

**As Introduced**

**128th General Assembly  
Regular Session  
2009-2010**

**H. B. No. 391**

**Representative Chandler**

**Cosponsors: Representatives Harris, Weddington, Williams, B., Boyd, Foley,  
Fende, Domenick, Yuko, Williams, S., Brown, Murray, Ujvagi, Garland,  
Phillips, Heard, Hagan, Lehner**

—

**A B I L L**

To amend sections 149.43, 3503.15, and 3509.03 and to 1  
enact sections 111.31 to 111.40 and 3503.151 of 2  
the Revised Code to establish an address 3  
confidentiality program for individuals who 4  
reasonably believe that they are in danger of 5  
being threatened or physically harmed by another 6  
person. 7

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

**Section 1.** That sections 149.43, 3503.15, and 3509.03 be 8  
amended and sections 111.31, 111.32, 111.33, 111.34, 111.35, 9  
111.36, 111.37, 111.38, 111.39, 111.40, and 3503.151 of the 10  
Revised Code be enacted to read as follows: 11

**Sec. 111.31.** As used in sections 111.31 to 111.40 of the 12  
Revised Code: 13

(A) "Abused child" has the same meaning as in section 14  
2151.031 of the Revised Code and also includes any child who is 15  
the victim of threats of the commission of any act covered by that 16  
section. 17

(B) "Address" means a residential street address, school address, or work address of a person as specified on an application to be a program participant under section 111.32 of the Revised Code. 18  
19  
20  
21

(C) "Application assistant" means a person who is designated by a court of common pleas, a municipal court, a county court, or the secretary of state to help individuals complete applications to be program participants and who has received training and certification from the secretary of state for that purpose. 22  
23  
24  
25  
26

(D) "Confidential address" means an address that is required to be kept confidential once a program participant is certified under division (C) of section 111.32 of the Revised Code. 27  
28  
29

(E) "Governmental entity" means the state, a political subdivision of the state, or any department, agency, board, commission, or other instrumentality of the state or a political subdivision of the state. 30  
31  
32  
33

(F) "Guardian," "incompetent," "parent," and "ward" have the same meanings as in section 2111.01 of the Revised Code. 34  
35

(G) "Program participant" means a person certified as a program participant under sections 111.31 to 111.40 of the Revised Code. 36  
37  
38

(H) "Shelter for victims of domestic violence" has the same meaning as in section 3113.33 of the Revised Code. 39  
40

**Sec. 111.32.** (A) An adult person, a parent, or a guardian acting on behalf of a minor, incompetent, or ward may apply with the assistance of an application assistant to the secretary of state to have an address designated by the secretary of state serve as the person's address or the address of the minor, incompetent, or ward. The secretary of state shall approve an application if it is filed in the manner and on the form 41  
42  
43  
44  
45  
46  
47

prescribed under sections 111.31 to 111.40 of the Revised Code and 48  
if it contains all of the following: 49

(1) A sworn statement by the applicant that the applicant 50  
fears for the safety of the applicant, the applicant's children, 51  
or the minor, incompetent, or ward on whose behalf the application 52  
is made and that one or more of the following apply: 53

(a) The applicant provides proof that the applicant, any of 54  
the applicant's children, or the minor, incompetent, or ward on 55  
whose behalf the application is made is a victim of a violation of 56  
section 2903.11, 2903.12, 2903.13, 2903.21, 2903.211, 2903.22, 57  
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 58  
2907.09, 2911.211, 2919.22, or 2919.25 of the Revised Code. 59

(b) The applicant provides proof that the applicant, any of 60  
the applicant's children, or the minor, incompetent, or ward on 61  
whose behalf the application is made has a protection order issued 62  
or consent agreement approved under section 2903.213, 2903.214, or 63  
3113.31 of the Revised Code or a protection order issued by a 64  
court of another state that has been registered under section 65  
2919.272 of the Revised Code. 66

(c) The applicant reasonably fears that the applicant, any of 67  
the applicant's children, or the minor, incompetent, or ward on 68  
whose behalf the application is made is in danger of being 69  
threatened or physically harmed by another person. 70

(2) A designation of the secretary of state as the agent for 71  
the purposes of receiving service of process and the receipt of 72  
mail; 73

(3) The mailing address at which the applicant may be 74  
contacted by the secretary of state, and the telephone number or 75  
numbers at which the applicant may be called by the secretary of 76  
state; 77

(4) The new address or addresses that the applicant requests 78

not be disclosed for the reason that disclosure will increase the 79  
risk that the applicant, the applicant's children, or the minor, 80  
incompetent, or ward on whose behalf the application is made will 81  
be threatened or physically harmed by another person; 82

(5) The signature of the applicant, the name, work address, 83  
and signature of the application assistant who assisted the 84  
applicant in applying to become a program participant, and the 85  
date on which the applicant and application assistant signed the 86  
application; 87

(6) The name, occupation if known, and contact information if 88  
known of the person the applicant reasonably believes will 89  
threaten or physically harm the applicant, the applicant's 90  
children, or the minor, incompetent, or ward on whose behalf the 91  
application is made. 92

(B) Any person who files an application under division (A) of 93  
this section shall file the application with the office of the 94  
secretary of state. 95

(C) Upon the filing of a properly completed application, the 96  
secretary of state shall certify the applicant or the minor, 97  
incompetent, or ward on whose behalf the application is filed as a 98  
program participant. The certification of a program participant 99  
shall be valid for four years after the date of the filing of the 100  
application for the program participant unless the certification 101  
is withdrawn or invalidated before the end of that four-year 102  
period. A program participant may renew the program participant's 103  
certification pursuant to the renewal procedure adopted by the 104  
secretary of state under section 111.40 of the Revised Code. 105

(D) No person shall falsely attest in an application that 106  
disclosure of the applicant's address would endanger the 107  
applicant's safety, the safety of the applicant's children, or the 108  
safety of the minor, incompetent, or ward on whose behalf the 109

application is made or knowingly provide false or incorrect 110  
information upon making an application. A violation of this 111  
prohibition shall be grounds for removal from the address 112  
confidentiality program. 113

**Sec. 111.33.** (A) A program participant may request that a 114  
governmental entity use the address designated by the secretary of 115  
state as the program participant's address. Except as otherwise 116  
provided in division (D) of this section, if the program 117  
participant requests that a governmental entity use that address, 118  
the governmental entity shall accept that address. 119

