

**As Pending in the House State Government and Elections  
Committee (LSC 0892-13)**

**129th General Assembly  
Regular Session  
2011-2012**

**Sub. H. B. No. 194**

**Representatives Mecklenborg, Blessing**

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**A B I L L**

To amend sections 3.02, 111.27, 302.09, 305.02,	1
503.24, 511.27, 733.31, 1545.21, 1901.10, 2301.02,	2
3501.01, 3501.02, 3501.05, 3501.051, 3501.10,	3
3501.13, 3501.17, 3501.22, 3501.26, 3501.27,	4
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3509.031, 3509.04, 3509.05, 3509.06, 3509.07,	13
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3511.06, 3511.07, 3511.08, 3511.09, 3511.10,	15
3511.11, 3511.13, 3511.14, 3513.02, 3513.12,	16
3513.131, 3513.19, 3513.21, 3513.262, 3513.30,	17
3513.31, 3515.04, 3517.10, 3517.102, 3517.103,	18
3517.1011, 3517.153, 3517.154, 3517.155, 3517.992,	19
3519.01, 3519.16, 3599.03, 3599.07, 3599.17,	20
3599.19, and 3599.31, to enact sections 3501.111,	21
3501.302, 3501.40, 3503.161, 3505.05, 3506.021,	22
and 3599.30, and to repeal sections 3503.29,	23

3506.16, 3513.301, 3513.312, and 3517.1010 of the 24  
Revised Code to revise the Election Law. 25

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

**Section 1.** That sections 111.27, 511.27, 1545.21, 3501.01, 26  
3501.05, 3501.051, 3501.10, 3501.13, 3501.17, 3501.22, 3501.26, 27  
3501.27, 3501.28, 3501.29, 3501.30, 3501.31, 3501.32, 3501.33, 28  
3501.35, 3501.37, 3501.38, 3503.02, 3503.06, 3503.14, 3503.15, 29  
3503.16, 3503.18, 3503.19, 3503.21, 3503.26, 3503.28, 3505.11, 30  
3505.17, 3505.18, 3505.181, 3505.182, 3505.183, 3505.20, 3505.21, 31  
3505.23, 3505.24, 3505.26, 3505.28, 3505.29, 3505.30, 3505.31, 32  
3506.05, 3506.12, 3506.15, 3509.01, 3509.02, 3509.03, 3509.031, 33  
3509.04, 3509.05, 3509.06, 3509.07, 3509.08, 3509.09, 3511.02, 34  
3511.04, 3511.05, 3511.06, 3511.07, 3511.08, 3511.09, 3511.10, 35  
3511.11, 3511.13, 3511.14, 3513.02, 3513.12, 3513.131, 3513.19, 36  
3513.21, 3513.262, 3513.30, 3515.04, 3517.10, 3517.102, 3517.103, 37  
3517.1011, 3517.153, 3517.154, 3517.155, 3517.992, 3519.01, 38  
3519.16, 3599.03, 3599.07, 3599.17, 3599.19, and 3599.31 be 39  
amended and sections 3501.111, 3501.302, 3501.40, 3503.161, 40  
3505.05, 3506.021, and 3599.30 of the Revised Code be enacted to 41  
read as follows: 42

**Sec. 111.27.** There is hereby established in the state 43  
treasury the board of elections reimbursement and education fund. 44  
The fund shall be used by the secretary of state to reimburse 45  
boards of elections for various purposes, including reimbursements 46  
made under sections ~~3513.301, 3513.312,~~ 3515.071~~7~~ and 3521.03 of 47  
the Revised Code, and to provide training and educational programs 48  
for members and employees of boards of elections. The fund shall 49  
receive transfers of cash pursuant to controlling board action and 50  
also shall receive revenues from fees, gifts, grants, donations, 51  
and other similar receipts. 52

Sec. 511.27. (A) To defray the expenses of the township park 53  
district and for purchasing, appropriating, operating, 54  
maintaining, and improving lands for parks or recreational 55  
purposes, the board of park commissioners may levy a sufficient 56  
tax within the ten-mill limitation, not to exceed one mill on each 57  
dollar of valuation on all real and personal property within the 58  
township, and on all real and personal property within any 59  
municipal corporation that is within the township, that was within 60  
the township at the time that the park district was established, 61  
or the boundaries of which are coterminous with or include the 62  
township. The levy shall be over and above all other taxes and 63  
limitations on such property authorized by law. 64

(B) Except as otherwise provided in division (C) of this 65  
section, the board of park commissioners, not less than ninety 66  
days before the day of the election, may declare by resolution 67  
that the amount of taxes that may be raised within the ten-mill 68  
limitation will be insufficient to provide an adequate amount for 69  
the necessary requirements of the district and that it is 70  
necessary to levy a tax in excess of that limitation for the use 71  
of the district. The resolution shall specify the purpose for 72  
which the taxes shall be used, the annual rate proposed, and the 73  
number of consecutive years the levy will be in effect. Upon the 74  
adoption of the resolution, the question of levying the taxes 75  
shall be submitted to the electors of the township and the 76  
electors of any municipal corporation that is within the township, 77  
that was within the township at the time that the park district 78  
was established, or the boundaries of which are coterminous with 79  
or include the township, at a special election to be held on 80  
whichever of the following occurs first: 81

(1) The day of the next ensuing general election; 82

(2) ~~The first Tuesday after the first Monday in May of any~~ 83

~~calendar year, except that, if a presidential day of the next  
ensuing primary election is held in that calendar year, then the  
day of that election.~~

The rate submitted to the electors at any one election shall not exceed two mills annually upon each dollar of valuation. If a majority of the electors voting upon the question of the levy vote in favor of the levy, the tax shall be levied on all real and personal property within the township and on all real and personal property within any municipal corporation that is within the township, that was within the township at the time that the park district was established, or the boundaries of which are coterminous with or include the township, and the levy shall be over and above all other taxes and limitations on such property authorized by law.

(C) In any township park district that contains only unincorporated territory, if the township board of park commissioners is appointed by the board of township trustees, before a tax can be levied and certified to the county auditor pursuant to section 5705.34 of the Revised Code or before a resolution for a tax levy can be certified to the board of elections pursuant to section 511.28 of the Revised Code, the board of park commissioners shall receive approval for its levy request from the board of township trustees. The board of park commissioners shall adopt a resolution requesting the board of township trustees to approve the levy request, stating the annual rate of the proposed levy and the reason for the levy request. On receiving this request, the board of township trustees shall vote on whether to approve the request and, if a majority votes to approve it, shall issue a resolution approving the levy at the requested rate.

**Sec. 1545.21.** The board of park commissioners, by resolution,

may submit to the electors of the park district the question of 115  
levying taxes for the use of the district. The resolution shall 116  
declare the necessity of levying such taxes, shall specify the 117  
purpose for which such taxes shall be used, the annual rate 118  
proposed, and the number of consecutive years the rate shall be 119  
levied. Such resolution shall be forthwith certified to the board 120  
of elections in each county in which any part of such district is 121  
located, not later than the ninetieth day before the day of the 122  
election, and the question of the levy of taxes as provided in 123  
such resolution shall be submitted to the electors of the district 124  
at a special election to be held on whichever of the following 125  
occurs first: 126

(A) The day of the next general election; 127

(B) ~~The first Tuesday after the first Monday in May in any 128  
calendar year, except that if a presidential day of the next 129  
primary election is held in that calendar year, then the day of 130  
that election. The 131~~

The ballot shall set forth the purpose for which the taxes 132  
shall be levied, the annual rate of levy, and the number of years 133  
of such levy. If the tax is to be placed on the current tax list, 134  
the form of the ballot shall state that the tax will be levied in 135  
the current tax year and shall indicate the first calendar year 136  
the tax will be due. If the resolution of the board of park 137  
commissioners provides that an existing levy will be canceled upon 138  
the passage of the new levy, the ballot may include a statement 139  
that: "an existing levy of ... mills (stating the original levy 140  
millage), having ... years remaining, will be canceled and 141  
replaced upon the passage of this levy." In such case, the ballot 142  
may refer to the new levy as a "replacement levy" if the new 143  
millage does not exceed the original millage of the levy being 144  
canceled or as a "replacement and additional levy" if the new 145  
millage exceeds the original millage of the levy being canceled. 146

If a majority of the electors voting upon the question of such 147  
levy vote in favor thereof, such taxes shall be levied and shall 148  
be in addition to the taxes authorized by section 1545.20 of the 149  
Revised Code, and all other taxes authorized by law. The rate 150  
submitted to the electors at any one time shall not exceed two 151  
mills annually upon each dollar of valuation. When a tax levy has 152  
been authorized as provided in this section or in section 1545.041 153  
of the Revised Code, the board of park commissioners may issue 154  
bonds pursuant to section 133.24 of the Revised Code in 155  
anticipation of the collection of such levy, provided that such 156  
bonds shall be issued only for the purpose of acquiring and 157  
improving lands. Such levy, when collected, shall be applied in 158  
payment of the bonds so issued and the interest thereon. The 159  
amount of bonds so issued and outstanding at any time shall not 160  
exceed one per cent of the total tax valuation in such district. 161  
Such bonds shall bear interest at a rate not to exceed the rate 162  
determined as provided in section 9.95 of the Revised Code. 163

**Sec. 3501.01.** As used in the sections of the Revised Code 164  
relating to elections and political communications: 165

(A) "General election" means the election held on the first 166  
Tuesday after the first Monday in each November. 167

(B) "Regular municipal election" means the election held on 168  
the first Tuesday after the first Monday in November in each 169  
odd-numbered year. 170

(C) "Regular state election" means the election held on the 171  
first Tuesday after the first Monday in November in each 172  
even-numbered year. 173

(D) "Special election" means any election other than those 174  
elections defined in other divisions of this section. A special 175  
election may be held only on the first Tuesday after the first 176  
Monday in February, May, August, or November, or on the day 177

authorized by a particular municipal or county charter for the 178  
holding of a primary election, ~~except that in any year in which a~~ 179  
~~presidential primary election is held, no special election shall~~ 180  
~~be held in February or May, except as authorized by a municipal or~~ 181  
~~county charter, but may be held on the first Tuesday after the~~ 182  
~~first Monday in March.~~ 183

(E)(1) "Primary" or "primary election" means an election held 184  
for the purpose of nominating persons as candidates of political 185  
parties for election to offices, and for the purpose of electing 186  
persons as members of the controlling committees of political 187  
parties and as delegates and alternates to the conventions of 188  
political parties. Primary elections shall be held on the first 189  
Tuesday after the first Monday in May of each year ~~except in years~~ 190  
~~in which a presidential primary election is held.~~ 191

(2) "Presidential primary election" means a primary election 192  
as defined by division (E)(1) of this section at which an election 193  
is held for the purpose of choosing delegates and alternates to 194  
the national conventions of the major political parties pursuant 195  
to section 3513.12 of the Revised Code. Unless otherwise 196  
specified, presidential primary elections are included in 197  
references to primary elections. ~~In years in which a presidential~~ 198  
~~primary election is held, all primary elections shall be held on~~ 199  
~~the first Tuesday after the first Monday in March except as~~ 200  
~~otherwise authorized by a municipal or county charter.~~ 201

(F) "Political party" means any group of voters meeting the 202  
requirements set forth in section 3517.01 of the Revised Code for 203  
the formation and existence of a political party. 204

(1) "Major political party" means any political party 205  
organized under the laws of this state whose candidate for 206  
governor or nominees for presidential electors received no less 207  
than twenty per cent of the total vote cast for such office at the 208  
most recent regular state election. 209

(2) "Intermediate political party" means any political party 210  
organized under the laws of this state whose candidate for 211  
governor or nominees for presidential electors received less than 212  
twenty per cent but not less than ten per cent of the total vote 213  
cast for such office at the most recent regular state election. 214

(3) "Minor political party" means any political party 215  
organized under the laws of this state whose candidate for 216  
governor or nominees for presidential electors received less than 217  
ten per cent but not less than five per cent of the total vote 218  
cast for such office at the most recent regular state election or 219  
which has filed with the secretary of state, subsequent to any 220  
election in which it received less than five per cent of such 221  
vote, a petition signed by qualified electors equal in number to 222  
at least one per cent of the total vote cast for such office in 223  
the last preceding regular state election, except that a newly 224  
formed political party shall be known as a minor political party 225  
until the time of the first election for governor or president 226  
which occurs not less than twelve months subsequent to the 227  
formation of such party, after which election the status of such 228  
party shall be determined by the vote for the office of governor 229  
or president. 230

(G) "Dominant party in a precinct" or "dominant political 231  
party in a precinct" means that political party whose candidate 232  
for election to the office of governor at the most recent regular 233  
state election at which a governor was elected received more votes 234  
than any other person received for election to that office in such 235  
precinct at such election. 236

(H) "Candidate" means any qualified person certified in 237  
accordance with the provisions of the Revised Code for placement 238  
on the official ballot of a primary, general, or special election 239  
to be held in this state, or any qualified person who claims to be 240  
a write-in candidate, or who knowingly assents to being 241



represented as a write-in candidate by another at either a 242  
primary, general, or special election to be held in this state. 243

(I) "Independent candidate" means any candidate who claims 244  
not to be affiliated with a political party, and whose name has 245  
been certified on the office-type ballot at a general or special 246  
election through the filing of a statement of candidacy and 247  
nominating petition, as prescribed in section 3513.257 of the 248  
Revised Code. 249

(J) "Nonpartisan candidate" means any candidate whose name is 250  
required, pursuant to section 3505.04 of the Revised Code, to be 251  
listed on the nonpartisan ballot, including all candidates for 252  
judicial office, for member of any board of education, for 253  
municipal or township offices in which primary elections are not 254  
held for nominating candidates by political parties, and for 255  
offices of municipal corporations having charters that provide for 256  
separate ballots for elections for these offices. 257

(K) "Party candidate" means any candidate who claims to be a 258  
member of a political party, whose name has been certified on the 259  
office-type ballot at a general or special election through the 260  
filing of a declaration of candidacy and petition of candidate, 261  
and who has won the primary election of the candidate's party for 262  
the public office the candidate seeks or is selected by party 263  
committee in accordance with section 3513.31 of the Revised Code. 264

(L) "Officer of a political party" includes, but is not 265  
limited to, any member, elected or appointed, of a controlling 266  
committee, whether representing the territory of the state, a 267  
district therein, a county, township, a city, a ward, a precinct, 268  
or other territory, of a major, intermediate, or minor political 269  
party. 270

(M) "Question or issue" means any question or issue certified 271  
in accordance with the Revised Code for placement on an official 272

ballot at a general or special election to be held in this state.	273
(N) "Elector" or "qualified elector" means a person having the qualifications provided by law to be entitled to vote.	274 275
(O) "Voter" means an elector who votes at an election.	276
(P) "Voting residence" means that place of residence of an elector which shall determine the precinct in which the elector may vote.	277 278 279
(Q) "Precinct" means a district within a county established by the board of elections of such county within which all qualified electors having a voting residence therein may vote at the same polling place.	280 281 282 283
(R) "Polling place" means that place provided for each precinct at which the electors having a voting residence in such precinct may vote.	284 285 286
(S) "Board" or "board of elections" means the board of elections appointed in a county pursuant to section 3501.06 of the Revised Code.	287 288 289
(T) "Political subdivision" means a county, township, city, village, or school district.	290 291
(U) "Election officer" or "election official" means any of the following:	292 293
(1) Secretary of state;	294
(2) Employees of the secretary of state serving the division of elections in the capacity of attorney, administrative officer, administrative assistant, elections administrator, office manager, or clerical supervisor;	295 296 297 298
(3) Director of a board of elections;	299
(4) Deputy director of a board of elections;	300
(5) Member of a board of elections;	301

(6) Employees of a board of elections;	302
(7) Precinct polling place judges;	303
(8) Employees appointed by the boards of elections on a temporary or part-time basis.	304 305
(V) "Acknowledgment notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, informing a voter registration applicant or an applicant who wishes to change the applicant's residence or name of the status of the application; the information necessary to complete or update the application, if any; and if the application is complete, the precinct in which the applicant is to vote.	306 307 308 309 310 311 312
(W) "Confirmation notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, to a registered elector to confirm the registered elector's current address.	313 314 315 316
(X) "Designated agency" means an office or agency in the state that provides public assistance or that provides state-funded programs primarily engaged in providing services to persons with disabilities and that is required by the National Voter Registration Act of 1993 to implement a program designed and administered by the secretary of state for registering voters, or any other public or government office or agency that implements a program designed and administered by the secretary of state for registering voters, including the department of job and family services, the program administered under section 3701.132 of the Revised Code by the department of health, the department of mental health, the department of developmental disabilities, the rehabilitation services commission, and any other agency the secretary of state designates. "Designated agency" does not include public high schools and vocational schools, public libraries, or the office of a county treasurer.	317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332

(Y) "National Voter Registration Act of 1993" means the 333  
"National Voter Registration Act of 1993," 107 Stat. 77, 42 334  
U.S.C.A. 1973gg. 335

(Z) "Voting Rights Act of 1965" means the "Voting Rights Act 336  
of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. 337

(AA) "Photo identification" means a document that meets each 338  
of the following requirements: 339

(1) It shows the name of the individual to whom it was 340  
issued, which shall conform to the name in the poll list or 341  
signature pollbook. 342

(2) It shows the current address of the individual to whom it 343  
was issued, which shall conform to the address in the poll list or 344  
signature pollbook, except for a driver's license or a state 345  
identification card issued under section 4507.50 of the Revised 346  
Code, which may show either the current or former address of the 347  
individual to whom it was issued, regardless of whether that 348  
address conforms to the address in the poll list or signature 349  
pollbook. 350

(3) It shows a photograph of the individual to whom it was 351  
issued. 352

(4) It ~~includes~~ shall have on it an expiration date that has 353  
not passed. 354

(5) It was issued by the government of the United States or 355  
this state. 356

**Sec. 3501.05.** The secretary of state shall do all of the 357  
following: 358

(A) Appoint all members of boards of elections; 359

(B) Issue instructions by directives and advisories in 360  
accordance with section 3501.053 of the Revised Code to members of 361

the boards as to the proper methods of conducting elections.	362
(C) Prepare rules and instructions for the conduct of elections;	363 364
(D) Publish and furnish to the boards from time to time a sufficient number of indexed copies of all election laws then in force;	365 366 367
(E) Edit and issue all pamphlets concerning proposed laws or amendments required by law to be submitted to the voters;	368 369
(F) Prescribe the form of registration cards, blanks, and records;	370 371
(G) Determine and prescribe the forms of ballots and the forms of all blanks, cards of instructions, pollbooks, tally sheets, certificates of election, and forms and blanks required by law for use by candidates, committees, and boards;	372 373 374 375
(H) Prepare the ballot title or statement to be placed on the ballot for any proposed law or amendment to the constitution to be submitted to the voters of the state;	376 377 378
(I) Except as otherwise provided in section 3519.08 of the Revised Code, certify to the several boards the forms of ballots and names of candidates for state offices, and the form and wording of state referendum questions and issues, as they shall appear on the ballot;	379 380 381 382 383
(J) Except as otherwise provided in division (I)(2)(b) of section 3501.38 of the Revised Code, give final approval to ballot language for any local question or issue approved and transmitted by boards of elections under section 3501.11 of the Revised Code;	384 385 386 387
(K) Receive all initiative and referendum petitions on state questions and issues and determine and certify to the sufficiency of those petitions;	388 389 390
(L) Require such reports from the several boards as are	391

provided by law, or as the secretary of state considers necessary; 392

(M) Compel the observance by election officers in the several 393  
counties of the requirements of the election laws; 394

(N)(1) Except as otherwise provided in division (N)(2) of 395  
this section, investigate the administration of election laws, 396  
frauds, and irregularities in elections in any county, and report 397  
violations of election laws to the attorney general or prosecuting 398  
attorney, or both, for prosecution; 399

(2) On and after August 24, 1995, report a failure to comply 400  
with or a violation of a provision in sections 3517.08 to 3517.13, 401  
3517.17, 3517.18, 3517.20 to 3517.22, 3599.03, or 3599.031 of the 402  
Revised Code, whenever the secretary of state has or should have 403  
knowledge of a failure to comply with or a violation of a 404  
provision in one of those sections, by filing a complaint with the 405  
Ohio elections commission under section 3517.153 of the Revised 406  
Code; 407

(O) Make an annual report to the governor containing the 408  
results of elections, the cost of elections in the various 409  
counties, a tabulation of the votes in the several political 410  
subdivisions, and other information and recommendations relative 411  
to elections the secretary of state considers desirable; 412

(P) Prescribe and distribute to boards of elections a list of 413  
instructions indicating all legal steps necessary to petition 414  
successfully for local option elections under sections 4301.32 to 415  
4301.41, 4303.29, 4305.14, and 4305.15 of the Revised Code; 416

(Q) Adopt rules pursuant to Chapter 119. of the Revised Code 417  
for the removal ~~by boards of elections~~ of ineligible voters from 418  
the statewide voter registration database and, if applicable, from 419  
the poll list or signature pollbook used in each precinct, which 420  
rules shall provide for all of the following: 421

(1) A process for the removal of voters who have changed 422

residence, which shall be uniform, nondiscriminatory, and in 423  
compliance with the Voting Rights Act of 1965 and the National 424  
Voter Registration Act of 1993, including a program that uses the 425  
national change of address service provided by the United States 426  
postal system through its licensees; 427

(2) A process for the removal of ineligible voters under 428  
section 3503.21 of the Revised Code; 429

(3) A uniform system for marking or removing the name of a 430  
voter who is ineligible to vote from the statewide voter 431  
registration database and, if applicable, from the poll list or 432  
signature pollbook used in each precinct and noting the reason for 433  
that mark or removal. 434

(R) Prescribe a general program for registering voters or 435  
updating voter registration information, such as name and 436  
residence changes, by boards of elections, designated agencies, 437  
offices of deputy registrars of motor vehicles, public high 438  
schools and vocational schools, public libraries, and offices of 439  
county treasurers consistent with the requirements of section 440  
3503.09 of the Revised Code; 441

(S) Prescribe a program of distribution of voter registration 442  
forms through boards of elections, designated agencies, offices of 443  
the registrar and deputy registrars of motor vehicles, public high 444  
schools and vocational schools, public libraries, and offices of 445  
county treasurers; 446

(T) To the extent feasible, provide copies, at no cost and 447  
upon request, of the voter registration form in post offices in 448  
this state; 449

(U) Adopt rules pursuant to section 111.15 of the Revised 450  
Code for the purpose of implementing the program for registering 451  
voters through boards of elections, designated agencies, and the 452  
offices of the registrar and deputy registrars of motor vehicles 453

consistent with this chapter; 454

(V) Establish the full-time position of Americans with 455  
Disabilities Act coordinator within the office of the secretary of 456  
state to do all of the following: 457

(1) Assist the secretary of state with ensuring that there is 458  
equal access to polling places for persons with disabilities; 459

(2) Assist the secretary of state with ensuring that each 460  
voter may cast the voter's ballot in a manner that provides the 461  
same opportunity for access and participation, including privacy 462  
and independence, as for other voters; 463

(3) Advise the secretary of state in the development of 464  
standards for the certification of voting machines, marking 465  
devices, and automatic tabulating equipment. 466

(W) Establish and maintain a computerized statewide database 467  
of all legally registered voters under section 3503.15 of the 468  
Revised Code that complies with the requirements of the "Help 469  
America Vote Act of 2002," Pub. L. No. 107-252, 116 Stat. 1666, 470  
and provide training in the operation of that system; 471

(X) Ensure that all directives, advisories, other 472  
instructions, or decisions issued or made during or as a result of 473  
any conference or teleconference call with a board of elections to 474  
discuss the proper methods and procedures for conducting 475  
elections, to answer questions regarding elections, or to discuss 476  
the interpretation of directives, advisories, or other 477  
instructions issued by the secretary of state are posted on a web 478  
site of the office of the secretary of state as soon as is 479  
practicable after the completion of the conference or 480  
teleconference call, but not later than the close of business on 481  
the same day as the conference or teleconference call takes place. 482

(Y) Publish a report on a web site of the office of the 483  
secretary of state not later than one month after the completion 484



of the canvass of the election returns for each primary and 485  
general election, identifying, by county, the number of absent 486  
voter's ballots cast and the number of those ballots that were 487  
counted, and the number of provisional ballots cast and the number 488  
of those ballots that were counted, for that election. The 489  
secretary of state shall maintain the information on the web site 490  
in an archive format for each subsequent election. 491

(Z) Conduct voter education outlining voter identification, 492  
absent voters ballot, provisional ballot, and other voting 493  
requirements; 494

(AA) Establish a procedure by which a registered elector may 495  
make available to a board of elections a more recent signature to 496  
be used in the poll list or signature pollbook produced by the 497  
board of elections of the county in which the elector resides; 498

(BB) Disseminate information, which may include all or part 499  
of the official explanations and arguments, by means of direct 500  
mail or other written publication, broadcast, or other means or 501  
combination of means, as directed by the Ohio ballot board under 502  
division (F) of section 3505.062 of the Revised Code, in order to 503  
inform the voters as fully as possible concerning each proposed 504  
constitutional amendment, proposed law, or referendum; 505

(CC) Be the single state office responsible for the 506  
implementation of the "Uniformed and Overseas Citizens Absentee 507  
Voting Act," Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 1973ff, 508  
et seq., as amended, in this state. The secretary of state may 509  
delegate to the boards of elections responsibilities for the 510  
implementation of that act, including responsibilities arising 511  
from amendments to that act made by the "Military and Overseas 512  
Voter Empowerment Act," Subtitle H of the National Defense 513  
Authorization Act for Fiscal Year 2010, Pub. L. No. 111-84, 123 514  
Stat. 3190. 515

(DD) Perform other duties required by law. 516

Whenever a primary election is held under section 3513.32 of 517  
the Revised Code or a special election is held under section 518  
3521.03 of the Revised Code to fill a vacancy in the office of 519  
representative to congress, the secretary of state shall establish 520  
a deadline, notwithstanding any other deadline required under the 521  
Revised Code, by which any or all of the following shall occur: 522  
the filing of a declaration of candidacy and petitions or a 523  
statement of candidacy and nominating petition together with the 524  
applicable filing fee; the filing of protests against the 525  
candidacy of any person filing a declaration of candidacy or 526  
nominating petition; the filing of a declaration of intent to be a 527  
write-in candidate; the filing of campaign finance reports; the 528  
preparation of, and the making of corrections or challenges to, 529  
precinct voter registration lists; the receipt of applications for 530  
absent voter's ballots or ~~armed-service~~ uniformed services or 531  
overseas absent voter's ballots; the supplying of election 532  
materials to precincts by boards of elections; the holding of 533  
hearings by boards of elections to consider challenges to the 534  
right of a person to appear on a voter registration list; and the 535  
scheduling of programs to instruct or reinstruct election 536  
officers. 537

In the performance of the secretary of state's duties as the 538  
chief election officer, the secretary of state may administer 539  
oaths, issue subpoenas, summon witnesses, compel the production of 540  
books, papers, records, and other evidence, and fix the time and 541  
place for hearing any matters relating to the administration and 542  
enforcement of the election laws. 543

In any controversy involving or arising out of the adoption 544  
of registration or the appropriation of funds for registration, 545  
the secretary of state may, through the attorney general, bring an 546  
action in the name of the state in the court of common pleas of 547

the county where the cause of action arose or in an adjoining 548  
county, to adjudicate the question. 549

In any action involving the laws in Title XXXV of the Revised 550  
Code wherein the interpretation of those laws is in issue in such 551  
a manner that the result of the action will affect the lawful 552  
duties of the secretary of state or of any board of elections, the 553  
secretary of state may, on the secretary of state's motion, be 554  
made a party. 555

The secretary of state may apply to any court that is hearing 556  
a case in which the secretary of state is a party, for a change of 557  
venue as a substantive right, and the change of venue shall be 558  
allowed, and the case removed to the court of common pleas of an 559  
adjoining county named in the application or, if there are cases 560  
pending in more than one jurisdiction that involve the same or 561  
similar issues, the court of common pleas of Franklin county. 562

Public high schools and vocational schools, public libraries, 563  
and the office of a county treasurer shall implement voter 564  
registration programs as directed by the secretary of state 565  
pursuant to this section. 566

**Sec. 3501.051.** (A) Notwithstanding any other section of the 567  
Revised Code, the secretary of state may authorize, in one or more 568  
precincts in one or more counties, a program allowing individuals 569  
under the age of eighteen to enter the polling place and vote in a 570  
simulated election held at the same time as a general election. 571  
Any individual working in or supervising at a simulated election 572  
may enter the polling place and remain within it during the entire 573  
period the polls are open. 574

(B) A program established under division (A) of this section 575  
shall require all of the following: 576

(1) That the duties imposed on ~~judges~~ of precinct election 577

officials and peace officers under section 3501.33 of the Revised Code be performed by those ~~judges~~ officials and officers in regard to simulated elections and all activities related to simulated elections;

(2) That volunteers provide the personnel necessary to conduct the simulated election, except that employees of the secretary of state, employees or members of boards of elections, and precinct election officials may aid in operating the program to the extent permitted by the secretary of state;

(3) That individuals under the age of fourteen be accompanied to the simulated election by an individual eighteen years of age or over;

(4) Any other requirements the secretary of state considers necessary for the orderly administration of the election process.

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

Thirty days prior to entering into such a lease, the board shall notify the board of county commissioners in writing of its intent to enter into the lease. The notice shall specify the terms and conditions of the lease. Prior to the thirtieth day after receiving that notice and before any lease is entered into, the board of county commissioners may reject the proposed lease by a majority vote. After receiving written notification of the rejection by the board of county commissioners, the board of elections shall not enter into the lease that was rejected, but may immediately enter into additional lease negotiations, subject

to the requirements of this section. 609

The board of elections in any county may, by resolution, 610  
request that the board of county commissioners submit to the 611  
electors of the county, in accordance with section 133.18 of the 612  
Revised Code, the question of issuing bonds for the acquisition of 613  
real estate and the construction on it of a suitable building with 614  
necessary furniture and equipment for the proper administration of 615  
the duties of the board of elections. The resolution declaring the 616  
necessity for issuing such bonds shall relate only to the 617  
acquisition of real estate and to the construction, furnishing, 618  
and equipping of a building as provided in this division. 619

(B) The board of elections in each county shall keep its 620  
offices, or one or more of its branch registration offices, open 621  
for the performance of its duties until nine p.m. on the last day 622  
of registration before a general or primary election. At all other 623  
times during each week, the board shall keep its offices and rooms 624  
open for a period of time that the board considers necessary for 625  
the performance of its duties. 626

(C) The board of elections may maintain permanent or 627  
temporary branch offices at any place within the county, provided 628  
that, ~~if the board of elections permits shall not permit~~ electors 629  
to vote at a branch office, ~~electors shall not be permitted to~~ 630  
~~vote at any other branch office or any other office of the board~~ 631  
~~of elections.~~ 632

Sec. 3501.111. A board of elections may contract with another 633  
board of elections in this state or with a county automatic data 634  
processing board for the provision of election services in the 635  
county, including any duties imposed upon the board of elections 636  
under section 3501.11 of the Revised Code. 637

**Sec. 3501.13.** (A) The director of the board of elections 638

shall keep a full and true record of the proceedings of the board 639  
and of all moneys received and expended; file and preserve in the 640  
board's office all orders and records pertaining to the 641  
administration of registrations, primaries, and elections; receive 642  
and have the custody of all books, papers, and property belonging 643  
to the board; and perform other duties in connection with the 644  
office of director and the proper conduct of elections as the 645  
board determines. 646

(B) Before entering upon the duties of the office, the 647  
director shall subscribe to an oath that the director will support 648  
the Constitution of the United States and the Ohio Constitution, 649  
perform all the duties of the office to the best of the director's 650  
ability, enforce the election laws, and preserve all records, 651  
documents, and other property pertaining to the conduct of 652  
elections placed in the director's custody. 653

(C) The director may administer oaths to persons required by 654  
law to file certificates or other papers with the board, to ~~judges~~ 655  
~~of elections~~ precinct election officials, to witnesses who are 656  
called to testify before the board, and to voters filling out 657  
blanks at the board's offices. Except as otherwise provided by 658  
state or federal law, the records of the board and papers and 659  
books filed in its office are public records and open to 660  
inspection under such reasonable regulations as shall be 661  
established by the board. The following notice shall be posted in 662  
a prominent place at each board office: 663

"Except as otherwise provided by state or federal law, 664  
records filed in this office of the board of elections are open to 665  
public inspection during normal office hours, pursuant to the 666  
following reasonable regulations: (the board shall here list its 667  
regulations). Whoever prohibits any person from inspecting the 668  
public records of this board is subject to the penalties of 669  
section 3599.161 of the Revised Code." 670

(D) Upon receipt of a written declaration of intent to retire 671  
as provided for in section 145.38 of the Revised Code, the 672  
director shall provide a copy to each member of the board of 673  
elections. 674

**Sec. 3501.17.** (A) The expenses of the board of elections 675  
shall be paid from the county treasury, in pursuance of 676  
appropriations by the board of county commissioners, in the same 677  
manner as other county expenses are paid. If the board of county 678  
commissioners fails to appropriate an amount sufficient to provide 679  
for the necessary and proper expenses of the board of elections 680  
pertaining to the conduct of elections, the board of elections may 681  
apply to the court of common pleas within the county, which shall 682  
fix the amount necessary to be appropriated and the amount shall 683  
be appropriated. Payments shall be made upon vouchers of the board 684  
of elections certified to by its chairperson or acting chairperson 685  
and the director or deputy director, upon warrants of the county 686  
auditor. 687

The board of elections shall not incur any obligation 688  
involving the expenditure of money unless there are moneys 689  
sufficient in the funds appropriated therefor to meet the 690  
obligation. If the board of elections requests a transfer of funds 691  
from one of its appropriation items to another, the board of 692  
county commissioners shall adopt a resolution providing for the 693  
transfer except as otherwise provided in section 5705.40 of the 694  
Revised Code. The expenses of the board of elections shall be 695  
apportioned among the county and the various subdivisions as 696  
provided in this section, and the amount chargeable to each 697  
subdivision shall be withheld by the auditor from the moneys 698  
payable thereto at the time of the next tax settlement. At the 699  
time of submitting budget estimates in each year, the board of 700  
elections shall submit to the taxing authority of each 701  
subdivision, upon the request of the subdivision, an estimate of 702

the amount to be withheld from the subdivision during the next 703  
fiscal year. 704

(B) Except as otherwise provided in division (F) of this 705  
section, the compensation of the members of the board of elections 706  
and of the director, deputy director, and regular employees in the 707  
board's offices, other than compensation for overtime worked; the 708  
expenditures for the rental, furnishing, and equipping of the 709  
office of the board and for the necessary office supplies for the 710  
use of the board; the expenditures for the acquisition, repair, 711  
care, and custody of the polling places, booths, guardrails, and 712  
other equipment for polling places; the cost of tally sheets, 713  
maps, flags, ballot boxes, and all other permanent records and 714  
equipment; the cost of all elections held in and for the state and 715  
county; and all other expenses of the board which are not 716  
chargeable to a political subdivision in accordance with this 717  
section shall be paid in the same manner as other county expenses 718  
are paid. 719

(C) The compensation of ~~judges of elections~~ precinct election 720  
officials and intermittent employees in the board's offices; the 721  
cost of renting, moving, heating, and lighting polling places and 722  
of placing and removing ballot boxes and other fixtures and 723  
equipment thereof, including voting machines, marking devices, and 724  
automatic tabulating equipment; the cost of printing and 725  
delivering ballots, cards of instructions, registration lists 726  
required under section 3503.23 of the Revised Code, and other 727  
election supplies, including the supplies required to comply with 728  
division (H) of section 3506.01 of the Revised Code; the cost of 729  
contractors engaged by the board to prepare, program, test, and 730  
operate voting machines, marking devices, and automatic tabulating 731  
equipment; and all other expenses of conducting primaries and 732  
elections in the odd-numbered years shall be charged to the 733  
subdivisions in and for which such primaries or elections are 734



held. The charge for each primary or general election in 735  
odd-numbered years for each subdivision shall be determined in the 736  
following manner: first, the total cost of all chargeable items 737  
used in conducting such elections shall be ascertained; second, 738  
the total charge shall be divided by the number of precincts 739  
participating in such election, in order to fix the cost per 740  
precinct; third, the cost per precinct shall be prorated by the 741  
board of elections to the subdivisions conducting elections for 742  
the nomination or election of offices in such precinct; fourth, 743  
the total cost for each subdivision shall be determined by adding 744  
the charges prorated to it in each precinct within the 745  
subdivision. 746

(D) The entire cost of special elections held on a day other 747  
than the day of a primary or general election, both in 748  
odd-numbered or in even-numbered years, shall be charged to the 749  
subdivision. Where a special election is held on the same day as a 750  
primary or general election in an even-numbered year, the 751  
subdivision submitting the special election shall be charged only 752  
for the cost of ballots and advertising. Where a special election 753  
is held on the same day as a primary or general election in an 754  
odd-numbered year, the subdivision submitting the special election 755  
shall be charged for the cost of ballots and advertising for such 756  
special election, in addition to the charges prorated to such 757  
subdivision for the election or nomination of candidates in each 758  
precinct within the subdivision, as set forth in the preceding 759  
paragraph. 760

(E) Where a special election is held on the day specified by 761  
division (E) of section 3501.01 of the Revised Code for the 762  
holding of a primary election, for the purpose of submitting to 763  
the voters of the state constitutional amendments proposed by the 764  
general assembly, and a subdivision conducts a special election on 765  
the same day, the entire cost of the special election shall be 766

divided proportionally between the state and the subdivision based 767  
upon a ratio determined by the number of issues placed on the 768  
ballot by each, except as otherwise provided in division (G) of 769  
this section. Such proportional division of cost shall be made 770  
only to the extent funds are available for such purpose from 771  
amounts appropriated by the general assembly to the secretary of 772  
state. If a primary election is also being conducted in the 773  
subdivision, the costs shall be apportioned as otherwise provided 774  
in this section. 775

(F) When a precinct is open during a general, primary, or 776  
special election solely for the purpose of submitting to the 777  
voters a statewide ballot issue, the state shall bear the entire 778  
cost of the election in that precinct and shall reimburse the 779  
county for all expenses incurred in opening the precinct. 780

(G)(1) The state shall bear the entire cost of advertising in 781  
newspapers statewide ballot issues, explanations of those issues, 782  
and arguments for or against those issues, as required by Section 783  
1g of Article II and Section 1 of Article XVI, Ohio Constitution, 784  
and any other section of law. Appropriations made to the 785  
controlling board shall be used to reimburse the secretary of 786  
state for all expenses the secretary of state incurs for such 787  
advertising under division (G) of section 3505.062 of the Revised 788  
Code. 789

(2) There is hereby created in the state treasury the 790  
statewide ballot advertising fund. The fund shall receive 791  
transfers approved by the controlling board, and shall be used by 792  
the secretary of state to pay the costs of advertising state 793  
ballot issues as required under division (G)(1) of this section. 794  
Any such transfers may be requested from and approved by the 795  
controlling board prior to placing the advertising, in order to 796  
facilitate timely provision of the required advertising. 797

(H) The cost of renting, heating, and lighting registration 798

places; the cost of the necessary books, forms, and supplies for 799  
the conduct of registration; and the cost of printing and posting 800  
precinct registration lists shall be charged to the subdivision in 801  
which such registration is held. 802

(I) At the request of a majority of the members of the board 803  
of elections, the board of county commissioners may, by 804  
resolution, establish an elections revenue fund. Except as 805  
otherwise provided in this division, the purpose of the fund shall 806  
be to accumulate revenue withheld by or paid to the county under 807  
this section for the payment of any expense related to the duties 808  
of the board of elections specified in section 3501.11 of the 809  
Revised Code, upon approval of a majority of the members of the 810  
board of elections. The fund shall not accumulate any revenue 811  
withheld by or paid to the county under this section for the 812  
compensation of the members of the board of elections or of the 813  
director, deputy director, or other regular employees in the 814  
board's offices, other than compensation for overtime worked. 815

Notwithstanding sections 5705.14, 5705.15, and 5705.16 of the 816  
Revised Code, the board of county commissioners may, by 817  
resolution, transfer money to the elections revenue fund from any 818  
other fund of the political subdivision from which such payments 819  
lawfully may be made. Following an affirmative vote of a majority 820  
of the members of the board of elections, the board of county 821  
commissioners may, by resolution, rescind an elections revenue 822  
fund established under this division. If an elections revenue fund 823  
is rescinded, money that has accumulated in the fund shall be 824  
transferred to the county general fund. 825

