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Am. Sub. H. B. No. 377

Representative Garrison

**Cosponsors: Representatives Okey, Murray, Harris, Domenick, Williams, B.,
Phillips, Pryor, Goyal, Luckie, Newcomb, Pillich, Slesnick, Dyer, Book,
Fende, Yuko, Brown, Chandler, Yates, Winburn, Bolon, Stewart, DeBose,
Foley, Garland, Harwood, Heard, Koziura, Letson, Lundy, Reece, Szollosi,
Walter, Weddington**

—

A B I L L

To amend sections 2961.01, 2967.16, 3501.38, 3519.01, 1
3519.05, and 3519.21 and to enact sections 2
3519.011, 3519.012, and 3519.013 of the Revised 3
Code to prohibit persons who have been convicted 4
of or pleaded guilty to an offense involving 5
identity theft, forgery, or fraud from witnessing 6
or circulating election petitions, to require 7
entities that provide compensation to circulators 8
of initiative or referendum petitions to be 9
licensed, to require such an entity's license to 10
be revoked if it authorizes or knowingly permits 11
violations of the law governing election 12
petitions, to require circulators of initiative or 13
referendum petitions to register with the 14
secretary of state, to provide for public input in 15
the determination of ballot titles, and to require 16
the title of an initiative or referendum petition 17
to be submitted to the Attorney General for 18
review. 19

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

Section 1. That sections 2961.01, 2967.16, 3501.38, 3519.01, 20
3519.05, and 3519.21 be amended and sections 3519.011, 3519.012, 21
and 3519.013 of the Revised Code be enacted to read as follows: 22

Sec. 2961.01. (A)(1) A person who pleads guilty to a felony 23
under the laws of this or any other state or the United States and 24
whose plea is accepted by the court or a person against whom a 25
verdict or finding of guilt for committing a felony under any law 26
of that type is returned, unless the plea, verdict, or finding is 27
reversed or annulled, is incompetent to be an elector or juror or 28
to hold an office of honor, trust, or profit. 29

(2) When any person who under division (A)(1) of this section 30
is incompetent to be an elector or juror or to hold an office of 31
honor, trust, or profit is granted parole, judicial release, or a 32
conditional pardon or is released under a non-jail community 33
control sanction or a post-release control sanction, the person is 34
competent to be an elector during the period of community control, 35
parole, post-release control, or release or until the conditions 36
of the pardon have been performed or have transpired and is 37
competent to be an elector thereafter following final discharge. 38
The full pardon of a person who under division (A)(1) of this 39
section is incompetent to be an elector or juror or to hold an 40
office of honor, trust, or profit restores the rights and 41
privileges so forfeited under division (A)(1) of this section, but 42
a pardon shall not release the person from the costs of a 43
conviction in this state, unless so specified. 44

(B)(1) A person who pleads guilty to a felony under laws of 45
this state or any other state or the United States and whose plea 46
is accepted by the court or a person against whom a verdict or 47

finding of guilt for committing a felony under any law of that 48
type is returned is incompetent to circulate or serve as a witness 49
for the signing of any declaration of candidacy and petition, 50
voter registration application, or nominating, initiative, 51
referendum, or recall petition. 52

(2) A person who pleads guilty to an offense involving 53
identity theft, fraud, or forgery under the laws of this state or 54
any other state or the United States and whose plea is accepted by 55
the court, or a person against whom a verdict or finding of guilt 56
for committing an offense involving identity theft, fraud, or 57
forgery under any laws of this state or any other state or the 58
United States is returned, is incompetent to circulate or serve as 59
a witness for the signing of any declaration of candidacy and 60
petition or nominating, initiative, referendum, or recall 61
petition. 62

(C) As used in this section: 63

(1) "Community control sanction" has the same meaning as in 64
section 2929.01 of the Revised Code. 65