(B) A program participant may use the address designated by 120  
the secretary of state as the program participant's address at the 121  
program participant's place of employment. 122

(C)(1) The office of the secretary of state shall daily place 123  
all first class mail of a program participant that the secretary 124  
of state receives that day into an envelope or package and mail 125  
that envelope or package to the program participant at the mailing 126  
address of the program participant provided in the program 127  
participant's application under section 111.32 of the Revised 128  
Code. 129

(2) The secretary of state may contract with the United 130  
States postal service to establish special postal rates for the 131  
envelopes or packages used in mailing a program participant's 132  
first class mail under this section. 133

(D) Division (A) of this section does not apply to a 134  
municipal-owned public utility. The confidential addresses of 135  
participants of the address confidentiality program that are 136  
maintained by a municipal-owned public utility are not a public 137  
record and shall not be released by a municipal-owned public 138  
utility or by any employee of a municipal-owned public utility. 139

Sec. 111.34. (A) Except as otherwise provided in this 140  
section, a program participant who is a qualified elector may vote 141  
by absent voter's ballots under Chapter 3509. of the Revised Code. 142  
The program participant shall apply to the secretary of state for 143  
those ballots using the participant's confidential address. 144  
Bipartisan teams of employees of the office of the secretary of 145  
state shall determine the precinct in which the program 146  
participant resides and the ballot style that the program 147  
participant should receive and shall request the program 148  
participant absent voter's ballot from the board of elections. The 149  
board of elections shall send to the secretary of state the 150  
ballots appropriate for the precinct where the participant's true 151  
residence is located. The office of the secretary of state shall 152  
forward the ballot to the program participant and instruct the 153  
program participant to return the program participant's ballot to 154  
the office of the secretary of state. Bipartisan teams of 155  
employees of the office of the secretary of state shall verify 156  
that the program participant is registered and eligible to vote 157  
using the secretary of state's participant voter registration 158  
system and that the ballot envelope was properly completed before 159  
forwarding for tabulation the ballot to the board of elections in 160  
the county where the program participant voter resides. The absent 161  
voter's ballots provided to program participants shall be referred 162  
to as "ACP absent voter's ballots." The board of elections shall 163  
accept all ballots forwarded by the secretary of state that are 164  
postmarked prior to election day for up to ten days after election 165  
day. 166

(B) Each employee of the office of the secretary of state who 167  
serves on a bipartisan team that handles program participants' 168  
absent voter's ballots shall subscribe to an oath that the 169  
employee will faithfully execute the employee's duties to the best 170  
of the employee's ability. 171

(C) Except as otherwise provided in sections 111.35 and 111.36 of the Revised Code and notwithstanding any provision of sections 3503.15 and 3503.26 or any other section of the Revised Code to the contrary, the secretary of state shall not disclose or make a program participant's voter registration record available for public inspection or copying. A program participant's voter registration record will be subject to a mandatory audit every four years by the auditor of state. The results of that audit are not a public record and shall be kept only by the auditor of state and the secretary of state. 172  
173  
174  
175  
176  
177  
178  
179  
180  
181

(D) "Bipartisan teams" means two designated employees of the office of the secretary of state who are from different political parties. 182  
183  
184

**Sec. 111.35.** (A) A person may petition the court of common pleas of Franklin county for a hearing to order the secretary of state to make a program participant's confidential address available to the person. 185  
186  
187  
188

(B) Upon the filing of a petition under this section, the court shall fix a date for a hearing on it and require the clerk of the court of common pleas of Franklin county to serve a notice of the date, time, place, and purpose of the hearing upon the petitioner and the program participant. The clerk shall notify by electronic means the secretary of state on behalf of the program participant and shall send the notice by certified mail, return receipt requested, to the participant. 189  
190  
191  
192  
193  
194  
195  
196

(C) Upon receipt of a notice under division (B) of this section by the secretary of state, the secretary of state shall forward by certified mail, return receipt requested, a copy of the individual notice to the program participant at the program participant's confidential address. The return receipt shall be addressed to the clerk of the applicable court of common pleas. 197  
198  
199  
200  
201  
202

The court shall not hear the petition until the clerk receives the return receipt containing proof of service of the notice upon the program participant. 203  
204  
205

(D) At a hearing under this section, the program participant or the program participant's attorney may appear and be heard. After the hearing and considering the testimony, the court shall issue the requested order only if good cause is shown for the order and it appears to the court by clear and convincing evidence that the disclosure of the program participant's confidential address will not increase the risk that the program participant will be threatened or harmed by another person. 206  
207  
208  
209  
210  
211  
212  
213

Sec. 111.36. (A) Notwithstanding any provision of sections 3503.15 and 3503.26 or any other section of the Revised Code to the contrary, the secretary of state shall not disclose or make a program participant's confidential address available for inspection or copying, except under the following circumstances: 214  
215  
216  
217  
218

(1) If a member of a law enforcement agency has a legitimate law enforcement purpose for seeking the confidential address and obtains a court order requiring the office of the secretary of state to release a program participant's confidential address to that person, the office of the secretary of state shall make the program participant's confidential address available to that person. 219  
220  
221  
222  
223  
224  
225

(2) If a court orders that a program participant's confidential address be made available to a person under section 111.35 of the Revised Code, the secretary of state shall make it available to the person named in the court order. 226  
227  
228  
229

(3) If the secretary of state has canceled a program participant's certification under section 111.37 of the Revised Code, the secretary of state may make the address available for inspection or copying under section 3503.26 of the Revised Code. 230  
231  
232  
233



(B) No person who obtains the confidential address of a 234  
program participant shall knowingly disclose the confidential 235  
address to any person not authorized to receive that confidential 236  
address. Whoever violates this division is guilty of a felony of 237  
the fifth degree. 238

**Sec. 111.37.** (A) The secretary of state shall immediately 239  
cancel the certification of a program participant under either of 240  
the following circumstances: 241

(1) The program participant's application contained one or 242  
more false statements. 243

(2) The program participant requests to cease being a program 244  
participant. 245

(B) The secretary of state may cancel the certification of a 246  
program participant if the program participant's address changes 247  
from any address listed on the application made under section 248  
111.32 of the Revised Code, unless the program participant or the 249  
person who applied for the program on behalf of the program 250  
participant provides the secretary of state with written notice of 251  
the change of address within fourteen days after the change of 252  
address occurs. 253

