to vote; 6631

(3) That the person is not eighteen years of age or older; 6632

(4) That the person is not a qualified elector for that 6633
election; 6634

(5) That the person is not affiliated with or is not a member 6635
of the political party whose ballot the person desires to vote. 6636

~~Such~~ Challenges shall be made only if the challenger knows or 6637
reasonably believes that the challenged elector is not qualified 6638
and entitled to vote. 6639

If the board of elections has ruled on the question presented 6640
by a challenge prior to election day, its finding and decision 6641
shall be final, the presiding judge shall be notified in writing, 6642
and the judges of elections shall not challenge the elector on 6643
that ground. If any person is challenged as unqualified to vote, 6644
the presiding judge shall tender the person the following oath: 6645
"You do swear or affirm under penalty of election falsification 6646
that you will fully and truly answer all of the following 6647
questions put to you concerning your qualifications as an elector 6648
at this election." 6649

(B) If the person is challenged as unqualified on the ground 6650
that the person is not a citizen, the judges shall put the 6651
question: "Are you a citizen of the United States?" 6652

If the person answers in the affirmative, the challenge shall 6653
be denied. If the judges are unable to verify the person's 6654
eligibility to cast a ballot in the election, the judges shall 6655
provide to the person, and the person may vote, a provisional 6656
ballot under section 3505.181 of the Revised Code. 6657

(C) If the person is challenged as unqualified on the ground 6658
that the person is not a resident of the precinct where the person 6659
offers to vote, the judges shall put the following questions: 6660

6661

(1) Do you reside in this precinct? 6662

(2) When did you move into this precinct? 6663

(3) When you came into this precinct, did you come for a 6664
temporary purpose merely or for the purpose of making it your 6665
home? 6666

(4) What is your current mailing address? 6667

(5) Do you have some official identification containing your 6668
current address in this precinct? Please provide that 6669

identification. 6670

(6) Have you voted or attempted to vote at any other location 6671
in this or in any other state at this election? 6672

(7) Have you applied for any absent voter's ballot in any 6673
state for this election? 6674

The judges shall direct an individual who is not in the 6675
appropriate polling place to the appropriate polling place. If the 6676
individual refuses to go to the appropriate polling place, or if 6677
the judges are unable to verify the person's eligibility to cast a 6678
ballot in the election, the judges shall provide to the person, 6679
and the person may vote, a provisional ballot under section 6680
3505.181 of the Revised Code. 6681

(D) If the person is challenged as unqualified on the ground 6682
that the person is not of legal voting age, the judges shall put 6683
the following questions: 6684

(1) Are you eighteen years of age or more? 6685

(2) What is your date of birth? 6686

(3) Do you have some official identification verifying your 6687
age? Please provide that identification. 6688

If the judges are unable to verify the person's age and 6689
eligibility to cast a ballot in the election, the judges shall 6690
provide to the person, and the person may vote, a provisional 6691
ballot under section 3505.181 of the Revised Code. 6692

(E) If the person is challenged as unqualified on the ground 6693
that the person is not a qualified elector for the applicable 6694
election, the judges shall put the following questions: 6695

(1) Have you resided in this state for thirty days 6696
immediately preceding the day of this election? If so, where have 6697
you resided? 6698

(2) Did you properly register to vote? 6699

(3) Can you provide some form of identification containing your current mailing address in this precinct? Please provide that identification. 6700
6701
6702

(4) Have you voted or attempted to vote at any other location in this or in any other state at this election? 6703
6704

(5) Have you applied for an absent voter's ballot in any state for this election? 6705
6706

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. 6707
6708
6709
6710

(F) If the person is challenged as unqualified on the ground that the person is not affiliated with or is not a member of the political party whose ballot the person has requested, the person's party affiliation shall be determined by examining the elector's voting record for the current year and in the immediately preceding two calendar years as shown on the voter's registration card, using the standards of affiliation specified in the seventh paragraph of section 3513.05 of the Revised Code record. Division (A)(3) of this section and the seventh paragraph of section 3513.05 of the Revised Code do not prohibit a person who holds an elective office for which candidates are nominated at a party primary election from doing any of the following: 6711
6712
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(a) If the person voted as a member of a different political party at any primary election within the current year and the immediately preceding two calendar years, being a candidate for nomination at a party primary held during the times specified in division (C)(2) of section 3513.191 of the Revised Code provided that the person complies with the requirements of that section; 6723
6724
6725
6726
6727
6728

(b) Circulating the person's own petition of candidacy for party nomination in the primary election. 6729
6730

~~(B) When the right of a person to vote is challenged upon the ground set forth in division (A)(3) of this section, membership in or political affiliation with a political party shall be determined by the person's statement, made under penalty of election falsification, that the person desires to be affiliated with and supports the principles of the political party whose primary ballot the person desires to vote. If the challenge is not denied upon examination of the person's voting record, membership in or political affiliation with a political party shall be determined by the person's statement, made under penalty of election falsification, that the person desires to be affiliated with and supports the principles of the political party whose primary election ballot the person desires to vote. If the person refuses to make such a statement, the judges shall provide to the person, and the person may vote, a provisional ballot under section 3505.181 of the Revised Code.~~

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

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

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

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

(ii) Only one person has filed a valid declaration of candidacy for nomination as that party's candidate at the primary election, that person has withdrawn, died, or been disqualified

under section 3513.052 of the Revised Code, and the vacancy so
created has not been filled.

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

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

(B) Any person filing a declaration of candidacy may withdraw
as such candidate at any time prior to the primary election, ~~or,~~
~~if the primary election is a presidential primary election, at any~~
~~time prior to the fiftieth day before the presidential primary~~
~~election.~~ The withdrawal shall be effected and the statement of
withdrawal shall be filed in accordance with the procedures
prescribed in division (D) of this section for the withdrawal of
persons nominated in a primary election or by nominating petition.

(C) A person who is the first choice for president of the United States by a candidate for delegate or alternate to a national convention of a political party may withdraw consent for the selection of the person as such first choice no later than four p.m. of the thirtieth day before the day of the presidential primary election. Withdrawal of consent shall be for the entire slate of candidates for delegates and alternates who named such person as their presidential first choice and shall constitute withdrawal from the primary election by such delegates and alternates. The withdrawal shall be made in writing and delivered to the secretary of state. If the withdrawal is delivered to the secretary of state on or before the sixtieth day before the day of the primary election, or, if the election is a presidential primary election, on or before the forty-fifth day before the day of the presidential primary election, the boards of elections shall remove both the name of the withdrawn first choice and the names of such withdrawn candidates from the ballots according to the directions of the secretary of state. If the withdrawal is delivered to the secretary of state after the sixtieth day before the day of the primary election, or, if the election is a presidential primary election, after the forty-fifth day before the day of the presidential primary election, the board of elections shall not remove the name of the withdrawn first choice and the names of the withdrawn candidates from the ballots. The board of elections shall post a notice at each polling location on the day of the primary election, and shall enclose with each absent voter's ballot given or mailed after the candidate withdraws, a notice that votes for the withdrawn first choice or the withdrawn candidates will be void and will not be counted. If such names are not removed from all ballots before the day of the election, the votes for the withdrawn first choice or the withdrawn candidates are void and shall not be counted.