(2) "Non-jail community control sanction" means a community 66
control sanction that is neither a term in a community-based 67
correctional facility nor a term in a jail. 68

(3) "Post-release control" and "post-release control 69
sanction" have the same meanings as in section 2967.01 of the 70
Revised Code. 71

Sec. 2967.16. (A) Except as provided in division (D) of this 72
section, when a paroled prisoner has faithfully performed the 73
conditions and obligations of the paroled prisoner's parole and 74
has obeyed the rules and regulations adopted by the adult parole 75
authority that apply to the paroled prisoner, the authority upon 76
the recommendation of the superintendent of parole supervision may 77

enter upon its minutes a final release and thereupon shall issue 78
to the paroled prisoner a certificate of final release, but the 79
authority shall not grant a final release earlier than one year 80
after the paroled prisoner is released from the institution on 81
parole, and, in the case of a paroled prisoner whose minimum 82
sentence is life imprisonment, the authority shall not grant a 83
final release earlier than five years after the paroled prisoner 84
is released from the institution on parole. 85

(B)(1) When a prisoner who has been released under a period 86
of post-release control pursuant to section 2967.28 of the Revised 87
Code has faithfully performed the conditions and obligations of 88
the released prisoner's post-release control sanctions and has 89
obeyed the rules and regulations adopted by the adult parole 90
authority that apply to the released prisoner or has the period of 91
post-release control terminated by a court pursuant to section 92
2929.141 of the Revised Code, the authority, upon the 93
recommendation of the superintendent of parole supervision, may 94
enter upon its minutes a final release and, upon the entry of the 95
final release, shall issue to the released prisoner a certificate 96
of final release. In the case of a prisoner who has been released 97
under a period of post-release control pursuant to division (B) of 98
section 2967.28 of the Revised Code, the authority shall not grant 99
a final release earlier than one year after the released prisoner 100
is released from the institution under a period of post-release 101
control. The authority shall classify the termination of 102
post-release control as favorable or unfavorable depending on the 103
offender's conduct and compliance with the conditions of 104
supervision. In the case of a released prisoner whose sentence is 105
life imprisonment, the authority shall not grant a final release 106
earlier than five years after the released prisoner is released 107
from the institution under a period of post-release control. 108

(2) The department of rehabilitation and correction, no later 109

than six months after July 8, 2002, shall adopt a rule in 110
accordance with Chapter 119. of the Revised Code that establishes 111
the criteria for the classification of a post-release control 112
termination as "favorable" or "unfavorable." 113

(C)(1) Except as provided in division (C)(2) of this section, 114
the following prisoners or person shall be restored to the rights 115
and privileges forfeited by a conviction: 116

(a) A prisoner who has served the entire prison term that 117
comprises or is part of the prisoner's sentence and has not been 118
placed under any post-release control sanctions; 119

(b) A prisoner who has been granted a final release by the 120
adult parole authority pursuant to division (A) or (B) of this 121
section; 122

(c) A person who has completed the period of a community 123
control sanction or combination of community control sanctions, as 124
defined in section 2929.01 of the Revised Code, that was imposed 125
by the sentencing court. 126

(2)(a) As used in division (C)(2)(c) of this section: 127

(i) "Position of honor, trust, or profit" has the same 128
meaning as in section 2929.192 of the Revised Code. 129

(ii) "Public office" means any elected federal, state, or 130
local government office in this state. 131

(b) For purposes of division (C)(2)(c) of this section, a 132
violation of section 2923.32 of the Revised Code or any other 133
violation or offense that includes as an element a course of 134
conduct or the occurrence of multiple acts is "committed on or 135
after ~~the effective date of this amendment~~ May 13, 2008," if the 136
course of conduct continues, one or more of the multiple acts 137
occurs, or the subject person's accountability for the course of 138
conduct or for one or more of the multiple acts continues, on or 139

after ~~the effective date of this amendment~~ May 13, 2008. 140

(c) Division (C)(1) of this section does not restore a 141
prisoner or person to the privilege of holding a position of 142
honor, trust, or profit if the prisoner or person was convicted of 143
or pleaded guilty to committing on or after ~~the effective date of~~ 144
~~this amendment~~ May 13, 2008, any of the following offenses that is 145
a felony: 146