(J) As used in this section: 826

(1) "Political subdivision" and "subdivision" mean any board 827  
of county commissioners, board of township trustees, legislative 828  
authority of a municipal corporation, board of education, or any 829  
other board, commission, district, or authority that is empowered 830

to levy taxes or permitted to receive the proceeds of a tax levy, 831  
regardless of whether the entity receives tax settlement moneys as 832  
described in division (A) of this section; 833

(2) "Statewide ballot issue" means any ballot issue, whether 834  
proposed by the general assembly or by initiative or referendum, 835  
that is submitted to the voters throughout the state. 836

**Sec. 3501.22.** (A) On or before the fifteenth day of September 837  
in each year, the board of elections by a majority vote shall, 838  
after careful examination and investigation as to their 839  
qualifications, appoint for each election precinct four residents 840  
of the county in which the precinct is located, as ~~judges precinct~~ 841  
election officials. Except as otherwise provided in division (C) 842  
of this section, all ~~judges of precinct~~ election officials shall 843  
be qualified electors. The ~~judges precinct election officials~~ 844  
shall constitute the election officers of the precinct. Not more 845  
than one-half of the total number of ~~judges precinct election~~ 846  
officials shall be members of the same political party. The term 847  
of such precinct officers shall be for one year. The board may, at 848  
any time, designate any number of election officers, not more than 849  
one-half of whom shall be members of the same political party, to 850  
perform their duties at any precinct in any election. The board 851  
may appoint additional officials, ~~equally divided between the two~~ 852  
~~major political parties~~, when necessary to expedite voting. If the 853  
board of elections determines that four precinct election 854  
officials are not required in a precinct for a special election, 855  
the board of elections may select two of the precinct's election 856  
officers, who are not members of the same political party, to 857  
serve as the precinct election officials for that precinct in that 858  
special election. 859

Vacancies for unexpired terms shall be filled by the board. 860  
When new precincts have been created, the board shall appoint 861

~~judges~~ precinct election officials for those precincts for the 862  
unexpired term. Any ~~judge~~ precinct election official may be 863  
summarily removed from office at any time by the board for neglect 864  
of duty, malfeasance, or misconduct in office or for any other 865  
good and sufficient reason. 866

Precinct election officials shall perform all of the duties 867  
provided by law for receiving the ballots and supplies, opening 868  
and closing the polls, and overseeing the casting of ballots 869  
during the time the polls are open, and any other duties required 870  
by section 3501.26 of the Revised Code. 871

A board of elections may designate two precinct election 872  
officials as counting officials to count and tally the votes cast 873  
and certify the results of the election at each precinct, and 874  
perform other duties as provided by law. To expedite the counting 875  
of votes at each precinct, the board may appoint additional 876  
officials, not more than one-half of whom shall be members of the 877  
same political party. 878

The board shall designate one of the precinct election 879  
officials who is a member of the dominant political party to serve 880  
as a ~~presiding judge~~ voting location manager, whose duty it is to 881  
deliver the returns of the election and all supplies to the office 882  
of the board. For these services, the ~~presiding judge~~ voting 883  
location manager shall receive additional compensation in an 884  
amount, consistent with section 3501.28 of the Revised Code, 885  
determined by the board of elections. 886

The board shall issue to each precinct election official a 887  
certificate of appointment, which the official shall present to 888  
the ~~presiding judge~~ voting location manager at the time the polls 889  
are opened. 890

(B) If the board of elections determines that not enough 891  
qualified electors in a precinct are available to serve as 892

precinct officers, it may appoint persons to serve as precinct 893  
officers at a primary, special, or general election who are at 894  
least seventeen years of age and are registered to vote in 895  
accordance with section 3503.07 of the Revised Code. 896

(C)(1) A board of elections, in conjunction with the board of 897  
education of a city, local, or exempted village school district, 898  
the governing authority of a community school established under 899  
Chapter 3314. of the Revised Code, or the chief administrator of a 900  
nonpublic school may establish a program permitting certain high 901  
school students to apply and, if appointed by the board of 902  
elections, to serve as precinct officers at a primary, special, or 903  
general election. 904

In addition to the requirements established by division 905  
(C)(2) of this section, a board of education, governing authority, 906  
or chief administrator that establishes a program under this 907  
division in conjunction with a board of elections may establish 908  
additional criteria that students shall meet to be eligible to 909  
participate in that program. 910

(2)(a) To be eligible to participate in a program established 911  
under division (C)(1) of this section, a student shall be a United 912  
States citizen, a resident of the county, at least seventeen years 913  
of age, and enrolled in the senior year of high school. 914

(b) Any student applying to participate in a program 915  
established under division (C)(1) of this section, as part of the 916  
student's application process, shall declare the student's 917  
political party affiliation with the board of elections. 918

(3) No student appointed as a precinct officer pursuant to a 919  
program established under division (C)(1) of this section shall be 920  
designated as a ~~presiding judge~~ voting location manager. 921

(4) Any student participating in a program established under 922  
division (C)(1) of this section shall be excused for that 923

student's absence from school on the day of an election at which 924  
the student is serving as a precinct officer. 925

(D) In any precinct with six or more precinct officers, up to 926  
two students participating in a program established under division 927  
(C)(1) of this section who are under eighteen years of age may 928  
serve as precinct officers. Not more than one precinct officer in 929  
any given precinct with fewer than six precinct officers shall be 930  
under eighteen years of age. 931

**Sec. 3501.26.** When the polls are closed after a primary, 932  
general, or special election, the receiving officials shall, in 933  
the presence of the counting officials and attending observers, 934  
proceed as follows: 935

(A) Count the number of electors who voted, as shown on the 936  
poll books; 937

(B) Count the unused ballots without removing stubs; 938

(C) Count the soiled and defaced ballots; 939

(D) Insert the totals of divisions (A), (B), and (C) of this 940  
section on the report forms provided therefor in the poll books; 941

(E) Count the voted ballots. If the number of voted ballots 942  
exceeds the number of voters whose names appear upon the poll 943  
books, the ~~presiding judge~~ voting location manager shall enter on 944  
the poll books an explanation of that discrepancy, and that 945  
explanation, if agreed to, shall be subscribed to by all of the 946  
~~judges~~ precinct election officials. Any ~~judge~~ precinct official 947  
having a different explanation shall enter it in the poll books 948  
and subscribe to it. 949

(F) Put the unused ballots with stubs attached, and soiled 950  
and defaced ballots with stubs attached, in the envelopes or 951  
containers provided therefor, and certify the number. 952

The receiving officials shall deliver to and place in the 953

custody of the counting officials all the supplies provided for 954  
the conduct of that election and the ballots that are to be 955  
counted and tallied, and take a receipt for the same, which 956  
receipt shall appear in and be a part of the poll books of such 957  
precinct. Having performed their duties, the receiving officials 958  
shall immediately depart. 959

Having receipted for the ballots, the counting officials 960  
shall proceed to count and tally the vote as cast in the manner 961  
prescribed by section 3505.27 of the Revised Code and certify the 962  
result of the election to the board of elections. 963

**Sec. 3501.27.** (A) All ~~judges of~~ precinct election officials 964  
shall complete a program of instruction pursuant to division (B) 965  
of this section. No person who has been convicted of a felony or 966  
any violation of the election laws, who is unable to read and 967  
write the English language readily, or who is a candidate for an 968  
office to be voted for by the voters of the precinct in which the 969  
person is to serve shall serve as an election officer. A person 970  
when appointed as an election officer shall receive from the board 971  
of elections a certificate of appointment that may be revoked at 972  
any time by the board for good and sufficient reasons. The 973  
certificate shall be in the form the board prescribes and shall 974  
specify the precinct, ward, or district in and for which the 975  
person to whom it is issued is appointed to serve, the date of 976  
appointment, and the expiration of the person's term of service. 977

(B) Each board shall establish a program as prescribed by the 978  
secretary of state for the instruction of election officers in the 979  
rules, procedures, and law relating to elections. In each program, 980  
the board shall use training materials prepared by the secretary 981  
of state and may use additional materials prepared by or on behalf 982  
of the board. The board may use the services of unpaid volunteers 983  
in conducting its program and may reimburse those volunteers for 984



necessary and actual expenses incurred in participating in the 985  
program. 986

The board shall train each new election officer before the 987  
new officer participates in the first election in that capacity. 988  
The board shall instruct election officials who have been trained 989  
previously only when the board or secretary of state considers 990  
that instruction necessary, but the board shall reinstruct such 991  
persons, other than ~~presiding judges~~ voting location managers, at 992  
least once in every three years and shall reinstruct ~~presiding~~ 993  
~~judges~~ voting location managers before the primary election in 994  
even-numbered years. The board shall schedule any program of 995  
instruction within sixty days prior to the election in which the 996  
officials to be trained will participate. 997

(C) The duties of a ~~judge of an~~ precinct election official in 998  
each polling place shall be performed only by an individual who 999  
has successfully completed the requirements of the program, unless 1000  
such an individual is unavailable after reasonable efforts to 1001  
obtain such services. 1002

(D) The secretary of state shall establish a program for the 1003  
instruction of members of boards of elections and employees of 1004  
boards in the rules, procedures, and law relating to elections. 1005  
Each member and employee shall complete the training program 1006  
within six months after the member's or employee's original 1007  
appointment or employment, and thereafter each member and employee 1008  
shall complete a training program to update their knowledge once 1009  
every four years or more often as determined by the secretary of 1010  
state. 1011

(E) The secretary of state shall reimburse each county for 1012  
the cost of programs established pursuant to division (B) of this 1013  
section, once the secretary of state has received an itemized 1014  
statement of expenses for such instruction programs from the 1015  
county. The itemized statement shall be in a form prescribed by 1016

the secretary of state. 1017

**Sec. 3501.28.** (A) As used in this section: 1018

(1) "Fair Labor Standards Act" or "Act" means the "Fair Labor 1019  
Standards Act of 1938," 52 Stat. 1062, 29 U.S.C.A. 201, as 1020  
amended. 1021

(2) "Full election day" means the period of time between the 1022  
opening of the polls and the completion of the procedures 1023  
contained in section 3501.26 of the Revised Code. 1024

(3) "Services" means services at each general, primary, or 1025  
special election. 1026

~~(B) Beginning with calendar year 1998, each judge of an 1027  
election in a county shall be paid for the judge's services at the 1028  
same hourly rate, which shall be not less than the minimum hourly 1029  
rate established by the Fair Labor Standards Act and not more than 1030  
eighty five dollars per diem. 1031~~

~~(C) Beginning with calendar year 2004, each judge of an 1032  
precinct election official in a county shall be paid for the 1033  
~~judge's~~ official's services at the same hourly rate, which shall 1034  
be not less than the minimum hourly rate established by the Fair 1035  
Labor Standards Act and not more than ninety-five dollars per 1036  
diem. 1037~~

~~(D)~~(C) The secretary of state shall establish, by rule 1038  
adopted under section 111.15 of the Revised Code, the maximum 1039  
amount of per diem compensation that may be paid to ~~judges of an~~ 1040  
precinct election officials under this section each time the Fair 1041  
Labor Standards Act is amended to increase the minimum hourly rate 1042  
established by the act. Upon learning of such an increase, the 1043  
secretary of state shall determine by what percentage the minimum 1044  
hourly rate has been increased under the act and establish a new 1045  
maximum amount of per diem compensation that ~~judges of an~~ precinct 1046

election officials may be paid under this section that is 1047  
increased by the same percentage that the minimum hourly rate has 1048  
been increased under the act. 1049

~~(E)~~(D)(1)(a) No board of elections shall increase the pay of 1050  
a ~~judge of an~~ precinct election official under this section during 1051  
a calendar year unless the board has given written notice of the 1052  
proposed increase to the board of county commissioners not later 1053  
than the first day of October of the preceding calendar year. 1054

(b) Except as otherwise provided in division ~~(E)~~(D)(2) of 1055  
this section, a board of elections may increase the pay of a ~~judge~~ 1056  
~~of an~~ precinct election official during a calendar year by up to, 1057  
but not exceeding, nine per cent over the compensation paid to a 1058  
~~judge of an~~ precinct election official in the county where the 1059  
board is located during the previous calendar year, if the 1060  
compensation so paid during the previous calendar year was 1061  
eighty-five dollars or less per diem. 1062

(c) Except as otherwise provided in division ~~(E)~~(D)(2) of 1063  
this section, a board of elections may increase the pay of a ~~judge~~ 1064  
~~of an~~ precinct election official during a calendar year by up to, 1065  
but not exceeding, four and one-half per cent over the 1066  
compensation paid to a ~~judge of an~~ precinct election official in 1067  
the county where the board is located during the previous calendar 1068  
year, if the compensation so paid during the previous calendar 1069  
year was more than eighty-five but less than ninety-five dollars 1070  
per diem. 1071

(2) The board of county commissioners may review and comment 1072  
upon a proposed increase and may enter into a written agreement 1073  
with a board of elections to permit an increase in the 1074  
compensation paid to ~~judges of an~~ precinct election officials for 1075  
their services during a calendar year that is greater than the 1076  
applicable percentage limitation described in division 1077  
~~(E)~~(D)(1)(b) or (c) of this section. 1078

~~(F)~~(E) No ~~judge of an~~ precinct election official who works 1079  
less than the full election day shall be paid the maximum amount 1080  
allowed under this section or the maximum amount as set by the 1081  
board of elections, whichever is less. 1082

~~(G)~~(F)(1) Except as otherwise provided in divisions ~~(G)~~(F)(4) 1083  
to (6) of this section, any employee of the state or of any 1084  
political subdivision of the state may serve as a ~~judge of~~ 1085  
~~elections~~ precinct election official on the day of an election 1086  
without loss of the employee's regular compensation for that day 1087  
as follows: 1088

(a) For employees of a county office, department, commission, 1089  
board, or other entity, or of a court of common pleas, county 1090  
court, or county-operated municipal court, as defined in section 1091  
1901.03 of the Revised Code, the employee's appointing authority 1092  
may permit leave with pay for this service in accordance with a 1093  
resolution setting forth the terms and conditions for that leave 1094  
passed by the board of county commissioners. 1095

(b) For all other employees of a political subdivision of the 1096  
state, leave with pay for this service shall be subject to the 1097  
terms and conditions set forth in an ordinance or a resolution 1098  
passed by the legislative authority of the applicable political 1099  
subdivision. 1100

(c) For state employees, leave with pay for this service 1101  
shall be subject to the terms and conditions set forth by the head 1102  
of the state agency, as defined in section 1.60 of the Revised 1103  
Code, by which the person is employed. 1104

(2) Any terms and conditions set forth by a board of county 1105  
commissioners, legislative authority of a political subdivision, 1106  
or head of a state agency under division ~~(G)~~(F)(1) of this section 1107  
shall include a standard procedure for deciding which employees 1108  
are permitted to receive leave with pay if multiple employees of 1109

an entity or court described in division ~~(G)~~(F)(1)(a) of this 1110  
section, of an entity of a political subdivision described in 1111  
division ~~(G)~~(F)(1)(b) of this section, or of a state agency as 1112  
defined in section 1.60 of the Revised Code apply to serve as a 1113  
~~judge of elections~~ precinct election official on the day of an 1114  
election. This procedure shall be applied uniformly to all 1115  
similarly situated employees. 1116

(3) Any employee who is eligible for leave with pay under 1117  
division ~~(G)~~(F)(1) of this section shall receive, in addition to 1118  
the employee's regular compensation, the compensation paid to the 1119  
~~judge of an~~ precinct election official under division (B) ~~or~~ (C) ~~or~~ 1120  
~~(D)~~ of this section. 1121

(4) Division ~~(G)~~(F)(1) of this section does not apply to 1122  
either of the following: 1123

(a) Election officials; 1124

(b) Public school teachers. 1125

(5) Nothing in division ~~(G)~~(F)(1) of this section supersedes 1126  
or negates any provision of a collective bargaining agreement in 1127  
effect under Chapter 4117. of the Revised Code. 1128

(6) If a board of county commissioners, legislative authority 1129  
of a political subdivision, or head of a state agency fails to set 1130  
forth any terms and conditions under division ~~(G)~~(F)(1) of this 1131  
section, an employee of an entity or court described in division 1132  
~~(G)~~(F)(1)(a) of this section, of an entity of a political 1133  
subdivision described in division ~~(G)~~(F)(1)(b) of this section, or 1134  
of a state agency as defined in section 1.60 of the Revised Code 1135  
may use personal leave, vacation leave, or compensatory time, or 1136  
take unpaid leave, to serve as a ~~judge of elections~~ precinct  
election official on the day of an election. 1137  
1138

~~(H)~~(G) The board of elections may withhold the compensation 1139  
of any precinct election official for failure to obey the 1140

instructions of the board or to comply with the law relating to 1141  
the duties of ~~such a~~ precinct ~~judge~~ election official. Any payment 1142  
a ~~judge of an~~ precinct election official is entitled to receive 1143  
under section 3501.36 of the Revised Code is in addition to the 1144  
compensation the ~~judge~~ official is entitled to receive under this 1145  
section. 1146

**Sec. 3501.29.** (A) The board of elections shall provide for 1147  
each precinct a polling place and provide adequate facilities at 1148  
each polling place for conducting the election. The board shall 1149  
provide a sufficient number of screened or curtained voting 1150  
compartments to which electors may retire and conveniently mark 1151  
their ballots, protected from the observation of others. Each 1152  
voting compartment shall be provided at all times with writing 1153  
implements, instructions how to vote, and other necessary 1154  
conveniences for marking the ballot. The ~~presiding judge~~ voting  
location manager shall ensure that the voting compartments at all 1155  
times are adequately lighted and contain the necessary supplies. 1156  
The board shall utilize, in so far as practicable, rooms in public 1158  
schools and other public buildings for polling places. Upon 1159  
application of the board of elections, the authority which has the 1160  
control of any building or grounds supported by taxation under the 1161  
laws of this state, shall make available the necessary space 1162  
therein for the purpose of holding elections and adequate space 1163  
for the storage of voting machines, without charge for the use 1164  
thereof. A reasonable sum may be paid for necessary janitorial 1165  
service. When polling places are established in private buildings, 1166  
the board may pay a reasonable rental therefor, and also the cost 1167  
of liability insurance covering the premises when used for 1168  
election purposes, or the board may purchase a single liability 1169  
policy covering the board and the owners of the premises when used 1170  
for election purposes. When removable buildings are supplied by 1171  
the board, they shall be constructed under the contract let to the 1172

lowest and best bidder, and the board shall observe all ordinances 1173  
and regulations then in force as to safety. The board shall remove 1174  
all such buildings from streets and other public places within 1175  
thirty days after an election, unless another election is to be 1176  
held within ninety days. 1177

(B)(1) Except as otherwise provided in this section, the 1178  
board shall ensure all of the following: 1179

(a) That polling places are free of barriers that would 1180  
impede ingress and egress of handicapped persons; 1181

(b) That the minimum number of special parking locations, 1182  
also known as handicapped parking spaces or disability parking 1183  
spaces, for handicapped persons are designated at each polling 1184  
place in accordance with 28 C.F.R. Part 36, Appendix A, and in 1185  
compliance with division (E) of section 4511.69 of the Revised 1186  
Code. 1187

(c) That the entrances of polling places are level or are 1188  
provided with a nonskid ramp ~~of not over eight per cent gradient~~ 1189  
that meets the requirements of the "Americans with Disabilities 1190  
Act of 1990," 104 Stat. 327, 42 U.S.C. 12101; 1191

(d) That doors are a minimum of thirty-two inches wide. 1192

(2) Notwithstanding division (B)(1)(a), (c), or (d) of this 1193  
section, certain polling places may be specifically exempted by 1194  
the secretary of state upon certification by a board of elections 1195  
that a good faith, but unsuccessful, effort has been made to 1196  
modify, or change the location of, such polling places. 1197

(C) At any polling place that is exempted from compliance by 1198  
the secretary of state, the board of elections shall permit any 1199  
handicapped elector who travels to that elector's polling place, 1200  
but who is unable to enter the polling place, to vote, with the 1201  
assistance of two polling place officials of major political 1202  
parties, in the vehicle that conveyed that elector to the polling 1203

place, or to receive and cast that elector's ballot at the door of 1204  
the polling place. 1205

(D) The secretary of state shall: 1206

(1) Work with other state agencies to facilitate the 1207  
distribution of information and technical assistance to boards of 1208  
elections to meet the requirements of division (B) of this 1209  
section; 1210

(2) Work with organizations that represent or provide 1211  
services to handicapped, disabled, or elderly citizens to effect a 1212  
wide dissemination of information about the availability of 1213  
absentee voting, voting in the voter's vehicle or at the door of 1214  
the polling place, or other election services to handicapped, 1215  
disabled, or elderly citizens. 1216

(E) Before the day of an election, the director of the board 1217  
of elections of each county shall sign a statement verifying that 1218  
each polling place that will be used in that county at that 1219  
election meets the requirements of division (B)(1)(b) of this 1220  
section. The signed statement shall be sent to the secretary of 1221  
state by certified mail. 1222

(F) As used in this section, "handicapped" means having lost 1223  
the use of one or both legs, one or both arms, or any combination 1224  
thereof, or being blind or so severely disabled as to be unable to 1225  
move about without the aid of crutches or a wheelchair. 1226

**Sec. 3501.30.** (A) The board of elections shall provide for 1227  
each polling place the necessary ballot boxes, official ballots, 1228  
cards of instructions, registration forms, pollbooks or poll 1229  
lists, tally sheets, forms on which to make summary statements, 1230  
writing implements, paper, and all other supplies necessary for 1231  
casting and counting the ballots and recording the results of the 1232  
voting at the polling place. The pollbooks or poll lists shall 1233



have certificates appropriately printed on them for the signatures 1234  
of all the precinct officials, by which they shall certify that, 1235  
to the best of their knowledge and belief, the pollbooks or poll 1236  
lists correctly show the names of all electors who voted in the 1237  
polling place at the election indicated in the pollbooks or poll 1238  
lists. 1239

All of the following shall be included among the supplies 1240  
provided to each polling place: 1241

(1) A large map of each appropriate precinct, which shall be 1242  
displayed prominently to assist persons who desire to register or 1243  
vote on election day. Each map shall show all streets within the 1244  
precinct and contain identifying symbols of the precinct in bold 1245  
print. 1246

(2) Any materials, postings, or instructions required to 1247  
comply with state or federal laws; 1248

(3) A flag of the United States approximately two and 1249  
one-half feet in length along the top, which shall be displayed 1250  
outside the entrance to the polling place during the time it is 1251  
open for voting; 1252

(4) Two or more small flags of the United States 1253  
approximately fifteen inches in length along the top, which shall 1254  
be placed at a distance of one hundred feet from the polling place 1255  
on the thoroughfares or walkways leading to the polling place, to 1256  
mark the distance within which persons other than election 1257  
officials, observers, police officers, and electors waiting to 1258  
mark, marking, or casting their ballots shall not loiter, 1259  
congregate, or engage in any kind of election campaigning. Where 1260  
small flags cannot reasonably be placed one hundred feet from the 1261  
polling place, the ~~presiding election judge~~ voting location 1262  
manager shall place the flags as near to one hundred feet from the 1263  
entrance to the polling place as is physically possible. Police 1264

officers and all election officials shall see that this 1265  
prohibition against loitering and congregating is enforced. 1266

When the period of time during which the polling place is 1267  
open for voting expires, all of the flags described in this 1268  
division shall be taken into the polling place and shall be 1269  
returned to the board together with all other election supplies 1270  
required to be delivered to the board. 1271

(B) The board of elections shall follow the instructions and 1272  
advisories of the secretary of state in the production and use of 1273  
polling place supplies. 1274

Sec. 3501.302. The secretary of state may enter into 1275  
agreements for the bulk purchase of election supplies in order to 1276  
reduce the costs for such purchases by individual boards of 1277  
elections. A board of elections desiring to participate in such 1278  
purchase agreements shall file with the secretary of state a 1279  
written request for inclusion. A request for inclusion shall 1280  
include an agreement to be bound by such terms and conditions as 1281  
the secretary of state prescribes and to make direct payments to 1282  
the vendor under each purchase agreement. 1283

**Sec. 3501.31.** The board of elections shall mail to each 1284  
precinct election official notice of the date, hours, and place of 1285  
holding each election in the official's respective precinct at 1286  
which it desires the official to serve. Each of such officials 1287  
shall notify the board immediately upon receipt of such notice of 1288  
any inability to serve. 1289

The election official designated as ~~presiding judge~~ voting 1290  
location manager under section 3501.22 of the Revised Code shall 1291  
call at the office of the board at such time before the day of the 1292  
election, not earlier than the tenth day before the day of the 1293  
election, as the board designates to obtain the ballots, 1294

pollbooks, registration forms and lists, and other material to be 1295  
used in the official's polling place on election day. 1296

The board may also provide for the delivery of such materials 1297  
to polling places in a municipal corporation by members of the 1298  
police department of such municipal corporation; or the board may 1299  
provide for the delivery of such materials to the ~~presiding judge~~ 1300  
voting location manager not earlier than the tenth day before the 1301  
election, in any manner it finds to be advisable. 1302

On election day the precinct election officials shall 1303  
punctually attend the polling place one-half hour before the time 1304  
fixed for opening the polls. Each of the precinct election 1305  
officials shall thereupon make and subscribe to a statement which 1306  
shall be as follows: 1307

"State of Ohio 1308

County of ..... 1309

I do solemnly swear under the penalty of perjury that I will 1310  
support the constitution of the United States of America and the 1311  
constitution of the state of Ohio and its laws; that I have not 1312  
been convicted of a felony or any violation of the election laws; 1313  
that I will discharge to the best of my ability the duties of 1314  
~~judge of~~ precinct election official in and for precinct 1315  
..... in the ..... (township) or 1316  
(ward and city or village) ..... in the county of 1317  
....., in the election to be held on the ..... 1318  
day of ....., ....., as required by law and the rules 1319  
and instructions of the board of elections of said county; and 1320  
that I will endeavor to prevent fraud in such election, and will 1321  
report immediately to said board any violations of the election 1322  
laws which come to my attention, and will not disclose any 1323  
information as to how any elector voted which is gained by me in 1324  
the discharge of my official duties. 1325

..... 1326  
..... 1327  
..... 1328  
..... 1329  
..... 1330  
..... 1331  
(Signatures of precinct election officials)" 1332

If any of the other precinct election officials is absent at 1333  
that time, the ~~presiding judge~~ voting location manager, with the 1334  
concurrence of a majority of the precinct election officials 1335  
present, shall appoint a qualified elector who is a member of the 1336  
same political party as the political party of which such absent 1337  
precinct election official is a member to fill the vacancy until 1338  
the board appoints a person to fill such vacancy and the person so 1339  
appointed reports for duty at the polling place. The ~~presiding~~ 1340  
~~judge~~ voting location manager shall promptly notify the board of 1341  
such vacancy by telephone or otherwise. The ~~presiding judge~~ voting 1342  
location manager also shall assign the precinct election officials 1343  
to their respective duties and shall have general charge of the 1344  
polling place. 1345

**Sec. 3501.32.** (A) Except as otherwise provided in division 1346  
(B) of this section, on the day of the election the polls shall be 1347  
opened by proclamation by the ~~presiding judge~~ voting location 1348  
manager, or in ~~his~~ the manager's absence by a ~~presiding judge~~ 1349  
voting location manager chosen by the ~~judges~~ precinct election 1350  
officials, at six-thirty a.m. and shall be closed by proclamation 1351  
at seven-thirty p.m. unless there are voters waiting in line to 1352  
cast their ballots, in which case the polls shall be kept open 1353  
until such waiting voters have voted. 1354

(B) On the day of the election, any polling place located on 1355

an island not connected to the mainland by a highway or a bridge 1356  
may close earlier than seven-thirty p.m. if all registered voters 1357  
in the precinct have voted. When a polling place closes under 1358  
division (B) of this section the ~~presiding judge~~ voting location 1359  
manager shall immediately notify the board of elections of the 1360  
closing. 1361

**Sec. 3501.33.** All ~~judges of precinct~~ election officials shall 1362  
enforce peace and good order in and about the place of 1363  
registration or election. They shall especially keep the place of 1364  
access of the electors to the polling place open and unobstructed 1365  
and prevent and stop any improper practices or attempts tending to 1366  
obstruct, intimidate, or interfere with any elector in registering 1367  
or voting. They shall protect observers against molestation and 1368  
violence in the performance of their duties, and may eject from 1369  
the polling place any observer for violation of any provision of 1370  
Title XXXV of the Revised Code. They shall prevent riots, 1371  
violence, tumult, or disorder. In the discharge of these duties, 1372  
they may call upon the sheriff, police, or other peace officers to 1373  
aid them in enforcing the law. They may order the arrest of any 1374  
person violating Title XXXV of the Revised Code, but such an 1375  
arrest shall not prevent the person from registering or voting if 1376  
the person is entitled to do so. The sheriff, all constables, 1377  
police officers, and other officers of the peace shall immediately 1378  
obey and aid in the enforcement of any lawful order made by the 1379  
precinct election officials in the enforcement of Title XXXV of 1380  
the Revised Code. 1381

**Sec. 3501.35.** (A) During an election and the counting of the 1382  
ballots, no person shall do any of the following: 1383

(1) Loiter, congregate, or engage in any kind of election 1384  
campaigning within the area between the polling place and the 1385  
small flags of the United States placed on the thoroughfares and 1386

walkways leading to the polling place, and if the line of electors 1387  
waiting to vote extends beyond those small flags, within ten feet 1388  
of any elector in that line; 1389

(2) In any manner hinder or delay an elector in reaching or 1390  
leaving the place fixed for casting the elector's ballot; 1391

(3) Give, tender, or exhibit any ballot or ticket to any 1392  
person other than the elector's own ballot to the ~~judge of~~ 1393  
precinct election officials within the area between the polling 1394  
place and the small flags of the United States placed on the 1395  
thoroughfares and walkways leading to the polling place, and if 1396  
the line of electors waiting to vote extends beyond those small 1397  
flags, within ten feet of any elector in that line; 1398

(4) Exhibit any ticket or ballot which the elector intends to 1399  
cast; 1400

(5) Solicit or in any manner attempt to influence any elector 1401  
in casting the elector's vote. 1402

(B)(1) Except as otherwise provided in division (B)(2) of 1403  
this section and division (C) of section 3503.23 of the Revised 1404  
Code, no person who is not an election official, employee, 1405  
observer, or police officer shall be allowed to enter the polling 1406  
place during the election, except for the purpose of voting or 1407  
assisting another person to vote as provided in section 3505.24 of 1408  
the Revised Code. 1409

(2) Notwithstanding any provision of this section to the 1410  
contrary, a journalist shall be allowed reasonable access to a 1411  
polling place during an election. As used in this division, 1412  
"journalist" has the same meaning as in division (B)(2) of section 1413  
2923.129 of the Revised Code. 1414

(C) No more electors shall be allowed to approach the voting 1415  
shelves at any time than there are voting shelves provided. 1416

(D) The ~~judges of~~ precinct election officials and the police 1417  
officer shall strictly enforce the observance of this section. 1418

**Sec. 3501.37.** After each election, the ~~judges of elections~~ 1419  
precinct election officials of each precinct, except when the 1420  
board of elections assumes the duty, shall see that the movable 1421  
booths and other equipment are returned for safekeeping to the 1422  
fiscal officer of the township or to the clerk or auditor of the 1423  
municipal corporation in which the precinct is situated. The 1424  
fiscal officer, clerk, or auditor shall have booths and equipment 1425  
on hand and in place at the polling places in each precinct before 1426  
the time for opening the polls on election days, and for this 1427  
service the board may allow the necessary expenses incurred. In 1428  
cities, this duty shall devolve on the board. 1429

**Sec. 3501.38.** All declarations of candidacy, nominating 1430  
petitions, or other petitions presented to or filed with the 1431  
secretary of state or a board of elections or with any other 1432  
public office for the purpose of becoming a candidate for any 1433  
nomination or office or for the holding of an election on any 1434  
issue shall, in addition to meeting the other specific 1435  
requirements prescribed in the sections of the Revised Code 1436  
relating to them, be governed by the following rules: 1437

(A) Only electors qualified to vote on the candidacy or issue 1438  
which is the subject of the petition shall sign a petition. Each 1439  
signer shall be a registered elector pursuant to section ~~3503.11~~ 1440  
3503.01 of the Revised Code. The facts of qualification shall be 1441  
determined as of the date when the petition is filed. 1442

(B) Signatures shall be affixed in ink. Each signer may also 1443  
print the signer's name, so as to clearly identify the signer's 1444  
signature. 1445

(C) Each signer shall place on the petition after the 1446

signer's name the date of signing and the location of the signer's 1447  
voting residence, including the street and number if in a 1448  
municipal corporation or the rural route number, post office 1449  
address, or township if outside a municipal corporation. The 1450  
voting address given on the petition shall be the address 1451  
appearing in the registration records at the board of elections. 1452

(D) Except as otherwise provided in section 3501.382 of the 1453  
Revised Code, no person shall write any name other than the 1454  
person's own on any petition. Except as otherwise provided in 1455  
section 3501.382 of the Revised Code, no person may authorize 1456  
another to sign for the person. If a petition contains the 1457  
signature of an elector two or more times, only the first 1458  
signature shall be counted. 1459

(E)(1) On each petition paper, the circulator shall indicate 1460  
the number of signatures contained on it, and shall sign a 1461  
statement made under penalty of election falsification that the 1462  
circulator witnessed the affixing of every signature, that all 1463  
signers were to the best of the circulator's knowledge and belief 1464  
qualified to sign, and that every signature is to the best of the 1465  
circulator's knowledge and belief the signature of the person 1466  
whose signature it purports to be or of an attorney in fact acting 1467  
pursuant to section 3501.382 of the Revised Code. On the 1468  
circulator's statement for a declaration of candidacy or 1469  
nominating petition for a person seeking to become a statewide 1470  
candidate or for a statewide initiative or a statewide referendum 1471  
petition, the circulator shall identify the circulator's name, the 1472  
address of the circulator's permanent residence, and the name and 1473  
address of the person employing the circulator to circulate the 1474  
petition, if any. 1475

(2) As used in division (E) of this section, "statewide 1476  
candidate" means the joint candidates for the offices of governor 1477  
and lieutenant governor or a candidate for the office of secretary 1478



of state, auditor of state, treasurer of state, or attorney 1479  
general. 1480

(F) Except as otherwise provided in section 3501.382 of the 1481  
Revised Code, if a circulator knowingly permits an unqualified 1482  
person to sign a petition paper or permits a person to write a 1483  
name other than the person's own on a petition paper, that 1484  
petition paper is invalid; otherwise, the signature of a person 1485  
not qualified to sign shall be rejected but shall not invalidate 1486  
the other valid signatures on the paper. 1487

(G) The circulator of a petition may, before filing it in a 1488  
public office, strike from it any signature the circulator does 1489  
not wish to present as a part of the petition. 1490

(H) Any signer of a petition or an attorney in fact acting 1491  
pursuant to section 3501.382 of the Revised Code on behalf of a 1492  
signer may remove the signer's signature from that petition at any 1493  
time before the petition is filed in a public office by striking 1494  
the signer's name from the petition; no signature may be removed 1495  
after the petition is filed in any public office. 1496

(I)(1) No alterations, corrections, or additions may be made 1497  
to a petition after it is filed in a public office. 1498

(2)(a) No declaration of candidacy, nominating petition, or 1499  
other petition for the purpose of becoming a candidate may be 1500  
withdrawn after it is filed in a public office. Nothing in this 1501  
division prohibits a person from withdrawing as a candidate as 1502  
otherwise provided by law. 1503

(b) No petition presented to or filed with the secretary of 1504  
state, a board of elections, or any other public office for the 1505  
purpose of the holding of an election on any question or issue may 1506  
be resubmitted after it is withdrawn from a public office. Nothing 1507  
in this division prevents a question or issue petition from being 1508  
withdrawn by the filing of a written notice of the withdrawal by a 1509

majority of the members of the petitioning committee with the same 1510  
public office with which the petition was filed prior to the 1511  
sixtieth day before the election at which the question or issue is 1512  
scheduled to appear on the ballot. 1513

(J) All declarations of candidacy, nominating petitions, or 1514  
other petitions under this section shall be accompanied by the 1515  
following statement in boldface capital letters: WHOEVER COMMITS 1516  
ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. 1517

(K) All separate petition papers shall be filed at the same 1518  
time, as one instrument. 1519

(L) If a board of elections distributes for use a petition 1520  
form for a declaration of candidacy, nominating petition, or any 1521  
type of question or issue petition that does not satisfy the 1522  
requirements of law as of the date of that distribution, the board 1523  
shall not invalidate the petition on the basis that the petition 1524  
form does not satisfy the requirements of law, if the petition 1525  
otherwise is valid. Division (L) of this section applies only if 1526  
the candidate received the petition from the board within ninety 1527  
days of when the petition is required to be filed. 1528

Sec. 3501.40. In any administrative review of, or legal 1529  
proceeding regarding, the actions of any election official under 1530  
Title XXXV of the Revised Code, all of the following shall apply: 1531

(A) No election official shall be presumed to have committed 1532  
any error in the course of the election official's duties, unless 1533  
that error shall be independently proven by the facts of the 1534  
administrative review or legal proceeding. 1535

(B) If an election official has been found to have committed 1536  
an error with respect to a particular person or set of 1537  
circumstances, that election official shall not be presumed to 1538  
have committed an error with respect to any other person or set of 1539

circumstances. 1540

(C) If election officials in one precinct, polling location, 1541  
or county are found to have committed an error with respect to a 1542  
particular person or set of circumstances, that error shall not be 1543  
presumed to have occurred in any other precinct, polling location, 1544  
or county. 1545

**Sec. 3503.02.** All registrars and ~~judges of elections~~ precinct 1546  
election officials, in determining the residence of a person 1547  
offering to register or vote, shall be governed by the following 1548  
rules: 1549

(A) That place shall be considered the residence of a person 1550  
in which the person's habitation is fixed and to which, whenever 1551  
the person is absent, the person has the intention of returning. 1552

(B) A person shall not be considered to have lost the 1553  
person's residence who leaves the person's home and goes into 1554  
another state or county of this state, for temporary purposes 1555  
only, with the intention of returning. 1556

(C) A person shall not be considered to have gained a 1557  
residence in any county of this state into which the person comes 1558  
for temporary purposes only, without the intention of making such 1559  
county the permanent place of abode. 1560

(D) The place where the family of a married person resides 1561  
shall be considered to be the person's place of residence; except 1562  
that when the spouses have separated and live apart, the place 1563  
where such a spouse resides the length of time required to entitle 1564  
a person to vote shall be considered to be the spouse's place of 1565  
residence. 1566

(E) If a person removes to another state with the intention 1567  
of making such state the person's residence, the person shall be 1568  
considered to have lost the person's residence in this state. 1569

(F) Except as otherwise provided in division (G) of this 1570  
section, if a person removes from this state and continuously 1571  
resides outside this state for a period of four years or more, the 1572  
person shall be considered to have lost the person's residence in 1573  
this state, notwithstanding the fact that the person may entertain 1574  
an intention to return at some future period. 1575

(G) If a person removes from this state to engage in the 1576  
services of the United States government, the person shall not be 1577  
considered to have lost the person's residence in this state 1578  
during the period of such service, and likewise should the person 1579  
enter the employment of the state, the place where such person 1580  
resided at the time of the person's removal shall be considered to 1581  
be the person's place of residence. 1582

(H) If a person goes into another state and while there 1583  
exercises the right of a citizen by voting, the person shall be 1584  
considered to have lost the person's residence in this state. 1585

(I) If a person does not have a fixed place of habitation, 1586  
but has a shelter or other location at which the person has been a 1587  
consistent or regular inhabitant and to which the person has the 1588  
intention of returning, that shelter or other location shall be 1589  
deemed the person's residence for the purpose of registering to 1590  
vote. 1591

**Sec. 3503.06.** ~~(A)~~ No person shall be entitled to vote at any 1592  
election, or to sign ~~or circulate~~ any declaration of candidacy or 1593  
any ~~nominating, or recall~~ election petition, unless the person is 1594  
registered as an elector and will have resided in the county and 1595  
precinct where the person is registered for at least thirty days 1596  
at the time of the next election. 1597

~~(B)(1) No person shall be entitled to circulate any 1598  
initiative or referendum petition unless the person is a resident 1599  
of this state. 1600~~

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

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

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

~~(c) A person shall not be considered to have gained a residence in any county of this state into which the person comes for temporary purposes only, without the intention of making that county the permanent place of abode.~~

~~(d) If a person removes to another state with the intention of making that state the person's residence, the person shall be considered to have lost the person's residence in this state.~~

~~(e) Except as otherwise provided in division (B)(2)(f) of this section, if a person removes from this state and continuously resides outside this state for a period of four years or more, the person shall be considered to have lost the person's residence in this state, notwithstanding the fact that the person may entertain an intention to return at some future period.~~

~~(f) If a person removes from this state to engage in the services of the United States government, the person shall not be considered to have lost the person's residence in this state during the period of that service, and likewise should the person enter the employment of the state, the place where that person resided at the time of the person's removal shall be considered to be the person's place of residence.~~

~~(g) If a person goes into another state and, while there,~~

~~exercises the right of a citizen by voting, the person shall be~~ 1632  
~~considered to have lost the person's residence in this state.~~ 1633

~~(C) No person shall be entitled to sign any initiative or~~ 1634  
~~referendum petition unless the person is registered as an elector~~ 1635  
~~and will have resided in the county and precinct where the person~~ 1636  
~~is registered for at least thirty days at the time of the next~~ 1637  
~~election.~~ 1638

**Sec. 3503.14.** (A) The secretary of state shall prescribe the 1639  
form and content of the registration, change of residence, and 1640  
change of name forms used in this state. The forms shall meet the 1641  
requirements of the National Voter Registration Act of 1993 and 1642  
shall include spaces for all of the following: 1643

(1) The voter's name; 1644

(2) The voter's address; 1645

(3) The current date; 1646

(4) The voter's date of birth; 1647

(5) The voter to provide one or more of the following: 1648

(a) The voter's driver's license number, if any; 1649

(b) The last four digits of the voter's social security 1650  
number, if any; 1651

(c) A copy of a current and valid photo identification, a 1652  
copy of a military identification, or a copy of a current utility 1653  
bill, bank statement, government check, paycheck, or other 1654  
government document, other than ~~a notice of an election mailed by~~ 1655  
~~a board of elections under section 3501.19 of the Revised Code or~~ 1656  
a notice of voter registration mailed by a board of elections 1657  
under section 3503.19 of the Revised Code, that shows the voter's 1658  
name and address. 1659

(6) The voter's signature. 1660

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

Except for forms prescribed by the secretary of state under section 3503.11 of the Revised Code, the secretary of state shall permit boards of elections to produce forms that have subdivided spaces for each individual alphanumeric character of the information provided by the voter so as to accommodate the electronic reading and conversion of the voter's information to data and the subsequent electronic transfer of that data to the statewide voter registration database established under section 3503.15 of the Revised Code.