**Sec. 111.38.** (A) The secretary of state may designate one or 254  
more employees or volunteers of various shelters for victims of 255  
domestic violence or other agencies within a county that serve 256  
victims of abuse to serve as application assistants for the 257  
applicants. 258

(B) Application assistants shall comply with the requirements 259  
for training and certification adopted by the secretary of state 260  
under section 111.40 of the Revised Code. 261

**Sec. 111.39.** (A) Notwithstanding any provision of Chapter 262

2743. or any other section of the Revised Code to the contrary, 263  
the state and the office of the secretary of state are not liable 264  
in damages for injury, death, or loss to person or property that 265  
allegedly arises from the performance of the secretary of state's 266  
duties under sections 111.31 to 111.40 of the Revised Code. 267  
Section 9.86 of the Revised Code applies to all officers and 268  
employees of the office of the secretary of state in relation to 269  
that performance. 270

(B) Any assistance or counseling rendered to program 271  
applicants or program participants by the office of the secretary 272  
of state or by certified application assistants is not legal 273  
advice. 274

**Sec. 111.40.** (A) The secretary of state shall adopt rules 275  
under Chapter 119. of the Revised Code to facilitate the 276  
administration of sections 111.31 to 111.40 of the Revised Code. 277

(B) The secretary of state also shall adopt rules under 278  
Chapter 119. of the Revised Code to establish the following: 279

(1) Guidelines for maintaining the confidentiality of the 280  
voter registration records of program participants; 281

(2) Requirements for the training and certification of 282  
application assistants; 283

(3) The application for certification as a program 284  
participant; 285

(4) The procedure for renewal of certification as a program 286  
participant. 287

(C) The secretary of state shall prescribe forms necessary 288  
for the administration of the address confidentiality program, 289  
including, but not limited to, an address confidentiality program 290  
identification card. Application assistants and other persons 291  
involved in registering participants in the address 292

confidentiality program shall use the forms prescribed by the 293  
secretary of state. 294

**Sec. 149.43.** (A) As used in this section: 295

(1) "Public record" means records kept by any public office, 296  
including, but not limited to, state, county, city, village, 297  
township, and school district units, and records pertaining to the 298  
delivery of educational services by an alternative school in this 299  
state kept by the nonprofit or for-profit entity operating the 300  
alternative school pursuant to section 3313.533 of the Revised 301  
Code. "Public record" does not mean any of the following: 302

(a) Medical records; 303

(b) Records pertaining to probation and parole proceedings or 304  
to proceedings related to the imposition of community control 305  
sanctions and post-release control sanctions; 306

(c) Records pertaining to actions under section 2151.85 and 307  
division (C) of section 2919.121 of the Revised Code and to 308  
appeals of actions arising under those sections; 309

(d) Records pertaining to adoption proceedings, including the 310  
contents of an adoption file maintained by the department of 311  
health under section 3705.12 of the Revised Code; 312

(e) Information in a record contained in the putative father 313  
registry established by section 3107.062 of the Revised Code, 314  
regardless of whether the information is held by the department of 315  
job and family services or, pursuant to section 3111.69 of the 316  
Revised Code, the office of child support in the department or a 317  
child support enforcement agency; 318

(f) Records listed in division (A) of section 3107.42 of the 319  
Revised Code or specified in division (A) of section 3107.52 of 320  
the Revised Code; 321

(g) Trial preparation records; 322

(h) Confidential law enforcement investigatory records;	323
(i) Records containing information that is confidential under section 2710.03 or 4112.05 of the Revised Code;	324 325
(j) DNA records stored in the DNA database pursuant to section 109.573 of the Revised Code;	326 327
(k) Inmate records released by the department of rehabilitation and correction to the department of youth services or a court of record pursuant to division (E) of section 5120.21 of the Revised Code;	328 329 330 331
(l) Records maintained by the department of youth services pertaining to children in its custody released by the department of youth services to the department of rehabilitation and correction pursuant to section 5139.05 of the Revised Code;	332 333 334 335
(m) Intellectual property records;	336
(n) Donor profile records;	337
(o) Records maintained by the department of job and family services pursuant to section 3121.894 of the Revised Code;	338 339
(p) Peace officer, parole officer, prosecuting attorney, assistant prosecuting attorney, correctional employee, youth services employee, firefighter, EMT, or investigator of the bureau of criminal identification and investigation residential and familial information;	340 341 342 343 344
(q) In the case of a county hospital operated pursuant to Chapter 339. of the Revised Code or a municipal hospital operated pursuant to Chapter 749. of the Revised Code, information that constitutes a trade secret, as defined in section 1333.61 of the Revised Code;	345 346 347 348 349
(r) Information pertaining to the recreational activities of a person under the age of eighteen;	350 351
(s) Records provided to, statements made by review board	352

members during meetings of, and all work products of a child 353  
fatality review board acting under sections 307.621 to 307.629 of 354  
the Revised Code, and child fatality review data submitted by the 355  
child fatality review board to the department of health or a 356  
national child death review database, other than the report 357  
prepared pursuant to division (A) of section 307.626 of the 358  
Revised Code; 359

(t) Records provided to and statements made by the executive 360  
director of a public children services agency or a prosecuting 361  
attorney acting pursuant to section 5153.171 of the Revised Code 362  
other than the information released under that section; 363

(u) Test materials, examinations, or evaluation tools used in 364  
an examination for licensure as a nursing home administrator that 365  
the board of examiners of nursing home administrators administers 366  
under section 4751.04 of the Revised Code or contracts under that 367  
section with a private or government entity to administer; 368

(v) Records the release of which is prohibited by state or 369  
federal law; 370

(w) Proprietary information of or relating to any person that 371  
is submitted to or compiled by the Ohio venture capital authority 372  
created under section 150.01 of the Revised Code; 373

(x) Information reported and evaluations conducted pursuant 374  
to section 3701.072 of the Revised Code; 375

(y) Financial statements and data any person submits for any 376  
purpose to the Ohio housing finance agency or the controlling 377  
board in connection with applying for, receiving, or accounting 378  
for financial assistance from the agency, and information that 379  
identifies any individual who benefits directly or indirectly from 380  
financial assistance from the agency; 381

(z) Records listed in section 5101.29 of the Revised Code. 382

(aa) Discharges recorded with a county recorder under section 383  
317.24 of the Revised Code, as specified in division (B)(2) of 384  
that section; 385