(i) A violation of section 2921.02, 2921.03, 2921.05, 147
2921.41, 2921.42, or 2923.32 of the Revised Code; 148

(ii) A violation of section 2913.42, 2921.04, 2921.11, 149
2921.12, 2921.31, or 2921.32 of the Revised Code, when the person 150
committed the violation while the person was serving in a public 151
office and the conduct constituting the violation was related to 152
the duties of the person's public office or to the person's 153
actions as a public official holding that public office; 154

(iii) A violation of an existing or former municipal 155
ordinance or law of this or any other state or the United States 156
that is substantially equivalent to any violation listed in 157
division (C)(2)(c)(i) of this section; 158

(iv) A violation of an existing or former municipal ordinance 159
or law of this or any other state or the United States that is 160
substantially equivalent to any violation listed in division 161
(C)(2)(c)(ii) of this section, when the person committed the 162
violation while the person was serving in a public office and the 163
conduct constituting the violation was related to the duties of 164
the person's public office or to the person's actions as a public 165
official holding that public office; 166

(v) A conspiracy to commit, attempt to commit, or complicity 167
in committing any offense listed in division (C)(2)(c)(i) or 168
described in division (C)(2)(c)(iii) of this section; 169

(vi) A conspiracy to commit, attempt to commit, or complicity 170

in committing any offense listed in division (C)(2)(c)(ii) or 171
described in division (C)(2)(c)(iv) of this section, if the person 172
committed the violation while the person was serving in a public 173
office and the conduct constituting the offense that was the 174
subject of the conspiracy, that would have constituted the offense 175
attempted, or constituting the offense in which the person was 176
complicit was or would have been related to the duties of the 177
person's public office or to the person's actions as a public 178
official holding that public office. 179

(d) Division (C)(1) of this section does not restore a 180
prisoner or person to the privilege of circulating or serving as a 181
witness for the signing of any declaration of candidacy and 182
petition or nominating, initiative, referendum, or recall petition 183
if the prisoner or person was convicted of or pleaded guilty to 184
committing an offense involving identity theft, fraud, or forgery. 185

(D) Division (A) of this section does not apply to a prisoner 186
in the shock incarceration program established pursuant to section 187
5120.031 of the Revised Code. 188

(E) The adult parole authority shall record the final release 189
of a parolee or prisoner in the official minutes of the authority. 190

Sec. 3501.38. All declarations of candidacy, nominating 191
petitions, or other petitions presented to or filed with the 192
secretary of state or a board of elections or with any other 193
public office for the purpose of becoming a candidate for any 194
nomination or office or for the holding of an election on any 195
issue shall, in addition to meeting the other specific 196
requirements prescribed in the sections of the Revised Code 197
relating to them, be governed by the following rules: 198

(A) Only electors qualified to vote on the candidacy or issue 199
which is the subject of the petition shall sign a petition. Each 200
signer shall be a registered elector pursuant to section 3503.11 201

of the Revised Code. The facts of qualification shall be 202
determined as of the date when the petition is filed. 203

(B) Signatures shall be affixed in ink. Each signer may also 204
print the signer's name, so as to clearly identify the signer's 205
signature. 206

(C) Each signer shall place on the petition after the 207
signer's name the date of signing and the location of the signer's 208
voting residence, including the street and number if in a 209
municipal corporation or the rural route number, post office 210
address, or township if outside a municipal corporation. The 211
voting address given on the petition shall be the address 212
appearing in the registration records at the board of elections. 213