(D) Any person nominated in a primary election, pursuant to

section 3513.02 of the Revised Code, or by nominating petition as 6827
a candidate for election at the next general election may withdraw 6828
as such candidate at any time prior to the general election. Such 6829
withdrawal may be effected by the filing of a written statement by 6830
such candidate announcing the candidate's withdrawal and 6831
requesting that the candidate's name not be printed on the 6832
ballots. If such candidate's declaration of candidacy or 6833
nominating petition was filed with the secretary of state, the 6834
candidate's statement of withdrawal shall be addressed to and 6835
filed with the secretary of state. If such candidate's declaration 6836
of candidacy or nominating petition was filed with a board of 6837
elections, the candidate's statement of withdrawal shall be 6838
addressed to and filed with such board. 6839

(E) When a person withdraws under division (B) or (D) of this 6840
section on or before the sixtieth day before the day of the 6841
primary election or the general election, or, if the election is a 6842
presidential primary election, on or before the forty-fifth day 6843
before the day of the presidential primary election, the board of 6844
elections shall remove the name of the withdrawn candidate from 6845
the ballots according to the directions of the secretary of state. 6846
When a person withdraws under division (B) or (D) of this section 6847
after the sixtieth day before the day of the primary election or 6848
the general election, or, if the election is a presidential 6849
primary election, after the forty-fifth day before the day of the 6850
presidential primary election, the board of elections shall not 6851
remove the name of the withdrawn candidate from the ballots. The 6852
board of elections shall post a notice at each polling place on 6853
the day of the ~~primary~~ election, and shall enclose with each 6854
absent voter's ballot given or mailed after the candidate 6855
withdraws, a notice that votes for the withdrawn candidate will be 6856
void and will not be counted. If the name is not removed from all 6857
ballots before the day of the election, the votes for the 6858
withdrawn candidate are void and shall not be counted. 6859

Sec. 3513.31. (A) If a person nominated in a primary election 6860
as a candidate for election at the next general election, whose 6861
candidacy is to be submitted to the electors of the entire state, 6862
withdraws as that candidate or is disqualified as that candidate 6863
under section 3513.052 of the Revised Code, the vacancy in the 6864
party nomination so created may be filled by the state central 6865
committee of the major political party that made the nomination at 6866
the primary election, if the committee's chairperson and secretary 6867
certify the name of the person selected to fill the vacancy by the 6868
time specified in this division, at a meeting called for that 6869
purpose. The meeting shall be called by the chairperson of that 6870
committee, who shall give each member of the committee at least 6871
two days' notice of the time, place, and purpose of the meeting. 6872
If a majority of the members of the committee are present at the 6873
meeting, a majority of those present may select a person to fill 6874
the vacancy. The chairperson and secretary of the meeting shall 6875
certify in writing and under oath to the secretary of state, not 6876
later than the seventy-sixth day before the day of the general 6877
election, the name of the person selected to fill the vacancy. The 6878
certification must be accompanied by the written acceptance of the 6879
nomination by the person whose name is certified. A vacancy that 6880
may be filled by ~~an intermediate or~~ a minor political party shall 6881
be filled in accordance with the party's rules by authorized 6882
officials of the party. Certification must be made as in the 6883
manner provided for a major political party. 6884

(B) If a person nominated in a primary election as a party 6886
candidate for election at the next general election, whose 6887
candidacy is to be submitted to the electors of a district 6888
comprised of more than one county but less than all of the 6889
counties of the state, withdraws as that candidate or is 6890
disqualified as that candidate under section 3513.052 of the 6891

Revised Code, the vacancy in the party nomination so created may 6892
be filled by a district committee of the major political party 6893
that made the nomination at the primary election, if the 6894
committee's chairperson and secretary certify the name of the 6895
person selected to fill the vacancy by the time specified in this 6896
division, at a meeting called for that purpose. The district 6897
committee shall consist of the chairperson and secretary of the 6898
county central committee of such political party in each county in 6899
the district. The district committee shall be called by the 6900
chairperson of the county central committee of such political 6901
party of the most populous county in the district, who shall give 6902
each member of the district committee at least two days' notice of 6903
the time, place, and purpose of the meeting. If a majority of the 6904
members of the district committee are present at the district 6905
committee meeting, a majority of those present may select a person 6906
to fill the vacancy. The chairperson and secretary of the meeting 6907
shall certify in writing and under oath to the board of elections 6908
of the most populous county in the district, not later than four 6909
p.m. of the seventy-sixth day before the day of the general 6910
election, the name of the person selected to fill the vacancy. The 6911
certification must be accompanied by the written acceptance of the 6912
nomination by the person whose name is certified. A vacancy that 6913
may be filled by ~~an intermediate or~~ a minor political party shall 6914
be filled in accordance with the party's rules by authorized 6915
officials of the party. Certification must be made as in the 6916
manner provided for a major political party. 6917

(C) If a person nominated in a primary election as a party 6918
candidate for election at the next general election, whose 6919
candidacy is to be submitted to the electors of a county, 6920
withdraws as that candidate or is disqualified as that candidate 6921
under section 3513.052 of the Revised Code, the vacancy in the 6922
party nomination so created may be filled by the county central 6923
committee of the major political party that made the nomination at 6924

the primary election, or by the county executive committee if so 6925
authorized, if the committee's chairperson and secretary certify 6926
the name of the person selected to fill the vacancy by the time 6927
specified in this division, at a meeting called for that purpose. 6928
The meeting shall be called by the chairperson of that committee, 6929
who shall give each member of the committee at least two days' 6930
notice of the time, place, and purpose of the meeting. If a 6931
majority of the members of the committee are present at the 6932
meeting, a majority of those present may select a person to fill 6933
the vacancy. The chairperson and secretary of the meeting shall 6934
certify in writing and under oath to the board of that county, not 6935
later than four p.m. of the seventy-sixth day before the day of 6936
the general election, the name of the person selected to fill the 6937
vacancy. The certification must be accompanied by the written 6938
acceptance of the nomination by the person whose name is 6939
certified. A vacancy that may be filled by ~~an intermediate or a~~ 6940
minor political party shall be filled in accordance with the 6941
party's rules by authorized officials of the party. Certification 6942
must be made as in the manner provided for a major political 6943
party. 6944

(D) If a person nominated in a primary election or pursuant 6945
to section 3513.02 of the Revised Code as a party candidate for 6946
election at the next general election, whose candidacy is to be 6947
submitted to the electors of a district within a county, withdraws 6948
as that candidate or is disqualified as that candidate under 6949
section 3513.052 of the Revised Code, the vacancy in the party 6950
nomination so created may be filled by a district committee 6951
consisting of those members of the county central committee or, if 6952
so authorized, those members of the county executive committee in 6953
that county of the major political party that made the nomination 6954
at the primary election who represent the precincts or the wards 6955
and townships within the district, if the committee's chairperson 6956
and secretary certify the name of the person selected to fill the 6957

vacancy by the time specified in this division, at a meeting 6958
called for that purpose. The district committee meeting shall be 6959
called by the chairperson of the county central committee or 6960
executive committee, as appropriate, who shall give each member of 6961
the district committee at least two days' notice of the time, 6962
place, and purpose of the meeting. If a majority of the members of 6963
the district committee are present at the district committee 6964
meeting, a majority of those present may select a person to fill 6965
the vacancy. The chairperson and secretary of the district 6966
committee meeting shall certify in writing and under oath to the 6967
board of the county, not later than four p.m. of the seventy-sixth 6968
day before the day of the general election, the name of the person 6969
selected to fill the vacancy. The certification must be 6970
accompanied by the written acceptance of the nomination by the 6971
person whose name is certified. A vacancy that may be filled by ~~an~~ 6972
~~intermediate~~ or a minor political party shall be filled in 6973
accordance with the party's rules by authorized officials of the 6974
party. Certification must be made as in the manner provided for a 6975
major political party. 6976