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

- (1) An election official;
- (2) A county treasurer;
- (3) A deputy registrar of motor vehicles;
- (4) An employee of a designated agency;
- (5) An employee of a public high school;
- (6) An employee of a public vocational school;
- (7) An employee of a public library;
- (8) An employee of the office of a county treasurer;
- (9) An employee of the bureau of motor vehicles;
- (10) An employee of a deputy registrar of motor vehicles;

(11) An employee of an election official. 1690

(C) Except as provided in section 3501.382 of the Revised 1691  
Code, any applicant who is unable to sign the applicant's own name 1692  
shall make an "X," if possible, which shall be certified by the 1693  
signing of the name of the applicant by the person filling out the 1694  
form, who shall add the person's own signature. If an applicant is 1695  
unable to make an "X," the applicant shall indicate in some manner 1696  
that the applicant desires to register to vote or to change the 1697  
applicant's name or residence. The person registering the 1698  
applicant shall sign the form and attest that the applicant 1699  
indicated that the applicant desired to register to vote or to 1700  
change the applicant's name or residence. 1701

(D) No registration, change of residence, or change of name 1702  
form shall be rejected solely on the basis that a person 1703  
registering an applicant failed to sign the person's name or 1704  
failed to name the employer who is employing that person to 1705  
register the applicant as required under division (A) of this 1706  
section. 1707

(E) As used in this section, "registering an applicant" 1708  
includes any effort, for compensation, to provide voter 1709  
registration forms or to assist persons in completing or returning 1710  
those forms. 1711

**Sec. 3503.15.** (A)(1) The secretary of state shall establish 1712  
and maintain a statewide voter registration database that shall be 1713  
administered by the office of the secretary of state and made 1714  
continuously available to each board of elections and to other 1715  
agencies as authorized by law. 1716

(2) State agencies, including, but not limited to, the 1717  
department of health, bureau of motor vehicles, department of job 1718  
and family services, and the department of rehabilitation and 1719  
corrections, shall provide any information and data to the 1720



secretary of state that the secretary of state considers necessary 1721  
in order to maintain the statewide voter registration database 1722  
established pursuant to this section. The secretary of state shall 1723  
ensure that any information or data provided to the secretary of 1724  
state that is confidential in the possession of the entity 1725  
providing the data remains confidential while in the possession of 1726  
the secretary of state. 1727

Information provided under this division for maintenance of 1728  
the statewide voter registration database shall not be used to 1729  
update the name or address of a registered elector. The name or 1730  
address of a registered elector shall only be updated as a result 1731  
of the elector's actions in filing a notice of change of name, 1732  
change of address, or both. 1733

(3) The secretary of state may enter into agreements to share 1734  
information or data with other states or groups of states, as the 1735  
secretary of state considers necessary, in order to maintain the 1736  
statewide voter registration database established pursuant to this 1737  
section. Except as otherwise provided in this division, the 1738  
secretary of state shall ensure that any information or data 1739  
provided to the secretary of state that is confidential in the 1740  
possession of the state providing the data remains confidential 1741  
while in the possession of the secretary of state. The secretary 1742  
of state may provide such otherwise confidential information or 1743  
data to persons or organizations that are engaging in legitimate 1744  
governmental purposes related to the maintenance of the statewide 1745  
voter registration database. 1746

(B) The statewide voter registration database established 1747  
under this section shall be the official list of registered voters 1748  
for all elections conducted in this state. 1749

(C) The statewide voter registration database established 1750  
under this section shall, at a minimum, include all of the 1751  
following: 1752

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

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

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

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

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

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

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

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

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

(4) Specifying the persons authorized to add, delete, modify, 1783  
or print records contained in the statewide voter registration 1784  
database and to make updates of that database; 1785

(5) Establishing a process for annually auditing the 1786  
information contained in the statewide voter registration 1787  
database; 1788

(6) Establishing a uniform method for addressing instances in 1789  
which records contained in the statewide voter registration 1790  
database do not conform with records maintained by the bureau of 1791  
motor vehicles. 1792

(E) A ~~board of elections promptly shall purge~~ a voter's name 1793  
and voter registration information shall be purged from the 1794  
statewide voter registration database in accordance with the rules 1795  
adopted by the secretary of state under division (D)(3) of this 1796  
section after the cancellation of a voter's registration under 1797  
section 3503.21 of the Revised Code. 1798

(F) The secretary of state shall provide training in the 1799  
operation of the statewide voter registration database to each 1800  
board of elections and to any persons authorized by the secretary 1801  
of state to add, delete, modify, or print database records, and to 1802  
conduct updates of the database. 1803

(G)(1) The statewide voter registration database established 1804  
under this section shall be made available on a web site of the 1805  
office of the secretary of state as follows: 1806

(a) Except as otherwise provided in division (G)(1)(b) of 1807  
this section, ~~only~~ the following information from the statewide 1808  
voter registration database regarding a registered voter shall be 1809  
made available on the web site: 1810

(i) The voter's name; 1811

(ii) The voter's address; 1812

(iii) The voter's precinct number; 1813

(iv) The voter's voting history. 1814

(b) During the thirty days before the day of a primary or 1815  
general election, the web site interface of the statewide voter 1816  
registration database shall permit a voter to search for the 1817  
polling location at which that voter may cast a ballot. 1818

(2) The secretary of state shall establish, by rule adopted 1819  
under Chapter 119. of the Revised Code, a process for boards of 1820  
elections to notify the secretary of state of changes in the 1821  
locations of precinct polling places for the purpose of updating 1822  
the information made available on the secretary of state's web 1823  
site under division (G)(1)(b) of this section. Those rules shall 1824  
require a board of elections, during the thirty days before the 1825  
day of a primary or general election, to notify the secretary of 1826  
state within one business day of any change to the location of a 1827  
precinct polling place within the county. 1828

(3) During the thirty days before the day of a primary or 1829  
general election, not later than one business day after receiving 1830  
a notification from a county pursuant to division (G)(2) of this 1831  
section that the location of a precinct polling place has changed, 1832  
the secretary of state shall update that information on the 1833  
secretary of state's web site for the purpose of division 1834  
(G)(1)(b) of this section. 1835

**Sec. 3503.16.** (A) Whenever a registered elector changes the 1836  
place of residence of that registered elector from one precinct to 1837  
another within a county or from one county to another, or has a 1838  
change of name, that registered elector shall report the change by 1839  
delivering a change of residence or change of name form, whichever 1840  
is appropriate, as prescribed by the secretary of state under 1841  
section 3503.14 of the Revised Code to the state or local office 1842  
of a designated agency, a public high school or vocational school, 1843

a public library, the office of the county treasurer, the office 1844  
of the secretary of state, any office of the registrar or deputy 1845  
registrar of motor vehicles, or any office of a board of elections 1846  
in person or by a third person. Any voter registration, change of 1847  
address, or change of name application, returned by mail, may be 1848  
sent only to the secretary of state or the board of elections. 1849

A registered elector also may update the registration of that 1850  
registered elector by filing a change of residence or change of 1851  
name form on the day of a special, primary, or general election at 1852  
the polling place in the precinct in which that registered elector 1853  
resides or at the board of elections ~~or at another site designated~~ 1854  
~~by the board.~~ 1855

(B)(1)(a) Any registered elector who moves within a precinct 1856  
on or prior to the day of a general, primary, or special election 1857  
and has not filed a notice of change of residence with the board 1858  
of elections may vote in that election by going to that registered 1859  
elector's assigned polling place in the precinct in which the 1860  
registered elector resides, completing and signing a notice of 1861  
change of residence, showing identification in the form of a 1862  
current and valid photo identification, a military identification, 1863  
or a copy of a current utility bill, bank statement, government 1864  
check, paycheck, or other government document, other than a ~~notice~~ 1865  
~~of an election mailed by a board of elections under section~~ 1866  
~~3501.19 of the Revised Code or a notice of voter registration~~ 1867  
~~mailed by a board of elections under section 3503.19 of the~~ 1868  
~~Revised Code, that shows the name and current address of the~~ 1869  
~~elector, and casting a ballot. If the elector provides either a~~ 1870  
~~driver's license or a state identification card issued under~~ 1871  
~~section 4507.50 of the Revised Code that does not contain the~~ 1872  
~~elector's current residence address, the elector shall provide the~~ 1873  
~~last four digits of the elector's driver's license number or state~~ 1874  
~~identification card number, and the precinct election official~~ 1875

~~shall mark the poll list or signature pollbook to indicate that~~ 1876  
~~the elector has provided a driver's license or state~~ 1877  
~~identification card number with a former address and record the~~ 1878  
~~last four digits of the elector's driver's license number or state~~ 1879  
~~identification card number.~~ 1880

(b) Any registered elector who changes the name of that 1881  
registered elector and remains within a precinct on or prior to 1882  
the day of a general, primary, or special election and has not 1883  
filed a notice of change of name with the board of elections may 1884  
vote in that election by going to that registered elector's 1885  
assigned polling place in the precinct in which the registered 1886  
elector resides, completing and signing a notice of a change of 1887  
name, showing the identification required by division (B)(1)(a) of 1888  
this section, and casting a ~~provisional~~ ballot ~~under section~~ 1889  
~~3505.181 of the Revised Code.~~ 1890

(2) Any registered elector who moves from one precinct to 1891  
another within a county or moves from one precinct to another and 1892  
changes the name of that registered elector on or prior to the day 1893  
of a general, primary, or special election and has not filed a 1894  
notice of change of residence or change of name, whichever is 1895  
appropriate, with the board of elections may vote in that election 1896  
if that registered elector complies with division (G) of this 1897  
section or does all of the following: 1898

(a) ~~Appears at anytime during regular business hours on or~~ 1899  
~~after the twenty eighth day prior to the election in which that~~ 1900  
~~registered elector wishes to vote or, if the election is held on~~ 1901  
~~the day of a presidential primary election, the twenty fifth day~~ 1902  
~~prior to the election, through noon of the Saturday prior to the~~ 1903  
~~election~~ the time that absent voter's ballots may be cast in 1904  
person at the office of the board of elections, ~~appears at any~~ 1905  
~~time during regular business hours on the Monday prior to the~~ 1906  
~~election at the office of the board of elections,~~ or appears on 1907

the day of the election at either of the following locations: 1908

(i) The polling place in the precinct in which that 1909  
registered elector resides; 1910

(ii) The office of the board of elections ~~or, if pursuant to~~ 1911  
~~division (C) of section 3501.10 of the Revised Code the board has~~ 1912  
~~designated another location in the county at which registered~~ 1913  
~~electors may vote, at that other location instead of the office of~~ 1914  
~~the board of elections.~~ 1915

(b) Completes and signs, under penalty of election 1916  
falsification, the written affirmation on the provisional ballot 1917  
envelope, which shall serve as a notice of change of residence or 1918  
change of name, whichever is appropriate, ~~and files it with~~ 1919  
~~election officials at the polling place, at the office of the~~ 1920  
~~board of elections, or, if pursuant to division (C) of section~~ 1921  
~~3501.10 of the Revised Code the board has designated another~~ 1922  
~~location in the county at which registered electors may vote, at~~ 1923  
~~that other location instead of the office of the board of~~ 1924  
~~elections, whichever is appropriate;~~ 1925

(c) Votes a provisional ballot under section 3505.181 of the 1926  
Revised Code at the polling place, in the precinct in which the 1927  
registered elector resides or at the office of the board of 1928  
elections, ~~or, if pursuant to division (C) of section 3501.10 of~~ 1929  
~~the Revised Code the board has designated another location in the~~ 1930  
~~county at which registered electors may vote, at that other~~ 1931  
~~location instead of the office of the board of elections,~~ 1932  
whichever is appropriate, using the address to which that 1933  
registered elector has moved or the name of that registered 1934  
elector as changed, whichever is appropriate; 1935

(d) Completes and signs, under penalty of election 1936  
falsification, a statement attesting that that registered elector 1937  
moved or had a change of name, whichever is appropriate, on or 1938

prior to the day of the election, has voted a provisional ballot 1939  
at the polling place in the precinct in which that registered 1940  
elector resides, or at the office of the board of elections, ~~or,~~ 1941  
~~if pursuant to division (C) of section 3501.10 of the Revised Code~~ 1942  
~~the board has designated another location in the county at which~~ 1943  
~~registered electors may vote, at that other location instead of~~ 1944  
~~the office of the board of elections,~~ whichever is appropriate, 1945  
and will not vote or attempt to vote at any other location for 1946  
that particular election. ~~The statement required under division~~ 1947  
~~(B)(2)(d) of this section shall be included on the notice of~~ 1948  
~~change of residence or change of name, whichever is appropriate,~~ 1949  
~~required under division (B)(2)(b) of this section.~~ 1950

(C) Any registered elector who moves from one county to 1951  
another county within the state or moves from one county to 1952  
another and changes the name of that registered elector on or 1953  
prior to the day of a general, primary, or special election and 1954  
has not registered to vote in the county to which that registered 1955  
elector moved may vote in that election if that registered elector 1956  
complies with division (G) of this section or does all of the 1957  
following: 1958

(1) ~~Appears at any time during regular business hours on or~~ 1959  
~~after the twenty eighth day prior to the election in which that~~ 1960  
~~registered elector wishes to vote or, if the election is held on~~ 1961  
~~the day of a presidential primary election, the twenty fifth day~~ 1962  
~~prior to the election, through noon of the Saturday prior to the~~ 1963  
~~election~~ the time that absent voter's ballots may be cast in 1964  
person at the office of the board of elections ~~or, if pursuant to~~ 1965  
~~division (C) of section 3501.10 of the Revised Code the board has~~ 1966  
~~designated another location in the county at which registered~~ 1967  
~~electors may vote, at that other location instead of the office of~~ 1968  
~~the board of elections, appears during regular business hours on~~ 1969  
~~the Monday prior to the election at the office of the board of~~ 1970



~~elections or, if pursuant to division (C) of section 3501.10 of~~ 1971  
~~the Revised Code the board has designated another location in the~~ 1972  
~~county at which registered electors may vote, at that other~~ 1973  
~~location instead of the office of the board of elections, or~~ 1974  
~~appears on the day of the election at the either of the following~~ 1975  
~~locations:~~ 1976

(a) The polling place in the precinct in which that elector 1977  
resides; 1978

(b) The office of the board of elections ~~or, if pursuant to~~ 1979  
~~division (C) of section 3501.10 of the Revised Code the board has~~ 1980  
~~designated another location in the county at which registered~~ 1981  
~~electors may vote, at that other location instead of the office of~~ 1982  
~~the board of elections;~~ 1983

(2) Completes and signs, under penalty of election 1984  
falsification, the written affirmation on the provisional ballot 1985  
envelope, which shall serve as a notice of change of residence and 1986  
~~files it with election officials at the board of elections or, if~~ 1987  
~~pursuant to division (C) of section 3501.10 of the Revised Code~~ 1988  
~~the board has designated another location in the county at which~~ 1989  
~~registered electors may vote, at that other location instead of~~ 1990  
~~the office of the board of elections or change of name, whichever~~ 1991  
is appropriate; 1992

(3) Votes a provisional ballot under section 3505.181 of the 1993  
Revised Code at the polling place in which the registered elector 1994  
resides or at the office of the board of elections ~~or, if pursuant~~ 1995  
~~to division (C) of section 3501.10 of the Revised Code the board~~ 1996  
~~has designated another location in the county at which registered~~ 1997  
~~electors may vote, at that other location instead of the office of~~ 1998  
~~the board of elections, using the address to which that registered~~ 1999  
~~elector has moved or the name of that registered elector as~~ 2000  
changed, whichever is appropriate; 2001

(4) Completes and signs, under penalty of election 2002  
falsification, a statement attesting that that registered elector 2003  
has moved from one county to another county within the state or 2004  
moved from one county to another and changed the elector's name, 2005  
whichever is appropriate, on or prior to the day of the election, 2006  
has voted at the office of the board of elections ~~or, if pursuant~~ 2007  
~~to division (C) of section 3501.10 of the Revised Code the board~~ 2008  
~~has designated another location in the county at which registered~~ 2009  
~~electors may vote, at that other location instead of the office of~~ 2010  
~~the board of elections,~~ and will not vote or attempt to vote at 2011  
any other location for that particular election. ~~The statement~~ 2012  
~~required under division (C)(4) of this section shall be included~~ 2013  
~~on the notice of change of residence required under division~~ 2014  
~~(C)(2) of this section.~~ 2015

(D) A person who votes by absent voter's ballots pursuant to 2016  
division (G) of this section shall not make written application 2017  
for the ballots pursuant to Chapter 3509. of the Revised Code. 2018  
Ballots cast pursuant to division (G) of this section shall be set 2019  
aside in a special envelope and counted during the official 2020  
canvass of votes in the manner provided for in sections 3505.32 2021  
and 3509.06 of the Revised Code insofar as that manner is 2022  
applicable. The board shall examine the pollbooks to verify that 2023  
no ballot was cast at the polls or by absent voter's ballots under 2024  
Chapter 3509. or 3511. of the Revised Code by an elector who has 2025  
voted by absent voter's ballots pursuant to division (G) of this 2026  
section. Any ballot determined to be insufficient for any of the 2027  
reasons stated above or stated in section 3509.07 of the Revised 2028  
Code shall not be counted. 2029

~~Subject to division (C) of section 3501.10 of the Revised~~ 2030  
~~Code, a board of elections may lease or otherwise acquire a site~~ 2031  
~~different from the office of the board at which registered~~ 2032  
~~electors may vote pursuant to division (B) or (C) of this section.~~ 2033

(E) Upon receiving a change of residence or change of name form, the board of elections shall immediately send the registrant an acknowledgment notice. If the change of residence or change of name form is valid, the board shall update the voter's registration as appropriate. If that form is incomplete, the board shall inform the registrant in the acknowledgment notice specified in this division of the information necessary to complete or update that registrant's registration.

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

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

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

(1) Makes a written application that includes all of the information required under section 3509.03 of the Revised Code to the appropriate board for an absent voter's ballot on or after the

~~twenty-seventh~~ twenty-first day prior to the election in which the 2066  
registered elector wishes to vote through ~~noon~~ six p.m. of the 2067  
~~Saturday~~ Friday prior to that election and requests that the 2068  
absent voter's ballot be sent to the address to which the 2069  
registered elector has moved if the registered elector has moved, 2070  
or to the address of that registered elector who has not moved but 2071  
has had a change of name; 2072

(2) Declares that the registered elector has moved or had a 2073  
change of name, whichever is appropriate, and otherwise is 2074  
qualified to vote under the circumstances described in division 2075  
(B) or (C) of this section, whichever is appropriate, but that the 2076  
registered elector is unable to appear at the board of elections 2077  
because of personal illness, physical disability, or infirmity; 2078

(3) Completes and returns along with the completed absent 2079  
voter's ballot a notice of change of residence indicating the 2080  
address to which the registered elector has moved, or a notice of 2081  
change of name, whichever is appropriate; 2082

(4) Completes and signs, under penalty of election 2083  
falsification, a statement attesting that the registered elector 2084  
has moved or had a change of name on or prior to the day before 2085  
the election, has voted by absent voter's ballot because of 2086  
personal illness, physical disability, or infirmity that prevented 2087  
the registered elector from appearing at the board of elections, 2088  
and will not vote or attempt to vote at any other location or by 2089  
absent voter's ballot mailed to any other location or address for 2090  
that particular election. 2091

**Sec. 3503.161.** The secretary of state, by rule, shall 2092  
establish a secure online process to allow registered voters who 2093  
have changed their place of residence to update their voter 2094  
registration through the internet. The rules shall provide for all 2095  
of the following: 2096

(A) A registered elector to update the elector's residential address information with the secretary of state online through the internet; 2097  
2098  
2099

(B) The elector's residential address information to be updated in the statewide voter registration database, if all of the following apply: 2100  
2101  
2102

(1) The online change of residence form contains all of the required information; 2103  
2104

(2) The elector is currently registered to vote in this state; and 2105  
2106

(3) The elector's name, new residence address, birthdate, and other information contained on the change of residence form matches the same information in the records of the bureau of motor vehicles regarding the elector. 2107  
2108  
2109  
2110

**Sec. 3503.18.** (A)(1) The chief health officer of each political subdivision and the director of health shall file with the secretary of state and each board of elections, at least once each month, the names, social security numbers, dates of birth, dates of death, and residences of all persons, over eighteen years of age, who have died within such subdivision or within this state or another state, respectively, within such month. 2111  
2112  
2113  
2114  
2115  
2116  
2117

(2) The secretary of state and the director of health shall jointly establish a secure electronic system through which they shall exchange the information described in division (A)(1) of this section regarding the death of a registered elector. 2118  
2119  
2120  
2121

(B) At least once each month, each probate judge in this state shall file with the board of elections the names and residence addresses of all persons over eighteen years of age who have been adjudicated incompetent for the purpose of voting, as provided in section 5122.301 of the Revised Code. ~~At~~ 2122  
2123  
2124  
2125  
2126

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

(D) Upon receiving a report required by this section, the  
~~board of elections shall promptly cancel the~~ registration of each  
elector named in the report shall be promptly canceled by the  
secretary of state or the board of elections, as applicable. If a  
board of elections receives the report, and the report contains a  
residence address of an elector in a county other than the county  
in which the board of elections is located, the director shall  
promptly send a copy of the report to the appropriate board of  
elections, which shall cancel the registration.

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

Any state or local office of a designated agency, the office 2158  
of the registrar or any deputy registrar of motor vehicles, a 2159  
public high school or vocational school, a public library, or the 2160  
office of a county treasurer shall transmit any voter registration 2161  
application or change of registration form that it receives to the 2162  
board of elections of the county in which the state or local 2163  
office is located, within five business days after receiving the 2164  
voter registration application or change of registration form. 2165

An otherwise valid voter registration application that is 2166  
returned to the appropriate office other than by mail must be 2167  
received by a state or local office of a designated agency, the 2168  
office of the registrar or any deputy registrar of motor vehicles, 2169  
a public high school or vocational school, a public library, the 2170  
office of a county treasurer, the office of the secretary of 2171  
state, or the office of a board of elections no later than the 2172  
thirtieth day preceding a primary, special, or general election 2173  
for the person to qualify as an elector eligible to vote at that 2174  
election. An otherwise valid registration application received 2175  
after that day entitles the elector to vote at all subsequent 2176  
elections. 2177

Any state or local office of a designated agency, the office 2178  
of the registrar or any deputy registrar of motor vehicles, a 2179  
public high school or vocational school, a public library, or the 2180  
office of a county treasurer shall date stamp a registration 2181  
application or change of name or change of address form it 2182  
receives using a date stamp that does not disclose the identity of 2183  
the state or local office that receives the registration. 2184

Voter registration applications, if otherwise valid, that are 2185  
returned by mail to the office of the secretary of state or to the 2186  
office of a board of elections must be postmarked no later than 2187  
the thirtieth day preceding a primary, special, or general 2188  
election in order for the person to qualify as an elector eligible 2189

to vote at that election. If an otherwise valid voter registration application that is returned by mail does not bear a postmark or a legible postmark, the registration shall be valid for that election if received by the office of the secretary of state or the office of a board of elections no later than twenty-five days preceding any special, primary, or general election.

(B)(1) Any person may apply in person, by telephone, by mail, or through another person for voter registration forms to the office of the secretary of state or the office of a board of elections. An individual who is eligible to vote as a uniformed services voter or an overseas voter in accordance with 42 U.S.C. 1973ff-6 also may apply for voter registration forms by electronic means to the office of the secretary of state or to the board of elections of the county in which the person's voting residence is located pursuant to section 3503.191 of the Revised Code.

(2)(a) An applicant may return the applicant's completed registration form in person or by mail to any state or local office of a designated agency, to a public high school or vocational school, to a public library, to the office of a county treasurer, to the office of the secretary of state, or to the office of a board of elections. An applicant who is eligible to vote as a uniformed services voter or an overseas voter in accordance with 42 U.S.C. 1973ff-6 also may return the applicant's completed voter registration form electronically to the office of the secretary of state or to the board of elections of the county in which the person's voting residence is located pursuant to section 3503.191 of the Revised Code.

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

(c) A person who receives compensation for registering a



voter shall return any registration form entrusted to that person 2222  
by an applicant to any board of elections or to the office of the 2223  
secretary of state. 2224

(d) If a board of elections or the office of the secretary of 2225  
state receives a registration form under division (B)(2)(b) or (c) 2226  
of this section before the thirtieth day before an election, the 2227  
board or the office of the secretary of state, as applicable, 2228  
shall forward the registration to the board of elections of the 2229  
county in which the applicant is seeking to register to vote 2230  
within ten days after receiving the application. If a board of 2231  
elections or the office of the secretary of state receives a 2232  
registration form under division (B)(2)(b) or (c) of this section 2233  
on or after the thirtieth day before an election, the board or the 2234  
office of the secretary of state, as applicable, shall forward the 2235  
registration to the board of elections of the county in which the 2236  
applicant is seeking to register to vote within thirty days after 2237  
that election. 2238

(C)(1) A board of elections that receives a voter 2239  
registration application and is satisfied as to the truth of the 2240  
statements made in the registration form shall register the 2241  
applicant not later than twenty business days after receiving the 2242  
application, unless that application is received during the thirty 2243  
days immediately preceding the day of an election. The board shall 2244  
promptly notify the applicant in writing of each of the following: 2245

(a) The applicant's registration; 2246

(b) The precinct in which the applicant is to vote; 2247

(c) In bold type as follows: 2248

"Voters must bring identification to the polls in order to 2249  
verify identity. Identification may include a current and valid 2250  
photo identification, a military identification, or a copy of a 2251  
current utility bill, bank statement, government check, paycheck, 2252

or other government document, other than this notification ~~or a~~ 2253  
~~notification of an election mailed by a board of elections,~~ that 2254  
shows the voter's name and current address. Voters who do not 2255  
provide one of these documents will still be able to vote by 2256  
providing the last four digits of the voter's social security 2257  
number and by casting a provisional ballot. Voters who do not have 2258  
any of the above forms of identification, including a social 2259  
security number, will still be able to vote by signing an 2260  
affirmation swearing to the voter's identity under penalty of 2261  
election falsification and by casting a provisional ballot." 2262

The notification shall be by nonforwardable mail. If the mail 2263  
is returned to the board, it shall investigate and cause the 2264  
notification to be delivered to the correct address. 2265

(2) If, after investigating as required under division (C)(1) 2266  
of this section, the board is unable to verify the voter's correct 2267  
address, it shall cause the voter's name in the official 2268  
registration list and in the poll list or signature pollbook to be 2269  
marked to indicate that the voter's notification was returned to 2270  
the board. 2271

At the first election at which a voter whose name has been so 2272  
marked appears to vote, the voter shall be required to provide 2273  
identification to the election officials and to vote by 2274  
provisional ballot under section 3505.181 of the Revised Code. If 2275  
the provisional ballot is counted pursuant to division (B)(3) of 2276  
section 3505.183 of the Revised Code, the board shall correct that 2277  
voter's registration, if needed, and shall remove the indication 2278  
that the voter's notification was returned from that voter's name 2279  
on the official registration list and on the poll list or 2280  
signature pollbook. If the provisional ballot is not counted 2281  
pursuant to division (B)(4)(a)(i), or (v), ~~or (vi)~~ of section 2282  
3505.183 of the Revised Code, the voter's registration shall be 2283  
canceled. The board shall notify the voter by United States mail 2284

of the cancellation. 2285

(3) If a notice of the disposition of an otherwise valid 2286  
registration application is sent by nonforwardable mail and is 2287  
returned undelivered, the person shall be registered as provided 2288  
in division (C)(2) of this section and sent a confirmation notice 2289  
by forwardable mail. If the person fails to respond to the 2290  
confirmation notice, update the person's registration, or vote by 2291  
provisional ballot as provided in division (C)(2) of this section 2292  
in any election during the period of two federal elections 2293  
subsequent to the mailing of the confirmation notice, the person's 2294  
registration shall be canceled. 2295

**Sec. 3503.21.** (A) The registration of a registered elector 2296  
shall be canceled upon the occurrence of any of the following: 2297

(1) The filing by a registered elector of a written request 2298  
with a board of elections, on a form prescribed by the secretary 2299  
of state and signed by the elector, that the registration be 2300  
canceled. The filing of such a request does not prohibit an 2301  
otherwise qualified elector from reregistering to vote at any 2302  
time. 2303

(2) The filing of a notice of the death of a registered 2304  
elector as provided in section 3503.18 of the Revised Code; 2305

(3) The filing with the board of elections of a certified 2306  
copy of the death certificate of a registered elector by the 2307  
deceased elector's spouse, parent, or child, by the administrator 2308  
of the deceased elector's estate, or by the executor of the 2309  
deceased elector's will; 2310

(4) The conviction of the registered elector of a felony 2311  
under the laws of this state, any other state, or the United 2312  
States as provided in section 2961.01 of the Revised Code; 2313

~~(3)~~(5) The adjudication of incompetency of the registered 2314

elector for the purpose of voting as provided in section 5122.301 2315  
of the Revised Code; 2316

~~(5)~~(6) The change of residence of the registered elector to a 2317  
location outside the county of registration in accordance with 2318  
division (B) of this section; 2319

~~(6)~~(7) The failure of the registered elector, after having 2320  
been mailed a confirmation notice, to do either of the following: 2321

(a) Respond to such a notice and vote at least once during a 2322  
period of four consecutive years, which period shall include two 2323  
general federal elections; 2324

(b) Update the elector's registration and vote at least once 2325  
during a period of four consecutive years, which period shall 2326  
include two general federal elections. 2327

(B)(1) The secretary of state shall prescribe procedures to 2328  
identify and cancel the registration in a prior county of 2329  
residence of any registrant who changes the registrant's voting 2330  
residence to a location outside the registrant's current county of 2331  
registration. Any procedures prescribed in this division shall be 2332  
uniform and nondiscriminatory, and shall comply with the Voting 2333  
Rights Act of 1965. The secretary of state may prescribe 2334  
procedures under this division that include the use of the 2335  
national change of address service provided by the United States 2336  
postal system through its licensees. Any program so prescribed 2337  
shall be completed not later than ninety days prior to the date of 2338  
any primary or general election for federal office. 2339

(2) The registration of any elector identified as having 2340  
changed the elector's voting residence to a location outside the 2341  
elector's current county of registration shall not be canceled 2342  
unless the registrant is sent a confirmation notice on a form 2343  
prescribed by the secretary of state and the registrant fails to 2344  
respond to the confirmation notice or otherwise update the 2345

registration and fails to vote in any election during the period 2346  
of two federal elections subsequent to the mailing of the 2347  
confirmation notice. 2348

(C) The registration of a registered elector shall not be 2349  
canceled except as provided in this section, division (Q) of 2350  
section 3501.05 of the Revised Code, division (C)(2) of section 2351  
3503.19 of the Revised Code, or division (C) of section 3503.24 of 2352  
the Revised Code. 2353

(D) Boards of elections shall send their voter registration 2354  
information to the secretary of state as required under section 2355  
3503.15 of the Revised Code. In the first quarter of each 2356  
odd-numbered year, the secretary of state shall send the 2357  
information to the national change of address service described in 2358  
division (B) of this section and request that service to provide 2359  
the secretary of state with a list of any voters sent by the 2360  
secretary of state who have moved within the last thirty-six 2361  
months. The secretary of state shall transmit to each appropriate 2362  
board of elections whatever lists the secretary of state receives 2363  
from that service. The board shall send a notice to each person on 2364  
the list transmitted by the secretary of state requesting 2365  
confirmation of the person's change of address, together with a 2366  
postage prepaid, preaddressed return envelope containing a form on 2367  
which the voter may verify or correct the change of address 2368  
information. 2369

(E) The registration of a registered elector described in 2370  
division (A)~~(6)~~(7) or (B)(2) of this section shall be canceled not 2371  
later than one hundred twenty days after the date of the second 2372  
general federal election in which the elector fails to vote or not 2373  
later than one hundred twenty days after the expiration of the 2374  
four-year period in which the elector fails to vote or respond to 2375  
a confirmation notice, whichever is later. 2376

**Sec. 3503.26.** (A) All registration forms and lists, when not 2377  
in official use by the registrars or ~~judges of elections~~ precinct 2378  
election officials, shall be in the possession of the board of 2379  
elections. Names and addresses of electors may be copied from the 2380  
registration lists only in the office of the board when it is open 2381  
for business; but no such copying shall be permitted during the 2382  
period of time commencing twenty-one days before an election and 2383  
ending on the eleventh day after an election if such copying will, 2384  
in the opinion of the board, interfere with the necessary work of 2385  
the board. The board shall keep in convenient form and available 2386  
for public inspection a correct set of the registration lists of 2387  
all precincts in the county. 2388

(B) Notwithstanding division (A) of this section, the board 2389  
of elections shall maintain and make available for public 2390  
inspection and copying at a reasonable cost all records concerning 2391  
the implementation of programs and activities conducted for the 2392  
purpose of ensuring the accuracy and currency of voter 2393  
registration lists, including the names and addresses of all 2394  
registered electors sent confirmation notices and whether or not 2395  
the elector responded to the confirmation notice. The board shall 2396  
maintain all records described in this division for a period of 2397  
two years. 2398

**Sec. 3503.28.** (A) The secretary of state shall develop an 2399  
information brochure regarding voter registration. The brochure 2400  
shall include, but is not limited to, all of the following 2401  
information: 2402

(1) The applicable deadlines for registering to vote or for 2403  
returning an applicant's completed registration form; 2404

(2) The applicable deadline for returning an applicant's 2405  
completed registration form if the person returning the form is 2406

being compensated for registering voters; 2407

(3) The locations to which a person may return an applicant's 2408  
completed registration form; 2409

(4) The location to which a person who is compensated for 2410  
registering voters may return an applicant's completed 2411  
registration form; 2412

~~(5) The registration and affirmation requirements applicable 2413  
to persons who are compensated for registering voters under 2414  
section 3503.29 of the Revised Code; 2415~~

~~(6) A notice, which shall be written in bold type, stating as 2416  
follows: 2417~~

"Voters must bring identification to the polls in order to 2418  
verify identity. Identification may include a current and valid 2419  
photo identification, a military identification, or a copy of a 2420  
current utility bill, bank statement, government check, paycheck, 2421  
or other government document, other than ~~a notice of an election 2422  
or~~ a voter registration notification sent by a board of elections, 2423  
that shows the voter's name and current address. Voters who do not 2424  
provide one of these documents will still be able to vote by 2425  
providing the last four digits of the voter's social security 2426  
number and by casting a provisional ballot. Voters who do not have 2427  
any of the above forms of identification, including a social 2428  
security number, will still be able to vote by signing an 2429  
affirmation swearing to the voter's identity under penalty of 2430  
election falsification and by casting a provisional ballot." 2431

~~(B) Except as otherwise provided in division (D) of this 2432  
section, a board of elections, designated agency, public high 2433  
school, public vocational school, public library, office of a 2434  
county treasurer, or deputy registrar of motor vehicles shall 2435  
distribute a copy of the brochure developed under division (A) of 2436  
this section to any person who requests more than two voter 2437~~

~~registration forms at one time.~~ 2438

~~(C)~~(1) The secretary of state shall provide the information 2439  
required to be included in the brochure developed under division 2440  
(A) of this section to any person who prints a voter registration 2441  
form that is made available on a web site of the office of the 2442  
secretary of state. 2443

(2) If a board of elections operates and maintains a web 2444  
site, the board shall provide the information required to be 2445  
included in the brochure developed under division (A) of this 2446  
section to any person who prints a voter registration form that is 2447  
made available on that web site. 2448

~~(D) A board of elections shall not be required to distribute 2449  
a copy of a brochure under division (B) of this section to any of 2450  
the following officials or employees who are requesting more than 2451  
two voter registration forms at one time in the course of the 2452  
official's or employee's normal duties: 2453~~

~~(1) An election official; 2454~~

~~(2) A county treasurer; 2455~~

~~(3) A deputy registrar of motor vehicles; 2456~~

~~(4) An employee of a designated agency; 2457~~

~~(5) An employee of a public high school; 2458~~

~~(6) An employee of a public vocational school; 2459~~

~~(7) An employee of a public library; 2460~~

~~(8) An employee of the office of a county treasurer; 2461~~

~~(9) An employee of the bureau of motor vehicles; 2462~~

~~(10) An employee of a deputy registrar of motor vehicles; 2463~~

~~(11) An employee of an election official. 2464~~

~~(E)~~(C) As used in this section, "registering voters" includes 2465



any effort, for compensation, to provide voter registration forms 2466  
or to assist persons in completing or returning those forms. 2467

Sec. 3505.05. At any time prior to the seventieth day before 2468  
the day of an election at which a question or issue, other than a 2469  
statewide question or issue, is certified to appear on the ballot, 2470  
the political subdivision, taxing authority, or other entity that 2471  
placed the issue on the ballot may remove that issue from the 2472  
ballot using the same process that the entity used to originally 2473  
certify the issue for placement on the ballot. 2474

Upon receipt of a notification that a question or issue has 2475  
been withdrawn, the board of elections shall remove that question 2476  
or issue from the ballot. 2477

**Sec. 3505.11.** (A) The ballots, with the stubs attached, shall 2478  
be bound into tablets for each precinct, which tablets shall 2479  
contain at least one per cent more ballots than the total 2480  
registration in the precinct, except as otherwise provided in 2481  
division (B) of this section. Upon the covers of the tablets shall 2482  
be written, printed, or stamped the designation of the precinct 2483  
for which the ballots have been prepared. All official ballots 2484  
shall be printed uniformly upon the same kind and quality of paper 2485  
and shall be of the same shape, size, and type. 2486