(D) Except as otherwise provided in section 3501.382 of the 214
Revised Code, no person shall write any name other than the 215
person's own on any petition. Except as otherwise provided in 216
section 3501.382 of the Revised Code, no person may authorize 217
another to sign for the person. If a petition contains the 218
signature of an elector two or more times, only the first 219
signature shall be counted. 220

(E)(1) On each petition paper, the circulator shall indicate 221
the number of signatures contained on it, and shall sign a 222
statement made under penalty of election falsification that the 223
circulator witnessed the affixing of every signature, that all 224
signers were to the best of the circulator's knowledge and belief 225
qualified to sign, and that every signature is to the best of the 226
circulator's knowledge and belief the signature of the person 227
whose signature it purports to be or of an attorney in fact acting 228
pursuant to section 3501.382 of the Revised Code. On the 229
circulator's statement for a declaration of candidacy or 230
nominating petition for a person seeking to become a statewide 231
candidate or for a statewide initiative or a statewide referendum 232
petition, the circulator shall identify the circulator's name, the 233

address of the circulator's permanent residence, and the name and 234
address of the person employing the circulator to circulate the 235
petition, if any. On a petition for a statewide initiative or 236
referendum, the circulator also shall affirm that the circulator 237
has read and understands the laws pertaining to petition 238
circulation. 239

(2) As used in division (E) of this section, "statewide 240
candidate" means the joint candidates for the offices of governor 241
and lieutenant governor or a candidate for the office of secretary 242
of state, auditor of state, treasurer of state, or attorney 243
general. 244

(F) Except as otherwise provided in section 3501.382 of the 245
Revised Code, if a circulator knowingly permits an unqualified 246
person to sign a petition paper or permits a person to write a 247
name other than the person's own on a petition paper, that 248
petition paper is invalid; otherwise, the signature of a person 249
not qualified to sign shall be rejected but shall not invalidate 250
the other valid signatures on the paper. 251

(G) The circulator of a petition may, before filing it in a 252
public office, strike from it any signature the circulator does 253
not wish to present as a part of the petition. 254

(H) Any signer of a petition or an attorney in fact acting 255
pursuant to section 3501.382 of the Revised Code on behalf of a 256
signer may remove the signer's signature from that petition at any 257
time before the petition is filed in a public office by striking 258
the signer's name from the petition; no signature may be removed 259
after the petition is filed in any public office. 260

(I)(1) No alterations, corrections, or additions may be made 261
to a petition after it is filed in a public office. 262

(2)(a) No declaration of candidacy, nominating petition, or 263
other petition for the purpose of becoming a candidate may be 264

withdrawn after it is filed in a public office. Nothing in this 265
division prohibits a person from withdrawing as a candidate as 266
otherwise provided by law. 267

(b) No petition presented to or filed with the secretary of 268
state, a board of elections, or any other public office for the 269
purpose of the holding of an election on any question or issue may 270
be resubmitted after it is withdrawn from a public office. Nothing 271
in this division prevents a question or issue petition from being 272
withdrawn by the filing of a written notice of the withdrawal by a 273
majority of the members of the petitioning committee with the same 274
public office with which the petition was filed prior to the 275
sixtieth day before the election at which the question or issue is 276
scheduled to appear on the ballot. 277

(J) All declarations of candidacy, nominating petitions, or 278
other petitions under this section shall be accompanied by the 279
following statement in boldface capital letters: WHOEVER COMMITS 280
ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. 281

(K) All separate petition papers shall be filed at the same 282
time, as one instrument. 283

(L) If a board of elections distributes for use a petition 284
form for a declaration of candidacy, nominating petition, or any 285
type of question or issue petition that does not satisfy the 286
requirements of law as of the date of that distribution, the board 287
shall not invalidate the petition on the basis that the petition 288
form does not satisfy the requirements of law, if the petition 289
otherwise is valid. Division (L) of this section applies only if 290
the candidate received the petition from the board within ninety 291
days of when the petition is required to be filed. 292