(E) If a person nominated in a primary election or pursuant 6977
to section 3513.02 of the Revised Code as a party candidate for 6978
election at the next general election, whose candidacy is to be 6979
submitted to the electors of a subdivision within a county, 6980
withdraws as that candidate or is disqualified as that candidate 6981
under section 3513.052 of the Revised Code, the vacancy in the 6982
party nomination so created may be filled by a subdivision 6983
committee consisting of those members of the county central 6984
committee or, if so authorized, those members of the county 6985
executive committee in that county of the major political party 6986
that made the nomination at that primary election who represent 6987
the precincts or the wards and townships within that subdivision, 6988
if the committee's chairperson and secretary certify the name of 6989
the person selected to fill the vacancy by the time specified in 6990

this division, at a meeting called for that purpose. 6991

The subdivision committee meeting shall be called by the 6992
chairperson of the county central committee or executive 6993
committee, as appropriate, who shall give each member of the 6994
subdivision committee at least two days' notice of the time, 6995
place, and purpose of the meeting. If a majority of the members of 6996
the subdivision committee are present at the subdivision committee 6997
meeting, a majority of those present may select a person to fill 6998
the vacancy. The chairperson and secretary of the subdivision 6999
committee meeting shall certify in writing and under oath to the 7000
board of the county, not later than four p.m. of the seventy-sixth 7001
day before the day of the general election, the name of the person 7002
selected to fill the vacancy. The certification must be 7003
accompanied by the written acceptance of the nomination by the 7004
person whose name is certified. A vacancy that may be filled by ~~an~~ 7005
~~intermediate~~ or a minor political party shall be filled in 7006
accordance with the party's rules by authorized officials of the 7007
party. Certification must be made in the manner provided for a 7008
major political party. 7009

(F) If a person nominated by petition as an independent or 7010
nonpartisan candidate for election at the next general election 7011
withdraws as that candidate or is disqualified as that candidate 7012
under section 3513.052 of the Revised Code, the vacancy so created 7013
may be filled by a majority of the committee of five, as 7014
designated on the candidate's nominating petition, if a member of 7015
that committee certifies in writing and under oath to the election 7016
officials with whom the candidate filed the candidate's nominating 7017
petition, not later than the seventy-sixth day before the day of 7018
the general election, the name of the person selected to fill the 7019
vacancy. The certification shall be accompanied by the written 7020
acceptance of the nomination by the person whose name is certified 7021
and shall be made in the manner provided for a major political 7022

party. 7023

(G) If a person nominated in a primary election or pursuant 7024
to section 3513.02 of the Revised Code as a party candidate for 7025
election at the next general election dies, the vacancy so created 7026
may be filled by the same committee in the same manner as provided 7027
in this section for the filling of similar vacancies created by 7028
withdrawals or disqualifications under section 3513.052 of the 7029
Revised Code, except that the certification, when filling a 7030
vacancy created by death, may not be filed with the secretary of 7031
state, or with a board of the most populous county of a district, 7032
or with the board of a county in which the major portion of the 7033
population of a subdivision is located, later than four p.m. of 7034
the tenth day before the day of such general election, or with any 7035
other board later than four p.m. of the fifth day before the day 7036
of such general election. 7037

(H) If a person nominated by petition as an independent or 7038
nonpartisan candidate for election at the next general election 7039
dies prior to the tenth day before the day of that general 7040
election, the vacancy so created may be filled by a majority of 7041
the committee of five designated in the nominating petition to 7042
represent the candidate named in it. To fill the vacancy a member 7043
of the committee shall, not later than four p.m. of the fifth day 7044
before the day of the general election, file with the election 7045
officials with whom the petition nominating the person was filed, 7046
a certificate signed and sworn to under oath by a majority of the 7047
members, designating the person they select to fill the vacancy. 7048
The certification must be accompanied by the written acceptance of 7049
the nomination by the person whose name is so certified. 7050

(I) If a person holding an elective office dies or resigns 7051
subsequent to the one-hundredth day before the day of a primary 7052
election and prior to the seventy-sixth day before the day of the 7053
next general election, and if, under the laws of this state, a 7054

person may be elected at that general election to fill the 7055
unexpired term of the person who has died or resigned, the 7056
appropriate committee of each political party, acting as in the 7057
case of a vacancy in a party nomination, as provided in divisions 7058
(A) to (D) of this section, may select a person as the party 7059
candidate for election for such unexpired term at that general 7060
election, and certify the person's name to the appropriate 7061
election official not later than four p.m. on the seventy-sixth 7062
day before the day of that general election, or on the tenth day 7063
following the day on which the vacancy occurs, whichever is later. 7064
When the vacancy occurs on or subsequent to the seventy-sixth day 7065
and six or more days prior to the fortieth day before the general 7066
election, the appropriate committee may select a person as the 7067
party candidate and certify the person's name, as provided in the 7068
preceding sentence, not later than four p.m. on the tenth day 7069
following the day on which the vacancy occurs. When the vacancy 7070
occurs fewer than six days before the fortieth day before the 7071
general election, the deadline for filing shall be four p.m. on 7072
the thirty-sixth day before the general election. Thereupon the 7073
name shall be printed as the party candidate under proper titles 7074
and in the proper place on the proper ballots for use at the 7075
election. If a person has been nominated in a primary election, 7076
the authorized committee of that political party shall not select 7077
and certify a person as the party candidate. 7078

(J) Each person desiring to become an independent candidate 7079
to fill the unexpired term shall file a statement of candidacy and 7080
nominating petition, as provided in section 3513.261 of the 7081
Revised Code, with the appropriate election official not later 7082
than four p.m. on the tenth day following the day on which the 7083
vacancy occurs, provided that when the vacancy occurs fewer than 7084
six days before the fortieth day before the general election, the 7085
deadline for filing shall be four p.m. on the thirty-sixth day 7086
before the general election. The nominating petition shall contain 7087

at least seven hundred fifty signatures and no more than one 7088
thousand five hundred signatures of qualified electors of the 7089
district, political subdivision, or portion of a political 7090
subdivision in which the office is to be voted upon, or the amount 7091
provided for in section 3513.257 of the Revised Code, whichever is 7092
less. 7093

(K) When a person nominated as a candidate by a political 7094
party in a primary election, pursuant to section 3513.02 of the 7095
Revised Code, or by nominating petition for an elective office for 7096
which candidates are nominated at a party primary election 7097
withdraws, dies, or is disqualified under section 3513.052 of the 7098
Revised Code prior to the general election, the appropriate 7099
committee of any other ~~major~~ political party or committee of five 7100
that has not nominated a candidate for that office, or whose 7101
nominee as a candidate for that office has withdrawn, died, or 7102
been disqualified without the vacancy so created having been 7103
filled, may, acting as in the case of a vacancy in a party 7104
nomination or nomination by petition as provided in divisions (A) 7105
to (F) of this section, whichever is appropriate, select a person 7106
as a candidate of that party or of that committee of five for 7107
election to the office. 7108