Electors who have failed to respond within thirty days to any 2487  
confirmation notice shall not be counted in determining the number 2488  
of ballots to be printed under this section. 2489

(B)(1) A board of elections may choose to provide ballots on 2490  
demand. If a board so chooses, the board shall have prepared for 2491  
each precinct at least five per cent more ballots for an election 2492  
than the number specified below for that kind of election: 2493

(a) For a primary election or a special election held on the 2494  
day of a primary election, the total number of electors in that 2495

precinct who voted in the primary election held four years 2496  
previously or, if no primary election was held four years 2497  
previously, the total number of electors in that precinct who 2498  
voted in a similarly situated primary, as determined by the board; 2499

(b) For a general election or a special election held on the 2500  
day of a general election, the total number of electors in that 2501  
precinct who voted in the general election held four years 2502  
previously; 2503

(c) For a special election held at any time other than on the 2504  
day of a primary or general election, the total number of electors 2505  
in that precinct who voted in the most recent primary or general 2506  
election, whichever of those elections occurred in the precinct 2507  
most recently. 2508

(2) If, after the board complies with the requirements of 2509  
division (B)(1) of this section, the election officials of a 2510  
precinct determine that the precinct will not have enough ballots 2511  
to enable all the qualified electors in the precinct who wish to 2512  
vote at a particular election to do so, the officials shall 2513  
request that the board provide additional ballots, and the board 2514  
shall provide enough additional ballots, to that precinct in a 2515  
timely manner so that all qualified electors in that precinct who 2516  
wish to vote at that election may do so. 2517

**Sec. 3505.17.** If by accident or casualty the ballots or other 2518  
required papers, lists, or supplies are lost or destroyed, or in 2519  
case none are delivered at the polling place, or if during the 2520  
time the polls are open additional ballots or supplies are 2521  
required, the board of elections, upon requisition by telephone or 2522  
in writing and signed by a majority of the precinct election 2523  
~~judges~~ officials of the precinct stating why such additional 2524  
supplies are needed, shall supply them as speedily as possible. 2525

**Sec. 3505.18.** (A)(1) When an elector appears in a polling 2526  
place to vote, the elector shall announce to the precinct election 2527  
officials the elector's full name and current address and provide 2528  
proof of the elector's identity in the form of a current and valid 2529  
photo identification, a military identification, or a copy of a 2530  
current utility bill, bank statement, government check, paycheck, 2531  
or other government document, other than ~~a notice of an election~~ 2532  
~~mailed by a board of elections under section 3501.19 of the~~ 2533  
~~Revised Code or a notice of voter registration mailed by a board~~ 2534  
~~of elections under section 3503.19 of the Revised Code, that shows~~ 2535  
~~the name and current address of the elector. If the elector~~ 2536  
~~provides either a driver's license or a state identification card~~ 2537  
~~issued under section 4507.50 of the Revised Code that does not~~ 2538  
~~contain the elector's current residence address, the elector shall~~ 2539  
~~provide the last four digits of the elector's driver's license~~ 2540  
~~number or state identification card number, and the precinct~~ 2541  
~~election official shall mark the poll list or signature pollbook~~ 2542  
~~to indicate that the elector has provided a driver's license or~~ 2543  
~~state identification card number with a former address and record~~ 2544  
~~the last four digits of the elector's driver's license number or~~ 2545  
~~state identification card number.~~ 2546

(2) If an elector has but is unable to provide to the 2547  
precinct election officials any of the forms of identification 2548  
required under division (A)(1) of this section, ~~but has a social~~ 2549  
~~security number, the elector may provide the last four digits of~~ 2550  
~~the elector's social security number. Upon providing the social~~ 2551  
~~security number information, the elector may cast a provisional~~ 2552  
~~ballot under section 3505.181 of the Revised Code, the envelope of~~ 2553  
~~which ballot shall include that social security number~~ 2554  
~~information.~~ 2555

(3) ~~If an elector has but is unable to provide to the~~ 2556  
~~precinct election officials any of the forms of identification~~ 2557

~~required under division (A)(1) of this section and if the elector~~ 2558  
~~has a social security number but is unable to provide the last~~ 2559  
~~four digits of the elector's social security number, the elector~~ 2560  
~~may cast a provisional ballot under section 3505.181 of the~~ 2561  
~~Revised Code.~~ 2562

~~(4)~~ If an elector does not have any of the forms of 2563  
identification required under division (A)(1) of this section ~~and~~ 2564  
~~cannot provide the last four digits of the elector's social~~ 2565  
~~security number because the elector does not have a social~~ 2566  
~~security number~~, the elector may execute an affirmation under 2567  
penalty of election falsification that the elector cannot provide 2568  
the identification required under that division ~~or the last four~~ 2569  
~~digits of the elector's social security number for those reasons~~ 2570  
that reason. Upon signing the affirmation, the elector may cast a 2571  
provisional ballot under section 3505.181 of the Revised Code. The 2572  
secretary of state shall prescribe the form of the affirmation, 2573  
which shall include spaces for the elector to complete all of the 2574  
following: 2575

(a) The elector's name; 2576

(b) The elector's address; 2577

(c) The ~~current date~~ last four digits of the elector's social 2578  
security number or the elector's Ohio driver's license number or 2579  
state identification card number; 2580

(d) The elector's date of birth; 2581

(e) The elector's signature. 2582

~~(5)~~(4) If an elector does not have any of the forms of 2583  
identification required under division (A)(1) of this section and 2584  
~~cannot provide the last four digits of the elector's social~~ 2585  
~~security number because the elector does not have a social~~ 2586  
~~security number~~, and if the elector declines to execute an 2587  
affirmation under division (A)~~(4)~~(3) of this section, the elector 2588

may cast a provisional ballot under section 3505.181 of the 2589  
Revised Code, ~~the envelope of which ballot shall include the~~ 2590  
~~elector's name~~ but the ballot will not be counted. 2591

~~(6) If an elector has but declines to provide to the precinct 2592  
election officials any of the forms of identification required 2593  
under division (A)(1) of this section or the elector has a social 2594  
security number but declines to provide to the precinct election 2595  
officials the last four digits of the elector's social security 2596  
number, the elector may cast a provisional ballot under section 2597  
3505.181 of the Revised Code. 2598~~

(B) After the elector has announced the elector's full name 2599  
and current address and provided any of the forms of 2600  
identification required under division (A)(1) of this section, the 2601  
elector shall write the elector's ~~name and address~~ signature at 2602  
the proper place in the poll list or signature pollbook provided 2603  
for the purpose, except that if, for any reason, an elector is 2604  
unable to write the elector's ~~name and current address~~ signature 2605  
in the poll list or signature pollbook, the elector may make the 2606  
elector's mark at the place intended for the elector's ~~name~~ 2607  
signature, and a precinct election official shall write the name 2608  
of the elector at the proper place on the poll list or signature 2609  
pollbook following the elector's mark. The making of such a mark 2610  
shall be attested by the precinct election official, who shall 2611  
evidence the same by signing the precinct election official's name 2612  
on the poll list or signature pollbook as a witness to the mark. 2613  
Alternatively, if applicable, an attorney in fact acting pursuant 2614  
to section 3501.382 of the Revised Code may sign the elector's 2615  
signature in the poll list or signature pollbook in accordance 2616  
with that section. 2617

The elector's signature in the poll list or signature 2618  
pollbook then shall be compared with the elector's signature on 2619  
the elector's registration form or a digitized signature list as 2620

provided for in section 3503.13 of the Revised Code, and if, in 2621  
the opinion of a majority of the precinct election officials, the 2622  
signatures are the signatures of the same person, the election 2623  
officials shall enter the date of the election on the registration 2624  
form or shall record the date by other means prescribed by the 2625  
secretary of state. The validity of an attorney in fact's 2626  
signature on behalf of an elector shall be determined in 2627  
accordance with section 3501.382 of the Revised Code. 2628

If the right of the elector to vote is not then challenged, 2629  
or, if being challenged, the elector establishes the elector's 2630  
right to vote, the elector shall be allowed to proceed to use the 2631  
voting machine. If voting machines are not being used in that 2632  
precinct, the judge in charge of ballots shall then detach the 2633  
next ballots to be issued to the elector from Stub B attached to 2634  
each ballot, leaving Stub A attached to each ballot, hand the 2635  
ballots to the elector, and call the elector's name and the stub 2636  
number on each of the ballots. The judge shall enter the stub 2637  
numbers opposite the signature of the elector in the pollbook. The 2638  
elector shall then retire to one of the voting compartments to 2639  
mark the elector's ballots. No mark shall be made on any ballot 2640  
which would in any way enable any person to identify the person 2641  
who voted the ballot. 2642

**Sec. 3505.181.** (A) All of the following individuals shall be 2643  
permitted to cast a provisional ballot at an election: 2644

(1) An individual who declares that the individual is a 2645  
registered voter in the jurisdiction in which the individual 2646  
desires to vote and that the individual is eligible to vote in an 2647  
election, but the name of the individual does not appear on the 2648  
official list of eligible voters for the polling place or an 2649  
election official asserts that the individual is not eligible to 2650  
vote; 2651

~~(2) An individual who has a social security number and provides to the election officials the last four digits of the individual's social security number as permitted by division (A)(2) of section 3505.18 of the Revised Code;~~ 2652  
2653  
2654  
2655

~~(3) An individual who has but is unable to provide to the election officials any of the forms of identification required under division (A)(1) of section 3505.18 of the Revised Code and who has a social security number but is unable to provide the last four digits of the individual's social security number as permitted under division (A)(2) of that section;~~ 2656  
2657  
2658  
2659  
2660  
2661

~~(4)(3) An individual who does not have any of the forms of identification required under division (A)(1) of section 3505.18 of the Revised Code, who cannot provide the last four digits of the individual's social security number under division (A)(2) of that section because the individual does not have a social security number, and who has executed executes an affirmation as permitted under division (A)(3) of that section or declines to execute an affirmation under division (A)(4) of that section;~~ 2662  
2663  
2664  
2665  
2666  
2667  
2668  
2669

~~(5)(4) An individual whose name in the poll list or signature pollbook has been marked under section 3509.09 or 3511.13 of the Revised Code as having requested an absent voter's ballot or ~~an armed service~~ a uniformed services or overseas absent voter's ballot for that election and who appears to vote at the polling place;~~ 2670  
2671  
2672  
2673  
2674  
2675

~~(6)(5) An individual whose notification of registration has been returned undelivered to the board of elections and whose name in the official registration list and in the poll list or signature pollbook has been marked under division (C)(2) of section 3503.19 of the Revised Code;~~ 2676  
2677  
2678  
2679  
2680

~~(7)(6) An individual who is challenged under section 3505.20 of the Revised Code and the election officials determine that the~~ 2681  
2682

person is ineligible to vote or are unable to determine the 2683  
person's eligibility to vote; 2684

~~(8)~~(7) An individual whose application or challenge hearing 2685  
has been postponed until after the day of the election under 2686  
division (D)(1) of section 3503.24 of the Revised Code; 2687

~~(9)~~(8) An individual who ~~changes the individual's name and~~ 2688  
~~remains within the precinct,~~ moves from one precinct to another 2689  
within a county, moves from one precinct to another and changes 2690  
the individual's name, ~~or~~ moves from one county to another within 2691  
the state, or moves from one county to another and changes the 2692  
individual's name and completes and signs the required forms and 2693  
statements under division (B) or (C) of section 3503.16 of the 2694  
Revised Code; 2695

~~(10)~~(9) An individual whose signature, in the opinion of the 2696  
precinct officers under section 3505.22 of the Revised Code, is 2697  
not that of the person who signed that name in the registration 2698  
forms; 2699

~~(11)~~(10) An individual who is challenged under section 2700  
3513.20 of the Revised Code who refuses to make the statement 2701  
required under that section, who a majority of the precinct 2702  
officials find lacks any of the qualifications to make the 2703  
individual a qualified elector, or who a majority of the precinct 2704  
officials find is not affiliated with or a member of the political 2705  
party whose ballot the individual desires to vote; 2706

~~(12)~~ An individual who does not have any of the forms of 2707  
identification required under division (A)(1) of section 3505.18 2708  
of the Revised Code, who cannot provide the last four digits of 2709  
the individual's social security number under division (A)(2) of 2710  
that section because the person does not have a social security 2711  
number, and who declines to execute an affirmation as permitted 2712  
under division (A)(4) of that section; 2713



~~(13) An individual who has but declines to provide to the  
precinct election officials any of the forms of identification  
required under division (A)(1) of section 3501.18 of the Revised  
Code or who has a social security number but declines to provide  
to the precinct election officials the last four digits of the  
individual's social security number (11) An individual who is  
casting a ballot after the time for the closing of the polls under  
section 3501.32 of the Revised Code pursuant to a court order  
extending the time for the closing of the polls.~~

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

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

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

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

(b) Eligible to vote in that election.

If the individual declines to execute the affirmation, the  
election official shall not record any of the information required  
to be provided by the individual on the affirmation. The election  
official shall explain to the individual that the provisional  
ballot will not be counted.

(3) An election official at the polling place shall transmit  
the ballot cast by the individual, and the voter information  
contained in the written affirmation executed by the individual

~~under division (B)(2) of this section, or the individual's name if 2745  
the individual declines to execute such an affirmation to an 2746  
appropriate local election official for verification under 2747  
division (B)(4) of this section. 2748~~

~~(4) If the appropriate local election official to whom the 2749  
ballot or voter or address information is transmitted under 2750  
division (B)(3) of this section determines that the individual is 2751  
eligible to vote, the individual's provisional ballot shall be 2752  
counted as a vote in that election. 2753~~

~~(5)(a) At the time that an individual casts a provisional 2754  
ballot, the appropriate local election official shall give the 2755  
individual written information that states that any individual who 2756  
casts a provisional ballot will be able to ascertain under the 2757  
system established under division (B)(5)(4)(b) of this section 2758  
whether the vote was counted, and, if the vote was not counted, 2759  
the reason that the vote was not counted. 2760~~

~~(b) The appropriate state or local election official shall 2761  
establish a free access system, in the form of a toll-free 2762  
telephone number, that any individual who casts a provisional 2763  
ballot may access to discover whether the vote of that individual 2764  
was counted, and, if the vote was not counted, the reason that the 2765  
vote was not counted. The free access system established under 2766  
this division also shall provide to an individual whose 2767  
provisional ballot was not counted information explaining how that 2768  
individual may contact the board of elections to register to vote 2769  
or to resolve problems with the individual's voter registration. 2770~~

~~The appropriate state or local election official shall 2771  
establish and maintain reasonable procedures necessary to protect 2772  
the security, confidentiality, and integrity of personal 2773  
information collected, stored, or otherwise used by the free 2774  
access system established under this division. Access to 2775  
information about an individual ballot shall be restricted to the 2776~~

individual who cast the ballot. 2777

~~(6) If, at the time that an individual casts a provisional 2778  
ballot, the individual provides identification in the form of a 2779  
current and valid photo identification, a military identification, 2780  
or a copy of a current utility bill, bank statement, government 2781  
check, paycheck, or other government document, other than a notice 2782  
of an election mailed by a board of elections under section 2783  
3501.19 of the Revised Code or a notice of voter registration 2784  
mailed by a board of elections under section 3503.19 of the 2785  
Revised Code, that shows the individual's name and current 2786  
address, or provides the last four digits of the individual's 2787  
social security number, or executes an affirmation that the 2788  
elector does not have any of those forms of identification or the 2789  
last four digits of the individual's social security number 2790  
because the individual does not have a social security number, or 2791  
declines to execute such an affirmation, the appropriate local 2792  
election official shall record the type of identification 2793  
provided, the social security number information, the fact that 2794  
the affirmation was executed, or the fact that the individual 2795  
declined to execute such an affirmation and include that 2796  
information with the transmission of the ballot or voter or 2797  
address information under division (B)(3) of this section. If the 2798  
individual declines to execute such an affirmation, the 2799  
appropriate local election official shall record the individual's 2800  
name and include that information with the transmission of the 2801  
ballot under division (B)(3) of this section. 2802~~

~~(7)(5) If an individual casts a provisional ballot pursuant 2803  
to division (A)(3), (7), (8), (12), or (13)(7) of this section, 2804  
the election official shall indicate, on the provisional ballot 2805  
verification statement required under section 3505.182 of the 2806  
Revised Code, that the individual is required to provide 2807  
additional information to the board of elections or that an 2808~~

application or challenge hearing has been postponed with respect 2809  
to the individual, such that additional information is required 2810  
for the board of elections to determine the eligibility of the 2811  
individual who cast the provisional ballot. 2812

~~(8) During the ten days after the day of an election, an 2813  
individual who casts a provisional ballot pursuant to division 2814  
(A)(3), (7), (12), or (13) of this section shall appear at the 2815  
office of the board of elections and provide to the board any 2816  
additional information necessary to determine the eligibility of 2817  
the individual who cast the provisional ballot. 2818~~

~~(a) For a provisional ballot cast pursuant to division 2819  
(A)(3), (12), or (13) of this section to be eligible to be 2820  
counted, the individual who cast that ballot, within ten days 2821  
after the day of the election, shall do any of the following: 2822~~

~~(i) Provide to the board of elections proof of the 2823  
individual's identity in the form of a current and valid photo 2824  
identification, a military identification, or a copy of a current 2825  
utility bill, bank statement, government check, paycheck, or other 2826  
government document, other than a notice of an election mailed by 2827  
a board of elections under section 3501.19 of the Revised Code or 2828  
a notice of voter registration mailed by a board of elections 2829  
under section 3503.19 of the Revised Code, that shows the 2830  
individual's name and current address; 2831~~

~~(ii) Provide to the board of elections the last four digits 2832  
of the individual's social security number; 2833~~

~~(iii) In the case of a provisional ballot executed pursuant 2834  
to division (A)(12) of this section, execute an affirmation as 2835  
permitted under division (A)(4) of section 3505.18 of the Revised 2836  
Code. 2837~~

~~(b) For a provisional ballot cast pursuant to division (A)(7) 2838  
of this section to be eligible to be counted, the individual who 2839~~

~~east that ballot, within ten days after the day of that election, 2840  
shall provide to the board of elections any identification or 2841  
other documentation required to be provided by the applicable 2842  
challenge questions asked of that individual under section 3505.20 2843  
of the Revised Code. 2844~~

(C)(1) If an individual declares that the individual is 2845  
eligible to vote in a jurisdiction other than the jurisdiction in 2846  
which the individual desires to vote, ~~or if, upon review of the 2847  
precinct voting location guide using the residential street 2848  
address provided by the individual, an election official at the 2849  
polling place at which the individual desires to vote determines 2850  
that the individual is not eligible to vote in that jurisdiction, 2851  
the election official shall direct the individual to the polling 2852  
place for the jurisdiction in which the individual appears to be 2853  
eligible to vote, explain that the individual may cast a 2854  
provisional ballot at the current location but the ballot will not 2855  
be counted if it is cast in the wrong precinct, and provide the 2856  
telephone number of the board of elections in case the individual 2857  
has additional questions. 2858~~

(2) ~~If the~~ The individual ~~refuses to~~ may travel to the 2859  
polling place for the correct jurisdiction or to the office of the 2860  
board of elections to cast a ballot, or the individual shall be 2861  
permitted to vote a provisional ballot at that jurisdiction in 2862  
accordance with division (B) of this section. ~~If any of the 2863  
following apply, the provisional ballot cast by that individual 2864  
shall not be opened or counted:~~ 2865

~~(a) The individual is not properly registered in that 2866  
jurisdiction. 2867~~

~~(b) The individual is not eligible to vote in that election 2868  
in that jurisdiction. 2869~~

~~(c) The individual's eligibility to vote in that jurisdiction 2870~~

~~in that election cannot be established upon examination of the~~ 2871  
~~records on file with the board of elections.~~ 2872

(D) The appropriate local election official shall cause 2873  
voting information to be publicly posted at each polling place on 2874  
the day of each election. 2875

(E) As used in this section and sections 3505.182 and 2876  
3505.183 of the Revised Code: 2877

(1) "Jurisdiction" means the precinct in which a person is a 2878  
legally qualified elector. 2879

~~(2) "Precinct voting location guide" means either of the~~ 2880  
~~following:~~ 2881

~~(a) An electronic or paper record that lists the correct~~ 2882  
~~jurisdiction and polling place for either each specific~~ 2883  
~~residential street address in the county or the range of~~ 2884  
~~residential street addresses located in each neighborhood block in~~ 2885  
~~the county;~~ 2886

~~(b) Any other method that a board of elections creates that~~ 2887  
~~allows a precinct election official or any elector who is at a~~ 2888  
~~polling place in that county to determine the correct jurisdiction~~ 2889  
~~and polling place of any qualified elector who resides in the~~ 2890  
~~county.~~ 2891

~~(3) "Voting information" means all of the following:~~ 2892

(a) A sample version of the ballot that will be used for that 2893  
election; 2894

(b) Information regarding the date of the election and the 2895  
hours during which polling places will be open; 2896

(c) Instructions on how to vote, including how to cast a vote 2897  
and how to cast a provisional ballot; 2898

(d) Instructions for mail-in registrants and first-time 2899  
voters under applicable federal and state laws; 2900

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

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

**Sec. 3505.182.** Each individual who casts a provisional ballot under section 3505.181 of the Revised Code shall execute a written affirmation. The secretary of state shall prescribe the form of the written affirmation, which shall be printed upon the face of the provisional ballot envelope ~~and shall be substantially as follows:~~

~~"Provisional Ballot Affirmation~~

~~STATE OF OHIO~~

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

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

~~I hereby declare, under penalty of election falsification, that the above statements are true and correct to the best of my~~

<del>knowledge and belief.</del>	2931
<del>.....</del>	2932
<del>(Signature of Voter)</del>	2933
<del>.....</del>	2934
<del>(Voter's date of birth)</del>	2935
<del>The last four digits of the voter's social security number</del>	2936
<del>.....</del>	2937
<del>(To be provided if the voter is unable to provide a current and valid photo identification, a military identification, or a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the voter's name and current address but is able to provide these last four digits)</del>	2938
<del>WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY</del>	2939
<del>OF THE FIFTH DEGREE.</del>	2940
<del>Additional Information For Determining Ballot Validity</del>	2941
<del>(May be completed at voter's discretion)</del>	2942
<del>Voter's current address: .....</del>	2943
<del>Voter's former address if .....</del>	2944
<del>photo identification does</del>	



~~not contain voter's current  
address~~

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

2945

~~(Please circle number type) .....~~

2946

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

2947

~~Reason for voting provisional ballot (Check one):~~

2948

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

2949

~~..... Other~~

2950

~~Verification Statement~~

2951

~~(To be completed by election official)~~

2952

~~The Provisional Ballot Affirmation printed above was  
subscribed and affirmed before me this ..... day of  
..... (Month), ..... (Year).~~

2953

2954

2955

~~(If applicable, the election official must check the  
following true statement concerning additional information needed  
to determine the eligibility of the provisional voter.)~~

2956

2957

2958

~~..... The provisional voter is required to provide  
additional information to the board of elections.~~

2959

2960

~~..... An application or challenge hearing regarding this  
voter has been postponed until after the election.~~

2961

2962

~~(The election official must check the following true statement concerning identification provided by the provisional voter, if any.)~~ 2963  
2964  
2965

~~..... The provisional voter provided a current and valid photo identification.~~ 2966  
2967

~~..... The provisional voter provided a current valid photo identification, other than a driver's license or a state identification card, with the voter's former address instead of current address and has provided the election official both the current and former addresses.~~ 2968  
2969  
2970  
2971  
2972

~~..... The provisional voter provided a military identification or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, with the voter's name and current address.~~ 2973  
2974  
2975  
2976  
2977  
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2979  
2980

~~..... The provisional voter provided the last four digits of the voter's social security number.~~ 2981  
2982

~~..... The provisional voter is not able to provide a current and valid photo identification, a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, with the voter's name and current address but does have one of these forms of identification. The provisional voter must provide one of the foregoing items of identification to the board of elections within ten days after the election.~~ 2983  
2984  
2985  
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2989  
2990  
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2993

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

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

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

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

~~number but does have one of these forms of identification or a 3026  
social security number. The provisional voter must provide one of 3027  
the foregoing items of identification or the last four digits of 3028  
the voter's social security number to the board of elections 3029  
within ten days after the election. 3030~~

~~..... 3031  
(Signature of Election Official)" 3032~~

~~In addition to any information required to be included on the 3033  
written affirmation, an individual casting a provisional ballot 3034  
may provide additional information to the election official to 3035  
assist the board of elections in determining the individual's 3036  
eligibility to vote in that election, including the date and 3037  
location at which the individual registered to vote, if known. 3038~~

~~If the individual declines to execute the affirmation, an 3039  
appropriate local election official shall comply with division 3040  
(B)(6) of section 3505.181 of the Revised Code. 3041~~

**Sec. 3505.183.** (A) When the ballot boxes are delivered to the 3042  
board of elections from the precincts, the board shall separate 3043  
the provisional ballot envelopes from the rest of the ballots. 3044  
Teams of employees of the board consisting of one member of each 3045  
major political party shall place the sealed provisional ballot 3046  
envelopes in a secure location within the office of the board. The 3047  
sealed provisional ballot envelopes shall remain in that secure 3048  
location until the validity of those ballots is determined under 3049  
division (B) of this section. ~~While the provisional ballot is 3050  
stored in that secure location, and prior to the counting of the 3051  
provisional ballots, if the board receives information regarding 3052  
the validity of a specific provisional ballot under division (B) 3053  
of this section, the board may note, on the sealed provisional 3054  
ballot envelope for that ballot, whether the ballot is valid and 3055  
entitled to be counted. 3056~~

(B)(1) To determine whether a provisional ballot is valid and 3057  
entitled to be counted, the board shall examine ~~its~~ the 3058  
affirmation executed by the provisional voter, the statewide voter 3059  
registration database, and other records maintained by the board 3060  
of elections and determine whether the individual who cast the 3061  
provisional ballot is registered and eligible to vote in the 3062  
applicable election. The board shall examine the information 3063  
contained in the written affirmation executed by the individual 3064  
who cast the provisional ballot under division (B)(2) of section 3065  
3505.181 of the Revised Code. ~~If the individual declines to~~ 3066  
~~execute such an affirmation, the individual's name, written by~~ 3067  
~~either the individual or the election official at the direction of~~ 3068  
~~the individual, shall be included in a written affirmation in~~ 3069  
~~order for the provisional ballot to be eligible to be counted;~~ 3070  
~~otherwise, the~~ The following information shall be included by the 3071  
provisional voter in the written affirmation in order for the 3072  
provisional ballot to be eligible to be counted: 3073

(a) The individual's printed name ~~and;~~ 3074

(b) The individual's signature; 3075

~~(b)~~(c) The individual's date of birth; 3076

(d) The last four digits of the individual's social security 3077  
number, the individual's driver's license number or state 3078  
identification card number, or an affirmative notation that the 3079  
individual provided the required identification under division 3080  
(A)(1) of section 3505.18 of the Revised Code; 3081

(e) The individual's residence address; 3082

(f) A statement that the individual is a registered voter in 3083  
the jurisdiction in which the provisional ballot is being voted; 3084

~~(e)~~(g) A statement that the individual is eligible to vote in 3085  
the election in which the provisional ballot is being voted. 3086

~~(2) In addition to the information required to be included in an affirmation under division (B)(1) of this section, in determining whether a provisional ballot is valid and entitled to be counted, the board also shall examine any additional information for determining ballot validity provided by the provisional voter on the affirmation, provided by the provisional voter to an election official under section 3505.182 of the Revised Code, or provided to the board of elections during the ten days after the day of the election under division (B)(8) of section 3505.181 of the Revised Code, to assist the board in determining the individual's eligibility to vote.~~

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

~~(a) The individual named on the affirmation is properly registered to vote.~~

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

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

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

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

registration list. 3118

~~(4)(3)(a)~~ If, in examining a provisional ballot affirmation 3119  
~~and additional information under divisions (B)(1) and (2) of this~~ 3120  
~~section,~~ the board determines that any of the following applies, 3121  
the provisional ballot envelope shall not be opened, and the 3122  
ballot shall not be counted: 3123

(i) The individual named on the affirmation is not qualified 3124  
or is not properly registered to vote. 3125

(ii) The individual named on the affirmation is not eligible 3126  
to cast a ballot in the precinct or for the election in which the 3127  
individual cast the provisional ballot. 3128

(iii) The individual did not provide all of the information 3129  
required under division (B)(1) of this section in the affirmation 3130  
that the individual executed at the time the individual cast the 3131  
provisional ballot. 3132

(iv) The individual has already cast a ballot for the 3133  
election in which the individual cast the provisional ballot. 3134

~~(v) If applicable, the individual did not provide any~~ 3135  
~~additional information required under division (B)(8) of section~~ 3136  
~~3505.181 of the Revised Code within ten days after the day of the~~ 3137  
~~election.~~ 3138

~~(vi)~~ If applicable, the hearing conducted under division (B) 3139  
of section 3503.24 of the Revised Code after the day of the 3140  
election did not result in the individual's inclusion in the 3141  
official registration list. 3142

~~(vii) The individual failed to provide a current and valid~~ 3143  
~~photo identification, a military identification, a copy of a~~ 3144  
~~current utility bill, bank statement, government check, paycheck,~~ 3145  
~~or other government document, other than a notice of an election~~ 3146  
~~mailed by a board of elections under section 3501.19 of the~~ 3147

~~Revised Code or a notice of voter registration mailed by a board 3148  
of elections under section 3503.19 of the Revised Code, with the 3149  
voter's name and current address, or the last four digits of the 3150  
individual's social security number or to execute an affirmation 3151  
under division (A) of section 3505.18 or division (B) of section 3152  
3505.181 of the Revised Code. 3153~~

(b) If, in examining a provisional ballot affirmation ~~and 3154  
additional information under divisions (B)(1) and (2) of this 3155  
section,~~ the board is unable to determine either of the following, 3156  
the provisional ballot envelope shall not be opened, and the 3157  
ballot shall not be counted: 3158

(i) Whether the individual named on the affirmation is 3159  
qualified or properly registered to vote; 3160

(ii) Whether the individual named on the affirmation is 3161  
eligible to cast a ballot in the precinct or for the election in 3162  
which the individual cast the provisional ballot. 3163

(C)(1) For each provisional ballot rejected under division 3164  
~~(B)(4)(3)~~ of this section, the board shall record the name of the 3165  
provisional voter who cast the ballot, the identification number 3166  
of the provisional ballot envelope, the names of the election 3167  
officials who determined the validity of that ballot, the date and 3168  
time that the determination was made, and the reason that the 3169  
ballot was not counted. 3170

(2) Provisional ballots that are rejected under division 3171  
~~(B)(4)(3)~~ of this section shall not be counted but shall be 3172  
preserved in their provisional ballot envelopes unopened until the 3173  
time provided by section 3505.31 of the Revised Code for the 3174  
destruction of all other ballots used at the election for which 3175  
ballots were provided, at which time they shall be destroyed. 3176

(D) Provisional ballots that the board determines are 3177  
eligible to be counted under division ~~(B)(3)(2)~~ of this section 3178



shall be counted in the same manner as provided for other ballots 3179  
under section 3505.27 of the Revised Code. No provisional ballots 3180  
shall be counted in a particular county until the board determines 3181  
the eligibility to be counted of all provisional ballots cast in 3182  
that county under division (B) of this section for that election. 3183  
Observers, as provided in section 3505.21 of the Revised Code, may 3184  
be present at all times that the board is determining the 3185  
eligibility of provisional ballots to be counted and counting 3186  
those provisional ballots determined to be eligible. No person 3187  
shall recklessly disclose the count or any portion of the count of 3188  
provisional ballots in such a manner as to jeopardize the secrecy 3189  
of any individual ballot. 3190

(E)(1) Except as otherwise provided in division (E)(2) of 3191  
this section, nothing in this section shall prevent a board of 3192  
elections from examining provisional ballot affirmations ~~and~~ 3193  
~~additional information under divisions (B)(1) and (2) of this~~ 3194  
~~section~~ to determine the eligibility of provisional ballots to be 3195  
counted during the ten days after the day of an election. 3196

(2) A board of elections shall not examine the provisional 3197  
ballot affirmation ~~and additional information under divisions~~ 3198  
~~(B)(1) and (2) of this section~~ of any provisional ballot for which 3199  
an election official has indicated under division (B)~~(7)~~(5) of 3200  
section 3505.181 of the Revised Code that ~~additional information~~ 3201  
~~is required for the board of elections to determine the~~ 3202  
~~eligibility of the individual who cast that provisional ballot~~ 3203  
~~until the individual provides any information required under~~ 3204  
~~division (B)(8) of section 3505.181 of the Revised Code~~ an 3205  
application or challenge hearing has been postponed, until any 3206  
hearing required to be conducted under section 3503.24 of the 3207  
Revised Code with regard to the provisional voter is held, or 3208  
until the eleventh day after the day of the election, whichever is 3209  
earlier. 3210

Sec. 3505.20. Any person offering to vote may be challenged 3211  
at the polling place by any ~~judge of elections~~ precinct election 3212  
official. If the board of elections has ruled on the question 3213  
presented by a challenge prior to election day, its finding and 3214  
decision shall be final, and the ~~presiding judge~~ voting location 3215  
manager shall be notified in writing. If the board has not ruled, 3216  
the question shall be determined as set forth in this section. If 3217  
any person is so challenged as unqualified to vote, the ~~presiding~~ 3218  
~~judge~~ voting location manager shall tender the person the 3219  
following oath: "You do swear or affirm under penalty of election 3220  
falsification that you will fully and truly answer all of the 3221  
following questions put to you concerning your qualifications as 3222  
an elector at this election." 3223

(A) If the person is challenged as unqualified on the ground 3224  
that the person is not a citizen, the judges shall put the 3225  
following ~~questions~~ question: 3226

~~(1) Are you a citizen of the United States?~~ 3227

~~(2) Are you a native or naturalized citizen?~~ 3228

~~(3) Where were you born?~~ 3229

~~(4) What official documentation do you possess to prove your~~ 3230  
~~citizenship? Please provide that documentation.~~ 3231

~~If the person offering to vote claims to be a naturalized~~ 3232  
~~citizen of the United States, the person shall, before the vote is~~ 3233  
~~received, produce for inspection of the judges a certificate of~~ 3234  
~~naturalization and declare under oath that the person is the~~ 3235  
~~identical person named in the certificate. If the person states~~ 3236  
~~under oath that, by reason of the naturalization of the person's~~ 3237  
~~parents or one of them, the person has become a citizen of the~~ 3238  
~~United States, and when or where the person's parents were~~ 3239  
~~naturalized, the certificate of naturalization need not be~~ 3240

~~produced. If the person is unable to provide a certificate of 3241  
naturalization on the day of the election, the judges shall 3242  
provide to the person, and the person may vote, a provisional 3243  
ballot under section 3505.181 of the Revised Code. The provisional 3244  
ballot shall not be counted unless it is properly completed and 3245  
the board of elections determines that the voter is properly 3246  
registered and eligible to vote in the election. 3247~~

(B) If the person is challenged as unqualified on the ground 3248  
that the person has not resided in this state for thirty days 3249  
immediately preceding the election, the ~~judges~~ precinct election  
officials shall put the following questions: 3250  
3251

(1) Have you resided in this state for thirty days 3252  
immediately preceding this election? If so, where have you 3253  
resided? 3254

(2) Did you properly register to vote? 3255

(3) Can you provide some form of identification containing 3256  
your current mailing address in this precinct? Please provide that 3257  
identification. 3258

(4) Have you voted or attempted to vote at any other location 3259  
in this or in any other state at this election? 3260

(5) Have you applied for an absent voter's ballot in any 3261  
state for this election? 3262

If the ~~judges~~ precinct election officials are unable to 3263  
verify the person's eligibility to cast a ballot in the election, 3264  
the ~~judges~~ precinct election officials shall provide to the 3265  
person, and the person may vote, a provisional ballot under 3266  
section 3505.181 of the Revised Code. The provisional ballot shall 3267  
not be counted unless it is properly completed and the board of 3268  
elections determines that the voter is properly registered and 3269  
eligible to vote in the election. 3270

(C) If the person is challenged as unqualified on the ground 3271  
that the person is not a resident of the precinct where the person 3272  
offers to vote, the ~~judges~~ precinct election officials shall put 3273  
the following questions: 3274

(1) Do you reside in this precinct? 3275

(2) When did you move into this precinct? 3276

(3) When you came into this precinct, did you come for a 3277  
temporary purpose merely or for the purpose of making it your 3278  
home? 3279

(4) What is your current mailing address? 3280

(5) Do you have some official identification containing your 3281  
current address in this precinct? Please provide that 3282  
identification. 3283

(6) Have you voted or attempted to vote at any other location 3284  
in this or in any other state at this election? 3285

(7) Have you applied for any absent voter's ballot in any 3286  
state for this election? 3287

The ~~judges~~ precinct election officials shall direct an 3288  
individual who is not in the appropriate polling place to the 3289  
appropriate polling place. If the individual refuses to go to the 3290  
appropriate polling place, or if the ~~judges~~ precinct election 3291  
officials are unable to verify the person's eligibility to cast a 3292  
ballot in the election, the ~~judges~~ precinct election officials 3293  
shall provide to the person, and the person may vote, a 3294  
provisional ballot under section 3505.181 of the Revised Code. The 3295  
provisional ballot shall not be counted unless it is properly 3296  
completed and the board of elections determines that the voter is 3297  
properly registered and eligible to vote in the election. 3298

(D) If the person is challenged as unqualified on the ground 3299  
that the person is not of legal voting age, the ~~judges~~ precinct 3300

election officials shall put the following questions: 3301

(1) Are you eighteen years of age or more? 3302

(2) What is your date of birth? 3303

(3) Do you have some official identification verifying your 3304  
age? Please provide that identification. 3305

If the ~~judges~~ precinct election officials are unable to 3306  
verify the person's age and eligibility to cast a ballot in the 3307  
election, the ~~judges~~ precinct election officials shall provide to 3308  
the person, and the person may vote, a provisional ballot under 3309  
section 3505.181 of the Revised Code. The provisional ballot shall 3310  
not be counted unless it is properly completed and the board of 3311  
elections determines that the voter is properly registered and 3312  
eligible to vote in the election. 3313

~~The presiding judge shall put such other questions to the 3314  
person challenged as are necessary to determine the person's 3315  
qualifications as an elector at the election.~~ If a person 3316  
challenged refuses to answer fully any question put to the person, 3317  
is unable to answer the questions as they were answered on the 3318  
registration form by the person under whose name the person offers 3319  
to vote, or refuses to sign the person's name or make the person's 3320  
mark, or if for any other reason a majority of the ~~judges~~ precinct 3321  
election officials believes the person is not entitled to vote, 3322  
the ~~judges~~ precinct election officials shall provide to the 3323  
person, and the person may vote, a provisional ballot under 3324  
section 3505.181 of the Revised Code. The provisional ballot shall 3325  
not be counted unless it is properly completed and the board of 3326  
elections determines that the voter is properly registered and 3327  
eligible to vote in the election. 3328

A qualified citizen who has certified the citizen's intention 3329  
to vote for president and vice-president as provided by Chapter 3330  
3504. of the Revised Code shall be eligible to receive only the 3331

ballot containing presidential and vice-presidential candidates. 3332

However, prior to the nineteenth day before the day of an 3333  
election and in accordance with section 3503.24 of the Revised 3334  
Code, any person qualified to vote may challenge the right of any 3335  
other person to be registered as a voter, or the right to cast an 3336  
absent voter's ballot, or to make application for such ballot. 3337  
Such challenge shall be made in accordance with section 3503.24 of 3338  
the Revised Code, and the board of elections of the county in 3339  
which the voting residence of the challenged voter is situated 3340  
shall make a final determination relative to the legality of such 3341  
registration or application. 3342

**Sec. 3505.21.** (A) As used in this section, "during the 3343  
casting of the ballots" includes any time during which a board of 3344  
elections permits an elector to vote an absent voter's ballot in 3345  
person at the office of the board and any time ballots may be cast 3346  
in a precinct polling place on the day of an election. 3347