Sec. 3519.01. (A) Only one proposal of law or constitutional 293
amendment to be proposed by initiative petition shall be contained 294
in an initiative petition to enable the voters to vote on that 295

proposal separately. A petition shall include the text of any 296
existing statute or constitutional provision that would be amended 297
or repealed if the proposed law or constitutional amendment is 298
adopted. 299

Whoever seeks to propose a law or constitutional amendment by 300
initiative petition shall, by a written petition signed by one 301
thousand qualified electors, submit the proposed law or 302
constitutional amendment and a summary and title of it to the 303
attorney general for examination. Within ten days after the 304
receipt of the written petition ~~and the, summary of it, and title,~~ 305
the attorney general shall conduct an examination of the summary 306
and title. If, in the opinion of the attorney general, the summary 307
~~is a~~ and title are fair and truthful ~~statement~~ statements of the 308
proposed law or constitutional amendment, the attorney general 309
shall so certify and then forward the submitted petition to the 310
Ohio ballot board for its approval under division (A) of section 311
3505.062 of the Revised Code. If the Ohio ballot board returns the 312
submitted petition to the attorney general with its certification 313
as described in that division, the attorney general shall then 314
file with the secretary of state a verified copy of the proposed 315
law or constitutional amendment together with its summary and 316
title and the attorney general's certification. 317

Whenever the Ohio ballot board divides an initiative petition 318
into individual petitions containing only proposed law or 319
constitutional amendment under division (A) of section 3505.062 of 320
the Revised Code resulting in the need for the petitioners to 321
resubmit to the attorney general appropriate summaries and titles 322
for each of the individual petitions arising from the board's 323
division of the initiative petition, the attorney general shall 324
review the resubmitted summaries and titles, within ten days after 325
their receipt, to determine if they are a fair and truthful 326
~~statement~~ statements of the respective proposed laws or 327

constitutional amendments and, if so, certify them. These 328
resubmissions shall contain no new explanations or arguments. 329
Then, the attorney general shall file with the secretary of state 330
a verified copy of each of the proposed laws or constitutional 331
amendments together with their respective summaries and titles and 332
the attorney general's certification of each. 333

(B)(1) Whoever seeks to file a referendum petition against 334
any law, section, or item in any law shall, by a written petition 335
signed by one thousand qualified electors, submit the measure to 336
be referred and a summary and title of it to the secretary of 337
state and, on the same day or within one business day before or 338
after that day, submit a copy of the petition, measure, ~~and~~ 339
summary, and title to the attorney general. 340

(2) Not later than ten business days after receiving the 341
petition, measure, ~~and~~ summary, and title, the secretary of state 342
shall do both of the following: 343

(a) Have the validity of the signatures on the petition 344
verified; 345

(b) After comparing the text of the measure to be referred 346
with the copy of the enrolled act on file in the secretary of 347
state's office containing the law, section, or item of law, 348
determine whether the text is correct and, if it is, so certify. 349

(3) Not later than ten business days after receiving a copy 350
of the petition, measure, ~~and~~ summary, and title, the attorney 351
general shall examine the summary and title and, if in the 352
attorney general's opinion, the summary ~~is a~~ and title are fair 353
and truthful ~~statement~~ statements of the measure to be referred, 354
so certify. 355

(C) Any person who is aggrieved by a certification decision 356
under division (A) or (B) of this section may challenge the 357
certification or failure to certify of the attorney general in the 358

supreme court, which shall have exclusive, original jurisdiction 359
in all challenges of those certification decisions. 360

Sec. 3519.011. The secretary of state shall develop training 361
programs for paid and volunteer circulators of initiative and 362
referendum petitions. The training programs shall be conducted in 363
the broadest, most cost-effective manner available to the 364
secretary of state, and by electronic and remote access. The 365
petitioners or the representatives of a petition entity, as 366
defined in section 3519.012 of the Revised Code, shall inform paid 367
and volunteer circulators and any person who directly supervises 368
paid and volunteer circulators on behalf of the petitioners or the 369
representatives of the petition entity of the availability of 370
these training programs. A circulator who participates in a 371
training program developed under this section shall be deemed to 372
have complied with the requirement set forth in the circulator's 373
statement that the circulator has read and understands the laws 374
pertaining to petition circulation. 375