Sec. 3517.01. (A)(1) A political party within the meaning of 7109
Title XXXV of the Revised Code is any group of voters that, at 7110
either of the two most recent regular state election elections, 7111
polled for its candidate for any of the offices of governor, 7112
secretary of state, auditor of state, treasurer of state, attorney 7113
general, or United States senator in the this state or nominees 7114
for presidential electors at least ~~five~~ one per cent of the entire 7115
vote cast for ~~that office~~ any of those offices or that filed with 7116
the secretary of state, subsequent to any ~~election~~ two successive 7117
regular state elections in which it received less than ~~five~~ one 7118
per cent of ~~the~~ the vote for any of those offices, a petition 7119

signed by qualified electors equal in number to at least 7120
one-quarter of one per cent of the total vote for governor ~~or~~ 7121
~~nominees for presidential electors~~ at the most recent regular 7122
state election, declaring their intention of organizing a 7123
political party, the name of which shall be stated in the 7124
declaration, and of participating in the succeeding primary 7125
election, held in even-numbered years, that occurs more than ~~one~~ 7126
~~hundred twenty~~ seventy-five days after the date of filing. No such 7127
group of electors shall assume a name or designation that is 7128
similar, in the opinion of the secretary of state, to that of an 7129
existing political party as to confuse or mislead the voters at an 7130
election. If any political party fails to cast ~~five~~ one per cent 7131
of the total vote cast at ~~an election~~ two successive regular state 7132
elections for one of the office of governor or president offices 7133
specified in this division, it shall cease to be a political 7134
party. 7135

(2) A campaign committee shall be legally liable for any 7136
debts, contracts, or expenditures incurred or executed in its 7137
name. 7138

(B) Notwithstanding the definitions found in section 3501.01 7139
of the Revised Code, as used in this section and sections 3517.08 7140
to 3517.14, 3517.99, and 3517.992 of the Revised Code: 7141

(1) "Campaign committee" means a candidate or a combination 7142
of two or more persons authorized by a candidate under section 7143
3517.081 of the Revised Code to receive contributions and make 7144
expenditures. 7145

(2) "Campaign treasurer" means an individual appointed by a 7146
candidate under section 3517.081 of the Revised Code. 7147

(3) "Candidate" has the same meaning as in division (H) of 7148
section 3501.01 of the Revised Code and also includes any person 7149
who, at any time before or after an election, receives 7150

contributions or makes expenditures or other use of contributions, 7151
has given consent for another to receive contributions or make 7152
expenditures or other use of contributions, or appoints a campaign 7153
treasurer, for the purpose of bringing about the person's 7154
nomination or election to public office. When two persons jointly 7155
seek the offices of governor and lieutenant governor, "candidate" 7156
means the pair of candidates jointly. "Candidate" does not include 7157
candidates for election to the offices of member of a county or 7158
state central committee, presidential elector, and delegate to a 7159
national convention or conference of a political party. 7160

(4) "Continuing association" means an association, other than 7161
a campaign committee, political party, legislative campaign fund, 7162
political contributing entity, or labor organization, that is 7163
intended to be a permanent organization that has a primary purpose 7164
other than supporting or opposing specific candidates, political 7165
parties, or ballot issues, and that functions on a regular basis 7166
throughout the year. "Continuing association" includes 7167
organizations that are determined to be not organized for profit 7168
under subsection 501 and that are described in subsection 7169
501(c)(3), 501(c)(4), or 501(c)(6) of the Internal Revenue Code. 7170

(5) "Contribution" means a loan, gift, deposit, forgiveness 7171
of indebtedness, donation, advance, payment, or transfer of funds 7172
or anything of value, including a transfer of funds from an inter 7173
vivos or testamentary trust or decedent's estate, and the payment 7174
by any person other than the person to whom the services are 7175
rendered for the personal services of another person, which 7176
contribution is made, received, or used for the purpose of 7177
influencing the results of an election. Any loan, gift, deposit, 7178
forgiveness of indebtedness, donation, advance, payment, or 7179
transfer of funds or of anything of value, including a transfer of 7180
funds from an inter vivos or testamentary trust or decedent's 7181
estate, and the payment by any campaign committee, political 7182

action committee, legislative campaign fund, political party, 7183
political contributing entity, or person other than the person to 7184
whom the services are rendered for the personal services of 7185
another person, that is made, received, or used by a state or 7186
county political party, other than moneys a state or county 7187
political party receives from the Ohio political party fund 7188
pursuant to section 3517.17 of the Revised Code and the moneys a 7189
state or county political party may receive under sections 7190
3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be 7191
considered to be a "contribution" for the purpose of section 7192
3517.10 of the Revised Code and shall be included on a statement 7193
of contributions filed under that section. 7194

"Contribution" does not include any of the following: 7195

(a) Services provided without compensation by individuals 7196
volunteering a portion or all of their time on behalf of a person; 7197

(b) Ordinary home hospitality; 7198

(c) The personal expenses of a volunteer paid for by that 7199
volunteer campaign worker; 7200

(d) Any gift given to a state or county political party 7201
pursuant to section 3517.101 of the Revised Code. As used in 7202
division (B)(5)(d) of this section, "political party" means only a 7203
major political party; 7204

(e) Any contribution as defined in section 3517.1011 of the 7205
Revised Code that is made, received, or used to pay the direct 7206
costs of producing or airing an electioneering communication; 7207

(f) Any gift given to a state or county political party for 7208
the party's restricted fund under division (A)(2) of section 7209
3517.1012 of the Revised Code; 7210

(g) Any gift given to a state political party for deposit in 7211
a Levin account pursuant to section 3517.1013 of the Revised Code. 7212

As used in this division, "Levin account" has the same meaning as 7213
in that section. 7214

(6) "Expenditure" means the disbursement or use of a 7215
contribution for the purpose of influencing the results of an 7216
election or of making a charitable donation under division (G) of 7217
section 3517.08 of the Revised Code. Any disbursement or use of a 7218
contribution by a state or county political party is an 7219
expenditure and shall be considered either to be made for the 7220
purpose of influencing the results of an election or to be made as 7221
a charitable donation under division (G) of section 3517.08 of the 7222
Revised Code and shall be reported on a statement of expenditures 7223
filed under section 3517.10 of the Revised Code. During the thirty 7224
days preceding a primary or general election, any disbursement to 7225
pay the direct costs of producing or airing a broadcast, cable, or 7226
satellite communication that refers to a clearly identified 7227
candidate shall be considered to be made for the purpose of 7228
influencing the results of that election and shall be reported as 7229
an expenditure or as an independent expenditure under section 7230
3517.10 or 3517.105 of the Revised Code, as applicable, except 7231
that the information required to be reported regarding 7232
contributors for those expenditures or independent expenditures 7233
shall be the same as the information required to be reported under 7234
divisions (D)(1) and (2) of section 3517.1011 of the Revised Code. 7235

As used in this division, "broadcast, cable, or satellite 7236
communication" and "refers to a clearly identified candidate" have 7237
the same meanings as in section 3517.1011 of the Revised Code. 7238