(bb) The confidential address of a participant of the address 386  
confidentiality program under sections 111.31 to 111.40 of the 387  
Revised Code. 388

(2) "Confidential law enforcement investigatory record" means 389  
any record that pertains to a law enforcement matter of a 390  
criminal, quasi-criminal, civil, or administrative nature, but 391  
only to the extent that the release of the record would create a 392  
high probability of disclosure of any of the following: 393

(a) The identity of a suspect who has not been charged with 394  
the offense to which the record pertains, or of an information 395  
source or witness to whom confidentiality has been reasonably 396  
promised; 397

(b) Information provided by an information source or witness 398  
to whom confidentiality has been reasonably promised, which 399  
information would reasonably tend to disclose the source's or 400  
witness's identity; 401

(c) Specific confidential investigatory techniques or 402  
procedures or specific investigatory work product; 403

(d) Information that would endanger the life or physical 404  
safety of law enforcement personnel, a crime victim, a witness, or 405  
a confidential information source. 406

(3) "Medical record" means any document or combination of 407  
documents, except births, deaths, and the fact of admission to or 408  
discharge from a hospital, that pertains to the medical history, 409  
diagnosis, prognosis, or medical condition of a patient and that 410  
is generated and maintained in the process of medical treatment. 411

(4) "Trial preparation record" means any record that contains 412

information that is specifically compiled in reasonable 413  
anticipation of, or in defense of, a civil or criminal action or 414  
proceeding, including the independent thought processes and 415  
personal trial preparation of an attorney. 416

(5) "Intellectual property record" means a record, other than 417  
a financial or administrative record, that is produced or 418  
collected by or for faculty or staff of a state institution of 419  
higher learning in the conduct of or as a result of study or 420  
research on an educational, commercial, scientific, artistic, 421  
technical, or scholarly issue, regardless of whether the study or 422  
research was sponsored by the institution alone or in conjunction 423  
with a governmental body or private concern, and that has not been 424  
publicly released, published, or patented. 425

(6) "Donor profile record" means all records about donors or 426  
potential donors to a public institution of higher education 427  
except the names and reported addresses of the actual donors and 428  
the date, amount, and conditions of the actual donation. 429

(7) "Peace officer, parole officer, prosecuting attorney, 430  
assistant prosecuting attorney, correctional employee, youth 431  
services employee, firefighter, EMT, or investigator of the bureau 432  
of criminal identification and investigation residential and 433  
familial information" means any information that discloses any of 434  
the following about a peace officer, parole officer, prosecuting 435  
attorney, assistant prosecuting attorney, correctional employee, 436  
youth services employee, firefighter, EMT, or investigator of the 437  
bureau of criminal identification and investigation: 438

(a) The address of the actual personal residence of a peace 439  
officer, parole officer, assistant prosecuting attorney, 440  
correctional employee, youth services employee, firefighter, EMT, 441  
or an investigator of the bureau of criminal identification and 442  
investigation, except for the state or political subdivision in 443  
which the peace officer, parole officer, assistant prosecuting 444

attorney, correctional employee, youth services employee, 445  
firefighter, EMT, or investigator of the bureau of criminal 446  
identification and investigation resides; 447

(b) Information compiled from referral to or participation in 448  
an employee assistance program; 449

(c) The social security number, the residential telephone 450  
number, any bank account, debit card, charge card, or credit card 451  
number, or the emergency telephone number of, or any medical 452  
information pertaining to, a peace officer, parole officer, 453  
prosecuting attorney, assistant prosecuting attorney, correctional 454  
employee, youth services employee, firefighter, EMT, or 455  
investigator of the bureau of criminal identification and 456  
investigation; 457

(d) The name of any beneficiary of employment benefits, 458  
including, but not limited to, life insurance benefits, provided 459  
to a peace officer, parole officer, prosecuting attorney, 460  
assistant prosecuting attorney, correctional employee, youth 461  
services employee, firefighter, EMT, or investigator of the bureau 462  
of criminal identification and investigation by the peace 463  
officer's, parole officer's, prosecuting attorney's, assistant 464  
prosecuting attorney's, correctional employee's, youth services 465  
employee's, firefighter's, EMT's, or investigator of the bureau of 466  
criminal identification and investigation's employer; 467

(e) The identity and amount of any charitable or employment 468  
benefit deduction made by the peace officer's, parole officer's, 469  
prosecuting attorney's, assistant prosecuting attorney's, 470  
correctional employee's, youth services employee's, firefighter's, 471  
EMT's, or investigator of the bureau of criminal identification 472  
and investigation's employer from the peace officer's, parole 473  
officer's, prosecuting attorney's, assistant prosecuting 474  
attorney's, correctional employee's, youth services employee's, 475  
firefighter's, EMT's, or investigator of the bureau of criminal 476



identification and investigation's compensation unless the amount 477  
of the deduction is required by state or federal law; 478

(f) The name, the residential address, the name of the 479  
employer, the address of the employer, the social security number, 480  
the residential telephone number, any bank account, debit card, 481  
charge card, or credit card number, or the emergency telephone 482  
number of the spouse, a former spouse, or any child of a peace 483  
officer, parole officer, prosecuting attorney, assistant 484  
prosecuting attorney, correctional employee, youth services 485  
employee, firefighter, EMT, or investigator of the bureau of 486  
criminal identification and investigation; 487

(g) A photograph of a peace officer who holds a position or 488  
has an assignment that may include undercover or plain clothes 489  
positions or assignments as determined by the peace officer's 490  
appointing authority. 491

As used in divisions (A)(7) and (B)(9) of this section, 492  
"peace officer" has the same meaning as in section 109.71 of the 493  
Revised Code and also includes the superintendent and troopers of 494  
the state highway patrol; it does not include the sheriff of a 495  
county or a supervisory employee who, in the absence of the 496  
sheriff, is authorized to stand in for, exercise the authority of, 497  
and perform the duties of the sheriff. 498

As used in divisions (A)(7) and (B)(5) of this section, 499  
"correctional employee" means any employee of the department of 500  
rehabilitation and correction who in the course of performing the 501  
employee's job duties has or has had contact with inmates and 502  
persons under supervision. 503