Sec. 3519.012. (A) As used in this section, "petition entity" 376
means any person or committee that provides compensation to a 377
circulator to circulate an initiative or referendum petition. A 378
person or committee does not provide compensation to a circulator 379
under this section if the person or entity provides food or 380
beverage valued at ten dollars or less to the circulator. 381

(B)(1)(a) No petition entity shall provide compensation to a 382
circulator to circulate an initiative or referendum petition 383
unless the petition entity first obtains a license from the 384
secretary of state. The secretary of state, by rule, shall 385
establish a process for a petition entity to apply for a license 386
under division (B) of this section. The rule shall provide an 387
expedited process for licensing a petition entity that is seeking 388
to circulate a referendum petition. 389

(b) The secretary of state may deny a petition entity a license if the secretary of state finds that the petition entity or any of the petition entity's principals have been found, in a judicial or administrative proceeding, to have violated the petition laws of this state or any other state and that the violation involves authorizing or knowingly permitting any of the acts set forth in division (B)(3) of this section. 390
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The secretary of state shall deny a petition entity a license if any person who directly supervises petition circulators on behalf of the petition entity has not completed the training program established by the secretary of state under section 3519.011 of the Revised Code. 397
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(2) The secretary of state may at any time request a petition entity to provide documentation that demonstrates that the petition entity meets the requirements of section 3519.011 of the Revised Code. 402
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(3) The secretary of state shall revoke a petition entity's license if, at any time after receiving a license, a petition entity is determined to no longer be in compliance with the requirements of division (B) of this section or if the petition entity authorized or knew or should have known any of the following regarding a statewide initiative or referendum petition: 406
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(a) Forgery of a registered elector's signature; 412

(b) Circulation of a petition or part petition by anyone other than the circulator who signs the circulator's statement attached to that petition or part petition; 413
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(c) Use of a false circulator name or address in the circulator's statement; 416
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(d) Payment of money or any thing of value to a person for the purpose of inducing the person to sign or withdraw the person's name from a petition; 418
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(e) Circulation of a petition or part petition by anyone who 421
is not registered as a petition circulator as required under 422
section 3519.013 of the Revised Code; or 423

(f) Misrepresentation of the contents, purpose, or effect of 424
the petition for the purpose of persuading a person to sign or 425
refrain from signing the petition. 426

(C)(1) Any registered elector may file a complaint with the 427
secretary of state of alleging a violation of this section. Upon 428
receipt of such a complaint, the secretary of state shall conduct 429
an adjudication under Chapter 119. of the Revised Code. 430

(a) If the secretary of state determines that a petition 431
entity has provided compensation to a circulator to circulate an 432
initiative or referendum petition without first obtaining a 433
license under this section, the secretary of state shall fine the 434
petition entity an amount not to exceed one hundred dollars per 435
circulator for each day that the circulator or circulators 436
circulated petitions or part petitions on behalf of the unlicensed 437
petition entity. 438

(b) If the secretary of state determines that a petition 439
entity authorized or knew or should have known of any of the acts 440
set forth in division (B)(3) of this section, the secretary of 441
state shall revoke the petition entity's license for not less than 442
ninety days and not more than one hundred eighty days and 443
invalidate any signatures obtained in violation of that division. 444
If the secretary of state determines that a petition entity 445
authorized or knew or should have known of any of the acts set 446
forth in division (B)(3) of this section for a second or 447
subsequent time, the secretary of state shall revoke the petition 448
entity's license for not less than one hundred eighty days and not 449
more than one year and invalidate any signatures obtained in 450
violation of that division. 451