(7) "Personal expenses" includes, but is not limited to, 7239
ordinary expenses for accommodations, clothing, food, personal 7240
motor vehicle or airplane, and home telephone. 7241

(8) "Political action committee" means a combination of two 7242
or more persons, the primary or major purpose of which is to 7243
support or oppose any candidate, political party, or issue, or to 7244

influence the result of any election through express advocacy, and 7245
that is not a political party, a campaign committee, a political 7246
contributing entity, or a legislative campaign fund. "Political 7247
action committee" does not include either of the following: 7248

(a) A continuing association that makes disbursements for the 7249
direct costs of producing or airing electioneering communications 7250
and that does not engage in express advocacy; 7251

(b) A political club that is formed primarily for social 7252
purposes and that consists of one hundred members or less, has 7253
officers and periodic meetings, has less than two thousand five 7254
hundred dollars in its treasury at all times, and makes an 7255
aggregate total contribution of one thousand dollars or less per 7256
calendar year. 7257

(9) "Public office" means any state, county, municipal, 7258
township, or district office, except an office of a political 7259
party, that is filled by an election and the offices of United 7260
States senator and representative. 7261

(10) "Anything of value" has the same meaning as in section 7262
1.03 of the Revised Code. 7263

(11) "Beneficiary of a campaign fund" means a candidate, a 7264
public official or employee for whose benefit a campaign fund 7265
exists, and any other person who has ever been a candidate or 7266
public official or employee and for whose benefit a campaign fund 7267
exists. 7268

(12) "Campaign fund" means money or other property, including 7269
contributions. 7270

(13) "Public official or employee" has the same meaning as in 7271
section 102.01 of the Revised Code. 7272

(14) "Caucus" means all of the members of the house of 7273
representatives or all of the members of the senate of the general 7274

assembly who are members of the same political party. 7275

(15) "Legislative campaign fund" means a fund that is 7276
established as an auxiliary of a state political party and 7277
associated with one of the houses of the general assembly. 7278

(16) "In-kind contribution" means anything of value other 7279
than money that is used to influence the results of an election or 7280
is transferred to or used in support of or in opposition to a 7281
candidate, campaign committee, legislative campaign fund, 7282
political party, political action committee, or political 7283
contributing entity and that is made with the consent of, in 7284
coordination, cooperation, or consultation with, or at the request 7285
or suggestion of the benefited candidate, committee, fund, party, 7286
or entity. The financing of the dissemination, distribution, or 7287
republication, in whole or part, of any broadcast or of any 7288
written, graphic, or other form of campaign materials prepared by 7289
the candidate, the candidate's campaign committee, or their 7290
authorized agents is an in-kind contribution to the candidate and 7291
an expenditure by the candidate. 7292

(17) "Independent expenditure" means an expenditure by a 7293
person advocating the election or defeat of an identified 7294
candidate or candidates, that is not made with the consent of, in 7295
coordination, cooperation, or consultation with, or at the request 7296
or suggestion of any candidate or candidates or of the campaign 7297
committee or agent of the candidate or candidates. As used in 7298
division (B)(17) of this section: 7299

(a) "Person" means an individual, partnership, unincorporated 7300
business organization or association, political action committee, 7301
political contributing entity, separate segregated fund, 7302
association, or other organization or group of persons, but not a 7303
labor organization or a corporation unless the labor organization 7304
or corporation is a political contributing entity. 7305

(b) "Advocating" means any communication containing a message 7306
advocating election or defeat. 7307

(c) "Identified candidate" means that the name of the 7308
candidate appears, a photograph or drawing of the candidate 7309
appears, or the identity of the candidate is otherwise apparent by 7310
unambiguous reference. 7311

(d) "Made in coordination, cooperation, or consultation with, 7312
or at the request or suggestion of, any candidate or the campaign 7313
committee or agent of the candidate" means made pursuant to any 7314
arrangement, coordination, or direction by the candidate, the 7315
candidate's campaign committee, or the candidate's agent prior to 7316
the publication, distribution, display, or broadcast of the 7317
communication. An expenditure is presumed to be so made when it is 7318
any of the following: 7319

(i) Based on information about the candidate's plans, 7320
projects, or needs provided to the person making the expenditure 7321
by the candidate, or by the candidate's campaign committee or 7322
agent, with a view toward having an expenditure made; 7323

(ii) Made by or through any person who is, or has been, 7324
authorized to raise or expend funds, who is, or has been, an 7325
officer of the candidate's campaign committee, or who is, or has 7326
been, receiving any form of compensation or reimbursement from the 7327
candidate or the candidate's campaign committee or agent; 7328

(iii) Except as otherwise provided in division (D) of section 7329
3517.105 of the Revised Code, made by a political party in support 7330
of a candidate, unless the expenditure is made by a political 7331
party to conduct voter registration or voter education efforts. 7332

(e) "Agent" means any person who has actual oral or written 7333
authority, either express or implied, to make or to authorize the 7334
making of expenditures on behalf of a candidate, or means any 7335
person who has been placed in a position with the candidate's 7336

campaign committee or organization such that it would reasonably appear that in the ordinary course of campaign-related activities the person may authorize expenditures.

(18) "Labor organization" means a labor union; an employee organization; a federation of labor unions, groups, locals, or other employee organizations; an auxiliary of a labor union, employee organization, or federation of labor unions, groups, locals, or other employee organizations; or any other bona fide organization in which employees participate and that exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, hours, and other terms and conditions of employment.

(19) "Separate segregated fund" means a separate segregated fund established pursuant to the Federal Election Campaign Act.

(20) "Federal Election Campaign Act" means the "Federal Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et seq., as amended.

(21) "Restricted fund" means the fund a state or county political party must establish under division (A)(1) of section 3517.1012 of the Revised Code.

(22) "Electioneering communication" has the same meaning as in section 3517.1011 of the Revised Code.

(23) "Express advocacy" means a communication that contains express words advocating the nomination, election, or defeat of a candidate or that contains express words advocating the adoption or defeat of a question or issue, as determined by a final judgment of a court of competent jurisdiction.

(24) "Political committee" has the same meaning as in section 3517.1011 of the Revised Code.

(25) "Political contributing entity" means any entity,

including a corporation or labor organization, that may lawfully 7367
make contributions and expenditures and that is not an individual 7368
or a political action committee, continuing association, campaign 7369
committee, political party, legislative campaign fund, designated 7370
state campaign committee, or state candidate fund. For purposes of 7371
this division, "lawfully" means not prohibited by any section of 7372
the Revised Code, or authorized by a final judgment of a court of 7373
competent jurisdiction. 7374

Sec. 3517.012. When a petition meeting the requirements of 7375
section 3517.01 of the Revised Code declaring the intention to 7376
organize a political party is filed with the secretary of state, 7377
the new party comes into legal existence on the date of filing and 7378
is entitled to hold a primary election as set out in section 7379
3513.01 of the Revised Code, at the primary election, held in 7380
even-numbered years that occurs more than ~~one hundred twenty~~ 7381
seventy-five days after the date of filing. If the secretary of 7382
state determines that the petition is invalid or insufficient, no 7383
primary election shall be held for the political party named in 7384
the petition, and any declaration of candidacy that was filed by 7385
any candidate seeking that party's nomination at the primary 7386
election shall be invalid. 7387