(B) At any primary, special, or general election, any 3348  
political party supporting candidates to be voted upon at such 3349  
election and any group of five or more candidates may appoint to 3350  
the board of elections or to any of the precincts in the county or 3351  
city one person, a qualified elector, who shall serve as observer 3352  
for such party or such candidates during the casting of the 3353  
ballots and during the counting of the ballots; provided that 3354  
separate observers may be appointed to serve during the casting 3355  
and during the counting of the ballots. No candidate, no uniformed 3356  
peace officer as defined by section 2935.01 of the Revised Code, 3357  
no uniformed state highway patrol trooper, no uniformed member of 3358  
any fire department, no uniformed member of the armed services, no 3359  
uniformed member of the organized militia, no person wearing any 3360  
other uniform, and no person carrying a firearm or other deadly 3361  
weapon shall serve as an observer, nor shall any candidate be 3362

represented by more than one observer at any one precinct at the 3363  
board of elections except that a candidate who is a member of a 3364  
party controlling committee, as defined in section 3517.03 of the 3365  
Revised Code, may serve as an observer. ~~Any~~ 3366

(C) Any political party or group of candidates appointing 3367  
observers shall notify the board of elections of the names and 3368  
addresses of its appointees and the precincts at which they shall 3369  
serve or that they will serve at the board of elections. 3370

Notification of observers appointed to serve on the day of an 3371  
election shall take place not less than eleven days before the day 3372  
of the election on forms prescribed by the secretary of state and 3373  
may be amended by filing an amendment with the board of elections 3374  
at any time until four p.m. of the day before the election. 3375

Notification of observers appointed to serve at the office of the 3376  
board during the time absent voter's ballots may be cast in person 3377  
shall take place not less than eleven days before absent voter's 3378  
ballots are required to be ready for use pursuant to division 3379

(B)(3) of section 3509.01 of the Revised Code on forms prescribed 3380  
by the secretary of state and may be amended by filing an 3381  
amendment with the board of elections at any time until four p.m. 3382  
of the day before the observer is appointed to serve. The observer 3383

serving on behalf of a political party shall be appointed in 3384  
writing by the chairperson and secretary of the respective 3385  
controlling party committee. Observers serving for any five or 3386  
more candidates shall have their certificates signed by those 3387

candidates. Observers appointed to a precinct may file their 3388  
certificates of appointment with the ~~presiding judge~~ voting 3389  
location manager of the precinct at the meeting on the evening 3390  
prior to the election, or with the ~~presiding judge~~ voting location 3391

manager of the precinct on the day of the election. ~~Upon~~ Observers 3392  
appointed to the office of the board to observe the casting of 3393  
absent voter's ballots in person prior to the day of the election 3394  
may file their certificates with the director of the board of 3395

elections the day before or on the day that the observers are 3396  
scheduled to serve at the office of the board. 3397

Upon the filing of a certificate, the person named as 3398  
observer in the certificate shall be permitted to be in and about 3399  
the applicable polling place ~~for the precinct~~ during the casting 3400  
of the ballots and shall be permitted to watch every proceeding of 3401  
the ~~judges of elections~~ precinct election officials from the time 3402  
of the opening until the closing of the polls. The observer also 3403  
may inspect the counting of all ballots in the polling place or 3404  
board of elections from the time of the closing of the polls until 3405  
the counting is completed and the final returns are certified and 3406  
signed. Observers appointed to serve at the board of elections on 3407  
the day of an election under this section may observe at the board 3408  
of elections and may observe at any precinct in the county. The 3409  
~~judges of elections~~ precinct election officials shall protect such 3410  
observers in all of the rights and privileges granted to them by 3411  
Title XXXV of the Revised Code. 3412

(D) No persons other than the ~~judges of elections~~ precinct 3413  
election officials, the observers, a police officer, other persons 3414  
who are detailed to any precinct on request of the board of 3415  
elections, or the secretary of state or the secretary of state's 3416  
legal representative shall be admitted to the polling place, or 3417  
any room in which a board of elections is counting ballots, after 3418  
the closing of the polls until the counting, certifying, and 3419  
signing of the final returns of each election have been completed. 3420

(E) Not later than four p.m. of the twentieth day prior to an 3421  
election at which questions are to be submitted to a vote of the 3422  
people, any committee that in good faith advocates or opposes a 3423  
measure may file a petition with the board of any county asking 3424  
that the petitioners be recognized as the committee entitled to 3425  
appoint observers to the count at the election. If more than one 3426  
committee alleging themselves to advocate or oppose the same 3427



measure file such a petition, the board shall decide and announce 3428  
by registered mail to each committee not less than twelve days 3429  
immediately preceding the election which committee is recognized 3430  
as being entitled to appoint observers. The decision shall not be 3431  
final, but any aggrieved party may institute mandamus proceedings 3432  
in the court of common pleas of the county in which the board has 3433  
jurisdiction to compel the ~~judges of elections~~ precinct election  
officials to accept the appointees of such aggrieved party. Any 3434  
such recognized committee may appoint an observer to the count in 3435  
each precinct. Committees appointing observers shall notify the 3436  
board of elections of the names and addresses of its appointees 3437  
and the precincts at which they shall serve. Notification shall 3438  
take place not less than eleven days before the election on forms 3439  
prescribed by the secretary of state and may be amended by filing 3440  
an amendment with the board of elections at any time until four 3441  
p.m. on the day before the election. A person so appointed shall 3442  
file the person's certificate of appointment with the ~~presiding~~  
~~judge~~ voting location manager in the precinct in which the person 3443  
has been appointed to serve. Observers shall file their 3444  
certificates before the polls are closed. In no case shall more 3445  
than six observers be appointed for any one election in any one 3446  
precinct. If more than three questions are to be voted on, the 3447  
committees which have appointed observers may agree upon not to 3448  
exceed six observers, and the ~~judges of elections~~ precinct  
election officials shall appoint such observers. If such 3449  
committees fail to agree, the ~~judges of elections~~ precinct  
election officials shall appoint six observers from the appointees 3450  
so certified, in such manner that each side of the several 3451  
questions shall be represented. 3452  
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(F) No person shall serve as an observer at any precinct or 3457  
at the board of elections unless the board of elections of the 3458  
county in which such observer is to serve has first been notified 3459  
of the name, address, and ~~precinct~~ location at which such observer 3460

is to serve. Notification to the board of elections shall be given 3461  
by the political party, group of candidates, or committee 3462  
appointing such observer as prescribed in this section. No such 3463  
observers shall receive any compensation from the county, 3464  
municipal corporation, or township, and they shall take the 3465  
following oath, to be administered by one of the ~~judges of~~ 3466  
~~elections~~ precinct election officials: 3467

"You do solemnly swear that you will faithfully and 3468  
impartially discharge the duties as an official observer, assigned 3469  
by law; that you will not cause any delay to persons offering to 3470  
vote; and that you will not disclose or communicate to any person 3471  
how any elector has voted at such election. 3472

(G)(1) An observer who serves during the casting of the 3473  
ballots shall only be permitted to do the following: 3474

(a) Watch and listen to the activities conducted by the 3475  
precinct election officials and the interactions between precinct 3476  
election officials and voters, as long as the precinct election 3477  
officials are not delayed in performing the officials' prescribed 3478  
duties and voters are not delayed in casting their ballots; 3479

(b) Make notes on the observer's observations other than by 3480  
means of a photographic, video, or audio recording. 3481

(2)(a) No observer who serves during the casting of the 3482  
ballots shall interact with any precinct election official or with 3483  
any voter while the observer is inside the polling place, within 3484  
the area between the polling place and the small flags of the 3485  
United States placed on the thoroughfares and walkways leading to 3486  
the polling place, or within ten feet of any elector in line 3487  
waiting to vote, if the line of electors waiting to vote extends 3488  
beyond those small flags. 3489

(b) An observer does not violate division (G)(2)(a) of this 3490  
section as a result of an incidental interaction with a voter or a 3491

precinct election official, such as an exchange of greetings. 3492

**Sec. 3505.23.** No voter shall be allowed to occupy a voting 3493  
compartment or use a voting machine more than five minutes when 3494  
all the voting compartments or machines are in use and voters are 3495  
waiting to occupy them. Except as otherwise provided by section 3496  
3505.24 of the Revised Code, no voter shall occupy a voting 3497  
compartment or machine with another person or speak to anyone, nor 3498  
shall anyone speak to the voter, while the voter is in a voting 3499  
compartment or machine. 3500

In precincts that do not use voting machines the following 3501  
procedure shall be followed: 3502

If a voter tears, soils, defaces, or erroneously marks a 3503  
ballot the voter may return it to the precinct election officials 3504  
and a second ballot shall be issued to the voter. Before returning 3505  
a torn, soiled, defaced, or erroneously marked ballot, the voter 3506  
shall fold it so as to conceal any marks the voter made upon it, 3507  
but the voter shall not remove Stub A therefrom. If the voter 3508  
tears, soils, defaces, or erroneously marks such second ballot, 3509  
the voter may return it to the precinct election officials, and a 3510  
third ballot shall be issued to the voter. In no case shall more 3511  
than three ballots be issued to a voter. Upon receiving a returned 3512  
torn, soiled, defaced, or erroneously marked ballot the precinct 3513  
election officials shall detach Stub A therefrom, write "Defaced" 3514  
on the back of such ballot, and place the stub and the ballot in 3515  
the separate containers provided therefor. 3516

No elector shall leave the polling place until the elector 3517  
returns to the precinct election officials every ballot issued to 3518  
the elector with Stub A on each ballot attached thereto, 3519  
regardless of whether the elector has or has not placed any marks 3520  
upon the ballot. 3521

Before leaving the voting compartment, the voter shall fold 3522

each ballot marked by the voter so that no part of the face of the 3523  
ballot is visible, and so that the printing thereon indicating the 3524  
kind of ballot it is and the facsimile signatures of the members 3525  
of the board of elections are visible. The voter shall then leave 3526  
the voting compartment, deliver the voter's ballots, and state the 3527  
voter's name to the ~~judge~~ precinct election official having charge 3528  
of the ballot boxes, who shall announce the name, detach Stub A 3529  
from each ballot, and announce the number on the stubs. The ~~judges~~ 3530  
precinct election officials in charge of the poll lists or poll 3531  
books shall check to ascertain whether the number so announced is 3532  
the number on Stub B of the ballots issued to such voter, and if 3533  
no discrepancy appears to exist, the ~~judge~~ precinct election 3534  
official in charge of the ballot boxes shall, in the presence of 3535  
the voter, deposit each such ballot in the proper ballot box and 3536  
shall place Stub A from each ballot in the container provided 3537  
therefor. The voter shall then immediately leave the polling 3538  
place. 3539

No ballot delivered by a voter to the ~~judge~~ precinct election 3540  
official in charge of the ballot boxes with Stub A detached 3541  
therefrom, and only ballots provided in accordance with Title XXXV 3542  
of the Revised Code, shall be voted or deposited in the ballot 3543  
boxes. 3544

In marking a presidential ballot, the voter shall record the 3545  
vote in the manner provided on the ballot next to the names of the 3546  
candidates for the offices of president and vice-president. Such 3547  
ballot shall be considered and counted as a vote for each of the 3548  
candidates for election as presidential elector whose names were 3549  
certified to the secretary of state by the political party of such 3550  
nominees for president and vice-president. 3551

In marking an office type ballot or nonpartisan ballot, the 3552  
voter shall record the vote in the manner provided on the ballot 3553  
next to the name of each candidate for whom the voter desires to 3554

vote. 3555

In marking a primary election ballot, the voter shall record 3556  
the vote in the manner provided on the ballot next to the name of 3557  
each candidate for whom the voter desires to vote. If the voter 3558  
desires to vote for the nomination of a person whose name is not 3559  
printed on the primary election ballot, the voter may do so by 3560  
writing such person's name on the ballot in the proper place 3561  
provided for such purpose. 3562

In marking a questions and issues ballot, the voter shall 3563  
record the vote in the manner provided on the ballot at the left 3564  
or at the right of "YES" or "NO" or other words of similar import 3565  
which are printed on the ballot to enable the voter to indicate 3566  
how the voter votes in connection with each question or issue upon 3567  
which the voter desires to vote. 3568

In marking any ballot on which a blank space has been 3569  
provided wherein an elector may write in the name of a person for 3570  
whom the elector desires to vote, the elector shall write such 3571  
person's name in such blank space and on no other place on the 3572  
ballot. Unless specific provision is made by statute, no blank 3573  
space shall be provided on a ballot for write-in votes, and any 3574  
names written on a ballot other than in a blank space provided 3575  
therefor shall not be counted or recorded. 3576

**Sec. 3505.24.** Any elector who declares to the ~~presiding judge~~ 3577  
~~of elections~~ voting location manager that the elector is unable to 3578  
mark the elector's ballot by reason of blindness, disability, or 3579  
illiteracy may be accompanied in the voting booth and aided by any 3580  
person of the elector's choice, other than the elector's employer, 3581  
an agent of the elector's employer, or an officer or agent of the 3582  
elector's union, if any. The elector also may request and receive 3583  
assistance in the marking of the elector's ballot from two 3584  
election officials of different political parties. Any person 3585

providing assistance in the marking of an elector's ballot under 3586  
this section shall thereafter provide no information in regard to 3587  
the marking of that ballot. 3588

Any ~~judge~~ precinct election official may require a 3589  
declaration of inability to be made by the elector under oath 3590  
before the ~~judge~~ official. Assistance shall not be rendered for 3591  
causes other than those specified in this section, and no 3592  
candidate whose name appears on the ballot shall assist any person 3593  
in marking that person's ballot. 3594

**Sec. 3505.26.** At the time for closing the polls, the 3595  
~~presiding judge~~ voting location manager shall by proclamation 3596  
announce that the polls are closed. 3597

The ~~judges~~ precinct election officials shall then in the 3598  
presence of observers proceed as follows: 3599

(A) Count the number of electors who voted, as shown on the 3600  
pollbooks; 3601

(B) Count the unused ballots without removing stubs; 3602

(C) Count the soiled and defaced ballots; 3603

(D) Insert the totals of (A), (B), and (C) on the report 3604  
forms provided therefor in the pollbook; 3605

(E) Count the voted ballots. If the number of voted ballots 3606  
exceeds the number of voters whose names appear upon the 3607  
pollbooks, the ~~presiding judge~~ voting location manager shall enter 3608  
on the pollbooks an explanation of that discrepancy, and that 3609  
explanation, if agreed to, shall be subscribed to by all of the 3610  
~~judges~~ precinct election officials. Any ~~judge~~ precinct official 3611  
having a different explanation shall enter it in the pollbooks and 3612  
subscribe to it. 3613

(F) Put the unused ballots with stubs attached, and soiled 3614  
and defaced ballots with stubs attached, in the envelopes or 3615

containers provided therefor, certify the number, and then proceed 3616  
to count and tally the votes in the manner prescribed by section 3617  
3505.27 of the Revised Code and certify the result of the election 3618  
to the board of elections. 3619

**Sec. 3505.28.** No ballot shall be counted which is marked 3620  
contrary to law, except that no ballot shall be rejected for any 3621  
technical error unless it is impossible to determine the voter's 3622  
choice. ~~If~~ 3623

A ballot is marked contrary to law and does not contain a 3624  
technical error if the voter marks more selections for a 3625  
particular office, question, or issue than the number of 3626  
selections that the voter is allowed by law to make for that 3627  
office, question, or issue. A voter makes more selections for a 3628  
particular office than the voter is allowed by law to make for 3629  
that office if the voter marks the ballot for a candidate and also 3630  
writes in the name of that candidate as a write-in vote. The 3631  
voter's ballot shall be invalidated for that office, question, or 3632  
issue, but shall not be invalidated for any other office, 3633  
question, or issue for which the voter has not marked an excess 3634  
number of selections. 3635

If two or more ballots are found folded together among the 3636  
ballots removed from a ballot box, they shall be deemed to be 3637  
fraudulent. Such ballots shall not be counted. They shall be 3638  
marked "Fraudulent" and shall be placed in an envelope indorsed 3639  
"Not Counted" with the reasons therefor, and such envelope shall 3640  
be delivered to the board of elections together with other 3641  
uncounted ballots. 3642

No ballot shall be rejected because of being marked with ink 3643  
or by any writing instrument other than one of the pencils 3644  
provided by the board of elections. 3645

Sec. 3505.29. From the time the ballot box is opened and the 3646  
count of ballots begun until the ballots are counted and 3647  
certificates of votes cast are made out, signed, certified and 3648  
given to the ~~presiding judge~~ voting location manager for delivery 3649  
to the headquarters of the board of elections, the ~~judges~~ precinct  
election officials in each precinct shall not separate, nor shall 3650  
a ~~judge~~ precinct election official leave the polling place except 3651  
from unavoidable necessity. In cases of illness or unavoidable 3652  
necessity, the board may substitute another qualified person for 3653  
any precinct official so incapacitated. 3654  
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Sec. 3505.30. When the results of the ballots have been 3656  
ascertained, such results shall be embodied in a summary statement 3657  
to be prepared by the judges in duplicate, on forms provided by 3658  
the board of elections. One copy shall be certified by the judges 3659  
and posted on the front of the polling place, and one copy, 3660  
similarly certified, shall be transmitted without delay to the 3661  
board in a sealed envelope along with the other returns of the 3662  
election. The board shall, immediately upon receipt of such 3663  
summary statements, compile and prepare an unofficial count and 3664  
upon its completion shall transmit prepaid, immediately by 3665  
telephone, facsimile machine, or other telecommunications device, 3666  
the results of such unofficial count to the secretary of state, or 3667  
to the board of the most populous county of the district which is 3668  
authorized to canvass the returns. Such count, in no event, shall 3669  
be made later than twelve noon on the day following the election. 3670  
~~The board shall also, at the same time, certify the results~~ 3671  
~~thereof to the secretary of state by certified mail.~~ The board 3672  
shall remain in session from the time of the opening of the polls, 3673  
continuously, until the results of the election are received from 3674  
every precinct in the county and such results are communicated to 3675  
the secretary of state. 3676



Sec. 3505.31. When the results of the voting in a polling 3677  
place on the day of an election have been determined and entered 3678  
upon the proper forms and the certifications of those results have 3679  
been signed by the precinct officials, those officials, before 3680  
leaving the polling place, shall place all ballots that they have 3681  
counted in containers provided for that purpose by the board of 3682  
elections, and shall seal each container in a manner that it 3683  
cannot be opened without breaking the seal or the material of 3684  
which the container is made. They shall also seal the pollbook, 3685  
poll list or signature pollbook, and tally sheet in a manner that 3686  
the data contained in these items cannot be seen without breaking 3687  
the seals. On the outside of these items shall be a plain 3688  
indication that they are to be filed with the board. The ~~presiding~~ 3689  
~~judge~~ voting location manager and an employee or appointee of the 3690  
board of elections who has taken an oath to uphold the laws and 3691  
constitution of this state, including an oath that the person will 3692  
promptly and securely perform the duties required under this 3693  
section and who is a member of a different political party than 3694  
the ~~presiding judge~~ voting location manager, shall then deliver to 3695  
the board the containers of ballots and the sealed pollbook, poll 3696  
list, and tally sheet, together with all other election reports, 3697  
materials, and supplies required to be delivered to the board. 3698

The board shall carefully preserve all ballots prepared and 3699  
provided by it for use in an election, whether used or unused, for 3700  
sixty days after the day of the election, except that, if an 3701  
election includes the nomination or election of candidates for any 3702  
of the offices of president, vice-president, presidential elector, 3703  
member of the senate of the congress of the United States, or 3704  
member of the house of representatives of the congress of the 3705  
United States, the board shall carefully preserve all ballots 3706  
prepared and provided by it for use in that election, whether used 3707  
or unused, for twenty-two months after the day of the election. If 3708

an election is held within that sixty-day period, the board shall 3709  
have authority to transfer those ballots to other containers to 3710  
preserve them until the sixty-day period has expired. After that 3711  
sixty-day period, the ballots shall be disposed of by the board in 3712  
a manner that the board orders, or where voting machines have been 3713  
used the counters may be turned back to zero; provided that the 3714  
secretary of state, within that sixty-day period, may order the 3715  
board to preserve the ballots or any part of the ballots for a 3716  
longer period of time, in which event the board shall preserve 3717  
those ballots for that longer period of time. 3718

In counties where voting machines are used, if an election is 3719  
to be held within the sixty days immediately following a primary, 3720  
general, or special election or within any period of time within 3721  
which the ballots have been ordered preserved by the secretary of 3722  
state or a court of competent jurisdiction, the board, after 3723  
giving notice to all interested parties and affording them an 3724  
opportunity to have a representative present, shall open the 3725  
compartments of the machines and, without unlocking the machines, 3726  
shall recanvass the vote cast in them as if a recount were being 3727  
held. The results shall be certified by the board, and this 3728  
certification shall be filed in the board's office and retained 3729  
for the remainder of the period for which ballots must be kept. 3730  
After preparation of the certificate, the counters may be turned 3731  
back to zero, and the machines may be used for the election. 3732

The board shall carefully preserve the pollbook, poll list or 3733  
signature pollbook, and tally sheet delivered to it from each 3734  
polling place until it has completed the official canvass of the 3735  
election returns from all precincts in which electors were 3736  
entitled to vote at an election, and has prepared and certified 3737  
the abstracts of election returns, as required by law. The board 3738  
shall not break, or permit anyone to break, the seals upon the 3739  
pollbook, poll list or signature pollbook, and tally sheet, or 3740

make, or permit any one to make, any changes or notations in these 3741  
items, while they are in its custody, except as provided by 3742  
section 3505.32 of the Revised Code. 3743

Pollbooks and poll lists or signature pollbooks of a party 3744  
primary election delivered to the board from polling places shall 3745  
be carefully preserved by it for two years after the day of 3746  
election in which they were used, and shall then be disposed of by 3747  
the board in a manner that the board orders. 3748

Pollbooks, poll lists or signature pollbooks, tally sheets, 3749  
summary statements, and other records and returns of an election 3750  
delivered to it from polling places shall be carefully preserved 3751  
by the board for two years after the day of the election in which 3752  
they were used, and shall then be disposed of by the board in a 3753  
manner that the board orders. 3754

Sec. 3506.021. (A) A board of elections may adopt the use of 3755  
any electronic pollbook that has been certified for use in this 3756  
state in accordance with section 3506.05 of the Revised Code, 3757  
instead of using poll lists or signature pollbooks. A board of 3758  
elections that opts to use electronic pollbooks shall notify the 3759  
secretary of state of that decision. 3760

(B) The secretary of state shall provide each board of 3761  
elections that adopts the use of electronic pollbooks under 3762  
division (A) of this section with rules, instructions, directives, 3763  
and advisories regarding the examination, testing, and use of 3764  
electronic pollbooks, including rules regarding the sealing of the 3765  
information in those pollbooks as required under section 3505.31 3766  
of the Revised Code. 3767

(C) As used in this section, "electronic pollbook" has the 3768  
same meaning as in section 3506.05 of the Revised Code. 3769

**Sec. 3506.05. (A) As used in this section, ~~except:~~ 3770**

(1) "Electronic pollbook" means an electronic list of registered voters for a particular precinct or polling location that may be transported to a polling location; 3771  
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(2) Except when used as part of the phrase "tabulating equipment" or "automatic tabulating equipment," 3774  
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~~(1) "Equipment"~~ "equipment" means a voting machine, marking device, automatic tabulating equipment, ~~or~~ software, or an electronic pollbook. 3776  
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~~(2)~~(3) "Vendor" means the person that owns, manufactures, distributes, or has the legal right to control the use of equipment, or the person's agent. 3779  
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(B) No voting machine, marking device, automatic tabulating equipment, or software for the purpose of casting or tabulating votes or for communications among systems involved in the tabulation, storage, or casting of votes, and no electronic pollbook, shall be purchased, leased, put in use, or continued to be used, except for experimental use as provided in division (B) of section 3506.04 of the Revised Code, unless it, a manual of procedures governing its use, and training materials, service, and other support arrangements have been certified by the secretary of state and unless the board of elections of each county where the equipment will be used has assured that a demonstration of the use of the equipment has been made available to all interested electors. The secretary of state shall appoint a board of voting machine examiners to examine and approve equipment and its related manuals and support arrangements. The board shall consist of four members, who shall be appointed as follows: 3782  
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(1) Two members appointed by the secretary of state. 3798

(2) One member appointed by either the speaker of the house of representatives or the minority leader of the house of representatives, whichever is a member of the opposite political 3799  
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party from the one to which the secretary of state belongs. 3802

(3) One member appointed by either the president of the 3803  
senate or the minority leader of the senate, whichever is a member 3804  
of the opposite political party from the one to which the 3805  
secretary of state belongs. 3806

In all cases of a tie vote or a disagreement in the board, if 3807  
no decision can be arrived at, the board shall submit the matter 3808  
in controversy to the secretary of state, who shall summarily 3809  
decide the question, and the secretary of state's decision shall 3810  
be final. Each member of the board shall be a competent and 3811  
experienced election officer or a person who is knowledgeable 3812  
about the operation of voting equipment and shall serve during the 3813  
secretary of state's term. Any vacancy on the board shall be 3814  
filled in the same manner as the original appointment. The 3815  
secretary of state shall provide staffing assistance to the board, 3816  
at the board's request. 3817

For the member's service, each member of the board shall 3818  
receive three hundred dollars per day for each combination of 3819  
marking device, tabulating equipment, ~~and~~ voting machine, and 3820  
electronic pollbook examined and reported, but in no event shall a 3821  
member receive more than six hundred dollars to examine and report 3822  
on any one marking device, item of tabulating equipment, ~~or~~ voting 3823  
machine, or electronic pollbook. Each member of the board shall be 3824  
reimbursed for expenses the member incurs during an examination or 3825  
during the performance of any related duties that may be required 3826  
by the secretary of state. Reimbursement of these expenses shall 3827  
be made in accordance with, and shall not exceed, the rates 3828  
provided for under section 126.31 of the Revised Code. 3829

Neither the secretary of state nor the board, nor any public 3830  
officer who participates in the authorization, examination, 3831  
testing, or purchase of equipment, shall have any pecuniary 3832  
interest in the equipment or any affiliation with the vendor. 3833

(C)(1) A vendor who desires to have the secretary of state 3834  
certify equipment shall first submit the equipment, all current 3835  
related procedural manuals, and a current description of all 3836  
related support arrangements to the board of voting machine 3837  
examiners for examination, testing, and approval. The submission 3838  
shall be accompanied by a fee of eighteen hundred dollars and a 3839  
detailed explanation of the construction and method of operation 3840  
of the equipment, a full statement of its advantages, and a list 3841  
of the patents and copyrights used in operations essential to the 3842  
processes of vote recording and tabulating, vote storage, system 3843  
security, pollbook storage and security, and other crucial 3844  
operations of the equipment as may be determined by the board. An 3845  
additional fee, in an amount to be set by rules promulgated by the 3846  
board, may be imposed to pay for the costs of alternative testing 3847  
or testing by persons other than board members, record-keeping, 3848  
and other extraordinary costs incurred in the examination process. 3849  
Moneys not used shall be returned to the person or entity 3850  
submitting the equipment for examination. 3851

(2) Fees collected by the secretary of state under this 3852  
section shall be deposited into the state treasury to the credit 3853  
of the board of voting machine examiners fund, which is hereby 3854  
created. All moneys credited to this fund shall be used solely for 3855  
the purpose of paying for the services and expenses of each member 3856  
of the board or for other expenses incurred relating to the 3857  
examination, testing, reporting, or certification of ~~voting~~ 3858  
~~machine devices~~ equipment, the performance of any related duties 3859  
as required by the secretary of state, or the reimbursement of any 3860  
person submitting an examination fee as provided in this chapter. 3861

(D) Within sixty days after the submission of the equipment 3862  
and payment of the fee, or as soon thereafter as is reasonably 3863  
practicable, but in any event within not more than ninety days 3864  
after the submission and payment, the board of voting machine 3865

examiners shall examine the equipment and file with the secretary 3866  
of state a written report on the equipment with its 3867  
recommendations and, if applicable, its determination or condition 3868  
of approval regarding whether the equipment, manual, and other 3869  
related materials or arrangements meet the criteria set forth in 3870  
sections 3506.07 and 3506.10 of the Revised Code and can be safely 3871  
used by the voters at elections under the conditions prescribed in 3872  
Title XXXV of the Revised Code, or a written statement of reasons 3873  
for which testing requires a longer period. The board may grant 3874  
temporary approval for the purpose of allowing experimental use of 3875  
equipment. If the board finds that the equipment meets ~~the~~ any 3876  
applicable criteria set forth in sections 3506.06, 3506.07, and 3877  
3506.10 of the Revised Code, can be used safely and, if 3878  
applicable, can be depended upon to record and count accurately 3879  
and continuously the votes of electors, and has the capacity to be 3880  
warranted, maintained, and serviced, it shall approve the 3881  
equipment and recommend that the secretary of state certify the 3882  
equipment. The secretary of state shall notify all boards of 3883  
elections of any such certification. Equipment of the same model 3884  
and make, if it ~~provides for recording of voter intent, system~~ 3885  
~~security, voter privacy, retention of vote, and communication of~~ 3886  
~~voting records~~ operates in an identical manner, may then be 3887  
adopted for use at elections. 3888

(E) The vendor shall notify the secretary of state, who shall 3889  
then notify the board of voting machine examiners, of any 3890  
enhancement and any significant adjustment to the hardware or 3891  
software that could result in a patent or copyright change or that 3892  
significantly alters the methods of recording voter intent, system 3893  
security, voter privacy, retention of the vote, communication of 3894  
~~voting~~ records, and connections between the system and other 3895  
systems. The vendor shall provide the secretary of state with an 3896  
updated operations manual for the equipment, and the secretary of 3897  
state shall forward the manual to the board. Upon receiving such a 3898

notification and manual, the board may require the vendor to 3899  
submit the equipment to an examination and test in order for the 3900  
equipment to remain certified. The board or the secretary of state 3901  
shall periodically examine, test, and inspect certified equipment 3902  
to determine continued compliance with the requirements of this 3903  
chapter and the initial certification. Any examination, test, or 3904  
inspection conducted for the purpose of continuing certification 3905  
of any equipment in which a significant problem has been uncovered 3906  
or in which a record of continuing problems exists shall be 3907  
performed pursuant to divisions (C) and (D) of this section, in 3908  
the same manner as the examination, test, or inspection is 3909  
performed for initial approval and certification. 3910

(F) If, at any time after the certification of equipment, the 3911  
board of voting machine examiners or the secretary of state is 3912  
notified by a board of elections of any significant problem with 3913  
the equipment or determines that the equipment fails to meet the 3914  
requirements necessary for approval or continued compliance with 3915  
the requirements of this chapter, or if the board of voting 3916  
machine examiners determines that there are significant 3917  
enhancements or adjustments to the hardware or software, or if 3918  
notice of such enhancements or adjustments has not been given as 3919  
required by division (E) of this section, the secretary of state 3920  
shall notify the users and vendors of that equipment that 3921  
certification of the equipment may be withdrawn. 3922

(G)(1) The notice given by the secretary of state under 3923  
division (F) of this section shall be in writing and shall specify 3924  
both of the following: 3925

(a) The reasons why the certification may be withdrawn; 3926

(b) The date on which certification will be withdrawn unless 3927  
the vendor takes satisfactory corrective measures or explains why 3928  
there are no problems with the equipment or why the enhancements 3929  
or adjustments to the equipment are not significant. 3930



(2) A vendor who receives a notice under division (F) of this section shall, within thirty days after receiving it, submit to the board of voting machine examiners in writing a description of the corrective measures taken and the date on which they were taken, or the explanation required under division (G)(1)(b) of this section.

(3) Not later than fifteen days after receiving a written description or explanation under division (G)(2) of this section from a vendor, the board shall determine whether the corrective measures taken or the explanation is satisfactory to allow continued certification of the equipment, and the secretary of state shall send the vendor a written notice of the board's determination, specifying the reasons for it. If the board has determined that the measures taken or the explanation given is unsatisfactory, the notice shall include the effective date of withdrawal of the certification. This date may be different from the date originally specified in division (G)(1)(b) of this section.

(4) A vendor who receives a notice under division (G)(3) of this section indicating a decision to withdraw certification may, within thirty days after receiving it, request in writing that the board hold a hearing to reconsider its decision. Any interested party shall be given the opportunity to submit testimony or documentation in support of or in opposition to the board's recommendation to withdraw certification. Failure of the vendor to take appropriate steps as described in division (G)(1)(b) or to comply with division (G)(2) of this section results in a waiver of the vendor's rights under division (G)(4) of this section.

(H)(1) The secretary of state, in consultation with the board of voting machine examiners, shall establish, by rule, guidelines for the approval, certification, and continued certification of the voting machines, marking devices, ~~and~~ tabulating equipment.

and electronic pollbooks to be used under Title XXXV of the 3963  
Revised Code. The guidelines shall establish procedures requiring 3964  
vendors or computer software developers to place in escrow with an 3965  
independent escrow agent approved by the secretary of state a copy 3966  
of all source code and related documentation, together with 3967  
periodic updates as they become known or available. The secretary 3968  
of state shall require that the documentation include a system 3969  
configuration and that the source code include all relevant 3970  
program statements in low- or high-level languages. As used in 3971  
this division, "source code" does not include variable codes 3972  
created for specific elections. 3973

(2) Nothing in any rule adopted under division (H) of this 3974  
section shall be construed to limit the ability of the secretary 3975  
of state to follow or adopt, or to preclude the secretary of state 3976  
from following or adopting, any guidelines proposed by the federal 3977  
election commission, any entity authorized by the federal election 3978  
commission to propose guidelines, the election assistance 3979  
commission, or any entity authorized by the election assistance 3980  
commission to propose guidelines. 3981

(3)(a) Before the initial certification of any direct 3982  
recording electronic voting machine with a voter verified paper 3983  
audit trail, and as a condition for the continued certification 3984  
and use of those machines, the secretary of state shall establish, 3985  
by rule, standards for the certification of those machines. Those 3986  
standards shall include, but are not limited to, all of the 3987  
following: 3988

(i) A definition of a voter verified paper audit trail as a 3989  
paper record of the voter's choices that is verified by the voter 3990  
prior to the casting of the voter's ballot and that is securely 3991  
retained by the board of elections; 3992

(ii) Requirements that the voter verified paper audit trail 3993  
shall not be retained by any voter and shall not contain 3994

individual voter information; 3995

(iii) A prohibition against the production by any direct 3996  
recording electronic voting machine of anything that legally could 3997  
be removed by the voter from the polling place, such as a receipt 3998  
or voter confirmation; 3999

(iv) A requirement that paper used in producing a voter 4000  
verified paper audit trail be sturdy, clean, and resistant to 4001  
degradation; 4002

(v) A requirement that the voter verified paper audit trail 4003  
shall be capable of being optically scanned for the purpose of 4004  
conducting a recount or other audit of the voting machine and 4005  
shall be readable in a manner that makes the voter's ballot 4006  
choices obvious to the voter without the use of computer or 4007  
electronic codes; 4008

(vi) A requirement, for office-type ballots, that the voter 4009  
verified paper audit trail include the name of each candidate 4010  
selected by the voter; 4011

(vii) A requirement, for questions and issues ballots, that 4012  
the voter verified paper audit trail include the title of the 4013  
question or issue, the name of the entity that placed the question 4014  
or issue on the ballot, and the voter's ballot selection on that 4015  
question or issue, but not the entire text of the question or 4016  
issue. 4017

(b) The secretary of state, by rule adopted under Chapter 4018  
119. of the Revised Code, may waive the requirement under division 4019  
(H)(3)(a)(v) of this section, if the secretary of state determines 4020  
that the requirement is cost prohibitive. 4021

(4)(a) Except as otherwise provided in division (H)(4)(c) of 4022  
this section, any voting machine, marking device, or automatic 4023  
tabulating equipment initially certified or acquired on or after 4024  
December 1, 2008, shall have the most recent federal certification 4025

number issued by the election assistance commission. 4026

(b) Any voting machine, marking device, or automatic 4027  
tabulating equipment certified for use in this state on ~~the~~ 4028  
~~effective date of this amendment~~ September 12, 2008, shall meet, 4029  
as a condition of continued certification and use, the voting 4030  
system standards adopted by the federal election commission in 4031  
2002. 4032

(c) A county that acquires additional voting machines, 4033  
marking devices, or automatic tabulating equipment on or after 4034  
December 1, 2008, shall not be considered to have acquired those 4035  
machines, devices, or equipment on or after December 1, 2008, for 4036  
the purpose of division (H)(4)(a) of this section if all of the 4037  
following apply: 4038

(i) The voting machines, marking devices, or automatic 4039  
tabulating equipment acquired are the same as the machines, 4040  
devices, or equipment currently used in that county. 4041

(ii) The acquisition of the voting machines, marking devices, 4042  
or automatic tabulating equipment does not replace or change the 4043  
primary voting system used in that county. 4044

(iii) The acquisition of the voting machines, marking 4045  
devices, or automatic tabulating equipment is for the purpose of 4046  
replacing inoperable machines, devices, or equipment or for the 4047  
purpose providing additional machines, devices, or equipment 4048  
required to meet the allocation requirements established pursuant 4049  
to division (I) of section 3501.11 of the Revised Code. 4050

**Sec. 3506.12.** In counties where marking devices, automatic 4051  
tabulating equipment, voting machines, or any combination of these 4052  
are in use or are to be used, the board of elections: 4053

(A) May combine, rearrange, and enlarge precincts; but the 4054  
board shall arrange for a sufficient number of these devices to 4055

accommodate the number of electors in each precinct as determined 4056  
by the number of votes cast in that precinct at the most recent 4057  
election for the office of governor, taking into consideration the 4058  
size and location of each selected polling place, available 4059  
parking, handicap accessibility and other accessibility to the 4060  
polling place, and the number of candidates and issues to be voted 4061  
on. Notwithstanding section 3501.22 of the Revised Code, the board 4062  
may appoint more than four precinct officers to each precinct if 4063  
this is made necessary by the number of voting machines to be used 4064  
in that precinct. 4065

(B) Except as otherwise provided in this division, shall 4066  
establish one or more counting stations to receive voted ballots 4067  
and other precinct election supplies after the polling precincts 4068  
are closed. Those stations shall be under the supervision and 4069  
direction of the board of elections. Processing and counting of 4070  
voted ballots, and the preparation of summary sheets, shall be 4071  
done in the presence of observers approved by the board. A 4072  
certified copy of the summary sheet for the precinct shall be 4073  
posted at each counting station immediately after completion of 4074  
the summary sheet. 4075

~~In counties where punch card ballots are used, one or more 4076  
counting stations, located at the board of elections, shall be 4077  
established, at which location all punch card ballots shall be 4078  
counted. 4079~~

~~As used in this division, "punch card ballot" has the same 4080  
meaning as in section 3506.16 of the Revised Code. 4081~~

**Sec. 3506.15.** The secretary of state shall provide each board 4082  
of elections with rules, instructions, directives, and advisories 4083  
regarding the examination, testing, and use of the voting machine 4084  
and tabulating equipment, the assignment of duties of booth 4085  
officials, the procedure for casting a vote on the machine, and 4086

how the vote shall be tallied and reported to the board, and with 4087  
other rules, instructions, directives, and advisories the 4088  
secretary of state finds necessary to ensure the adequate care and 4089  
custody of voting equipment, and the accurate registering, 4090  
counting, and canvassing of the votes as required by this chapter. 4091  
The boards of elections shall be charged with the responsibility 4092  
of providing for the adequate instruction of voters and election 4093  
officials in the proper use of the voting machine and marking 4094  
devices. ~~The boards' instructions shall include, in counties where 4095  
punch card ballots are used, instructions that each voter shall 4096  
examine the voter's marked ballot card and remove any chads that 4097  
remain partially attached to it before returning it to election 4098  
officials.~~ 4099

The secretary of state's rules, instructions, directives, and 4100  
advisories provided under this section shall comply, insofar as 4101  
practicable, with this chapter. The provisions of Title XXXV of 4102  
the Revised Code, not inconsistent with the provisions relating to 4103  
voting machines, apply in any county using a voting machine. 4104

~~As used in this section, "chad" and "punch card ballot" have 4105  
the same meanings as in section 3506.16 of the Revised Code.~~ 4106