The secretary shall consider all circumstances relating to 452
the authorization or knowledge of the acts set forth in division 453
(B)(3) of this section when fixing the length of the license 454
revocations. 455

(2) A petition entity whose license has been revoked may 456
apply for reinstatement of that license, to be effective upon 457
expiration of the term of revocation. 458

(3) In determining whether to reinstate a license, the 459
secretary of state may consider both of the following: 460

(a) Whether the petition entity employs or contracts with any 461
person who served as a director, officer, owner, or principal of a 462
petition entity whose license was revoked, the role of that 463
individual in the facts underlying the prior license revocation, 464
and the role of that individual in a petition entity's 465
post-revocation activities; 466

(b) Any other facts the petition entity presents to the 467
secretary of state, including, but not limited to, remedial 468
actions, if any, that have been implemented to avoid future acts 469
that would violate this section. 470

(D) The secretary of state shall issue a decision on any 471
application for a new or reinstated license within ten business 472
days after a petition entity files an application. The application 473
shall be on a form prescribed by the secretary of state and shall 474
be accompanied by a nonrefundable license fee, the amount of which 475
the secretary of state shall establish by rule. 476

(E)(1) A petition entity that receives a license under this 477
section shall register with the secretary of state by providing 478
all of the following information: 479

(a) The subject matter of and, once finalized, a copy of, any 480
proposed law or constitutional amendment or any referred law or 481
item of law for which a petition will be circulated by circulators 482

coordinated or paid by the petition entity; 483

(b) The current name, address, telephone number, and 484
electronic mail address of the petition entity; and 485

(c) The name and signature of the designated agent of the 486
petition entity. 487

(2) A petition entity shall notify the secretary of state 488
within twenty days of any change in the information submitted 489
pursuant to division (E)(1) of this section. 490

Sec. 3519.013. Each person who intends to circulate an 491
initiative or referendum petition shall, prior to circulating that 492
petition, register as a petition circulator with the secretary of 493
state. 494

The secretary of state shall, by rule, develop and maintain a 495
registry of all circulators of initiative and referendum 496
petitions. 497

Sec. 3519.05. If the measure to be submitted proposes a 498
constitutional amendment, the heading of each part of the petition 499
shall be prepared in the following form, and printed in capital 500
letters in type of the approximate size set forth: 501

"INITIATIVE PETITION 502

Amendment to the Constitution 503

Proposed by Initiative Petition 504

To be submitted directly to the electors" 505

"Amendment" printed in fourteen-point boldface type shall 506
precede the title, which shall be briefly expressed and printed in 507
eight-point type. The summary shall then be set forth printed in 508
ten-point type, and then shall follow the certification of the 509
attorney general, under proper date, which shall also be printed 510
in ten-point type. The petition shall then set forth the names and 511
addresses of the committee of not less than three nor more than 512

five to represent the petitioners in all matters relating to the 513
petition or its circulation. 514

Immediately above the heading of the place for signatures on 515
each part of the petition shall be printed the title of the 516
petition, as set forth in the petition heading. Immediately below 517
that title, the following notice shall be printed in boldface 518
type: 519

"NOTICE 520

Whoever knowingly signs this petition more than once; except 521
as provided in section 3501.382 of the Revised Code, signs a name 522
other than one's own on this petition; or signs this petition when 523
not a qualified voter, is liable to prosecution." 524

The heading of the place for signatures shall be 525
substantially as follows: 526

"(Sign with ink. Your name, residence, and date of signing must be 527
given.) 528

— 529

Rural Route or 530
other Post- 531
Signature County Township office Address Month Day Year 532

— 533

(Voters who do not live in a municipal corporation should fill in 534
the information called for by headings printed above.) 535

(Voters who reside in municipal corporations should fill in the 536
information called for by headings printed below.) 537