Sec. 3517.02. All members of controlling committees of a 7388
major ~~or intermediate~~ political party shall be elected by direct 7389
vote of the members of the party, except as otherwise provided in 7390
section 3517.05 of the Revised Code. Their names shall be placed 7391
upon the official ballot, and, notwithstanding division (B) of 7392
section 3513.23 of the Revised Code, the persons receiving the 7393
highest number of votes for committeepersons shall be the members 7394
of those controlling committees. Each member of a controlling 7395
committee shall be a resident and qualified elector of the 7396
district, ward, or precinct that the member is elected to 7397

represent. All members of controlling committees of a minor 7398
political party shall be determined in accordance with party 7399
rules. 7400

Each political party shall file with the office of the 7401
secretary of state a copy of its constitution and bylaws, if any, 7402
within thirty days of adoption or amendment. Each party shall also 7403
file with the office of the secretary of state a list of members 7404
of its controlling committees and other party officials within 7405
thirty days of their election or appointment. 7406

Sec. 3517.03. The controlling committees of each major 7407
political party or organization shall be a state central committee 7408
consisting of two members, one a man and one a woman, representing 7409
either each congressional district in the state or each senatorial 7410
district in the state, as the outgoing committee determines; a 7411
county central committee consisting of one member from each 7412
election precinct in the county, or of one member from each ward 7413
in each city and from each township in the county, as the outgoing 7414
committee determines; and such district, city, township, or other 7415
committees as the rules of the party provide. 7416

All the members of such committees shall be members of the 7417
party and shall be elected for terms of either two or four years, 7418
as determined by party rules, by direct vote at the primary held 7419
in an even-numbered year. Except as otherwise provided in section 7420
3517.02 of the Revised Code, candidates for election as state 7421
central committee members shall be elected at primaries in the 7422
same manner as provided in sections 3513.01 to 3513.32 of the 7423
Revised Code for the nomination of candidates for office in a 7424
county. Candidates for election as members of the county central 7425
committee shall be elected at primaries in the same manner as 7426
provided in those sections for the nomination of candidates for 7427
county offices, except as otherwise provided in sections 3513.051 7428

and 3517.02 of the Revised Code. 7429

Each major party controlling committee shall elect an 7430
executive committee that shall have the powers granted to it by 7431
the party controlling committee, and provided to it by law. When a 7432
judicial, senatorial, or congressional district is comprised of 7433
more than one county, the chairperson and secretary of the county 7434
central committee from each county in that district shall 7435
constitute the judicial, senatorial, or congressional committee of 7436
the district. When a judicial, senatorial, or congressional 7437
district is included within a county, the county central committee 7438
shall constitute the judicial, senatorial, or congressional 7439
committee of the district. 7440

~~The controlling committee of each intermediate political 7441
party or organization shall be a state central committee 7442
consisting of two members, one a man and one a woman, from each 7443
congressional district in the state. All members of the committee 7444
shall be members of the party and shall be elected by direct vote 7445
at the primary held in the even numbered years. Except as 7446
otherwise provided in section 3517.02 of the Revised Code, 7447
candidates for election shall be elected at the primary in the 7448
same manner as provided in sections 3513.01 to 3513.32 of the 7449
Revised Code. An intermediate political party may have such other 7450
party organization as its rules provide. Each intermediate party 7451
shall file the names and addresses of its officers with the 7452
secretary of state. 7453~~

A minor political party may elect controlling committees at a 7454
primary election in the even-numbered year by filing a plan for 7455
party organization with the secretary of state on or before the 7456
ninetieth day before the day of the primary election. The plan 7457
shall specify which offices are to be elected and provide the 7458
procedure for qualification of candidates for those offices. 7459
Candidates to be elected pursuant to the plan shall be designated 7460

and qualified on or before the ninetieth day before the day of the 7461
election. Such parties may, in lieu of electing a controlling 7462
committee or other officials, choose such committee or other 7463
officials in accordance with party rules. Each such party shall 7464
file the names and addresses of members of its controlling 7465
committee and party officers with the secretary of state. 7466

Sec. 3521.03. When a vacancy in the office of representative 7467
to congress occurs, the governor, upon satisfactory information 7468
thereof, shall issue a writ of election directing that a special 7469
election be held to fill such vacancy in the territory entitled to 7470
fill it on a day specified in the writ. Such writ shall be 7471
directed to the board of elections within such territory which 7472
shall give notice of the time and places of holding such election 7473
as provided in section 3501.03 of the Revised Code. Such election 7474
shall be held and conducted and returns thereof made as in case of 7475
a regular state election or may be conducted as an election by 7476
mail under Chapter 3507. of the Revised Code. The state shall pay 7477
all costs of any special election held under this section. 7478

Sec. 3599.121. (A) No person shall do either of the 7480
following: 7481

(1) Challenge an elector's right to vote under section 7482
3503.24 or 3505.20 of the Revised Code unless the person knows or 7483
reasonably believes that the challenged elector is not qualified 7484
and entitled to vote; or 7485

(2) Challenge an elector's right to vote for any reason other 7486
than those set forth in section 3503.24 or 3505.20 of the Revised 7487
Code. 7488

(B) Whoever knowingly violates division (A) of this section 7489
is guilty of a misdemeanor of the first degree. 7490

Sec. 3599.191. (A) No judge of elections shall do either of 7491
the following: 7492

(1) Challenge an elector's right to vote under section 7493
3509.07 or 3513.19 of the Revised Code unless the judge of 7494
elections knows or reasonably believes that the challenged elector 7495
is not qualified and entitled to vote; or 7496

(2) Challenge an elector's right to vote for any reason other 7497
than those set forth in section 3509.07 or 3513.19 of the Revised 7498
Code. 7499

(B) Whoever knowingly violates division (A) of this section 7500
is guilty of a misdemeanor of the first degree. 7501

Sec. 4507.13. (A) The registrar of motor vehicles shall issue 7502
a driver's license to every person licensed as an operator of 7503
motor vehicles other than commercial motor vehicles. No person 7504
licensed as a commercial motor vehicle driver under Chapter 4506. 7505
of the Revised Code need procure a driver's license, but no person 7506
shall drive any commercial motor vehicle unless licensed as a 7507
commercial motor vehicle driver. 7508

Every driver's license shall display on it the distinguishing 7509
number assigned to the licensee and shall display the licensee's 7510
name and date of birth; the licensee's residence address and 7511
county of residence; a color photograph of the licensee; a brief 7512
description of the licensee for the purpose of identification; a 7513
facsimile of the signature of the licensee as it appears on the 7514
application for the license; a notation, in a manner prescribed by 7515
the registrar, indicating any condition described in division 7516
(D)(3) of section 4507.08 of the Revised Code to which the 7517
licensee is subject; if the licensee has executed a durable power 7518
of attorney for health care or a declaration governing the use or 7519
continuation, or the withholding or withdrawal, of life-sustaining 7520

treatment and has specified that the licensee wishes the license 7521
to indicate that the licensee has executed either type of 7522
instrument, any symbol chosen by the registrar to indicate that 7523
the licensee has executed either type of instrument; on and after 7524
October 7, 2009, if the licensee has specified that the licensee 7525
wishes the license to indicate that the licensee is a veteran, 7526
active duty, or reservist of the armed forces of the United States 7527
and has presented a copy of the licensee's DD-214 form or an 7528
equivalent document, any symbol chosen by the registrar to 7529
indicate that the licensee is a veteran, active duty, or reservist 7530
of the armed forces of the United States; and any additional 7531
information that the registrar requires by rule. No license shall 7532
display the licensee's social security number unless the licensee 7533
specifically requests that the licensee's social security number 7534
be displayed on the license. If federal law requires the 7535
licensee's social security number to be displayed on the license, 7536
the social security number shall be displayed on the license 7537
notwithstanding this section. No license shall display on its face 7538
any administrative number other than the distinguishing number 7539
assigned to the licensee; if the registrar requires any 7540
administrative number to be printed on a driver's license, that 7541
number shall appear only on the reverse side of the license. 7542