As used in divisions (A)(7) and (B)(5) of this section, 504  
"youth services employee" means any employee of the department of 505  
youth services who in the course of performing the employee's job 506  
duties has or has had contact with children committed to the 507

custody of the department of youth services. 508

As used in divisions (A)(7) and (B)(9) of this section, 509  
"firefighter" means any regular, paid or volunteer, member of a 510  
lawfully constituted fire department of a municipal corporation, 511  
township, fire district, or village. 512

As used in divisions (A)(7) and (B)(9) of this section, "EMT" 513  
means EMTs-basic, EMTs-I, and paramedics that provide emergency 514  
medical services for a public emergency medical service 515  
organization. "Emergency medical service organization," 516  
"EMT-basic," "EMT-I," and "paramedic" have the same meanings as in 517  
section 4765.01 of the Revised Code. 518

As used in divisions (A)(7) and (B)(9) of this section, 519  
"investigator of the bureau of criminal identification and 520  
investigation" has the meaning defined in section 2903.11 of the 521  
Revised Code. 522

(8) "Information pertaining to the recreational activities of 523  
a person under the age of eighteen" means information that is kept 524  
in the ordinary course of business by a public office, that 525  
pertains to the recreational activities of a person under the age 526  
of eighteen years, and that discloses any of the following: 527

(a) The address or telephone number of a person under the age 528  
of eighteen or the address or telephone number of that person's 529  
parent, guardian, custodian, or emergency contact person; 530

(b) The social security number, birth date, or photographic 531  
image of a person under the age of eighteen; 532

(c) Any medical record, history, or information pertaining to 533  
a person under the age of eighteen; 534

(d) Any additional information sought or required about a 535  
person under the age of eighteen for the purpose of allowing that 536  
person to participate in any recreational activity conducted or 537

sponsored by a public office or to use or obtain admission 538  
privileges to any recreational facility owned or operated by a 539  
public office. 540

(9) "Community control sanction" has the same meaning as in 541  
section 2929.01 of the Revised Code. 542

(10) "Post-release control sanction" has the same meaning as 543  
in section 2967.01 of the Revised Code. 544

(11) "Redaction" means obscuring or deleting any information 545  
that is exempt from the duty to permit public inspection or 546  
copying from an item that otherwise meets the definition of a 547  
"record" in section 149.011 of the Revised Code. 548

(12) "Designee" and "elected official" have the same meanings 549  
as in section 109.43 of the Revised Code. 550

(B)(1) Upon request and subject to division (B)(8) of this 551  
section, all public records responsive to the request shall be 552  
promptly prepared and made available for inspection to any person 553  
at all reasonable times during regular business hours. Subject to 554  
division (B)(8) of this section, upon request, a public office or 555  
person responsible for public records shall make copies of the 556  
requested public record available at cost and within a reasonable 557  
period of time. If a public record contains information that is 558  
exempt from the duty to permit public inspection or to copy the 559  
public record, the public office or the person responsible for the 560  
public record shall make available all of the information within 561  
the public record that is not exempt. When making that public 562  
record available for public inspection or copying that public 563  
record, the public office or the person responsible for the public 564  
record shall notify the requester of any redaction or make the 565  
redaction plainly visible. A redaction shall be deemed a denial of 566  
a request to inspect or copy the redacted information, except if 567  
federal or state law authorizes or requires a public office to 568

make the redaction. 569

(2) To facilitate broader access to public records, a public 570  
office or the person responsible for public records shall organize 571  
and maintain public records in a manner that they can be made 572  
available for inspection or copying in accordance with division 573  
(B) of this section. A public office also shall have available a 574  
copy of its current records retention schedule at a location 575  
readily available to the public. If a requester makes an ambiguous 576  
or overly broad request or has difficulty in making a request for 577  
copies or inspection of public records under this section such 578  
that the public office or the person responsible for the requested 579  
public record cannot reasonably identify what public records are 580  
being requested, the public office or the person responsible for 581  
the requested public record may deny the request but shall provide 582  
the requester with an opportunity to revise the request by 583  
informing the requester of the manner in which records are 584  
maintained by the public office and accessed in the ordinary 585  
course of the public office's or person's duties. 586

(3) If a request is ultimately denied, in part or in whole, 587  
the public office or the person responsible for the requested 588  
public record shall provide the requester with an explanation, 589  
including legal authority, setting forth why the request was 590  
denied. If the initial request was provided in writing, the 591  
explanation also shall be provided to the requester in writing. 592  
The explanation shall not preclude the public office or the person 593  
responsible for the requested public record from relying upon 594  
additional reasons or legal authority in defending an action 595  
commenced under division (C) of this section. 596

(4) Unless specifically required or authorized by state or 597  
federal law or in accordance with division (B) of this section, no 598  
public office or person responsible for public records may limit 599  
or condition the availability of public records by requiring 600

disclosure of the requester's identity or the intended use of the 601  
requested public record. Any requirement that the requester 602  
disclose the requestor's identity or the intended use of the 603  
requested public record constitutes a denial of the request. 604

(5) A public office or person responsible for public records 605  
may ask a requester to make the request in writing, may ask for 606  
the requester's identity, and may inquire about the intended use 607  
of the information requested, but may do so only after disclosing 608  
to the requester that a written request is not mandatory and that 609  
the requester may decline to reveal the requester's identity or 610  
the intended use and when a written request or disclosure of the 611  
identity or intended use would benefit the requester by enhancing 612  
the ability of the public office or person responsible for public 613  
records to identify, locate, or deliver the public records sought 614  
by the requester. 615

(6) If any person chooses to obtain a copy of a public record 616  
in accordance with division (B) of this section, the public office 617  
or person responsible for the public record may require that 618  
person to pay in advance the cost involved in providing the copy 619  
of the public record in accordance with the choice made by the 620  
person seeking the copy under this division. The public office or 621  
the person responsible for the public record shall permit that 622  
person to choose to have the public record duplicated upon paper, 623  
upon the same medium upon which the public office or person 624  
responsible for the public record keeps it, or upon any other 625  
medium upon which the public office or person responsible for the 626  
public record determines that it reasonably can be duplicated as 627  
an integral part of the normal operations of the public office or 628  
person responsible for the public record. When the person seeking 629  
the copy makes a choice under this division, the public office or 630  
person responsible for the public record shall provide a copy of 631  
it in accordance with the choice made by the person seeking the 632

copy. Nothing in this section requires a public office or person 633  
responsible for the public record to allow the person seeking a 634  
copy of the public record to make the copies of the public record. 635