**Sec. 3509.01.** (A) The board of elections of each county shall 4107  
provide absent voter's ballots for use at every primary and 4108  
general election, or special election to be held on the day 4109  
specified by division (E) of section 3501.01 of the Revised Code 4110  
for the holding of a primary election, designated by the general 4111  
assembly for the purpose of submitting constitutional amendments 4112  
proposed by the general assembly to the voters of the state. Those 4113  
ballots shall be the same size, shall be printed on the same kind 4114  
of paper, and shall be in the same form as has been approved for 4115  
use at the election for which those ballots are to be voted; 4116  
except that, in counties using marking devices, ballot cards may 4117

be used for absent voter's ballots, and those absent voters shall 4118  
be instructed to record the vote in the manner provided on the 4119  
ballot cards. ~~In counties where punch card ballots are used, those~~ 4120  
~~absent voters shall be instructed to examine their marked ballot~~ 4121  
~~cards and to remove any chads that remain partially attached to~~ 4122  
~~them before returning them to election officials.~~ 4123

(B) The rotation of names of candidates and questions and 4124  
issues shall be substantially complied with on absent voter's 4125  
ballots, within the limitation of time allotted. Those ballots 4126  
shall be designated as "Absent Voter's Ballots." Except as 4127  
otherwise provided in division (D) of this section, those ballots 4128  
shall be printed and ready for use as follows: 4129

(1) For overseas voters and absent uniformed services voters 4130  
eligible to vote under the Uniformed and Overseas Citizens 4131  
Absentee Voting Act, Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 4132  
1973ff, et seq., as amended, ballots shall be printed and ready 4133  
for use on the forty-fifth day before the day of the election. 4134

(2) For all ~~other~~ voters, other than overseas voters and 4135  
absent uniformed services voters, who are applying to vote absent 4136  
voter's ballots other than in person, ballots shall be printed and 4137  
ready for use on the ~~thirty-fifth~~ twenty-first day before the day 4138  
of the election. 4139

(3) For all voters who are applying to vote absent voter's 4140  
ballots in person, ballots shall be printed and ready for use 4141  
beginning on the tenth day before the day of the election and 4142  
shall continue to be available for use through six p.m. on the 4143  
last Friday before the day of the election, except that ballots 4144  
shall not be available for use on Sunday. On the days in which 4145  
absent voter's ballots are available for use in person, those 4146  
ballots shall be available from eight a.m. through six p.m. Monday 4147  
through Friday and from eight a.m. through twelve p.m. on 4148  
Saturday. 4149

(C) Absent voter's ballots provided for use at a general or 4150  
primary election, or special election to be held on the day 4151  
specified by division (E) of section 3501.01 of the Revised Code 4152  
for the holding of a primary election, designated by the general 4153  
assembly for the purpose of submitting constitutional amendments 4154  
proposed by the general assembly to the voters of the state, shall 4155  
include only those questions, issues, and candidacies that have 4156  
been lawfully ordered submitted to the electors voting at that 4157  
election. 4158

(D)(1) If the laws governing the holding of a special 4159  
election on a day other than the day on which a primary or general 4160  
election is held make it impossible for absent voter's ballots to 4161  
be printed and ready for use by the deadlines established in 4162  
division (B) of this section, absent voter's ballots for those 4163  
special elections shall be ready for use as many days before the 4164  
day of the election as reasonably possible under the laws 4165  
governing the holding of that special election. 4166

(2) If, in accordance with Section 2 of Article XVII, Ohio 4167  
Constitution, an election is required to be held to fill a vacancy 4168  
that occurs after absent voter's ballots have been printed and 4169  
distributed under division (B) of this section, the board of 4170  
elections shall print and distribute a supplemental ballot for 4171  
that election to each absent voter who has requested a ballot for 4172  
that election as many days before the election as reasonably 4173  
possible. 4174

(E) A copy of the absent voter's ballots shall be forwarded 4175  
by the director of the board in each county to the secretary of 4176  
state at least twenty-five days before the election. 4177

~~(F) As used in this section, "chad" and "punch card ballot" 4178  
have the same meanings as in section 3506.16 of the Revised Code.~~ 4179

**Sec. 3509.02.** (A) Any qualified elector may vote by absent 4180



voter's ballots at an election. 4181

(B) Any qualified elector who is unable to appear at the 4182  
office of the board of elections ~~or, if pursuant to division (C)~~ 4183  
~~of section 3501.10 of the Revised Code the board has designated~~ 4184  
~~another location in the county at which registered electors may~~ 4185  
~~vote, at that other location~~ on account of personal illness, 4186  
physical disability, or infirmity, and who moves from one precinct 4187  
to another within a county, changes the elector's name and moves 4188  
from one precinct to another within a county, or moves from one 4189  
county to another county within the state, on or prior to the day 4190  
of a general, primary, or special election and has not filed a 4191  
notice of change of residence or change of name may vote by absent 4192  
voter's ballots in that election as specified in division (G) of 4193  
section 3503.16 of the Revised Code. 4194

**Sec. 3509.03.** Except as provided in section 3509.031 or 4195  
division (B) of section 3509.08 of the Revised Code, any qualified 4196  
elector desiring to vote absent voter's ballots at an election 4197  
shall make written application for those ballots to the ~~director~~ 4198  
board of elections of the county in which the elector's voting 4199  
residence is located. The application need not be in any 4200  
particular form but shall contain all of the following: 4201

(A) The elector's name; 4202

(B) The elector's signature; 4203

(C) The address at which the elector is registered to vote; 4204

(D) The elector's date of birth; 4205

(E) One of the following: 4206

(1) The elector's driver's license number; 4207

(2) The last four digits of the elector's social security 4208  
number; 4209

(3) A copy of the elector's current and valid photo 4210  
identification, a copy of a military identification, or a copy of 4211  
a current utility bill, bank statement, government check, 4212  
paycheck, or other government document, other than ~~a notice of an~~ 4213  
~~election mailed by a board of elections under section 3501.19 of~~ 4214  
~~the Revised Code or~~ a notice of voter registration mailed by a 4215  
board of elections under section 3503.19 of the Revised Code, that 4216  
shows the name and address of the elector. 4217

(F) A statement identifying the election for which absent 4218  
voter's ballots are requested; 4219

(G) A statement that the person requesting the ballots is a 4220  
qualified elector; 4221

(H) If the request is for primary election ballots, the 4222  
elector's party affiliation; 4223

(I) If the elector desires ballots to be mailed to the 4224  
elector, the address to which those ballots shall be mailed. 4225

Each application for absent voter's ballots shall be 4226  
delivered to the ~~director~~ board not earlier than the first day of 4227  
January of the year of the elections for which the absent voter's 4228  
ballots are requested or not earlier than ninety days before the 4229  
day of the election at which the ballots are to be voted, 4230  
whichever is earlier, and not later than twelve noon of the third 4231  
day before the day of the election at which the ballots are to be 4232  
voted, or not later than the close of regular business hours on 4233  
the day before the day of the election at which the ballots are to 4234  
be voted if the application is delivered in person to the office 4235  
of the board. 4236

A board of elections shall not mail any unsolicited 4237  
applications for absent voter's ballots. A board shall only mail 4238  
an absent voter's ballot application to an elector who has 4239  
requested such an application from the board. A board of elections 4240

that mails an absent voter's ballot application to an elector 4241  
under this section shall not prepay the return postage for that 4242  
application. 4243

**Sec. 3509.031.** (A) Any qualified elector who is a member of 4244  
the organized militia called to active duty within the state and 4245  
who will be unable to vote on election day on account of that 4246  
active duty may make written application for absent voter's 4247  
ballots to the ~~director~~ board of elections for the county in which 4248  
the elector's voting residence is located. The elector may 4249  
personally deliver the application to the ~~director~~ office of the 4250  
board or may mail it, send it by facsimile machine, or otherwise 4251  
send it to the ~~director~~ board. The application need not be in any 4252  
particular form but shall contain all of the following: 4253

(1) The elector's name; 4254

(2) The elector's signature; 4255

(3) The address at which the elector is registered to vote; 4256

(4) The elector's date of birth; 4257

(5) One of the following: 4258

(a) The elector's driver's license number; 4259

(b) The last four digits of the elector's social security 4260  
number; 4261

(c) A copy of the elector's current and valid photo 4262  
identification, a copy of a military identification, or a copy of 4263  
a current utility bill, bank statement, government check, 4264  
paycheck, or other government document, other than ~~a notice of an~~ 4265  
~~election mailed by a board of elections under section 3501.19 of~~ 4266  
~~the Revised Code~~ or a notice of voter registration mailed by a 4267  
board of elections under section 3503.19 of the Revised Code, that 4268  
shows the name and address of the elector. 4269

(6) A statement identifying the election for which absent voter's ballots are requested;	4270 4271
(7) A statement that the person requesting the ballots is a qualified elector;	4272 4273
(8) A statement that the elector is a member of the organized militia serving on active duty within the state;	4274 4275
(9) If the request is for primary election ballots, the elector's party affiliation;	4276 4277
(10) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed;	4278 4279
(11) If the elector desires ballots to be sent to the elector by facsimile machine, the telephone number to which they shall be so sent.	4280 4281 4282
(B) Application to have absent voter's ballots mailed or sent by facsimile machine to a qualified elector who is a member of the organized militia called to active duty within the state and who will be unable to vote on election day on account of that active duty may be made by the spouse of the militia member or the father, mother, father-in-law, mother-in-law, grandfather, grandmother, brother or sister of the whole blood or half blood, son, daughter, adopting parent, adopted child, stepparent, stepchild, uncle, aunt, nephew, or niece of the militia member. The application shall be in writing upon a blank form furnished only by the <del>director</del> <u>board of elections</u> . The form of the application shall be prescribed by the secretary of state. The <del>director</del> <u>board</u> shall furnish that blank form to any of the relatives specified in this division desiring to make the application, only upon the request of such a relative in person at the office of the board or upon the written request of such a relative mailed to the office of the board. The application, subscribed and sworn to by the applicant, shall contain all of the	4283 4284 4285 4286 4287 4288 4289 4290 4291 4292 4293 4294 4295 4296 4297 4298 4299 4300

following:	4301
(1) The full name of the elector for whom ballots are requested;	4302 4303
(2) A statement that such person is a qualified elector in the county;	4304 4305
(3) The address at which the elector is registered to vote;	4306
(4) The elector's date of birth;	4307
(5) One of the following:	4308
(a) The elector's driver's license number;	4309
(b) The last four digits of the elector's social security number;	4310 4311
(c) A copy of the elector's current and valid photo identification, a copy of a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than <del>a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code</del> or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the name and address of the elector.	4312 4313 4314 4315 4316 4317 4318 4319
(6) A statement identifying the election for which absent voter's ballots are requested;	4320 4321
(7) A statement that the elector is a member of the organized militia serving on active duty within the state;	4322 4323
(8) If the request is for primary election ballots, the elector's party affiliation;	4324 4325
(9) A statement that the applicant bears a relationship to the elector as specified in division (B) of this section;	4326 4327
(10) The address to which ballots shall be mailed or telephone number to which ballots shall be sent by facsimile	4328 4329

machine; 4330

(11) The signature and address of the person making the 4331  
application. 4332

(C) Applications to have absent voter's ballots mailed or 4333  
sent by facsimile machine shall not be valid if dated, postmarked, 4334  
or received by the ~~director~~ board prior to the ninetieth day 4335  
before the day of the election for which ballots are requested or 4336  
if delivered to the ~~director~~ board later than twelve noon of the 4337  
third day preceding the day of such election. If, after the 4338  
ninetieth day and before four p.m. of the day before the day of an 4339  
election, a valid application for absent voter's ballots is 4340  
delivered to the ~~director of elections~~ at the office of the board 4341  
by a militia member making application in the militia member's own 4342  
behalf, the ~~director~~ board shall forthwith deliver to the militia 4343  
member all absent voter's ballots then ready for use, together 4344  
with an identification envelope. The militia member shall then 4345  
vote the absent voter's ballots in the manner provided in section 4346  
3509.05 of the Revised Code. 4347

(D) A board of elections shall not mail any unsolicited 4348  
applications for absent voter's ballots. A board shall only mail 4349  
an absent voter's ballot application to an elector who has 4350  
requested such an application from the board. A board of elections 4351  
that mails an absent voter's ballot application to an elector 4352  
under this section shall not prepay the return postage for that 4353  
application. 4354

**Sec. 3509.04.** (A) If a ~~director~~ of a board of elections 4355  
receives an application for absent voter's ballots that does not 4356  
contain all of the required information, the ~~director~~ board 4357  
promptly shall notify the applicant of the additional information 4358  
required to be provided by the applicant to complete that 4359  
application. 4360

(B) Upon receipt by the ~~director~~ board of elections of an 4361  
application for absent voter's ballots that contains all of the 4362  
required information, as provided by sections 3509.03 and 3509.031 4363  
and division (G) of section 3503.16 of the Revised Code, the 4364  
~~director~~ board, if the ~~director~~ board finds that the applicant is 4365  
a qualified elector, shall deliver to the applicant in person or 4366  
mail directly to the applicant by special delivery mail, air mail, 4367  
or regular mail, postage prepaid, proper absent voter's ballots. 4368  
The ~~director~~ board shall deliver or mail with the ballots an 4369  
unsealed identification envelope upon the face of which shall be 4370  
printed a form substantially as follows: 4371

"Identification Envelope Statement of Voter 4372

I, .....(Name of voter), declare under 4373  
penalty of election falsification that the within ballot or 4374  
ballots contained no voting marks of any kind when I received 4375  
them, and I caused the ballot or ballots to be marked, enclosed in 4376  
the identification envelope, and sealed in that envelope. 4377

My voting residence in Ohio is 4378

..... 4379

(Street and Number, if any, or Rural Route and Number) 4380

of ..... (City, Village, or Township) 4381

Ohio, which is in Ward ..... Precinct ..... 4382

in that city, village, or township. 4383

The primary election ballots, if any, within this envelope 4384  
are primary election ballots of the ..... Party. 4385

Ballots contained within this envelope are to be voted at the 4386  
..... (general, special, or primary) election to be held on 4387  
the ..... day of ....., .... 4388

My date of birth is ..... (Month and Day), 4389  
..... (Year). 4390

(Voter must provide one of the following:) 4391

My driver's license number is ..... (Driver's  
license number). 4392  
4393

The last four digits of my Social Security Number are 4394  
..... (Last four digits of Social Security Number). 4395

..... In lieu of providing a driver's license number or the 4396  
last four digits of my Social Security Number, I am enclosing a 4397  
copy of one of the following in the return envelope in which this 4398  
identification envelope will be mailed: a current and valid photo 4399  
identification, a military identification, or a current utility 4400  
bill, bank statement, government check, paycheck, or other 4401  
government document, other than ~~a notice of an election mailed by~~ 4402  
~~a board of elections under section 3501.19 of the Revised Code or~~ 4403  
a notice of voter registration mailed by a board of elections, 4404  
that shows my name and address. 4405

I hereby declare, under penalty of election falsification, 4406  
that the statements above are true, as I verily believe. 4407

..... 4408  
(Signature of Voter) 4409

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 4410  
THE FIFTH DEGREE." 4411

The ~~director~~ board of elections shall mail with the ballots 4412  
and the unsealed identification envelope an unsealed return 4413  
envelope upon the face of which shall be printed the official 4414  
title and post-office address of the ~~director~~ board. In the upper 4415  
left corner on the face of the return envelope, several blank 4416  
lines shall be printed upon which the voter may write the voter's 4417  
name and return address. The return envelope shall be of such size 4418  
that the identification envelope can be conveniently placed within 4419  
it for returning the identification envelope to the ~~director~~ 4420  
board. 4421



Sec. 3509.05. (A) When an elector receives an absent voter's 4422  
ballot pursuant to the elector's application or request, the 4423  
elector shall, before placing any marks on the ballot, note 4424  
whether there are any voting marks on it. If there are any voting 4425  
marks, the ballot shall be returned immediately to the board of 4426  
elections; otherwise, the elector shall cause the ballot to be 4427  
marked, folded in a manner that the stub on it and the 4428  
indorsements and facsimile signatures of the members of the board 4429  
of elections on the back of it are visible, and placed and sealed 4430  
within the identification envelope received from the ~~director~~ 4431  
board of elections for that purpose. Then, the elector shall cause 4432  
the statement of voter on the outside of the identification 4433  
envelope to be completed and signed, under penalty of election 4434  
falsification. 4435

If the elector does not provide the elector's driver's 4436  
license number or the last four digits of the elector's social 4437  
security number on the statement of voter on the identification 4438  
envelope, the elector also shall include in the return envelope 4439  
with the identification envelope a copy of the elector's current 4440  
valid photo identification, a copy of a military identification, 4441  
or a copy of a current utility bill, bank statement, government 4442  
check, paycheck, or other government document, other than a ~~notice~~ 4443  
~~of an election mailed by a board of elections under section~~ 4444  
~~3501.19 of the Revised Code or~~ a notice of voter registration 4445  
mailed by a board of elections under section 3503.19 of the 4446  
Revised Code, that shows the name and address of the elector. 4447

The elector shall mail the identification envelope to the 4448  
~~director~~ board of elections from ~~whom~~ which it was received in the 4449  
return envelope, postage prepaid, or the elector may personally 4450  
deliver it to the ~~director~~ office of the board, or the spouse of 4451  
the elector, the father, mother, father-in-law, mother-in-law, 4452  
grandfather, grandmother, brother, or sister of the whole or half 4453

blood, or the son, daughter, adopting parent, adopted child, 4454  
stepparent, stepchild, uncle, aunt, nephew, or niece of the 4455  
elector may deliver it to the ~~director~~ board. The return envelope 4456  
shall be transmitted to the ~~director~~ board in no other manner, 4457  
except as provided in section 3509.08 of the Revised Code. 4458

When absent voter's ballots are delivered to an elector at 4459  
the office of the board, the elector may retire to a voting 4460  
compartment provided by the board and there mark the ballots. 4461  
Thereupon, the elector shall fold them, place them in the 4462  
identification envelope provided, seal the envelope, fill in and 4463  
sign the statement on the envelope under penalty of election 4464  
falsification, and deliver the envelope to the ~~director of the~~ 4465  
board. 4466

Except as otherwise provided in division (B) of this section, 4467  
all other envelopes containing marked absent voter's ballots shall 4468  
be delivered to the ~~director~~ board not later than the close of the 4469  
polls on the day of an election. Absent voter's ballots delivered 4470  
to the ~~director~~ board later than the times specified shall not be 4471  
counted, but shall be kept by the board in the sealed 4472  
identification envelopes in which they are delivered to the 4473  
~~director~~ board, until the time provided by section 3505.31 of the 4474  
Revised Code for the destruction of all other ballots used at the 4475  
election for which ballots were provided, at which time they shall 4476  
be destroyed. 4477

(B)(1) Except as otherwise provided in division (B)(2) of 4478  
this section, any return envelope that is postmarked prior to the 4479  
day of the election shall be delivered to the ~~director~~ board prior 4480  
to the eleventh day after the election. Ballots delivered in 4481  
envelopes postmarked prior to the day of the election that are 4482  
received after the close of the polls on election day through the 4483  
tenth day thereafter shall be counted on the eleventh day at the 4484  
board of elections in the manner provided in divisions (C) and (D) 4485

of section 3509.06 of the Revised Code. Any such ballots that are 4486  
received by the ~~director~~ board later than the tenth day following 4487  
the election shall not be counted, but shall be kept by the board 4488  
in the sealed identification envelopes as provided in division (A) 4489  
of this section. 4490

(2) Division (B)(1) of this section shall not apply to any 4491  
mail that is postmarked using a postage evidencing system, 4492  
including a postage meter, as defined in 39 C.F.R. 501.1. 4493

(C) Upon receipt of any return envelope prior to the eleventh 4494  
day after the day of any election, the board of elections shall 4495  
open it but shall not open the identification envelope contained 4496  
in it. If, upon so opening the return envelope, the board finds 4497  
ballots in it that are not enclosed in and properly sealed in the 4498  
identification envelope, the board shall not look at the markings 4499  
upon the ballots and shall promptly place them in the 4500  
identification envelope and promptly seal it. If, upon so opening 4501  
the return envelope, the board finds that ballots are enclosed in 4502  
the identification envelope but that it is not properly sealed, 4503  
the board shall not look at the markings upon the ballots and 4504  
shall promptly seal the identification envelope. 4505

**Sec. 3509.06.** (A) The board of elections shall determine 4506  
whether absent voter's ballots shall be counted in each precinct, 4507  
at the office of the board, or at some other location designated 4508  
by the board, and shall proceed accordingly under division (B) or 4509  
(C) of this section. 4510

(B) When the board of elections determines that absent 4511  
voter's ballots shall be counted in each precinct, the ~~director~~ 4512  
board shall deliver to the ~~presiding judge~~ voting location manager 4513  
of each precinct on election day identification envelopes 4514  
purporting to contain absent voter's ballots of electors whose 4515  
voting residence appears from the statement of voter on the 4516

outside of each of those envelopes, to be located in ~~such~~ 4517  
~~presiding judge's~~ that manager's precinct, and which were received 4518  
by the ~~director~~ board not later than the close of the polls on 4519  
election day. The ~~director~~ board shall deliver to ~~such presiding~~ 4520  
~~judge~~ the voting location manager a list containing the name and 4521  
voting residence of each person whose voting residence is in such 4522  
precinct to whom absent voter's ballots were mailed. 4523

(C) When the board of elections determines that absent 4524  
voter's ballots shall be counted at the office of the board of 4525  
elections or at another location designated by the board, special 4526  
election ~~judges~~ officials shall be appointed by the board for that 4527  
purpose having the same authority as is exercised by precinct 4528  
~~judges~~ election officials. The votes so cast shall be added to the 4529  
vote totals ~~by the board~~ for the precincts in which the applicable 4530  
absent voters reside, and the absent voter's ballots shall be 4531  
preserved separately by the board, in the same manner and for the 4532  
same length of time as provided by section 3505.31 of the Revised 4533  
Code. 4534

(D) Each of the identification envelopes purporting to 4535  
contain absent voter's ballots delivered to the ~~presiding judge~~ 4536  
voting location manager of the precinct or the special ~~judge~~ 4537  
election official appointed by the board of elections shall be 4538  
handled as follows: The election officials shall compare the 4539  
signature of the elector on the outside of the identification 4540  
envelope with the signature of that elector on the elector's 4541  
registration form and verify that the absent voter's ballot is 4542  
eligible to be counted under section 3509.07 of the Revised Code. 4543  
Any of the precinct officials may challenge the right of the 4544  
elector named on the identification envelope to vote the absent 4545  
voter's ballots upon the ground that the signature on the envelope 4546  
is not the same as the signature on the registration form, that 4547  
the identification envelope statement of voter has not been 4548

completed, or upon any other of the grounds upon which the right 4549  
of persons to vote may be lawfully challenged. If no such 4550  
challenge is made, or if such a challenge is made and not 4551  
sustained, the ~~presiding judge~~ voting location manager shall open 4552  
the envelope without defacing the statement of voter and without 4553  
mutilating the ballots in it, and shall remove the ballots 4554  
contained in it and proceed to count them. 4555

The name of each person voting who is entitled to vote only 4556  
an absent voter's presidential ballot shall be entered in a 4557  
pollbook or poll list or signature pollbook followed by the words 4558  
"Absentee Presidential Ballot." The name of each person voting an 4559  
absent voter's ballot, other than such persons entitled to vote 4560  
only a presidential ballot, shall be entered in the pollbook or 4561  
poll list or signature pollbook and the person's registration card 4562  
marked to indicate that the person has voted. 4563

The date of such election shall also be entered on the 4564  
elector's registration form. If any such challenge is made and 4565  
sustained, the identification envelope of such elector shall not 4566  
be opened, shall be endorsed "Not Counted" with the reasons the 4567  
ballots were not counted, and shall be delivered to the board. 4568

(E) Special election ~~judges~~ officials, employees or members 4569  
of the board of elections, or observers shall not disclose the 4570  
count or any portion of the count of absent voter's ballots prior 4571  
to the time of the closing of the polling places. No person shall 4572  
recklessly disclose the count or any portion of the count of 4573  
absent voter's ballots in such a manner as to jeopardize the 4574  
secrecy of any individual ballot. 4575

(F) Observers may be appointed under section 3505.21 of the 4576  
Revised Code to witness the examination and opening of 4577  
identification envelopes and the counting of absent voters' 4578  
ballots under this section. 4579

**Sec. 3509.07.** If election officials find that the statement 4580  
accompanying an absent voter's ballot or absent voter's 4581  
presidential ballot is insufficient, that the signatures do not 4582  
correspond with the person's registration signature, that the 4583  
applicant is not a qualified elector in the precinct, that the 4584  
ballot envelope contains more than one ballot of any one kind, or 4585  
any voted ballot that the elector is not entitled to vote, that 4586  
Stub A is ~~detached from~~ not included in the envelope with the 4587  
absent voter's ballot or absent voter's presidential ballot, or 4588  
that the elector has not included with the elector's ballot any 4589  
identification required under section 3509.05 or 3511.09 of the 4590  
Revised Code, the vote shall not be accepted or counted. The vote 4591  
of any absent voter may be challenged for cause in the same manner 4592  
as other votes are challenged, and the election officials shall 4593  
determine the legality of that ballot. Every ballot not counted 4594  
shall be endorsed on its back "Not Counted" with the reasons the 4595  
ballot was not counted, and shall be enclosed and returned to or 4596  
retained by the board of elections along with the contested 4597  
ballots. 4598

**Sec. 3509.08.** (A) Any qualified elector, who, on account of 4599  
the elector's own personal illness, physical disability, or 4600  
infirmity, or on account of the elector's confinement in a jail or 4601  
workhouse under sentence for a misdemeanor or awaiting trial on a 4602  
felony or misdemeanor, will be unable to travel from the elector's 4603  
home or place of confinement to the voting booth in the elector's 4604  
precinct on the day of any general, special, or primary election 4605  
may make application in writing for an absent voter's ballot to 4606  
~~the director of~~ the board of elections of the elector's county. 4607  
The application shall include all of the information required 4608  
under section 3509.03 of the Revised Code and shall state the 4609  
nature of the elector's illness, physical disability, or 4610

infirmity, or the fact that the elector is confined in a jail or 4611  
workhouse and the elector's resultant inability to travel to the 4612  
election booth in the elector's precinct on election day. The 4613  
application shall not be valid if it is delivered to the ~~director~~ 4614  
board before the ninetieth day or after twelve noon of the third 4615  
day before the day of the election at which the ballot is to be 4616  
voted. 4617

The absent voter's ballot may be mailed directly to the 4618  
applicant at the applicant's voting residence or place of 4619  
confinement as stated in the applicant's application, or the board 4620  
may designate two board employees belonging to the two major 4621  
political parties for the purpose of delivering the ballot to the 4622  
disabled or confined elector and returning it to the board, unless 4623  
the applicant is confined to a public or private institution 4624  
within the county, in which case the board shall designate two 4625  
board employees belonging to the two major political parties for 4626  
the purpose of delivering the ballot to the disabled or confined 4627  
elector and returning it to the board. In all other instances, the 4628  
ballot shall be returned to the office of the board in the manner 4629  
prescribed in section 3509.05 of the Revised Code. 4630

Any disabled or confined elector who declares to the two 4631  
board employees belonging to the two major political parties that 4632  
the elector is unable to mark the elector's ballot by reason of 4633  
physical infirmity that is apparent to the employees to be 4634  
sufficient to incapacitate the voter from marking the elector's 4635  
ballot properly, may receive, upon request, the assistance of the 4636  
employees in marking the elector's ballot, and they shall 4637  
thereafter give no information in regard to this matter. Such 4638  
assistance shall not be rendered for any other cause. 4639

When two board employees belonging to the two major political 4640  
parties deliver a ballot to a disabled or confined elector, each 4641  
of the employees shall be present when the ballot is delivered, 4642

when assistance is given, and when the ballot is returned to the 4643  
office of the board, and shall subscribe to the declaration on the 4644  
identification envelope. 4645

The secretary of state shall prescribe the form of 4646  
application for absent voter's ballots under this division. 4647

This chapter applies to disabled and confined absent voter's 4648  
ballots except as otherwise provided in this section. 4649

(B)(1) Any qualified elector who is unable to travel to the 4650  
voting booth in the elector's precinct on the day of any general, 4651  
special, or primary election may apply to ~~the director of~~ the 4652  
board of elections of the county where the elector is a qualified 4653  
elector to vote in the election by absent voter's ballot if either 4654  
of the following apply: 4655

(a) The elector is confined in a hospital as a result of an 4656  
accident or unforeseeable medical emergency occurring before the 4657  
election; 4658

(b) The elector's minor child is confined in a hospital as a 4659  
result of an accident or unforeseeable medical emergency occurring 4660  
before the election. 4661

(2) The application authorized under division (B)(1) of this 4662  
section shall be made in writing, shall include all of the 4663  
information required under section 3509.03 of the Revised Code, 4664  
and shall be delivered to the ~~director~~ board not later than three 4665  
p.m. on the day of the election. The application shall indicate 4666  
the hospital where the applicant or the applicant's child is 4667  
confined, the date of the applicant's or the applicant's child's 4668  
admission to the hospital, and the offices for which the applicant 4669  
is qualified to vote. The applicant may also request that a member 4670  
of the applicant's family, as listed in section 3509.05 of the 4671  
Revised Code, deliver the absent voter's ballot to the applicant. 4672  
The ~~director~~ board, after establishing to the ~~director's~~ board's 4673



satisfaction the validity of the circumstances claimed by the 4674  
applicant, shall supply an absent voter's ballot to be delivered 4675  
to the applicant. When the applicant or the applicant's child is 4676  
in a hospital in the county where the applicant is a qualified 4677  
elector and no request is made for a member of the family to 4678  
deliver the ballot, the ~~director~~ board shall arrange for the 4679  
delivery of an absent voter's ballot to the applicant, and for its 4680  
return to the office of the board, by two board employees 4681  
belonging to the two major political parties according to the 4682  
procedures prescribed in division (A) of this section. When the 4683  
applicant or the applicant's child is in a hospital outside the 4684  
county where the applicant is a qualified elector and no request 4685  
is made for a member of the family to deliver the ballot, the 4686  
~~director~~ board shall arrange for the delivery of an absent voter's 4687  
ballot to the applicant by mail, and the ballot shall be returned 4688  
to the office of the board in the manner prescribed in section 4689  
3509.05 of the Revised Code. 4690

(3) Any qualified elector who is eligible to vote under 4691  
division (B) or (C) of section 3503.16 of the Revised Code but is 4692  
unable to do so because of the circumstances described in division 4693  
(B)(2) of this section may vote in accordance with division (B)(1) 4694  
of this section if that qualified elector states in the 4695  
application for absent voter's ballots that that qualified elector 4696  
moved or had a change of name under the circumstances described in 4697  
division (B) or (C) of section 3503.16 of the Revised Code and if 4698  
that qualified elector complies with divisions (G)(1) to (4) of 4699  
section 3503.16 of the Revised Code. 4700

(C) Any qualified elector described in division (A) or (B)(1) 4701  
of this section who needs no assistance to vote or to return 4702  
absent voter's ballots to the board of elections may apply for 4703  
absent voter's ballots under section 3509.03 of the Revised Code 4704  
instead of applying for them under this section. 4705

Sec. 3509.09. (A) The poll list or signature pollbook for 4706  
each precinct shall identify each registered elector in that 4707  
precinct who has requested an absent voter's ballot for that 4708  
election. 4709

(B)(1) If a registered elector appears to vote in that 4710  
precinct and that elector has requested an absent voter's ballot 4711  
for that election but the ~~director~~ board of elections has not 4712  
received a sealed identification envelope purporting to contain 4713  
that elector's voted absent voter's ballots for that election, the 4714  
elector shall be permitted to cast a provisional ballot under 4715  
section 3505.181 of the Revised Code in that precinct on the day 4716  
of that election. 4717

(2) If a registered elector appears to vote in that precinct 4718  
and that elector has requested an absent voter's ballot for that 4719  
election and the ~~director~~ board has received a sealed 4720  
identification envelope purporting to contain that elector's voted 4721  
absent voter's ballots for that election, the elector shall be 4722  
permitted to cast a provisional ballot under section 3505.181 of 4723  
the Revised Code in that precinct on the day of that election. 4724

(C)(1) In counting absent voter's ballots under section 4725  
3509.06 of the Revised Code, the board of elections shall compare 4726  
the signature of each elector from whom the ~~director~~ board has 4727  
received a sealed identification envelope purporting to contain 4728  
that elector's voted absent voter's ballots for that election to 4729  
the signature on that elector's registration form. Except as 4730  
otherwise provided in division (C)(3) of this section, if the 4731  
board of elections determines that the absent voter's ballot in 4732  
the sealed identification envelope is valid, it shall be counted. 4733  
If the board of elections determines that the signature on the 4734  
sealed identification envelope purporting to contain the elector's 4735  
voted absent voter's ballot does not match the signature on the 4736

elector's registration form, the ballot shall be set aside and the 4737  
board shall examine, during the time prior to the beginning of the 4738  
official canvass, the poll list or signature pollbook from the 4739  
precinct in which the elector is registered to vote to determine 4740  
if the elector also cast a provisional ballot under section 4741  
3505.181 of the Revised Code in that precinct on the day of the 4742  
election. 4743

(2) The board of elections shall count the provisional 4744  
ballot, instead of the absent voter's ballot, if both of the 4745  
following apply: 4746

(a) The board of elections determines that the signature of 4747  
the elector on the outside of the identification envelope in which 4748  
the absent voter's ballots are enclosed does not match the 4749  
signature of the elector on the elector's registration form; 4750

(b) The elector cast a provisional ballot in the precinct on 4751  
the day of the election. 4752

(3) If the board of elections does not receive the sealed 4753  
identification envelope purporting to contain the elector's voted 4754  
absent voter's ballot by the applicable deadline established under 4755  
section 3509.05 of the Revised Code, the provisional ballot cast 4756  
under section 3505.181 of the Revised Code in that precinct on the 4757  
day of the election shall be counted as valid, if that provisional 4758  
ballot is otherwise determined to be valid pursuant to section 4759  
3505.183 of the Revised Code. 4760

(D) If the board of elections counts a provisional ballot 4761  
under division (C)(2) or (3) of this section, the returned 4762  
identification envelope of that elector shall not be opened, and 4763  
the ballot within that envelope shall not be counted. The 4764  
identification envelope shall be endorsed "Not Counted" with the 4765  
reason the ballot was not counted. 4766

**Sec. 3511.02.** Notwithstanding any section of the Revised Code 4767  
to the contrary, whenever any person applies for registration as a 4768  
voter on a form adopted in accordance with federal regulations 4769  
relating to the "Uniformed and Overseas Citizens Absentee Voting 4770  
Act," 100 Stat. 924, 42 U.S.C.A. 1973ff (1986), this application 4771  
shall be sufficient for voter registration and as a request for an 4772  
absent voter's ballot. Uniformed services or overseas absent 4773  
voter's ballots may be obtained by any person meeting the 4774  
requirements of section 3511.01 of the Revised Code by applying 4775  
electronically to the secretary of state or to the board of 4776  
elections of the county in which the person's voting residence is 4777  
located in accordance with section 3511.021 of the Revised Code or 4778  
by applying to ~~the director of~~ the board of elections of the 4779  
county in which the person's voting residence is located, in one 4780  
of the following ways: 4781

(A) That person may make written application for those 4782  
ballots. The person may personally deliver the application to the 4783  
~~director~~ board or may mail it, send it by facsimile machine, or 4784  
otherwise send it to the ~~director~~ board. The application need not 4785  
be in any particular form but shall contain all of the following 4786  
information: 4787

(1) The elector's name; 4788

(2) The elector's signature; 4789

(3) The address at which the elector is registered to vote; 4790

(4) The elector's date of birth; 4791

(5) One of the following: 4792

(a) The elector's driver's license number; 4793

(b) The last four digits of the elector's social security 4794  
number; 4795

(c) A copy of the elector's current and valid photo 4796

identification, a copy of a military identification, or a copy of 4797  
a current utility bill, bank statement, government check, 4798  
paycheck, or other government document, other than ~~a notice of an~~ 4799  
~~election mailed by a board of elections under section 3501.19 of~~ 4800  
~~the Revised Code or~~ a notice of voter registration mailed by a 4801  
board of elections under section 3503.19 of the Revised Code, that 4802  
shows the name and address of the elector. 4803

(6) A statement identifying the election for which absent 4804  
voter's ballots are requested; 4805

(7) A statement that the person requesting the ballots is a 4806  
qualified elector; 4807

(8) A statement that the elector is an absent uniformed 4808  
services voter or overseas voter as defined in 42 U.S.C. 1973ff-6; 4809

(9) A statement of the elector's length of residence in the 4810  
state immediately preceding the commencement of service, 4811  
immediately preceding the date of leaving to be with or near the 4812  
service member, or immediately preceding leaving the United 4813  
States, whichever is applicable; 4814

(10) If the request is for primary election ballots, the 4815  
elector's party affiliation; 4816

(11) If the elector desires ballots to be mailed to the 4817  
elector, the address to which those ballots shall be mailed; 4818

(12) If the elector desires ballots to be sent to the elector 4819  
by facsimile machine, the telephone number to which they shall be 4820  
so sent. 4821

(B) A voter or any relative of a voter listed in division (C) 4822  
of this section may use a single federal post card application to 4823  
apply for uniformed services or overseas absent voter's ballots 4824  
for use at the primary and general elections in a given year and 4825  
any special election to be held on the day in that year specified 4826

by division (E) of section 3501.01 of the Revised Code for the 4827  
holding of a primary election, designated by the general assembly 4828  
for the purpose of submitting constitutional amendments proposed 4829  
by the general assembly to the voters of the state. A single 4830  
federal postcard application shall be processed by the board of 4831  
elections pursuant to section 3511.04 of the Revised Code the same 4832  
as if the voter had applied separately for uniformed services or 4833  
overseas absent voter's ballots for each election. 4834

(C) Application to have uniformed services or overseas absent 4835  
voter's ballots mailed or sent by facsimile machine to such a 4836  
person may be made by the spouse, father, mother, father-in-law, 4837  
mother-in-law, grandfather, grandmother, brother or sister of the 4838  
whole blood or half blood, son, daughter, adopting parent, adopted 4839  
child, stepparent, stepchild, uncle, aunt, nephew, or niece of 4840  
such a person. The application shall be in writing upon a blank 4841  
form furnished only by the ~~director~~ board of elections or on a 4842  
single federal post card as provided in division (B) of this 4843  
section. The form of the application shall be prescribed by the 4844  
secretary of state. The ~~director~~ board shall furnish that blank 4845  
form to any of the relatives specified in this division desiring 4846  
to make the application, only upon the request of such a relative 4847  
made in person at the office of the board or upon the written 4848  
request of such a relative mailed to the office of the board. The 4849  
application, subscribed and sworn to by the applicant, shall 4850  
contain all of the following: 4851

(1) The full name of the elector for whom ballots are 4852  
requested; 4853

(2) A statement that the elector is an absent uniformed 4854  
services voter or overseas voter as defined in 42 U.S.C. 1973ff-6; 4855

(3) The address at which the elector is registered to vote; 4856

(4) A statement identifying the elector's length of residence 4857

in the state immediately preceding the commencement of service, 4858  
immediately preceding the date of leaving to be with or near a 4859  
service member, or immediately preceding leaving the United 4860  
States, as the case may be; 4861

(5) The elector's date of birth; 4862

(6) One of the following: 4863

(a) The elector's driver's license number; 4864

(b) The last four digits of the elector's social security 4865  
number; 4866

(c) A copy of the elector's current and valid photo 4867  
identification, a copy of a military identification, or a copy of 4868  
a current utility bill, bank statement, government check, 4869  
paycheck, or other government document, other than ~~a notice of an~~ 4870  
~~election mailed by a board of elections under section 3501.19 of~~ 4871  
~~the Revised Code or~~ a notice of voter registration mailed by a 4872  
board of elections under section 3503.19 of the Revised Code, that 4873  
shows the name and address of the elector. 4874

(7) A statement identifying the election for which absent 4875  
voter's ballots are requested; 4876

(8) A statement that the person requesting the ballots is a 4877  
qualified elector; 4878

(9) If the request is for primary election ballots, the 4879  
elector's party affiliation; 4880

(10) A statement that the applicant bears a relationship to 4881  
the elector as specified in division (C) of this section; 4882

(11) The address to which ballots shall be mailed or the 4883  
telephone number to which ballots shall be sent by facsimile 4884  
machine; 4885

(12) The signature and address of the person making the 4886  
application. 4887

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

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

**Sec. 3511.04.** (A) If a ~~director~~ of a board of elections receives an application for uniformed services or overseas absent voter's ballots that does not contain all of the required information, the ~~director~~ board promptly shall notify the applicant of the additional information required to be provided by the applicant to complete that application.