The driver's license for licensees under twenty-one years of 7543
age shall have characteristics prescribed by the registrar 7544
distinguishing it from that issued to a licensee who is twenty-one 7545
years of age or older, except that a driver's license issued to a 7546
person who applies no more than thirty days before the applicant's 7547
twenty-first birthday shall have the characteristics of a license 7548
issued to a person who is twenty-one years of age or older. 7549

The driver's license issued to a temporary resident shall 7550
contain the word "nonrenewable" and shall have any additional 7551
characteristics prescribed by the registrar distinguishing it from 7552

a license issued to a resident. 7553

Every driver's or commercial driver's license displaying a 7554
motorcycle operator's endorsement and every restricted license to 7555
operate a motor vehicle also shall display the designation 7556
"novice," if the endorsement or license is issued to a person who 7557
is eighteen years of age or older and previously has not been 7558
licensed to operate a motorcycle by this state or another 7559
jurisdiction recognized by this state. The "novice" designation 7560
shall be effective for one year after the date of issuance of the 7561
motorcycle operator's endorsement or license. 7562

Each license issued under this section shall be of such 7563
material and so designed as to prevent its reproduction or 7564
alteration without ready detection and, to this end, shall be 7565
laminated with a transparent plastic material. 7566

(B) Except in regard to a driver's license issued to a person 7567
who applies no more than thirty days before the applicant's 7568
twenty-first birthday, neither the registrar nor any deputy 7569
registrar shall issue a driver's license to anyone under 7570
twenty-one years of age that does not have the characteristics 7571
prescribed by the registrar distinguishing it from the driver's 7572
license issued to persons who are twenty-one years of age or 7573
older. 7574

(C) Whoever violates division (B) of this section is guilty 7575
of a minor misdemeanor. 7576

Sec. 4507.52. (A) Each identification card issued by the 7577
registrar of motor vehicles or a deputy registrar shall display a 7578
distinguishing number assigned to the cardholder, and shall 7579
display the following inscription: 7580

"STATE OF OHIO IDENTIFICATION CARD 7581

This card is not valid for the purpose of operating a motor 7582

vehicle. It is provided solely for the purpose of establishing the 7583
identity of the bearer described on the card, who currently is not 7584
licensed to operate a motor vehicle in the state of Ohio." 7585

The identification card shall display substantially the same 7586
information as contained in the application and as described in 7587
division (A)(1) of section 4507.51 of the Revised Code, but shall 7588
not display the cardholder's social security number unless the 7589
cardholder specifically requests that the cardholder's social 7590
security number be displayed on the card. If federal law requires 7591
the cardholder's social security number to be displayed on the 7592
identification card, the social security number shall be displayed 7593
on the card notwithstanding this section. The identification card 7594
also shall display the color photograph of the cardholder. If the 7595
cardholder has executed a durable power of attorney for health 7596
care or a declaration governing the use or continuation, or the 7597
withholding or withdrawal, of life-sustaining treatment and has 7598
specified that the cardholder wishes the identification card to 7599
indicate that the cardholder has executed either type of 7600
instrument, the card also shall display any symbol chosen by the 7601
registrar to indicate that the cardholder has executed either type 7602
of instrument. On and after October 7, 2009, if the cardholder has 7603
specified that the cardholder wishes the identification card to 7604
indicate that the cardholder is a veteran, active duty, or 7605
reservist of the armed forces of the United States and has 7606
presented a copy of the cardholder's DD-214 form or an equivalent 7607
document, the card also shall display any symbol chosen by the 7608
registrar to indicate that the cardholder is a veteran, active 7609
duty, or reservist of the armed forces of the United States. No 7610
identification card shall display on its face any administrative 7611
number other than a distinguishing number assigned to the 7612
cardholder; if the registrar requires any administrative number to 7613
be printed on an identification card, that number shall appear 7614
only on the reverse side of the card. The card shall be sealed in 7615

transparent plastic or similar material and shall be so designed 7616
as to prevent its reproduction or alteration without ready 7617
detection. 7618

The identification card for persons under twenty-one years of 7619
age shall have characteristics prescribed by the registrar 7620
distinguishing it from that issued to a person who is twenty-one 7621
years of age or older, except that an identification card issued 7622
to a person who applies no more than thirty days before the 7623
applicant's twenty-first birthday shall have the characteristics 7624
of an identification card issued to a person who is twenty-one 7625
years of age or older. 7626

Every identification card issued to a resident of this state 7627
shall expire, unless canceled or surrendered earlier, on the 7628
birthday of the cardholder in the fourth year after the date on 7629
which it is issued. Every identification card issued to a 7630
temporary resident shall expire in accordance with rules adopted 7631
by the registrar and is nonrenewable, but may be replaced with a 7632
new identification card upon the applicant's compliance with all 7633
applicable requirements. A cardholder may renew the cardholder's 7634
identification card within ninety days prior to the day on which 7635
it expires by filing an application and paying the prescribed fee 7636
in accordance with section 4507.50 of the Revised Code. 7637

If a cardholder applies for a driver's or commercial driver's 7638
license in this state or another licensing jurisdiction, the 7639
cardholder shall surrender the cardholder's identification card to 7640
the registrar or any deputy registrar before the license is 7641
issued. 7642

(B) If a card is lost, destroyed, or mutilated, the person to 7643
whom the card was issued may obtain a duplicate by doing both of 7644
the following: 7645

(1) Furnishing suitable proof of the loss, destruction, or 7646

mutilation to the registrar or a deputy registrar; 7647

(2) Filing an application and presenting documentary evidence 7648
under section 4507.51 of the Revised Code. 7649

Any person who loses a card and, after obtaining a duplicate, 7650
finds the original, immediately shall surrender the original to 7651
the registrar or a deputy registrar. 7652

A cardholder may obtain a replacement identification card 7653
that reflects any change of the cardholder's name by furnishing 7654
suitable proof of the change to the registrar or a deputy 7655
registrar and surrendering the cardholder's existing card. 7656

When a cardholder applies for a duplicate or obtains a 7657
replacement identification card, the cardholder shall pay a fee of 7658
two dollars and fifty cents. A deputy registrar shall be allowed 7659
an additional fee of two dollars and seventy-five cents commencing 7660
on July 1, 2001, three dollars and twenty-five cents commencing on 7661
January 1, 2003, and three dollars and fifty cents commencing on 7662
January 1, 2004, for issuing a duplicate or replacement 7663
identification card. A disabled veteran who is a cardholder and 7664
has a service-connected disability rated at one hundred per cent 7665
by the veterans' administration may apply to the registrar or a 7666
deputy registrar for the issuance of a duplicate or replacement 7667
identification card without payment of any fee prescribed in this 7668
section, and without payment of any lamination fee if the disabled 7669
veteran would not be required to pay a lamination fee in 7670
connection with the issuance of an identification card or 7671
temporary identification card as provided in division (B) of 7672
section 4507.50 of the Revised Code. 7673