(7) Upon a request made in accordance with division (B) of 636  
this section and subject to division (B)(6) of this section, a 637  
public office or person responsible for public records shall 638  
transmit a copy of a public record to any person by United States 639  
mail or by any other means of delivery or transmission within a 640  
reasonable period of time after receiving the request for the 641  
copy. The public office or person responsible for the public 642  
record may require the person making the request to pay in advance 643  
the cost of postage if the copy is transmitted by United States 644  
mail or the cost of delivery if the copy is transmitted other than 645  
by United States mail, and to pay in advance the costs incurred 646  
for other supplies used in the mailing, delivery, or transmission. 647

Any public office may adopt a policy and procedures that it 648  
will follow in transmitting, within a reasonable period of time 649  
after receiving a request, copies of public records by United 650  
States mail or by any other means of delivery or transmission 651  
pursuant to this division. A public office that adopts a policy 652  
and procedures under this division shall comply with them in 653  
performing its duties under this division. 654

In any policy and procedures adopted under this division, a 655  
public office may limit the number of records requested by a 656  
person that the office will transmit by United States mail to ten 657  
per month, unless the person certifies to the office in writing 658  
that the person does not intend to use or forward the requested 659  
records, or the information contained in them, for commercial 660  
purposes. For purposes of this division, "commercial" shall be 661  
narrowly construed and does not include reporting or gathering 662  
news, reporting or gathering information to assist citizen 663  
oversight or understanding of the operation or activities of 664

government, or nonprofit educational research. 665

(8) A public office or person responsible for public records 666  
is not required to permit a person who is incarcerated pursuant to 667  
a criminal conviction or a juvenile adjudication to inspect or to 668  
obtain a copy of any public record concerning a criminal 669  
investigation or prosecution or concerning what would be a 670  
criminal investigation or prosecution if the subject of the 671  
investigation or prosecution were an adult, unless the request to 672  
inspect or to obtain a copy of the record is for the purpose of 673  
acquiring information that is subject to release as a public 674  
record under this section and the judge who imposed the sentence 675  
or made the adjudication with respect to the person, or the 676  
judge's successor in office, finds that the information sought in 677  
the public record is necessary to support what appears to be a 678  
justiciable claim of the person. 679

(9) Upon written request made and signed by a journalist on 680  
or after December 16, 1999, a public office, or person responsible 681  
for public records, having custody of the records of the agency 682  
employing a specified peace officer, parole officer, prosecuting 683  
attorney, assistant prosecuting attorney, correctional employee, 684  
youth services employee, firefighter, EMT, or investigator of the 685  
bureau of criminal identification and investigation shall disclose 686  
to the journalist the address of the actual personal residence of 687  
the peace officer, parole officer, prosecuting attorney, assistant 688  
prosecuting attorney, correctional employee, youth services 689  
employee, firefighter, EMT, or investigator of the bureau of 690  
criminal identification and investigation and, if the peace 691  
officer's, parole officer's, prosecuting attorney's, assistant 692  
prosecuting attorney's, correctional employee's, youth services 693  
employee's, firefighter's, EMT's, or investigator of the bureau of 694  
criminal identification and investigation's spouse, former spouse, 695  
or child is employed by a public office, the name and address of 696

the employer of the peace officer's, parole officer's, prosecuting attorney's, assistant prosecuting attorney's, correctional employee's, youth services employee's, firefighter's, EMT's, or investigator of the bureau of criminal identification and investigation's spouse, former spouse, or child. The request shall include the journalist's name and title and the name and address of the journalist's employer and shall state that disclosure of the information sought would be in the public interest.

As used in this division, "journalist" means a person engaged in, connected with, or employed by any news medium, including a newspaper, magazine, press association, news agency, or wire service, a radio or television station, or a similar medium, for the purpose of gathering, processing, transmitting, compiling, editing, or disseminating information for the general public.

(C)(1) If a person allegedly is aggrieved by the failure of a public office or the person responsible for public records to promptly prepare a public record and to make it available to the person for inspection in accordance with division (B) of this section or by any other failure of a public office or the person responsible for public records to comply with an obligation in accordance with division (B) of this section, the person allegedly aggrieved may commence a mandamus action to obtain a judgment that orders the public office or the person responsible for the public record to comply with division (B) of this section, that awards court costs and reasonable attorney's fees to the person that instituted the mandamus action, and, if applicable, that includes an order fixing statutory damages under division (C)(1) of this section. The mandamus action may be commenced in the court of common pleas of the county in which division (B) of this section allegedly was not complied with, in the supreme court pursuant to its original jurisdiction under Section 2 of Article IV, Ohio Constitution, or in the court of appeals for the appellate



district in which division (B) of this section allegedly was not 729  
complied with pursuant to its original jurisdiction under Section 730  
3 of Article IV, Ohio Constitution. 731

If a requestor transmits a written request by hand delivery 732  
or certified mail to inspect or receive copies of any public 733  
record in a manner that fairly describes the public record or 734  
class of public records to the public office or person responsible 735  
for the requested public records, except as otherwise provided in 736  
this section, the requestor shall be entitled to recover the 737  
amount of statutory damages set forth in this division if a court 738  
determines that the public office or the person responsible for 739  
public records failed to comply with an obligation in accordance 740  
with division (B) of this section. 741

The amount of statutory damages shall be fixed at one hundred 742  
dollars for each business day during which the public office or 743  
person responsible for the requested public records failed to 744  
comply with an obligation in accordance with division (B) of this 745  
section, beginning with the day on which the requester files a 746  
mandamus action to recover statutory damages, up to a maximum of 747  
one thousand dollars. The award of statutory damages shall not be 748  
construed as a penalty, but as compensation for injury arising 749  
from lost use of the requested information. The existence of this 750  
injury shall be conclusively presumed. The award of statutory 751  
damages shall be in addition to all other remedies authorized by 752  
this section. 753

The court may reduce an award of statutory damages or not 754  
award statutory damages if the court determines both of the 755  
following: 756

(a) That, based on the ordinary application of statutory law 757  
and case law as it existed at the time of the conduct or 758  
threatened conduct of the public office or person responsible for 759  
the requested public records that allegedly constitutes a failure 760

to comply with an obligation in accordance with division (B) of 761  
this section and that was the basis of the mandamus action, a 762  
well-informed public office or person responsible for the 763  
requested public records reasonably would believe that the conduct 764  
or threatened conduct of the public office or person responsible 765  
for the requested public records did not constitute a failure to 766  
comply with an obligation in accordance with division (B) of this 767  
section; 768