(B) Not later than the forty-fifth day before the day of each general or primary election, and at the earliest possible time before the day of a special election held on a day other than the day on which a general or primary election is held, ~~the director~~ of the board of elections shall mail, send by facsimile machine, or otherwise send uniformed services or overseas absent voter's ballots then ready for use as provided for in section 3511.03 of



the Revised Code and for which the ~~director~~ board has received 4919  
valid applications prior to that time. Thereafter, and until 4920  
twelve noon of the third day preceding the day of election, the 4921  
~~director~~ board shall promptly, upon receipt of valid applications 4922  
for them, mail, send by facsimile machine, or otherwise send to 4923  
the proper persons all uniformed services or overseas absent 4924  
voter's ballots then ready for use. 4925

If, after the seventieth day before the day of a general or 4926  
primary election, any other question, issue, or candidacy is 4927  
lawfully ordered submitted to the electors voting at the general 4928  
or primary election, the board shall promptly provide a separate 4929  
official issue, special election, or other election ballot for 4930  
submitting the question, issue, or candidacy to those electors, 4931  
and ~~the director shall~~ promptly mail or send by facsimile machine 4932  
each such separate ballot to each person to whom the ~~director~~ 4933  
board has previously mailed or sent by facsimile machine other 4934  
uniformed services or overseas absent voter's ballots. 4935

In mailing uniformed services or overseas absent voter's 4936  
ballots, the ~~director~~ board shall use the fastest mail service 4937  
available, but the ~~director~~ board shall not mail them by certified 4938  
mail. 4939

**Sec. 3511.05.** (A) The ~~director of the~~ board of elections 4940  
shall place uniformed services or overseas absent voter's ballots 4941  
sent by mail in an unsealed identification envelope, gummed ready 4942  
for sealing. The ~~director~~ board shall include with uniformed 4943  
services or overseas absent voter's ballots sent electronically, 4944  
including by facsimile machine, an instruction sheet for preparing 4945  
a gummed envelope in which the ballots shall be returned. The 4946  
envelope for returning ballots sent by either means shall have 4947  
printed or written on its face a form substantially as follows: 4948

"Identification Envelope Statement of Voter 4949

I, .....(Name of voter), declare under 4950  
penalty of election falsification that the within ballot or 4951  
ballots contained no voting marks of any kind when I received 4952  
them, and I caused the ballot or ballots to be marked, enclosed in 4953  
the identification envelope, and sealed in that envelope. 4954

My voting residence in Ohio is 4955  
..... 4956  
(Street and Number, if any, or Rural Route and Number) 4957  
of ..... (City, Village, or Township) 4958  
Ohio, which is in Ward ..... Precinct ..... 4959  
in that city, village, or township. 4960

The primary election ballots, if any, within this envelope 4961  
are primary election ballots of the ..... Party. 4962

Ballots contained within this envelope are to be voted at the 4963  
..... (general, special, or primary) election to be held on 4964  
the ..... day of ....., .... 4965

My date of birth is ..... (Month and Day), 4966  
..... (Year). 4967

(Voter must provide one of the following:) 4968

My driver's license number is ..... (Driver's 4969  
license number). 4970

The last four digits of my Social Security Number are 4971  
..... (Last four digits of Social Security Number). 4972

..... In lieu of providing a driver's license number or the 4973  
last four digits of my Social Security Number, I am enclosing a 4974  
copy of one of the following in the return envelope in which this 4975  
identification envelope will be mailed: a current and valid photo 4976  
identification, a military identification, or a current utility 4977  
bill, bank statement, government check, paycheck, or other 4978  
government document, other than ~~a notice of an election mailed by~~ 4979

a ~~board of elections under section 3501.19 of the Revised Code or~~ 4980  
a notice of voter registration mailed by a board of elections, 4981  
that shows my name and address. 4982

I hereby declare, under penalty of election falsification, 4983  
that the statements above are true, as I verily believe. 4984

..... 4985

(Signature of Voter) 4986

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 4987  
THE FIFTH DEGREE." 4988

(B) The ~~director board~~ shall also mail with the ballots and 4989  
the unsealed identification envelope sent by mail an unsealed 4990  
return envelope, gummed, ready for sealing, for use by the voter 4991  
in returning the voter's marked ballots to the ~~director board~~. The 4992  
~~director board~~ shall send with the ballots and the instruction 4993  
sheet for preparing a gummed envelope sent electronically, 4994  
including by facsimile machine, an instruction sheet for preparing 4995  
a second gummed envelope as described in this division, for use by 4996  
the voter in returning that voter's marked ballots to the ~~director~~ 4997  
board. The return envelope shall have two parallel lines, each one 4998  
quarter of an inch in width, printed across its face paralleling 4999  
the top, with an intervening space of one quarter of an inch 5000  
between such lines. The top line shall be one and one-quarter 5001  
inches from the top of the envelope. Between the parallel lines 5002  
shall be printed: "OFFICIAL ELECTION UNIFORMED SERVICES OR 5003  
OVERSEAS ABSENT VOTER'S BALLOTS -- VIA AIR MAIL." Three blank 5004  
lines shall be printed in the upper left corner on the face of the 5005  
envelope for the use by the voter in placing the voter's complete 5006  
military, naval, or mailing address on these lines, and beneath 5007  
these lines there shall be printed a box beside the words "check 5008  
if out-of-country." The voter shall check this box if the voter 5009  
will be outside the United States on the day of the election. The 5010  
official title and the post-office address of the ~~director board~~ 5011

to ~~whom~~ which the envelope shall be returned shall be printed on 5012  
the face of such envelope in the lower right portion below the 5013  
bottom parallel line. 5014

(C) On the back of each identification envelope and each 5015  
return envelope shall be printed the following: 5016

"Instructions to voter: 5017

If the flap on this envelope is so firmly stuck to the back 5018  
of the envelope when received by you as to require forcible 5019  
opening in order to use it, open the envelope in the manner least 5020  
injurious to it, and, after marking your ballots and enclosing 5021  
same in the envelope for mailing them to ~~the director~~ of the board 5022  
of elections, reclose the envelope in the most practicable way, by 5023  
sealing or otherwise, and sign the blank form printed below. 5024

The flap on this envelope was firmly stuck to the back of the 5025  
envelope when received, and required forced opening before sealing 5026  
and mailing. 5027

..... 5028  
(Signature of voter)" 5029

(D) Division (C) of this section does not apply when absent 5030  
voter's ballots are sent electronically, including by facsimile 5031  
machine. 5032

**Sec. 3511.06.** The return envelope provided for in section 5033  
3511.05 of the Revised Code shall be of such size that the 5034  
identification envelope can be conveniently placed within it for 5035  
returning the identification envelope to the ~~director~~ board of 5036  
elections. The envelope in which the two envelopes and the 5037  
uniformed services or overseas absent voter's ballots are mailed 5038  
to the elector shall have two parallel lines, each one quarter of 5039  
an inch in width, printed across its face, paralleling the top, 5040  
with an intervening space of one-quarter of an inch between such 5041

lines. The top line shall be one and one-quarter inches from the 5042  
top of the envelope. Between the parallel lines shall be printed: 5043  
"official uniformed services or overseas absent voter's balloting 5044  
material--via air mail." The appropriate return address of ~~the~~ 5045  
~~director of~~ the board of elections shall be printed in the upper 5046  
left corner on the face of such envelope. Several blank lines 5047  
shall be printed on the face of such envelope in the lower right 5048  
portion, below the bottom parallel line, for writing in the name 5049  
and address of the elector to whom such envelope is mailed. 5050

**Sec. 3511.07.** When mailing unsealed identification envelopes 5051  
and unsealed return envelopes to persons, the ~~director of the~~ 5052  
board of elections shall insert a sheet of waxed paper or other 5053  
appropriate insert between the gummed flap and the back of each of 5054  
such envelopes to minimize the possibility that the flap may 5055  
become firmly stuck to the back of the envelope by reason of 5056  
moisture, humid atmosphere, or other conditions to which they may 5057  
be subjected. If the flap on either of such envelopes should be so 5058  
firmly stuck to the back of the envelope when it is received by 5059  
the voter as to require forcible opening of the envelope in order 5060  
to use it, the voter shall open such envelope in the manner least 5061  
injurious to it, and, after marking ~~his~~ the voter's ballots and 5062  
enclosing them in the envelope for mailing to the ~~director~~ board, 5063  
~~he~~ the voter shall reclose such envelope in the most practicable 5064  
way, by sealing it or otherwise, and shall sign the blank form 5065  
printed on the back of such envelope. 5066

**Sec. 3511.08.** The ~~director of the~~ board of elections shall 5067  
keep a record of the name and address of each person to whom the 5068  
~~director~~ board mails or delivers uniformed services or overseas 5069  
absent voter's ballots, the kinds of ballots so mailed or 5070  
delivered, and the name and address of the person who made the 5071  
application for such ballots. After the ~~director~~ board has mailed 5072

or delivered such ballots, the ~~director~~ board shall not mail or 5073  
deliver additional ballots of the same kind to such person 5074  
pursuant to a subsequent request unless such subsequent request 5075  
contains the statement that an earlier request had been sent to 5076  
the ~~director~~ board prior to the thirtieth day before the election 5077  
and that the uniformed services or overseas absent voter's ballots 5078  
so requested had not been received by such person prior to the 5079  
fifteenth day before the election, and provided that the ~~director~~ 5080  
board has not received an identification envelope purporting to 5081  
contain marked uniformed services or overseas absent voter's 5082  
ballots from such person. 5083

**Sec. 3511.09.** Upon receiving uniformed services or overseas 5084  
absent voter's ballots, the elector shall cause the questions on 5085  
the face of the identification envelope to be answered, and, by 5086  
writing the elector's usual signature in the proper place on the 5087  
identification envelope, the elector shall declare under penalty 5088  
of election falsification that the answers to those questions are 5089  
true and correct to the best of the elector's knowledge and 5090  
belief. Then, the elector shall note whether there are any voting 5091  
marks on the ballot. If there are any voting marks, the ballot 5092  
shall be returned immediately to the board of elections; 5093  
otherwise, the elector shall cause the ballot to be marked, folded 5094  
separately so as to conceal the markings on it, deposited in the 5095  
identification envelope, and securely sealed in the identification 5096  
envelope. The elector then shall cause the identification envelope 5097  
to be placed within the return envelope, sealed in the return 5098  
envelope, and mailed to ~~the director~~ of the board of elections to 5099  
whom it is addressed, postage prepaid. If the elector does not 5100  
provide the elector's driver's license number or the last four 5101  
digits of the elector's social security number on the statement of 5102  
voter on the identification envelope, the elector also shall 5103  
include in the return envelope with the identification envelope a 5104

copy of the elector's current valid photo identification, a copy 5105  
of a military identification, or a copy of a current utility bill, 5106  
bank statement, government check, paycheck, or other government 5107  
document, other than ~~a notice of an election mailed by a board of~~ 5108  
~~elections under section 3501.19 of the Revised Code or a notice of~~ 5109  
voter registration mailed by a board of elections under section 5110  
3503.19 of the Revised Code, that shows the name and address of 5111  
the elector. Each elector who will be outside the United States on 5112  
the day of the election shall check the box on the return envelope 5113  
indicating this fact and shall mail the return envelope to the 5114  
~~director board~~ prior to the close of the polls on election day. 5115

Every uniformed services or overseas absent voter's ballot 5116  
identification envelope shall be accompanied by the following 5117  
statement in boldface capital letters: WHOEVER COMMITS ELECTION 5118  
FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. 5119

**Sec. 3511.10.** ~~If, after the thirty fifth day and during the~~ 5120  
~~time that absent voter's ballots may be cast in person before the~~ 5121  
~~close of the polls on the day of a general or primary an~~ election, 5122  
a valid application for uniformed services or overseas absent 5123  
voter's ballots is delivered to ~~the director of the~~ office of the 5124  
board of elections ~~at the office of the board~~ by a person making 5125  
the application on the person's own behalf, the ~~director board~~ 5126  
shall forthwith deliver to the person all uniformed services or 5127  
overseas absent voter's ballots then ready for use, together with 5128  
an identification envelope. The person shall then immediately 5129  
retire to a voting booth in the office of the board, and mark the 5130  
ballots. The person shall then fold each ballot separately so as 5131  
to conceal the person's markings thereon, and deposit all of the 5132  
ballots in the identification envelope and securely seal it. 5133  
Thereupon the person shall fill in answers to the questions on the 5134  
face of the identification envelope, and by writing the person's 5135  
usual signature in the proper place thereon, the person shall 5136

declare under penalty of election falsification that the answers 5137  
to those questions are true and correct to the best of that 5138  
person's knowledge and belief. The person shall then deliver the 5139  
identification envelope to the ~~director~~ board. If thereafter, and 5140  
before the third day preceding such election, the board provides 5141  
additional separate official issue or special election ballots, as 5142  
provided for in section 3511.04 of the Revised Code, the ~~director~~ 5143  
board shall promptly, and not later than twelve noon of the third 5144  
day preceding the day of election, mail such additional ballots to 5145  
such person at the address specified by that person for that 5146  
purpose. 5147

In the event any person serving in the armed forces of the 5148  
United States is discharged after the closing date of 5149  
registration, and that person or that person's spouse, or both, 5150  
meets all the other qualifications set forth in section 3511.01 of 5151  
the Revised Code, the person or spouse shall be permitted to vote 5152  
prior to the date of the election in the office of the board in 5153  
the person's or spouse's county, as set forth in this section. 5154

**Sec. 3511.11.** (A) Upon receipt of any return envelope bearing 5155  
the designation "Official Election Uniformed Services or Overseas 5156  
Absent Voter's Ballot" prior to the eleventh day after the day of 5157  
any election, ~~the director~~ of the board of elections shall open it 5158  
but shall not open the identification envelope contained in it. 5159  
If, upon so opening the return envelope, the ~~director~~ board finds 5160  
ballots in it that are not enclosed in and properly sealed in the 5161  
identification envelope, the ~~director~~ board shall not look at the 5162  
markings upon the ballots and shall promptly place them in the 5163  
identification envelope and promptly seal it. If, upon so opening 5164  
the return envelope, the ~~director~~ board finds that ballots are 5165  
enclosed in the identification envelope but that it is not 5166  
properly sealed, the ~~director~~ board shall not look at the markings 5167  
upon the ballots and shall promptly seal the identification 5168



envelope. 5169

(B) Uniformed services or overseas absent voter's ballots 5170  
delivered to the ~~director~~ board not later than the close of the 5171  
polls on election day shall be counted in the manner provided in 5172  
section 3509.06 of the Revised Code. 5173

(C) A return envelope that indicates that the voter will be 5174  
outside of the United States on the day of an election is not 5175  
required to be postmarked in order for a uniformed services or 5176  
overseas absent voter's ballot contained in it to be valid. Except 5177  
as otherwise provided in this division, whether or not the return 5178  
envelope containing the ballot is postmarked or contains an 5179  
illegible postmark, a uniformed services or overseas absent 5180  
voter's ballot that is received after the close of the polls on 5181  
election day through the tenth day after the election day and that 5182  
is delivered in a return envelope that indicates that the voter 5183  
will be outside the United States on the day of the election shall 5184  
be counted on the eleventh day after the election day at the 5185  
office of the board of elections in the manner provided in 5186  
divisions (C) and (D) of section 3509.06 of the Revised Code. 5187  
However, if a return envelope containing a uniformed services or 5188  
overseas absent voter's ballot is so received and so indicates, 5189  
but it is postmarked, or the identification envelope in it is 5190  
signed, after the close of the polls on election day, the 5191  
uniformed services or overseas absent voter's ballot shall not be 5192  
counted. 5193

(D)(1) Except as otherwise provided in division (D)(2) of 5194  
this section, any return envelope containing a uniformed services 5195  
or overseas absent voter's ballot that is postmarked within the 5196  
United States prior to the day of the election shall be delivered 5197  
to the ~~director~~ board prior to the eleventh day after the 5198  
election. Uniformed services or overseas absent voter's ballots 5199  
delivered in envelopes postmarked prior to the day of the election 5200

that are received after the close of the polls on election day 5201  
through the tenth day thereafter shall be counted on the eleventh 5202  
day at the board of elections in the manner provided in divisions 5203  
(C) and (D) of section 3509.06 of the Revised Code. Any such 5204  
ballots that are received by the ~~director~~ board later than the 5205  
tenth day following the election shall not be counted, but shall 5206  
be kept by the board in the sealed identification envelopes as 5207  
provided in division (A) of this section. 5208

(2) Division (D)(1) of this section shall not apply to any 5209  
mail that is postmarked using a postage evidencing system, 5210  
including a postage meter, as defined in 39 C.F.R. 501.1. 5211

(E) The following types of uniformed services or overseas 5212  
absent voter's ballots shall not be counted: 5213

(1) Uniformed services or overseas absent voter's ballots 5214  
contained in return envelopes that bear the designation "Official 5215  
Election Uniformed Services or Overseas Absent Voter's Ballots," 5216  
that are received by the ~~director~~ board after the close of the 5217  
polls on the day of the election, and that either are postmarked, 5218  
or contain an identification envelope that is signed, on or after 5219  
election day; 5220

(2) Uniformed services or overseas absent voter's ballots 5221  
contained in return envelopes that bear that designation, that do 5222  
not indicate they are from voters who will be outside the United 5223  
States on the day of the election, and that are received after the 5224  
tenth day following the election; 5225

(3) Uniformed services or overseas absent voter's ballots 5226  
contained in return envelopes that bear that designation, that are 5227  
received by the ~~director~~ board within ten days after the day of 5228  
the election, and that were postmarked before the day of the 5229  
election using a postage evidencing system, including a postage 5230  
meter, as defined in 39 C.F.R. 501.1. 5231

The uncounted ballots shall be preserved in their 5232  
identification envelopes unopened until the time provided by 5233  
section 3505.31 of the Revised Code for the destruction of all 5234  
other ballots used at the election for which ballots were 5235  
provided, at which time they shall be destroyed. 5236

**Sec. 3511.13.** (A) The poll list or signature pollbook for 5237  
each precinct shall identify each registered elector in that 5238  
precinct who has requested a uniformed services or overseas absent 5239  
voter's ballot for that election. 5240

(B)(1) If a registered elector appears to vote in that 5241  
precinct and that elector has requested a uniformed services or 5242  
overseas absent voter's ballot for that election but the ~~director~~ 5243  
board of elections has not received a sealed identification 5244  
envelope purporting to contain that elector's voted uniformed 5245  
services or overseas absent voter's ballots for that election, the 5246  
elector shall be permitted to cast a provisional ballot under 5247  
section 3505.181 of the Revised Code in that precinct on the day 5248  
of that election. 5249

(2) If a registered elector appears to vote in that precinct 5250  
and that elector has requested a uniformed services or overseas 5251  
absent voter's ballot for that election and the ~~director~~ board has 5252  
received a sealed identification envelope purporting to contain 5253  
that elector's voted uniformed services or overseas absent voter's 5254  
ballots for that election, the elector shall be permitted to cast 5255  
a provisional ballot under section 3505.181 of the Revised Code in 5256  
that precinct on the day of that election. 5257

(C)(1) In counting uniformed services or overseas absent 5258  
voter's ballots under section 3511.11 of the Revised Code, the 5259  
board of elections shall compare the signature of each elector 5260  
from whom the ~~director~~ board has received a sealed identification 5261  
envelope purporting to contain that elector's voted uniformed 5262

services or overseas absent voter's ballots for that election to 5263  
the signature on the elector's registration form. Except as 5264  
otherwise provided in division (C)(3) of this section, if the 5265  
board of elections determines that the uniformed services or 5266  
overseas absent voter's ballot in the sealed identification 5267  
envelope is valid, it shall be counted. If the board of elections 5268  
determines that the signature on the sealed identification 5269  
envelope purporting to contain the elector's voted uniformed 5270  
services or overseas absent voter's ballot does not match the 5271  
signature on the elector's registration form, the ballot shall be 5272  
set aside and the board shall examine, during the time prior to 5273  
the beginning of the official canvass, the poll list or signature 5274  
pollbook from the precinct in which the elector is registered to 5275  
vote to determine if the elector also cast a provisional ballot 5276  
under section 3505.181 of the Revised Code in that precinct on the 5277  
day of the election. 5278

(2) The board of elections shall count the provisional 5279  
ballot, instead of the uniformed services or overseas absent 5280  
voter's ballot, of an elector from whom the ~~director~~ board has 5281  
received an identification envelope purporting to contain that 5282  
elector's voted uniformed services or overseas absent voter's 5283  
ballots, if both of the following apply: 5284

(a) The board of elections determines that the signature of 5285  
the elector on the outside of the identification envelope in which 5286  
the uniformed services or overseas absent voter's ballots are 5287  
enclosed does not match the signature of the elector on the 5288  
elector's registration form; 5289

(b) The elector cast a provisional ballot in the precinct on 5290  
the day of the election. 5291

(3) If the board of elections does not receive the sealed 5292  
identification envelope purporting to contain the elector's voted 5293  
uniformed services or overseas absent voter's ballot by the 5294

applicable deadline established under section 3511.11 of the 5295  
Revised Code, the provisional ballot cast under section 3505.181 5296  
of the Revised Code in that precinct on the day of the election 5297  
shall be counted as valid, if that provisional ballot is otherwise 5298  
determined to be valid pursuant to section 3505.183 of the Revised 5299  
Code. 5300

(D) If the board of elections counts a provisional ballot 5301  
under division (C)(2) or (3) of this section, the returned 5302  
identification envelope of that elector shall not be opened, and 5303  
the ballot within that envelope shall not be counted. The 5304  
identification envelope shall be endorsed "Not Counted" with the 5305  
reason the ballot was not counted. 5306

**Sec. 3511.14.** A board of elections shall accept and process 5307  
federal write-in ballots for all federal, state, and local 5308  
elections conducted in any year as required under "The Uniformed 5309  
and Overseas Citizens Absentee Voting Act," Pub. L. No. 99-410, 5310  
100 Stat. 924, 42 U.S.C. 1973ff, et seq., as amended. 5311

**Sec. 3513.02.** If, in any odd-numbered year, no ~~valid~~ 5312  
~~declaration of candidacy is filed~~ candidate is certified to appear 5313  
on the ballot for nomination as a candidate of a political party 5314  
for election to any of the offices to be voted for at the general 5315  
election to be held in such year, or if the number of persons 5316  
~~filing such declarations of candidacy~~ certified as candidates to 5317  
appear on the ballot for ~~nominations~~ nomination as candidates of 5318  
one political party for election to such offices does not exceed, 5319  
as to any such office, the number of candidates which such 5320  
political party is entitled to nominate as its candidates for 5321  
election to such office, then no primary election shall be held 5322  
for the purpose of nominating party candidates of such party for 5323  
election to offices to be voted for at such general election and 5324  
no primary ballots shall be provided for such party. If, however, 5325

the only office for which there are more ~~valid declarations of~~ 5326  
~~eandidacy filed~~ candidates certified to appear on the ballot than 5327  
the number to be nominated by a political party, is the office of 5328  
councilperson in a ward, a primary election shall be held for such 5329  
party only in the ward or wards in which there is a contest, and 5330  
only the names of the candidates for the office of councilperson 5331  
in such ward shall appear on the primary ballot of such political 5332  
party. 5333

The election officials whose duty it would have been to 5334  
provide for and conduct the holding of such primary election, 5335  
declare the results thereof, and issue certificates of nomination 5336  
to the persons entitled thereto if such primary election had been 5337  
held shall declare each of such persons to be nominated as of the 5338  
date of the ninetieth day before the primary election, issue 5339  
appropriate certificates of nomination to each of them, and 5340  
certify their names to the proper election officials, in order 5341  
that their names may be printed on the official ballots provided 5342  
for use in the succeeding general election in the same manner as 5343  
though such primary election had been held and such persons had 5344  
been nominated at such election. 5345

**Sec. 3513.12.** At a presidential primary election, ~~which shall~~ 5346  
~~be held on the first Tuesday after the first Monday in March in~~ 5347  
~~the year 2000, and similarly in every fourth year thereafter,~~ 5348  
delegates and alternates to the national conventions of the 5349  
different major political parties shall be chosen by direct vote 5350  
of the electors as provided in this chapter. Candidates for 5351  
delegate and alternate shall be qualified and the election shall 5352  
be conducted in the manner prescribed in this chapter for the 5353  
nomination of candidates for state and district offices, except as 5354  
provided in section 3513.151 of the Revised Code and except that 5355  
whenever any group of candidates for delegate at large or 5356  
alternate at large, or any group of candidates for delegates or 5357

alternates from districts, file with the secretary of state 5358  
statements as provided by this section, designating the same 5359  
persons as their first and second choices for president of the 5360  
United States, such a group of candidates may submit a group 5361  
petition containing a declaration of candidacy for each of such 5362  
candidates. The group petition need be signed only by the number 5363  
of electors required for the petition of a single candidate. No 5364  
group petition shall be submitted except by a group of candidates 5365  
equal in number to the whole number of delegates at large or 5366  
alternates at large to be elected or equal in number to the whole 5367  
number of delegates or alternates from a district to be elected. 5368

Each person seeking to be elected as delegate or alternate to 5369  
the national convention of the person's political party shall file 5370  
with the person's declaration of candidacy and certificate a 5371  
statement in writing signed by the person in which the person 5372  
shall state the person's first and second choices for nomination 5373  
as the candidate of the person's party for the presidency of the 5374  
United States. The secretary of state shall not permit any 5375  
declaration of candidacy and certificate of a candidate for 5376  
election as such delegate or alternate to be filed unless 5377  
accompanied by such statement in writing. The name of a candidate 5378  
for the presidency shall not be so used without the candidate's 5379  
written consent. 5380

A person who is a first choice for president of candidates 5381  
seeking election as delegates and alternates shall file with the 5382  
secretary of state, prior to the day of the election, a list 5383  
indicating the order in which certificates of election are to be 5384  
issued to delegate or alternate candidates to whose candidacy the 5385  
person has consented, if fewer than all of such candidates are 5386  
entitled under party rules to be certified as elected. Each 5387  
candidate for election as such delegate or alternate may also file 5388  
along with the candidate's declaration of candidacy and 5389

certificate a statement in writing signed by the candidate in the 5390  
following form: 5391

"Statement of Candidate 5392

For Election as ..... (Delegate) (Alternate) to the 5393

..... (name of political party) National Convention 5394

I hereby declare to the voters of my political party in the 5395

State of Ohio that, if elected as ..... (delegate) 5396

(alternate) to their national party convention, I shall, to the 5397

best of my judgment and ability, support that candidate for 5398

President of the United States who shall have been selected at 5399

this primary by the voters of my party in the manner provided in 5400

Chapter 3513. of the Ohio Revised Code, as their candidate for 5401

such office. 5402

..... (name) 5403

Candidate for ..... 5404

(Delegate) (Alternate)" 5405

The procedures for the selection of candidates for delegate 5406

and alternate to the national convention of a political party set 5407

forth in this section and in section 3513.121 of the Revised Code 5408

are alternative procedures, and if the procedures of this section 5409

are followed, the procedures of section 3513.121 of the Revised 5410

Code need not be followed. 5411

**Sec. 3513.131.** In the event two or more persons with 5412

identical surnames run for the same office in a primary election 5413

on the same ballot, the names of the candidates shall be 5414

differentiated on the ballot by varying combinations of first and 5415

middle names and initials. Within twenty-four hours after the 5416

final date for filing declarations of candidacy or petitions for 5417

candidacy, the director of the board of elections for local, 5418

municipal, county, general, or special elections, or the director 5419

of the board of elections of the most populous county for 5420



district, general, or special elections, or the secretary of state 5421  
for state-wide general and special elections shall notify the 5422  
persons with identical given names and surnames that the names of 5423  
such persons will be differentiated on the ballot. If one of the 5424  
candidates is an incumbent who is a candidate to succeed ~~himself~~ 5425  
self for the office ~~he~~ the incumbent occupies, ~~he~~ the incumbent 5426  
shall have first choice of the name by which ~~he~~ the incumbent is 5427  
designated on the ballot. If an incumbent does not make a choice 5428  
within two days after notification or if none of the candidates is 5429  
an incumbent, the board of elections within three days after 5430  
notification shall designate the names by which the candidates are 5431  
identified on the ballot. In case of a district candidate the 5432  
board of elections in the most populous county shall make the 5433  
determination. In case of state-wide candidates, or in the case 5434  
any board of elections fails to make a designation within three 5435  
days after notification, the secretary of state shall immediately 5436  
make the determination. 5437

"Notification" as required by this section shall be by the 5438  
director of the board of elections or secretary of state by 5439  
~~special delivery or telegram~~ certified mail at the candidate's 5440  
address listed in ~~his~~ the candidate's declaration or petition of 5441  
candidacy. 5442

**Sec. 3513.19.** (A) It is the duty of any ~~judge of elections~~ 5443  
precinct election official, whenever any ~~judge of elections~~ such 5444  
official doubts that a person attempting to vote at a primary 5445  
election is legally entitled to vote at that election, to 5446  
challenge the right of that person to vote. The right of a person 5447  
to vote at a primary election may be challenged upon the following 5448  
grounds: 5449

(1) That the person whose right to vote is challenged is not 5450  
a legally qualified elector; 5451

(2) That the person has received or has been promised some 5452  
valuable reward or consideration for the person's vote; 5453

(3) That the person is not affiliated with or is not a member 5454  
of the political party whose ballot the person desires to vote. 5455  
Such party affiliation shall be determined by examining the 5456  
elector's voting record for the current year and the immediately 5457  
preceding two calendar years as shown on the voter's registration 5458  
card, using the standards of affiliation specified in the seventh 5459  
paragraph of section 3513.05 of the Revised Code. Division (A)(3) 5460  
of this section and the seventh paragraph of section 3513.05 of 5461  
the Revised Code do not prohibit a person who holds an elective 5462  
office for which candidates are nominated at a party primary 5463  
election from doing any of the following: 5464

(a) If the person voted as a member of a different political 5465  
party at any primary election within the current year and the 5466  
immediately preceding two calendar years, being a candidate for 5467  
nomination at a party primary held during the times specified in 5468  
division (C)(2) of section 3513.191 of the Revised Code provided 5469  
that the person complies with the requirements of that section; 5470

(b) Circulating the person's own petition of candidacy for 5471  
party nomination in the primary election. 5472

(B) When the right of a person to vote is challenged upon the 5473  
ground set forth in division (A)(3) of this section, membership in 5474  
or political affiliation with a political party shall be 5475  
determined by the person's statement, made under penalty of 5476  
election falsification, that the person desires to be affiliated 5477  
with and supports the principles of the political party whose 5478  
primary ballot the person desires to vote. 5479

**Sec. 3513.21.** At the close of the polls in a primary 5480  
election, the ~~judges of~~ precinct election officials shall proceed 5481  
without delay to canvass the vote, sign and seal it, and make 5482

returns thereof to the board of elections forthwith on the forms 5483  
to be provided by the board. The provisions of Title XXXV of the 5484  
Revised Code relating to the accounting for and return of all 5485  
ballots at general elections apply to primary ballots. 5486

If there is any disagreement as to how a ballot should be 5487  
counted it shall be submitted to all of the ~~judges~~ precinct 5488  
election officials. If three of the ~~judges~~ precinct election 5489  
officials do not agree as to how any part of the ballot shall be 5490  
counted, that part of such ballot which three of the ~~judges~~ 5491  
officials do agree shall be counted and a notation made upon the 5492  
ballot indicating what part has not been counted, and shall be 5493  
placed in an envelope provided for that purpose, marked "Disputed 5494  
Ballots" and returned to the board. 5495

The board shall, on the day when the vote is canvassed, open 5496  
such sealed envelopes, determine what ballots and for whom they 5497  
should be counted, and proceed to count and tally the votes on 5498  
such ballots. 5499

**Sec. 3513.262.** The nominating petitions of all candidates 5500  
required to be filed before four p.m. of the day before the day of 5501  
the primary election immediately preceding the general election 5502  
shall be processed as follows: 5503

If such petition is filed with the secretary of state, ~~he~~ the 5504  
secretary of state shall, not later than the fifteenth day of June 5505  
following the filing of such petition, ~~or if the primary election~~ 5506  
~~was a presidential primary election, not later than the end of the~~ 5507  
~~sixth week after the day of that election,~~ transmit to each board 5508  
such separate petition papers as purport to contain signatures of 5509  
electors of the county of such board. If such petition is filed 5510  
with the board of the most populous county of a district or of a 5511  
county in which the major portion of the population of a 5512  
subdivision is located, such board shall, not later than the 5513

fifteenth day of June, ~~or if the primary election was a~~ 5514  
~~presidential primary election, not later than the end of the sixth~~ 5515  
~~week after the day of that election,~~ transmit to each board within 5516  
such district such separate petition papers of the petition as 5517  
purport to contain signatures of electors of the county of such 5518  
board. 5519

All petition papers so transmitted to a board and all 5520  
nominating petitions filed with a board shall, under proper 5521  
regulations, be open to public inspection from the fifteenth day 5522  
of June until four p.m. of the thirtieth day of that month, ~~or if~~ 5523  
~~the primary election was a presidential primary election, from the~~ 5524  
~~end of the sixth week after the election until four p.m. of the~~ 5525  
~~end of the seventh week after the election.~~ Each board shall, not 5526  
later than the next fifteenth day of July, ~~or if the primary~~ 5527  
~~election was a presidential primary election, not later than the~~ 5528  
~~end of the tenth week after the day of that election,~~ examine and 5529  
determine the sufficiency of the signatures on the petition papers 5530  
transmitted to or filed with it, and the validity of the petitions 5531  
filed with it, and shall return to the secretary of state all 5532  
petition papers transmitted to it by ~~him~~ the secretary of state, 5533  
together with its certification of its determination as to the 5534  
validity or invalidity of signatures thereon, and shall return to 5535  
each other board all petition papers transmitted to it by such 5536  
other board, as provided in this section, together with its 5537  
certification of its determination as to the validity or 5538  
invalidity of signatures thereon. All other matters affecting the 5539  
validity or invalidity of such petition papers shall be determined 5540  
by the secretary of state or the board with whom such petition 5541  
papers were filed. 5542

Written protests against nominating petitions may be filed by 5543  
any qualified elector eligible to vote for the candidate whose 5544  
nominating petition ~~he~~ the elector objects to, not later than four 5545

p.m. of the thirtieth day of July, ~~or if the primary election was~~ 5546  
~~a presidential primary election, not later than the end of the~~ 5547  
~~twelfth week after the day of that election.~~ Such protests shall 5548  
be filed with the election officials with whom the nominating 5549  
petition was filed. Upon the filing of such protest, the election 5550  
officials with whom it is filed shall promptly fix the time and 5551  
place for hearing it, and shall forthwith mail notice of the 5552  
filing of such protest and the time and place for hearing it to 5553  
the person whose nomination is protested. They shall also 5554  
forthwith mail notice of the time and place fixed for the hearing 5555  
to the person who filed the protest. At the time fixed, such 5556  
election officials shall hear the protest and determine the 5557  
validity or invalidity of the petition. Such determination shall 5558  
be final. 5559

A protest against the nominating petition filed by joint 5560  
candidates for the offices of governor and lieutenant governor 5561  
shall be filed, heard, and determined in the same manner as a 5562  
protest against the nominating petition of a candidate who files 5563  
~~by himself~~ individually. 5564

**Sec. 3513.30.** (A)(1) If only one valid declaration of 5565  
candidacy is filed for nomination as a candidate of a political 5566  
party for an office and that candidate dies prior to the tenth day 5567  
before the primary election, both of the following may occur: 5568

(a) The political party whose candidate died may fill the 5569  
vacancy so created as provided in division (A)(2) of this section. 5570

(b) Any major political party other than the one whose 5571  
candidate died may select a candidate as provided in division 5572  
(A)(2) of this section under either of the following 5573  
circumstances: 5574

(i) No person has filed a valid declaration of candidacy for 5575  
nomination as that party's candidate at the primary election. 5576

(ii) Only one person has filed a valid declaration of 5577  
candidacy for nomination as that party's candidate at the primary 5578  
election, that person has withdrawn, died, or been disqualified 5579  
under section 3513.052 of the Revised Code, and the vacancy so 5580  
created has not been filled. 5581

(2) A vacancy may be filled under division (A)(1)(a) and a 5582  
selection may be made under division (A)(1)(b) of this section by 5583  
the appropriate committee of the political party in the same 5584  
manner as provided in divisions (A) to (E) of section 3513.31 of 5585  
the Revised Code for the filling of similar vacancies created by 5586  
withdrawals or disqualifications under section 3513.052 of the 5587  
Revised Code after the primary election, except that the 5588  
certification required under that section may not be filed with 5589  
the secretary of state, or with a board of the most populous 5590  
county of a district, or with the board of a county in which the 5591  
major portion of the population of a subdivision is located, later 5592  
than four p.m. of the tenth day before the day of such primary 5593  
election, or with any other board later than four p.m. of the 5594  
fifth day before the day of such primary election. 5595

(3) If only one valid declaration of candidacy is filed for 5596  
nomination as a candidate of a political party for an office and 5597  
that candidate dies on or after the tenth day before the day of 5598  
the primary election, that candidate is considered to have 5599  
received the nomination of that candidate's political party at 5600  
that primary election, and, for purposes of filling the vacancy so 5601  
created, that candidate's death shall be treated as if that 5602  
candidate died on the day after the day of the primary election. 5603

(B) Any person filing a declaration of candidacy may withdraw 5604  
as such candidate at any time prior to the primary election. The 5605  
withdrawal shall be effected and the statement of withdrawal shall 5606  
be filed in accordance with the procedures prescribed in division 5607  
(D) of this section for the withdrawal of persons nominated in a 5608

primary election or by nominating petition. 5609

(C) A person who is named the first choice for president of 5610  
the United States by a candidate for delegate or alternate to a 5611  
national convention of a political party may withdraw consent for 5612  
the selection of the person as such first choice no later than 5613  
four p.m. of the fortieth day before the day of the presidential 5614  
primary election. Withdrawal of consent shall be for the entire 5615  
slate of candidates for delegates and alternates who named such 5616  
person as their presidential first choice and shall constitute 5617  
withdrawal from the primary election by such delegates and 5618  
alternates. The withdrawal shall be made in writing and delivered 5619  
to the secretary of state. If the withdrawal is delivered to the 5620  
secretary of state on or before the seventieth day before the day 5621  
of the primary election, the boards of elections shall remove both 5622  
the name of the withdrawn first choice and the names of such 5623  
withdrawn candidates from the ballots according to the directions 5624  
of the secretary of state. If the withdrawal is delivered to the 5625  
secretary of state after the seventieth day before the day of the 5626  
primary election, the board of elections shall not remove the name 5627  
of the withdrawn first choice and the names of the withdrawn 5628  
candidates from the ballots. The board of elections shall post a 5629  
notice at each polling location on the day of the primary 5630  
election, and shall enclose with each absent voter's ballot given 5631  
or mailed after the candidate withdraws, a notice that votes for 5632  
the withdrawn first choice or the withdrawn candidates will be 5633  
void and will not be counted. If such names are not removed from 5634  
all ballots before the day of the election, the votes for the 5635  
withdrawn first choice or the withdrawn candidates are void and 5636  
shall not be counted. 5637

(D) Any person nominated in a primary election or by 5638  
nominating petition as a candidate for election at the next 5639  
general election may withdraw as such candidate at any time prior 5640

to the general election. Such withdrawal may be effected by the 5641  
filing of a written statement by such candidate announcing the 5642  
candidate's withdrawal and requesting that the candidate's name 5643  
not be printed on the ballots. If such candidate's declaration of 5644  
candidacy or nominating petition was filed with the secretary of 5645  
state, the candidate's statement of withdrawal shall be addressed 5646  
to and filed with the secretary of state. If such candidate's 5647  
declaration of candidacy or nominating petition was filed with a 5648  
board of elections, the candidate's statement of withdrawal shall 5649  
be addressed to and filed with such board. 5650