— 538

City Street 539
or and 540
Signature County Village Number Ward Precinct Month Day Year" 541

— 542

The text of the proposed amendment shall be printed in full, 543
immediately following the place for signatures, and shall be 544
prefaced by "Be it resolved by the people of the State of Ohio." 545
Immediately following the text of the proposed amendment must 546
appear the following form: 547

"I,, declare under penalty of election 548
falsification that I am the circulator of the foregoing petition 549
paper containing the signatures of electors, that the 550
signatures appended hereto were made and appended in my presence 551
on the date set opposite each respective name, and are the 552
signatures of the persons whose names they purport to be or of 553
attorneys in fact acting pursuant to section 3501.382 of the 554
Revised Code, and that the electors signing this petition did so 555
with knowledge of the contents of same. I further declare that I 556
have read and understand the laws pertaining to petition 557
circulation. I am employed to circulate this petition by 558
..... (Name and address of employer). 559
(The preceding sentence shall be completed as required by section 560
3501.38 of the Revised Code if the circulator is being employed to 561
circulate the petition.) 562

(Signed) 563

(Address of circulator's permanent 564

residence in this state) 565

..... 565

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY 566
OF THE FIFTH DEGREE." 567

If the measure proposes a law, the heading of each part of 568
the petition shall be prepared as follows: 569

"INITIATIVE PETITION 570

Law proposed by initiative petition first to be submitted to 571

the General Assembly." 572

In all other respects, the form shall be as provided for the 573
submission of a constitutional amendment, except that the text of 574
the proposed law shall be prefaced by "Be it enacted by the people 575
of the state of Ohio." 576

The form for a supplementary initiative petition shall be the 577
same as that provided for an initiative petition, with the 578
exception that "supplementary" shall precede "initiative" in the 579
title thereof. 580

The general provisions set forth in this section relative to 581
the form and order of an initiative petition shall be, so far as 582
practical, applicable to a referendum petition, the heading of 583
which shall be as follows: 584

"REFERENDUM PETITION 585

To be submitted to the electors for their approval or 586
rejection" 587

The title, which follows the heading, shall contain a brief 588
legislative history of the law, section, or item of law to be 589
referred. The text of the law so referred shall be followed by the 590
certification of the secretary of state, in accordance with 591
division (B)(2)(b) of section 3519.01 of the Revised Code, that it 592
has been compared with the copy of the enrolled act, on file in 593
the secretary of state's office, containing such law, section, or 594
item of law, and found to be correct. 595

Sec. 3519.21. (A) The order in which all propositions, 596
issues, or questions, including proposed laws and constitutional 597
amendments, shall appear on the ballot and the ballot title of all 598
such propositions, issues, or questions shall be determined by the 599
secretary of state in case of propositions to be voted upon in a 600
district larger than a county, and by the board of elections in a 601

county in the case of a proposition to be voted upon in a county 602
or a political subdivision thereof. In preparing such a ballot 603
title the secretary of state or the board shall ~~give~~ do all of the 604
following: 605

(1) Give a true and impartial statement of the ~~measures~~ 606
measure in such language that the ballot title shall not be likely 607
to create prejudice for or against the measure. ~~The;~~ 608

(2) Provide for public input on the ballot title before 609
determining the language of the title; and 610

(3) Permit the person or committee promoting such measure ~~may~~ 611
to submit to the secretary of state or the board a suggested 612
ballot title, which shall be given full consideration by the 613
secretary of state or board in determining the ballot title. 614

(B) Except as otherwise provided by law, all propositions, 615
issues, or questions submitted to the electors and receiving an 616
affirmative vote of a majority of the votes cast thereon are 617
approved. 618

Section 2. That existing sections 2961.01, 2967.16, 3501.38, 619
3519.01, 3519.05, and 3519.21 of the Revised Code are hereby 620
repealed. 621

Section 3. This act shall be known as "The Ballot Integrity 622
Act." 623