(b) That a well-informed public office or person responsible 769  
for the requested public records reasonably would believe that the 770  
conduct or threatened conduct of the public office or person 771  
responsible for the requested public records would serve the 772  
public policy that underlies the authority that is asserted as 773  
permitting that conduct or threatened conduct. 774

(2)(a) If the court issues a writ of mandamus that orders the 775  
public office or the person responsible for the public record to 776  
comply with division (B) of this section and determines that the 777  
circumstances described in division (C)(1) of this section exist, 778  
the court shall determine and award to the relator all court 779  
costs. 780

(b) If the court renders a judgment that orders the public 781  
office or the person responsible for the public record to comply 782  
with division (B) of this section, the court may award reasonable 783  
attorney's fees subject to reduction as described in division 784  
(C)(2)(c) of this section. The court shall award reasonable 785  
attorney's fees, subject to reduction as described in division 786  
(C)(2)(c) of this section when either of the following applies: 787

(i) The public office or the person responsible for the 788  
public records failed to respond affirmatively or negatively to 789  
the public records request in accordance with the time allowed 790  
under division (B) of this section. 791

(ii) The public office or the person responsible for the 792  
public records promised to permit the relator to inspect or 793  
receive copies of the public records requested within a specified 794  
period of time but failed to fulfill that promise within that 795  
specified period of time. 796

(c) Court costs and reasonable attorney's fees awarded under 797  
this section shall be construed as remedial and not punitive. 798  
Reasonable attorney's fees shall include reasonable fees incurred 799  
to produce proof of the reasonableness and amount of the fees and 800  
to otherwise litigate entitlement to the fees. The court may 801  
reduce an award of attorney's fees to the relator or not award 802  
attorney's fees to the relator if the court determines both of the 803  
following: 804

(i) That, based on the ordinary application of statutory law 805  
and case law as it existed at the time of the conduct or 806  
threatened conduct of the public office or person responsible for 807  
the requested public records that allegedly constitutes a failure 808  
to comply with an obligation in accordance with division (B) of 809  
this section and that was the basis of the mandamus action, a 810  
well-informed public office or person responsible for the 811  
requested public records reasonably would believe that the conduct 812  
or threatened conduct of the public office or person responsible 813  
for the requested public records did not constitute a failure to 814  
comply with an obligation in accordance with division (B) of this 815  
section; 816

(ii) That a well-informed public office or person responsible 817  
for the requested public records reasonably would believe that the 818  
conduct or threatened conduct of the public office or person 819  
responsible for the requested public records as described in 820  
division (C)(2)(c)(i) of this section would serve the public 821  
policy that underlies the authority that is asserted as permitting 822  
that conduct or threatened conduct. 823

(D) Chapter 1347. of the Revised Code does not limit the 824  
provisions of this section. 825

(E)(1) To ensure that all employees of public offices are 826  
appropriately educated about a public office's obligations under 827  
division (B) of this section, all elected officials or their 828  
appropriate designees shall attend training approved by the 829  
attorney general as provided in section 109.43 of the Revised 830  
Code. In addition, all public offices shall adopt a public records 831  
policy in compliance with this section for responding to public 832  
records requests. In adopting a public records policy under this 833  
division, a public office may obtain guidance from the model 834  
public records policy developed and provided to the public office 835  
by the attorney general under section 109.43 of the Revised Code. 836  
Except as otherwise provided in this section, the policy may not 837  
limit the number of public records that the public office will 838  
make available to a single person, may not limit the number of 839  
public records that it will make available during a fixed period 840  
of time, and may not establish a fixed period of time before it 841  
will respond to a request for inspection or copying of public 842  
records, unless that period is less than eight hours. 843

(2) The public office shall distribute the public records 844  
policy adopted by the public office under division (E)(1) of this 845  
section to the employee of the public office who is the records 846  
custodian or records manager or otherwise has custody of the 847  
records of that office. The public office shall require that 848  
employee to acknowledge receipt of the copy of the public records 849  
policy. The public office shall create a poster that describes its 850  
public records policy and shall post the poster in a conspicuous 851  
place in the public office and in all locations where the public 852  
office has branch offices. The public office may post its public 853  
records policy on the internet web site of the public office if 854  
the public office maintains an internet web site. A public office 855

that has established a manual or handbook of its general policies 856  
and procedures for all employees of the public office shall 857  
include the public records policy of the public office in the 858  
manual or handbook. 859

(F)(1) The bureau of motor vehicles may adopt rules pursuant 860  
to Chapter 119. of the Revised Code to reasonably limit the number 861  
of bulk commercial special extraction requests made by a person 862  
for the same records or for updated records during a calendar 863  
year. The rules may include provisions for charges to be made for 864  
bulk commercial special extraction requests for the actual cost of 865  
the bureau, plus special extraction costs, plus ten per cent. The 866  
bureau may charge for expenses for redacting information, the 867  
release of which is prohibited by law. 868

(2) As used in division (F)(1) of this section: 869

(a) "Actual cost" means the cost of depleted supplies, 870  
records storage media costs, actual mailing and alternative 871  
delivery costs, or other transmitting costs, and any direct 872  
equipment operating and maintenance costs, including actual costs 873  
paid to private contractors for copying services. 874

(b) "Bulk commercial special extraction request" means a 875  
request for copies of a record for information in a format other 876  
than the format already available, or information that cannot be 877  
extracted without examination of all items in a records series, 878  
class of records, or data base by a person who intends to use or 879  
forward the copies for surveys, marketing, solicitation, or resale 880  
for commercial purposes. "Bulk commercial special extraction 881  
request" does not include a request by a person who gives 882  
assurance to the bureau that the person making the request does 883  
not intend to use or forward the requested copies for surveys, 884  
marketing, solicitation, or resale for commercial purposes. 885

(c) "Commercial" means profit-seeking production, buying, or 886

selling of any good, service, or other product. 887

(d) "Special extraction costs" means the cost of the time 888  
spent by the lowest paid employee competent to perform the task, 889  
the actual amount paid to outside private contractors employed by 890  
the bureau, or the actual cost incurred to create computer 891  
programs to make the special extraction. "Special extraction 892  
costs" include any charges paid to a public agency for computer or 893  
records services. 894