A duplicate or replacement identification card shall expire 7674
on the same date as the card it replaces. 7675

(C) The registrar shall cancel any card upon determining that 7676
the card was obtained unlawfully, issued in error, or was altered. 7677

The registrar also shall cancel any card that is surrendered to 7678
the registrar or to a deputy registrar after the holder has 7679
obtained a duplicate, replacement, or driver's or commercial 7680
driver's license. 7681

(D)(1) No agent of the state or its political subdivisions 7682
shall condition the granting of any benefit, service, right, or 7683
privilege upon the possession by any person of an identification 7684
card. Nothing in this section shall preclude any publicly operated 7685
or franchised transit system from using an identification card for 7686
the purpose of granting benefits or services of the system. 7687

(2) No person shall be required to apply for, carry, or 7688
possess an identification card. 7689

(E) Except in regard to an identification card issued to a 7690
person who applies no more than thirty days before the applicant's 7691
twenty-first birthday, neither the registrar nor any deputy 7692
registrar shall issue an identification card to a person under 7693
twenty-one years of age that does not have the characteristics 7694
prescribed by the registrar distinguishing it from the 7695
identification card issued to persons who are twenty-one years of 7696
age or older. 7697

(F) Whoever violates division (E) of this section is guilty 7698
of a minor misdemeanor. 7699

Section 2. That existing sections 3501.01, 3501.02, 3501.03, 7700
3501.05, 3501.07, 3501.10, 3501.11, 3501.17, 3501.18, 3501.21, 7701
3501.30, 3501.38, 3503.01, 3503.04, 3503.06, 3503.10, 3503.11, 7702
3503.14, 3503.15, 3503.16, 3503.19, 3503.21, 3503.24, 3503.28, 7703
3505.03, 3505.04, 3505.06, 3505.062, 3505.08, 3505.10, 3505.12, 7704
3505.13, 3505.18, 3505.181, 3505.182, 3505.183, 3505.20, 3505.21, 7705
3505.23, 3505.28, 3505.30, 3506.11, 3506.12, 3506.21, 3509.01, 7706
3509.02, 3509.03, 3509.031, 3509.04, 3509.05, 3509.06, 3509.08, 7707
3509.09, 3511.02, 3511.04, 3511.05, 3511.06, 3511.08, 3511.10, 7708

3511.11, 3511.13, 3513.05, 3513.19, 3513.30, 3513.31, 3517.01, 7709
3517.012, 3517.02, 3517.03, 3521.03, 4507.13, and 4507.52 and 7710
sections 3503.18, 3505.19, 3505.22, 3506.13, 3509.07, 3511.07, 7711
3511.09, 3511.12, and 3513.20 of the Revised Code are hereby 7712
repealed. 7713

Section 3. (A) As used in this section, "county vote center" 7714
means a polling location at which any person registered to vote in 7715
a county may appear to cast a ballot on the day of a general 7716
election, regardless of the location of the precinct within the 7717
county in which the person resides. 7718

(B)(1) The Secretary of State may implement a pilot project 7719
to evaluate the use of county vote centers for general elections 7720
for state and county office in the year 2010 as an alternative to 7721
operating precinct polling places. 7722

(2) A board of elections that desires to participate in the 7723
pilot project authorized by this section shall hold a public 7724
hearing regarding the county's potential participation in the 7725
pilot project. The board of elections shall submit a transcript or 7726
audio and video recording of the public comments made at the 7727
hearing to the Secretary of State. The Secretary of State may 7728
consider the public comments when selecting counties to 7729
participate in the pilot project. 7730

(C)(1) If the Secretary of State implements a pilot project 7731
under this section, the Secretary of State shall select one or 7732
more counties to participate in the project that meet all of the 7733
following requirements: 7734

(a) The county board of elections has held a public hearing 7735
as required under division (B)(2) of this section and submitted 7736
the required information to the Secretary of State; 7737

(b) The county board of elections has implemented a 7738

computerized voter registration list that allows an election 7739
official at the county vote center to verify that a person who 7740
appears to vote at the county vote center has not otherwise voted 7741
in the same election; and 7742

(c) The Secretary of State has determined that the county has 7743
the appropriate capabilities to implement county vote centers. 7744

(2) In selecting one or more counties for participation in a 7745
pilot project under this section, the Secretary of State shall 7746
attempt to include counties of diverse geography, population, 7747
race, and location within the state, to the extent practicable. 7748

(D) Following the conclusion of the pilot project, and not 7749
later than January 1, 2011, the Secretary of State shall file a 7750
report regarding the pilot project with the Speaker of the House 7751
of Representatives and the President of the Senate. The report may 7752
include the Secretary of State's recommendations on the future use 7753
of county vote centers and suggestions for permanent statutory 7754
authority regarding county vote centers. 7755

Section 4. (A) Notwithstanding any provision of Chapter 3509. 7756
or 3511. of the Revised Code to the contrary, the Secretary of 7757
State may implement a pilot project to evaluate the effectiveness 7758
and reliability of transmitting unvoted absent voter's ballots and 7759
unvoted armed service absent voter's ballots by secure electronic 7760
transmission to voters who are eligible to vote those ballots 7761
under the "Uniformed and Overseas Citizens Absent Voting Act," 7762
Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 1973ff, et seq., as 7763
amended. Any pilot project implemented under this section shall be 7764
concluded not later than December 1, 2010. 7765

(B) If the Secretary of State implements a pilot project 7766
under this section, the Secretary of State shall select one or 7767
more counties to participate in the project. In selecting one or 7768
more counties for participation in a pilot project under this 7769

section, the Secretary of State shall do both of the following: 7770

(1) Select counties that have the necessary technological 7771
means to transmit ballots by secure electronic transmission; and 7772

(2) Attempt to include counties of diverse geography, 7773
population, race, and location within the state, to the extent 7774
practicable. 7775

(C) Following the conclusion of the pilot project, and not 7776
later than January 1, 2011, the Secretary of State shall file a 7777
report regarding the pilot project with the Speaker of the House 7778
of Representatives and the President of the Senate. The report may 7779
include the Secretary of State's recommendations on the future use 7780
of secure electronic transmission of unvoted absent voter's 7781
ballots and armed service absent voter's ballots and suggestions 7782
for permanent statutory authority regarding such electronic ballot 7783
transmission. 7784

Section 5. The General Assembly, applying the principle 7785
stated in division (B) of section 1.52 of the Revised Code that 7786
amendments are to be harmonized if reasonably capable of 7787
simultaneous operation, finds that the following section, 7788
presented in this act as a composite of the section as amended by 7789
the acts indicated, is the resulting versions of the section in 7790
effect prior to the effective date of the section as presented in 7791
this act: 7792

Section 3509.05 of the Revised Code as amended by both Am. 7793
Sub. H.B. 350 and Am. Sub. H.B. 562 of the 127th General Assembly. 7794
7795