(3) For purposes of divisions (F)(1) and (2) of this section, 895  
"surveys, marketing, solicitation, or resale for commercial 896  
purposes" shall be narrowly construed and does not include 897  
reporting or gathering news, reporting or gathering information to 898  
assist citizen oversight or understanding of the operation or 899  
activities of government, or nonprofit educational research. 900

**Sec. 3503.15.** (A) The secretary of state shall establish and 901  
maintain a statewide voter registration database that shall be 902  
continuously available to each board of elections and to other 903  
agencies as authorized by law. 904

(B) The statewide voter registration database established 905  
under this section shall be the official list of registered voters 906  
for all elections conducted in this state. 907

(C) The statewide voter registration database established 908  
under this section shall, at a minimum, include all of the 909  
following: 910

(1) An electronic network that connects all board of 911  
elections offices with the office of the secretary of state and 912  
with the offices of all other boards of elections; 913

(2) A computer program that harmonizes the records contained 914  
in the database with records maintained by each board of 915  
elections; 916

(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, or print records contained in the statewide voter registration database and to make updates of that database;

(5) Establishing a process for annually auditing the information contained in the statewide voter registration database;

(6) Establishing a process to keep the voter registration record of a person who is a program participant under sections 111.31 to 111.40 of the Revised Code confidential and not available for public inspection. 947  
948  
949  
950

(E) A board of elections promptly shall purge a voter's name and voter registration information from the statewide voter registration database in accordance with the rules adopted by the secretary of state under division (D)(3) of this section after the cancellation of a voter's registration under section 3503.21 of the Revised Code. 951  
952  
953  
954  
955  
956

(F) The secretary of state shall provide training in the operation of the statewide voter registration database to each board of elections and to any persons authorized by the secretary of state to add, delete, modify, or print database records, and to conduct updates of the database. 957  
958  
959  
960  
961

(G)(1) The statewide voter registration database established under this section shall be made available on a web site of the office of the secretary of state as follows: 962  
963  
964

(a) Except as otherwise provided in division (G)(1)(b) of this section, only the following information from the statewide voter registration database regarding a registered voter shall be made available on the web site: 965  
966  
967  
968

(i) The voter's name; 969

(ii) The voter's address; 970

(iii) The voter's precinct number; 971

(iv) The voter's voting history. 972

(b) During the thirty days before the day of a primary or general election, the web site interface of the statewide voter registration database shall permit a voter to search for the polling location at which that voter may cast a ballot. 973  
974  
975  
976



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

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

Sec. 3503.151. Notwithstanding any other provision of Chapter 3503. of the Revised Code, the secretary of state shall maintain the voter registration records for participants in the address confidentiality program under sections 111.32 to 111.40 of the Revised Code who are registered or choose to register to vote. The secretary of state shall process new voter registration records and maintain existing voter registration records in the same manner as county boards of elections.

**Sec. 3509.03.** 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 application need not be in any particular form but

shall contain all of the following: 1008

(A) The elector's name; 1009

(B) The elector's signature; 1010

(C) The address at which the elector is registered to vote; 1011

(D) The elector's date of birth; 1012

(E) One of the following: 1013

(1) The elector's driver's license number; 1014

(2) The last four digits of the elector's social security  
number; 1015  
1016

(3) A copy of the elector's current and valid photo 1017  
identification, a copy of a military identification, or a copy of 1018  
a current utility bill, bank statement, government check, 1019  
paycheck, or other government document, other than a notice of an 1020  
election mailed by a board of elections under section 3501.19 of 1021  
the Revised Code or a notice of voter registration mailed by a 1022  
board of elections under section 3503.19 of the Revised Code, that 1023  
shows the name and address of the elector. 1024

(F) A statement identifying the election for which absent 1025  
voter's ballots are requested; 1026

(G) A statement that the person requesting the ballots is a 1027  
qualified elector; 1028

(H) If the request is for primary election ballots, the 1029  
elector's party affiliation; 1030

(I) If the elector desires ballots to be mailed to the 1031  
elector, the address to which those ballots shall be mailed. 1032

A voter who will be outside the United States on the day of 1033  
any election during a calendar year may use a single federal post 1034  
card application to apply for absent voter's ballots. Those 1035  
ballots shall be sent to the voter for use at the primary and 1036

general elections in that year and any special election to be held 1037  
on the day in that year specified by division (E) of section 1038  
3501.01 of the Revised Code for the holding of a primary election, 1039  
designated by the general assembly for the purpose of submitting 1040  
constitutional amendments proposed by the general assembly to the 1041  
voters of the state unless the voter reports a change in the 1042  
voter's voting status to the board of elections or the voter's 1043  
intent to vote in any such election in the precinct in this state 1044  
where the voter is registered to vote. A single federal postcard 1045  
application shall be processed by the board of elections pursuant 1046  
to section 3509.04 of the Revised Code the same as if the voter 1047  
had applied separately for absent voter's ballots for each 1048  
election. When mailing absent voter's ballots to a voter who 1049  
applied for them by single federal post card application, the 1050  
board shall enclose notification to the voter that the voter must 1051  
report to the board subsequent changes in the voter's voting 1052  
status or the voter's subsequent intent to vote in any such 1053  
election in the precinct in this state where the voter is 1054  
registered to vote. Such notification shall be in a form 1055  
prescribed by the secretary of state. As used in this section, 1056  
"voting status" means the voter's name at the time the voter 1057  
applied for absent voter's ballots by single federal post card 1058  
application and the voter's address outside the United States to 1059  
which the voter requested that those ballots be sent. 1060

~~Each~~ Except as provided in section 111.34 of the Revised 1061  
Code, each application for absent voter's ballots shall be 1062  
delivered to the director not earlier than the first day of 1063  
January of the year of the elections for which the absent voter's 1064  
ballots are requested or not earlier than ninety days before the 1065  
day of the election at which the ballots are to be voted, 1066  
whichever is earlier, and not later than twelve noon of the third 1067  
day before the day of the election at which the ballots are to be 1068  
voted, or not later than the close of regular business hours on 1069

the day before the day of the election at which the ballots are to 1070  
be voted if the application is delivered in person to the office 1071  
of the board. 1072

**Section 2.** That existing sections 149.43, 3503.15, and 1073  
3509.03 of the Revised Code are hereby repealed. 1074