(E) When a person withdraws under division (B) or (D) of this 5651  
section on or before the seventieth day before the day of the 5652  
~~primary~~ election at which the person's candidacy is to appear on 5653  
the ballot, the board of elections shall remove the name of the 5654  
withdrawn candidate from the ballots according to the directions 5655  
of the secretary of state. When a person withdraws under division 5656  
(B) or (D) of this section after the seventieth day before the day 5657  
of the ~~primary~~ election at which the person's candidacy is to 5658  
appear on the ballot, the board of elections shall not remove the 5659  
name of the withdrawn candidate from the ballots. The board of 5660  
elections shall post a notice at each polling place on the day of 5661  
the ~~primary~~ election, and shall enclose with each absent voter's 5662  
ballot given or mailed after the candidate withdraws, a notice 5663  
that votes for the withdrawn candidate will be void and will not 5664  
be counted. If the name is not removed from all ballots before the 5665  
day of the election, the votes for the withdrawn candidate are 5666  
void and shall not be counted. 5667

**Sec. 3515.04.** At the time and place fixed for making a 5668  
recount, the board of elections, in the presence of all observers 5669  
who may be in attendance, shall open the sealed containers 5670  
containing the ballots to be recounted, and shall recount them. ~~If~~ 5671  
~~a county used punch card ballots and if a chad is attached to a~~ 5672



~~punch card ballot by three or four corners, the voter shall be~~ 5673  
~~deemed by the board not to have recorded a candidate, question, or~~ 5674  
~~issue choice at the particular position on the ballot, and a vote~~ 5675  
~~shall not be counted at that particular position on the ballot in~~ 5676  
~~the recount.~~ Ballots shall be handled only by the members of the 5677  
board or by the director or other employees of the board. 5678  
Observers shall be permitted to see the ballots, but they shall 5679  
not be permitted to touch them, and the board shall not permit the 5680  
counting or tabulation of votes shown on the ballots for any 5681  
nomination, or for election to any office or position, or upon any 5682  
question or issue, other than the votes shown on such ballots for 5683  
the nomination, election, question, or issue concerning which a 5684  
recount of ballots was applied for. 5685

At any time before the ballots from all of the precincts 5686  
listed in an application for the recount or involved in a recount 5687  
pursuant to section 3515.011 of the Revised Code have been 5688  
recounted, the applicant or declared losing candidate or nominee 5689  
or each of the declared losing candidates or nominees entitled to 5690  
file a request prior to the commencement of a recount, as provided 5691  
in section 3515.03 of the Revised Code, may file with the board a 5692  
written request to stop the recount and not recount the ballots 5693  
from the precincts so listed that have not been recounted prior to 5694  
the time of the request. If, upon the request, the board finds 5695  
that results of the votes in the precincts recounted, if 5696  
substituted for the results of the votes in those precincts as 5697  
shown in the abstract of the votes in those precincts, would not 5698  
cause the applicant, if a person for whom votes were cast for 5699  
nomination or election, to be declared nominated or elected or if 5700  
an election upon a question or issue would not cause a result 5701  
contrary to the result as declared prior to such recount, it shall 5702  
grant the request and shall not recount the ballots of the 5703  
precincts listed in the application for recount that have not been 5704  
recounted prior to that time. If the board finds otherwise, it 5705

shall deny the request and shall continue to recount ballots until 5706  
the ballots from all of the precincts listed in the application 5707  
for recount have been recounted; provided that, if the request is 5708  
denied, it may be renewed from time to time. Upon any such 5709  
renewal, the board shall consider and act upon the request in the 5710  
same manner as provided in this section in connection with an 5711  
original request. 5712

~~As used in this section, "chad" and "punch card ballot" have 5713  
the same meanings as in section 3506.16 of the Revised Code. 5714~~

**Sec. 3517.10.** (A) Except as otherwise provided in this 5715  
division, every campaign committee, political action committee, 5716  
legislative campaign fund, political party, and political 5717  
contributing entity that made or received a contribution or made 5718  
an expenditure in connection with the nomination or election of 5719  
any candidate or in connection with any ballot issue or question 5720  
at any election held or to be held in this state shall file, on a 5721  
form prescribed under this section or by electronic means of 5722  
transmission as provided in this section and section 3517.106 of 5723  
the Revised Code, a full, true, and itemized statement, made under 5724  
penalty of election falsification, setting forth in detail the 5725  
contributions and expenditures, not later than four p.m. of the 5726  
following dates: 5727

(1) The twelfth day before the election to reflect 5728  
contributions received and expenditures made from the close of 5729  
business on the last day reflected in the last previously filed 5730  
statement, if any, to the close of business on the twentieth day 5731  
before the election; 5732

(2) The thirty-eighth day after the election to reflect the 5733  
contributions received and expenditures made from the close of 5734  
business on the last day reflected in the last previously filed 5735  
statement, if any, to the close of business on the seventh day 5736

before the filing of the statement; 5737

(3) The last business day of January of every year to reflect 5738  
the contributions received and expenditures made from the close of 5739  
business on the last day reflected in the last previously filed 5740  
statement, if any, to the close of business on the last day of 5741  
December of the previous year; 5742

(4) The last business day of July of every year to reflect 5743  
the contributions received and expenditures made from the close of 5744  
business on the last day reflected in the last previously filed 5745  
statement, if any, to the close of business on the last day of 5746  
June of that year. 5747

A campaign committee shall only be required to file the 5748  
statements prescribed under divisions (A)(1) and (2) of this 5749  
section in connection with the nomination or election of the 5750  
committee's candidate. 5751

The statement required under division (A)(1) of this section 5752  
shall not be required of any campaign committee, political action 5753  
committee, legislative campaign fund, political party, or 5754  
political contributing entity that has received contributions of 5755  
less than one thousand dollars and has made expenditures of less 5756  
than one thousand dollars at the close of business on the 5757  
twentieth day before the election. Those contributions and 5758  
expenditures shall be reported in the statement required under 5759  
division (A)(2) of this section. 5760

If an election to select candidates to appear on the general 5761  
election ballot is held within sixty days before a general 5762  
election, the campaign committee of a successful candidate in the 5763  
earlier election may file the statement required by division 5764  
(A)(1) of this section for the general election instead of the 5765  
statement required by division (A)(2) of this section for the 5766  
earlier election if the pregeneral election statement reflects the 5767

status of contributions and expenditures for the period twenty 5768  
days before the earlier election to twenty days before the general 5769  
election. 5770

If a person becomes a candidate less than twenty days before 5771  
an election, the candidate's campaign committee is not required to 5772  
file the statement required by division (A)(1) of this section. 5773

No statement under division (A)(3) of this section shall be 5774  
required for any year in which a campaign committee, political 5775  
action committee, legislative campaign fund, political party, or 5776  
political contributing entity is required to file a postgeneral 5777  
election statement under division (A)(2) of this section. However, 5778  
a statement under division (A)(3) of this section may be filed, at 5779  
the option of the campaign committee, political action committee, 5780  
legislative campaign fund, political party, or political 5781  
contributing entity. 5782

No campaign committee of a candidate for the office of chief 5783  
justice or justice of the supreme court, and no campaign committee 5784  
of a candidate for the office of judge of any court in this state, 5785  
shall be required to file a statement under division (A)(4) of 5786  
this section. 5787

Except as otherwise provided in this paragraph and in the 5788  
next paragraph of this section, the only campaign committees 5789  
required to file a statement under division (A)(4) of this section 5790  
are the campaign committee of a statewide candidate and the 5791  
campaign committee of a candidate for county office. The campaign 5792  
committee of a candidate for any other nonjudicial office is 5793  
required to file a statement under division (A)(4) of this section 5794  
if that campaign committee receives, during that period, 5795  
contributions exceeding ten thousand dollars. 5796

No statement under division (A)(4) of this section shall be 5797  
required of a campaign committee, a political action committee, a 5798

legislative campaign fund, a political party, or a political 5799  
contributing entity for any year in which the campaign committee, 5800  
political action committee, legislative campaign fund, political 5801  
party, or political contributing entity is required to file a 5802  
postprimary election statement under division (A)(2) of this 5803  
section. However, a statement under division (A)(4) of this 5804  
section may be filed at the option of the campaign committee, 5805  
political action committee, legislative campaign fund, political 5806  
party, or political contributing entity. 5807

No statement under division (A)(3) or (4) of this section 5808  
shall be required if the campaign committee, political action 5809  
committee, legislative campaign fund, political party, or 5810  
political contributing entity has no contributions that it has 5811  
received and no expenditures that it has made since the last date 5812  
reflected in its last previously filed statement. However, the 5813  
campaign committee, political action committee, legislative 5814  
campaign fund, political party, or political contributing entity 5815  
shall file a statement to that effect, on a form prescribed under 5816  
this section and made under penalty of election falsification, on 5817  
the date required in division (A)(3) or (4) of this section, as 5818  
applicable. 5819

The campaign committee of a statewide candidate shall file a 5820  
monthly statement of contributions received during each of the 5821  
months of July, August, and September in the year of the general 5822  
election in which the candidate seeks office. The campaign 5823  
committee of a statewide candidate shall file the monthly 5824  
statement not later than three business days after the last day of 5825  
the month covered by the statement. During the period beginning on 5826  
the nineteenth day before the general election in which a 5827  
statewide candidate seeks election to office and extending through 5828  
the day of that general election, each time the campaign committee 5829  
of the joint candidates for the offices of governor and lieutenant 5830

governor or of a candidate for the office of secretary of state, 5831  
auditor of state, treasurer of state, or attorney general receives 5832  
a contribution from a contributor that causes the aggregate amount 5833  
of contributions received from that contributor during that period 5834  
to equal or exceed ten thousand dollars and each time the campaign 5835  
committee of a candidate for the office of chief justice or 5836  
justice of the supreme court receives a contribution from a 5837  
contributor that causes the aggregate amount of contributions 5838  
received from that contributor during that period to exceed ten 5839  
thousand dollars, the campaign committee shall file a 5840  
two-business-day statement reflecting that contribution. ~~During~~ 5841  
~~the period beginning on the nineteenth day before a primary~~ 5842  
~~election in which a candidate for statewide office seeks~~ 5843  
~~nomination to office and extending through the day of that primary~~ 5844  
~~election, each time either the campaign committee of a statewide~~ 5845  
~~candidate in that primary election that files a notice under~~ 5846  
~~division (C)(1) of section 3517.103 of the Revised Code or the~~ 5847  
~~campaign committee of a statewide candidate in that primary~~ 5848  
~~election to which, in accordance with division (D) of section~~ 5849  
~~3517.103 of the Revised Code, the contribution limitations~~ 5850  
~~prescribed in section 3517.102 of the Revised Code no longer apply~~ 5851  
~~receives a contribution from a contributor that causes the~~ 5852  
~~aggregate amount of contributions received from that contributor~~ 5853  
~~during that period to exceed ten thousand dollars, the campaign~~ 5854  
~~committee shall file a two-business-day statement reflecting that~~ 5855  
~~contribution.~~ Contributions reported on a two-business-day 5856  
statement required to be filed by a campaign committee of a 5857  
statewide candidate in a primary election shall also be included 5858  
in the postprimary election statement required to be filed by that 5859  
campaign committee under division (A)(2) of this section. A 5860  
two-business-day statement required by this paragraph shall be 5861  
filed not later than two business days after receipt of the 5862  
contribution. The statements required by this paragraph shall be 5863

filed in addition to any other statements required by this 5864  
section. 5865

Subject to the secretary of state having implemented, tested, 5866  
and verified the successful operation of any system the secretary 5867  
of state prescribes pursuant to divisions (C)(6)(b) and (D)(6) of 5868  
this section and division (H)(1) of section 3517.106 of the 5869  
Revised Code for the filing of campaign finance statements by 5870  
electronic means of transmission, a campaign committee of a 5871  
statewide candidate shall file a two-business-day statement under 5872  
the preceding paragraph by electronic means of transmission if the 5873  
campaign committee is required to file a pre-election, 5874  
postelection, or monthly statement of contributions and 5875  
expenditures by electronic means of transmission under this 5876  
section or section 3517.106 of the Revised Code. 5877

If a campaign committee or political action committee has no 5878  
balance on hand and no outstanding obligations and desires to 5879  
terminate itself, it shall file a statement to that effect, on a 5880  
form prescribed under this section and made under penalty of 5881  
election falsification, with the official with whom it files a 5882  
statement under division (A) of this section after filing a final 5883  
statement of contributions and a final statement of expenditures, 5884  
if contributions have been received or expenditures made since the 5885  
period reflected in its last previously filed statement. 5886

(B) Except as otherwise provided in division (C)(7) of this 5887  
section, each statement required by division (A) of this section 5888  
shall contain the following information: 5889

(1) The full name and address of each campaign committee, 5890  
political action committee, legislative campaign fund, political 5891  
party, or political contributing entity, including any treasurer 5892  
of the committee, fund, party, or entity, filing a contribution 5893  
and expenditure statement; 5894

(2)(a) In the case of a campaign committee, the candidate's full name and address; 5895  
5896

(b) In the case of a political action committee, the registration number assigned to the committee under division (D)(1) of this section. 5897  
5898  
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(3) The date of the election and whether it was or will be a general, primary, or special election; 5900  
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(4) A statement of contributions received, which shall include the following information: 5902  
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(a) The month, day, and year of the contribution; 5904

(b)(i) The full name and address of each person, political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity from whom contributions are received and the registration number assigned to the political action committee under division (D)(1) of this section. The requirement of filing the full address does not apply to any statement filed by a state or local committee of a political party, to a finance committee of such committee, or to a committee recognized by a state or local committee as its fund-raising auxiliary. Notwithstanding division (F) of this section, the requirement of filing the full address shall be considered as being met if the address filed is the same address the contributor provided under division (E)(1) of this section. 5905  
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(ii) If a political action committee, political contributing entity, legislative campaign fund, or political party that is required to file campaign finance statements by electronic means of transmission under section 3517.106 of the Revised Code or a campaign committee of a statewide candidate or candidate for the office of member of the general assembly receives a contribution from an individual that exceeds one hundred dollars, the name of the individual's current employer, if any, or, if the individual 5918  
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is self-employed, the individual's occupation and the name of the 5926  
individual's business, if any; 5927

(iii) If a campaign committee of a statewide candidate or 5928  
candidate for the office of member of the general assembly 5929  
receives a contribution transmitted pursuant to section 3599.031 5930  
of the Revised Code from amounts deducted from the wages and 5931  
salaries of two or more employees that exceeds in the aggregate 5932  
one hundred dollars during any one filing period under division 5933  
(A)(1), (2), (3), or (4) of this section, the full name of the 5934  
employees' employer and the full name of the labor organization of 5935  
which the employees are members, if any. 5936

(c) A description of the contribution received, if other than 5937  
money; 5938

(d) The value in dollars and cents of the contribution; 5939

(e) A separately itemized account of all contributions and 5940  
expenditures regardless of the amount, except a receipt of a 5941  
contribution from a person in the sum of twenty-five dollars or 5942  
less at one social or fund-raising activity and a receipt of a 5943  
contribution transmitted pursuant to section 3599.031 of the 5944  
Revised Code from amounts deducted from the wages and salaries of 5945  
employees if the contribution from the amount deducted from the 5946  
wages and salary of any one employee is twenty-five dollars or 5947  
less aggregated in a calendar year. An account of the total 5948  
contributions from each social or fund-raising activity shall 5949  
include a description of and the value of each in-kind 5950  
contribution received at that activity from any person who made 5951  
one or more such contributions whose aggregate value exceeded two 5952  
hundred fifty dollars and shall be listed separately, together 5953  
with the expenses incurred and paid in connection with that 5954  
activity. A campaign committee, political action committee, 5955  
legislative campaign fund, political party, or political 5956  
contributing entity shall keep records of contributions from each 5957

person in the amount of twenty-five dollars or less at one social 5958  
or fund-raising activity and contributions from amounts deducted 5959  
under section 3599.031 of the Revised Code from the wages and 5960  
salary of each employee in the amount of twenty-five dollars or 5961  
less aggregated in a calendar year. No continuing association that 5962  
is recognized by a state or local committee of a political party 5963  
as an auxiliary of the party and that makes a contribution from 5964  
funds derived solely from regular dues paid by members of the 5965  
auxiliary shall be required to list the name or address of any 5966  
members who paid those dues. 5967

Contributions that are other income shall be itemized 5968  
separately from all other contributions. The information required 5969  
under division (B)(4) of this section shall be provided for all 5970  
other income itemized. As used in this paragraph, "other income" 5971  
means a loan, investment income, or interest income. 5972

(f) In the case of a campaign committee of a state elected 5973  
officer, if a person doing business with the state elected officer 5974  
in the officer's official capacity makes a contribution to the 5975  
campaign committee of that officer, the information required under 5976  
division (B)(4) of this section in regard to that contribution, 5977  
which shall be filed together with and considered a part of the 5978  
committee's statement of contributions as required under division 5979  
(A) of this section but shall be filed on a separate form provided 5980  
by the secretary of state. As used in this division: 5981

(i) "State elected officer" has the same meaning as in 5982  
section 3517.092 of the Revised Code. 5983

(ii) "Person doing business" means a person or an officer of 5984  
an entity who enters into one or more contracts with a state 5985  
elected officer or anyone authorized to enter into contracts on 5986  
behalf of that officer to receive payments for goods or services, 5987  
if the payments total, in the aggregate, more than five thousand 5988  
dollars during a calendar year. 5989

(5) A statement of expenditures which shall include the 5990  
following information: 5991

(a) The month, day, and year of the expenditure; 5992

(b) The full name and address of each person, political 5993  
party, campaign committee, legislative campaign fund, political 5994  
action committee, or political contributing entity to whom the 5995  
expenditure was made and the registration number assigned to the 5996  
political action committee under division (D)(1) of this section; 5997

(c) The object or purpose for which the expenditure was made; 5998

(d) The amount of each expenditure. 5999

(C)(1) The statement of contributions and expenditures shall 6000  
be signed by the person completing the form. If a statement of 6001  
contributions and expenditures is filed by electronic means of 6002  
transmission pursuant to this section or section 3517.106 of the 6003  
Revised Code, the electronic signature of the person who executes 6004  
the statement and transmits the statement by electronic means of 6005  
transmission, as provided in division (H) of section 3517.106 of 6006  
the Revised Code, shall be attached to or associated with the 6007  
statement and shall be binding on all persons and for all purposes 6008  
under the campaign finance reporting law as if the signature had 6009  
been handwritten in ink on a printed form. 6010

(2) The person filing the statement, under penalty of 6011  
election falsification, shall include with it a list of each 6012  
anonymous contribution, the circumstances under which it was 6013  
received, and the reason it cannot be attributed to a specific 6014  
donor. 6015

(3) Each statement of a campaign committee of a candidate who 6016  
holds public office shall contain a designation of each 6017  
contributor who is an employee in any unit or department under the 6018  
candidate's direct supervision and control. In a space provided in 6019  
the statement, the person filing the statement shall affirm that 6020

each such contribution was voluntarily made. 6021

(4) A campaign committee that did not receive contributions 6022  
or make expenditures in connection with the nomination or election 6023  
of its candidate shall file a statement to that effect, on a form 6024  
prescribed under this section and made under penalty of election 6025  
falsification, on the date required in division (A)(2) of this 6026  
section. 6027

(5) The campaign committee of any person who attempts to 6028  
become a candidate and who, for any reason, does not become 6029  
certified in accordance with Title XXXV of the Revised Code for 6030  
placement on the official ballot of a primary, general, or special 6031  
election to be held in this state, and who, at any time prior to 6032  
or after an election, receives contributions or makes 6033  
expenditures, or has given consent for another to receive 6034  
contributions or make expenditures, for the purpose of bringing 6035  
about the person's nomination or election to public office, shall 6036  
file the statement or statements prescribed by this section and a 6037  
termination statement, if applicable. Division (C)(5) of this 6038  
section does not apply to any person with respect to an election 6039  
to the offices of member of a county or state central committee, 6040  
presidential elector, or delegate to a national convention or 6041  
conference of a political party. 6042

(6)(a) The statements required to be filed under this section 6043  
shall specify the balance in the hands of the campaign committee, 6044  
political action committee, legislative campaign fund, political 6045  
party, or political contributing entity and the disposition 6046  
intended to be made of that balance. 6047

(b) The secretary of state shall prescribe the form for all 6048  
statements required to be filed under this section and shall 6049  
furnish the forms to the boards of elections in the several 6050  
counties. The boards of elections shall supply printed copies of 6051  
those forms without charge. The secretary of state shall prescribe 6052

the appropriate methodology, protocol, and data file structure for 6053  
statements required or permitted to be filed by electronic means 6054  
of transmission under division (A) of this section, divisions (E), 6055  
(F), and (G) of section 3517.106, division (D) of section 6056  
3517.1011, division (B) of section 3517.1012, division (C) of 6057  
section 3517.1013, and divisions (D) and (I) of section 3517.1014 6058  
of the Revised Code. Subject to division (A) of this section, 6059  
divisions (E), (F), and (G) of section 3517.106, division (D) of 6060  
section 3517.1011, division (B) of section 3517.1012, division (C) 6061  
of section 3517.1013, and divisions (D) and (I) of section 6062  
3517.1014 of the Revised Code, the statements required to be 6063  
stored on computer by the secretary of state under division (B) of 6064  
section 3517.106 of the Revised Code shall be filed in whatever 6065  
format the secretary of state considers necessary to enable the 6066  
secretary of state to store the information contained in the 6067  
statements on computer. Any such format shall be of a type and 6068  
nature that is readily available to whoever is required to file 6069  
the statements in that format. 6070

(c) The secretary of state shall assess the need for training 6071  
regarding the filing of campaign finance statements by electronic 6072  
means of transmission and regarding associated technologies for 6073  
candidates, campaign committees, political action committees, 6074  
legislative campaign funds, political parties, or political 6075  
contributing entities, for individuals, partnerships, or other 6076  
entities, for persons making disbursements to pay the direct costs 6077  
of producing or airing electioneering communications, or for 6078  
treasurers of transition funds, required or permitted to file 6079  
statements by electronic means of transmission under this section 6080  
or section 3517.105, 3517.106, 3517.1011, 3517.1012, 3517.1013, or 6081  
3517.1014 of the Revised Code. If, in the opinion of the secretary 6082  
of state, training in these areas is necessary, the secretary of 6083  
state shall arrange for the provision of voluntary training 6084  
programs for candidates, campaign committees, political action 6085

committees, legislative campaign funds, political parties, or 6086  
political contributing entities, for individuals, partnerships, 6087  
and other entities, for persons making disbursements to pay the 6088  
direct costs of producing or airing electioneering communications, 6089  
or for treasurers of transition funds, as appropriate. 6090

(7) Each monthly statement and each two-business-day 6091  
statement required by division (A) of this section shall contain 6092  
the information required by divisions (B)(1) to (4), (C)(2), and, 6093  
if appropriate, (C)(3) of this section. Each statement shall be 6094  
signed as required by division (C)(1) of this section. 6095

(D)(1) Prior to receiving a contribution or making an 6096  
expenditure, every campaign committee, political action committee, 6097  
legislative campaign fund, political party, or political 6098  
contributing entity shall appoint a treasurer and shall file, on a 6099  
form prescribed by the secretary of state, a designation of that 6100  
appointment, including the full name and address of the treasurer 6101  
and of the campaign committee, political action committee, 6102  
legislative campaign fund, political party, or political 6103  
contributing entity. That designation shall be filed with the 6104  
official with whom the campaign committee, political action 6105  
committee, legislative campaign fund, political party, or 6106  
political contributing entity is required to file statements under 6107  
section 3517.11 of the Revised Code. The name of a campaign 6108  
committee shall include at least the last name of the campaign 6109  
committee's candidate. If two or more candidates are the 6110  
beneficiaries of a single campaign committee under division (B) of 6111  
section 3517.081 of the Revised Code, the name of the campaign 6112  
committee shall include at least the last name of each candidate 6113  
who is a beneficiary of that campaign committee. The secretary of 6114  
state shall assign a registration number to each political action 6115  
committee that files a designation of the appointment of a 6116  
treasurer under this division if the political action committee is 6117

required by division (A)(1) of section 3517.11 of the Revised Code 6118  
to file the statements prescribed by this section with the 6119  
secretary of state. 6120

(2) The treasurer appointed under division (D)(1) of this 6121  
section shall keep a strict account of all contributions, from 6122  
whom received and the purpose for which they were disbursed. 6123

(3)(a) Except as otherwise provided in section 3517.108 of 6124  
the Revised Code, a campaign committee shall deposit all monetary 6125  
contributions received by the committee into an account separate 6126  
from a personal or business account of the candidate or campaign 6127  
committee. 6128

(b) A political action committee shall deposit all monetary 6129  
contributions received by the committee into an account separate 6130  
from all other funds. 6131

(c) A state or county political party may establish a state 6132  
candidate fund that is separate from an account that contains the 6133  
public moneys received from the Ohio political party fund under 6134  
section 3517.17 of the Revised Code and from all other funds. A 6135  
state or county political party may deposit into its state 6136  
candidate fund any amounts of monetary contributions that are made 6137  
to or accepted by the political party subject to the applicable 6138  
limitations, if any, prescribed in section 3517.102 of the Revised 6139  
Code. A state or county political party shall deposit all other 6140  
monetary contributions received by the party into one or more 6141  
accounts that are separate from its state candidate fund and from 6142  
its account that contains the public moneys received from the Ohio 6143  
political party fund under section 3517.17 of the Revised Code. 6144

(d) Each state political party shall have only one 6145  
legislative campaign fund for each house of the general assembly. 6146  
Each such fund shall be separate from any other funds or accounts 6147  
of that state party. A legislative campaign fund is authorized to 6148

receive contributions and make expenditures for the primary 6149  
purpose of furthering the election of candidates who are members 6150  
of that political party to the house of the general assembly with 6151  
which that legislative campaign fund is associated. Each 6152  
legislative campaign fund shall be administered and controlled in 6153  
a manner designated by the caucus. As used in this division, 6154  
"caucus" has the same meaning as in section 3517.01 of the Revised 6155  
Code and includes, as an ex officio member, the chairperson of the 6156  
state political party with which the caucus is associated or that 6157  
chairperson's designee. 6158

(4) Every expenditure in excess of twenty-five dollars shall 6159  
be vouched for by a receipted bill, stating the purpose of the 6160  
expenditure, that shall be filed with the statement of 6161  
expenditures. A canceled check with a notation of the purpose of 6162  
the expenditure is a receipted bill for purposes of division 6163  
(D)(4) of this section. 6164

(5) The secretary of state or the board of elections, as the 6165  
case may be, shall issue a receipt for each statement filed under 6166  
this section and shall preserve a copy of the receipt for a period 6167  
of at least six years. All statements filed under this section 6168  
shall be open to public inspection in the office where they are 6169  
filed and shall be carefully preserved for a period of at least 6170  
six years after the year in which they are filed. 6171

(6) The secretary of state, by rule adopted pursuant to 6172  
section 3517.23 of the Revised Code, shall prescribe both of the 6173  
following: 6174

(a) The manner of immediately acknowledging, with date and 6175  
time received, and preserving the receipt of statements that are 6176  
transmitted by electronic means of transmission to the secretary 6177  
of state pursuant to this section or section 3517.106, 3517.1011, 6178  
3517.1012, 3517.1013, or 3517.1014 of the Revised Code; 6179



(b) The manner of preserving the contribution and 6180  
expenditure, contribution and disbursement, deposit and 6181  
disbursement, gift and disbursement, or donation and disbursement 6182  
information in the statements described in division (D)(6)(a) of 6183  
this section. The secretary of state shall preserve the 6184  
contribution and expenditure, contribution and disbursement, 6185  
deposit and disbursement, gift and disbursement, or donation and 6186  
disbursement information in those statements for at least ten 6187  
years after the year in which they are filed by electronic means 6188  
of transmission. 6189

(7) The secretary of state, pursuant to division (I) of 6190  
section 3517.106 of the Revised Code, shall make available online 6191  
to the public through the internet the contribution and 6192  
expenditure, contribution and disbursement, deposit and 6193  
disbursement, gift and disbursement, or donation and disbursement 6194  
information in all statements, all addenda, amendments, or other 6195  
corrections to statements, and all amended statements filed with 6196  
the secretary of state by electronic or other means of 6197  
transmission under this section, division (B)(2)(b) or (C)(2)(b) 6198  
of section 3517.105, or section 3517.106, 3517.1011, 3517.1012, 6199  
3517.1013, 3517.1014, or 3517.11 of the Revised Code. The 6200  
secretary of state may remove the information from the internet 6201  
after a reasonable period of time. 6202

(E)(1) Any person, political party, campaign committee, 6203  
legislative campaign fund, political action committee, or 6204  
political contributing entity that makes a contribution in 6205  
connection with the nomination or election of any candidate or in 6206  
connection with any ballot issue or question at any election held 6207  
or to be held in this state shall provide its full name and 6208  
address to the recipient of the contribution at the time the 6209  
contribution is made. The political action committee also shall 6210  
provide the registration number assigned to the committee under 6211

division (D)(1) of this section to the recipient of the 6212  
contribution at the time the contribution is made. 6213

(2) Any individual who makes a contribution that exceeds one 6214  
hundred dollars to a political action committee, political 6215  
contributing entity, legislative campaign fund, or political party 6216  
or to a campaign committee of a statewide candidate or candidate 6217  
for the office of member of the general assembly shall provide the 6218  
name of the individual's current employer, if any, or, if the 6219  
individual is self-employed, the individual's occupation and the 6220  
name of the individual's business, if any, to the recipient of the 6221  
contribution at the time the contribution is made. Sections 6222  
3599.39 and 3599.40 of the Revised Code do not apply to division 6223  
(E)(2) of this section. 6224

(3) If a campaign committee shows that it has exercised its 6225  
best efforts to obtain, maintain, and submit the information 6226  
required under divisions (B)(4)(b)(ii) and (iii) of this section, 6227  
that committee is considered to have met the requirements of those 6228  
divisions. A campaign committee shall not be considered to have 6229  
exercised its best efforts unless, in connection with written 6230  
solicitations, it regularly includes a written request for the 6231  
information required under division (B)(4)(b)(ii) of this section 6232  
from the contributor or the information required under division 6233  
(B)(4)(b)(iii) of this section from whoever transmits the 6234  
contribution. 6235

(4) Any check that a political action committee uses to make 6236  
a contribution or an expenditure shall contain the full name and 6237  
address of the committee and the registration number assigned to 6238  
the committee under division (D)(1) of this section. 6239

(F) As used in this section: 6240

(1)(a) Except as otherwise provided in division (F)(1) of 6241  
this section, "address" means all of the following if they exist: 6242

apartment number, street, road, or highway name and number, rural 6243  
delivery route number, city or village, state, and zip code as 6244  
used in a person's post-office address, but not post-office box. 6245

(b) Except as otherwise provided in division (F)(1) of this 6246  
section, if an address is required in this section, a post-office 6247  
box and office, room, or suite number may be included in addition 6248  
to, but not in lieu of, an apartment, street, road, or highway 6249  
name and number. 6250

(c) If an address is required in this section, a campaign 6251  
committee, political action committee, legislative campaign fund, 6252  
political party, or political contributing entity may use the 6253  
business or residence address of its treasurer or deputy 6254  
treasurer. The post-office box number of the campaign committee, 6255  
political action committee, legislative campaign fund, political 6256  
party, or political contributing entity may be used in addition to 6257  
that address. 6258

(d) For the sole purpose of a campaign committee's reporting 6259  
of contributions on a statement of contributions received under 6260  
division (B)(4) of this section, "address" has one of the 6261  
following meanings at the option of the campaign committee: 6262

(i) The same meaning as in division (F)(1)(a) of this 6263  
section; 6264

(ii) All of the following, if they exist: the contributor's 6265  
post-office box number and city or village, state, and zip code as 6266  
used in the contributor's post-office address. 6267

(e) As used with regard to the reporting under this section 6268  
of any expenditure, "address" means all of the following if they 6269  
exist: apartment number, street, road, or highway name and number, 6270  
rural delivery route number, city or village, state, and zip code 6271  
as used in a person's post-office address, or post-office box. If 6272  
an address concerning any expenditure is required in this section, 6273

a campaign committee, political action committee, legislative 6274  
campaign fund, political party, or political contributing entity 6275  
may use the business or residence address of its treasurer or 6276  
deputy treasurer or its post-office box number. 6277

(2) "Statewide candidate" means the joint candidates for the 6278  
offices of governor and lieutenant governor or a candidate for the 6279  
office of secretary of state, auditor of state, treasurer of 6280  
state, attorney general, member of the state board of education, 6281  
chief justice of the supreme court, or justice of the supreme 6282  
court. 6283

(3) "Candidate for county office" means a candidate for the 6284  
office of county auditor, county treasurer, clerk of the court of 6285  
common pleas, judge of the court of common pleas, sheriff, county 6286  
recorder, county engineer, county commissioner, prosecuting 6287  
attorney, or coroner. 6288

(G) An independent expenditure shall be reported whenever and 6289  
in the same manner that an expenditure is required to be reported 6290  
under this section and shall be reported pursuant to division 6291  
(B)(2)(a) or (C)(2)(a) of section 3517.105 of the Revised Code. 6292

(H)(1) Except as otherwise provided in division (H)(2) of 6293  
this section, if, during the combined pre-election and 6294  
postelection reporting periods for an election, a campaign 6295  
committee has received contributions of five hundred dollars or 6296  
less and has made expenditures in the total amount of five hundred 6297  
dollars or less, it may file a statement to that effect, under 6298  
penalty of election falsification, in lieu of the statement 6299  
required by division (A)(2) of this section. The statement shall 6300  
indicate the total amount of contributions received and the total 6301  
amount of expenditures made during those combined reporting 6302  
periods. 6303

(2) In the case of a successful candidate at a primary 6304

election, if either the total contributions received by or the 6305  
total expenditures made by the candidate's campaign committee 6306  
during the preprimary, postprimary, pregeneral, and postgeneral 6307  
election periods combined equal more than five hundred dollars, 6308  
the campaign committee may file the statement under division 6309  
(H)(1) of this section only for the primary election. The first 6310  
statement that the campaign committee files in regard to the 6311  
general election shall reflect all contributions received and all 6312  
expenditures made during the preprimary and postprimary election 6313  
periods. 6314

(3) Divisions (H)(1) and (2) of this section do not apply if 6315  
a campaign committee receives contributions or makes expenditures 6316  
prior to the first day of January of the year of the election at 6317  
which the candidate seeks nomination or election to office or if 6318  
the campaign committee does not file a termination statement with 6319  
its postprimary election statement in the case of an unsuccessful 6320  
primary election candidate or with its postgeneral election 6321  
statement in the case of other candidates. 6322

(I) In the case of a contribution made by a partner of a 6323  
partnership or an owner or a member of another unincorporated 6324  
business from any funds of the partnership or other unincorporated 6325  
business, all of the following apply: 6326

(1) The recipient of the contribution shall report the 6327  
contribution by listing both the partnership or other 6328  
unincorporated business and the name of the partner, owner, or 6329  
member making the contribution. 6330

(2) In reporting the contribution, the recipient of the 6331  
contribution shall be entitled to conclusively rely upon the 6332  
information provided by the partnership or other unincorporated 6333  
business, provided that the information includes one of the 6334  
following: 6335

(a) The name of each partner, owner, or member as of the date 6336  
of the contribution or contributions, and a statement that the 6337  
total contributions are to be allocated equally among all of the 6338  
partners, owners, or members; or 6339

(b) The name of each partner, owner, or member as of the date 6340  
of the contribution or contributions who is participating in the 6341  
contribution or contributions, and a statement that the 6342  
contribution or contributions are to be allocated to those 6343  
individuals in accordance with the information provided by the 6344  
partnership or other unincorporated business to the recipient of 6345  
the contribution. 6346

(3) For purposes of section 3517.102 of the Revised Code, the 6347  
contribution shall be considered to have been made by the partner, 6348  
owner, or member reported under division (I)(1) of this section. 6349

(4) No contribution from a partner of a partnership or an 6350  
owner or a member of another unincorporated business shall be 6351  
accepted from any funds of the partnership or other unincorporated 6352  
business unless the recipient reports the contribution under 6353  
division (I)(1) of this section together with the information 6354  
provided under division (I)(2) of this section. 6355

(5) No partnership or other unincorporated business shall 6356  
make a contribution or contributions solely in the name of the 6357  
partnership or other unincorporated business. 6358

(6) As used in division (I) of this section, "partnership or 6359  
other unincorporated business" includes, but is not limited to, a 6360  
cooperative, a sole proprietorship, a general partnership, a 6361  
limited partnership, a limited partnership association, a limited 6362  
liability partnership, and a limited liability company. 6363

(J) A candidate shall have only one campaign committee at any 6364  
given time for all of the offices for which the person is a 6365  
candidate or holds office. 6366

(K)(1) In addition to filing a designation of appointment of 6367  
a treasurer under division (D)(1) of this section, the campaign 6368  
committee of any candidate for an elected municipal office that 6369  
pays an annual amount of compensation of five thousand dollars or 6370  
less, the campaign committee of any candidate for member of a 6371  
board of education except member of the state board of education, 6372  
or the campaign committee of any candidate for township trustee or 6373  
township fiscal officer may sign, under penalty of election 6374  
falsification, a certificate attesting that the committee will not 6375  
accept contributions during an election period that exceed in the 6376  
aggregate two thousand dollars from all contributors and one 6377  
hundred dollars from any one individual, and that the campaign 6378  
committee will not make expenditures during an election period 6379  
that exceed in the aggregate two thousand dollars. 6380

The certificate shall be on a form prescribed by the 6381  
secretary of state and shall be filed not later than ten days 6382  
after the candidate files a declaration of candidacy and petition, 6383  
a nominating petition, or a declaration of intent to be a write-in 6384  
candidate. 6385

(2) Except as otherwise provided in division (K)(3) of this 6386  
section, a campaign committee that files a certificate under 6387  
division (K)(1) of this section is not required to file the 6388  
statements required by division (A) of this section. 6389

(3) If, after filing a certificate under division (K)(1) of 6390  
this section, a campaign committee exceeds any of the limitations 6391  
described in that division during an election period, the 6392  
certificate is void and thereafter the campaign committee shall 6393  
file the statements required by division (A) of this section. If 6394  
the campaign committee has not previously filed a statement, then 6395  
on the first statement the campaign committee is required to file 6396  
under division (A) of this section after the committee's 6397  
certificate is void, the committee shall report all contributions 6398

received and expenditures made from the time the candidate filed 6399  
the candidate's declaration of candidacy and petition, nominating 6400  
petition, or declaration of intent to be a write-in candidate. 6401

(4) As used in division (K) of this section, "election 6402  
period" means the period of time beginning on the day a person 6403  
files a declaration of candidacy and petition, nominating 6404  
petition, or declaration of intent to be a write-in candidate 6405  
through the day of the election at which the person seeks 6406  
nomination to office if the person is not elected to office, or, 6407  
if the candidate was nominated in a primary election, the day of 6408  
the election at which the candidate seeks office. 6409

(L) A political contributing entity that receives 6410  
contributions from the dues, membership fees, or other assessments 6411  
of its members or from its officers, shareholders, and employees 6412  
may report the aggregate amount of contributions received from 6413  
those contributors and the number of individuals making those 6414  
contributions, for each filing period under divisions (A)(1), (2), 6415  
(3), and (4) of this section, rather than reporting information as 6416  
required under division (B)(4) of this section, including, when 6417  
applicable, the name of the current employer, if any, of a 6418  
contributor whose contribution exceeds one hundred dollars or, if 6419  
such a contributor is self-employed, the contributor's occupation 6420  
and the name of the contributor's business, if any. Division 6421  
(B)(4) of this section applies to a political contributing entity 6422  
with regard to contributions it receives from all other 6423  
contributors. 6424

**Sec. 3517.102.** (A) Except as otherwise provided in section 6425  
3517.103 of the Revised Code, as used in this section and sections 6426  
3517.103 and 3517.104 of the Revised Code: 6427

(1) "Candidate" has the same meaning as in section 3517.01 of 6428  
the Revised Code but includes only candidates for the offices of 6429



governor, lieutenant governor, secretary of state, auditor of 6430  
state, treasurer of state, attorney general, member of the state 6431  
board of education, member of the general assembly, chief justice 6432  
of the supreme court, and justice of the supreme court. 6433

(2) "Statewide candidate" or "any one statewide candidate" 6434  
means the joint candidates for the offices of governor and 6435  
lieutenant governor or a candidate for the office of secretary of 6436  
state, auditor of state, treasurer of state, attorney general, 6437  
member of the state board of education, chief justice of the 6438  
supreme court, or justice of the supreme court. 6439

(3) "Senate candidate" means a candidate for the office of 6440  
state senator. 6441

(4) "House candidate" means a candidate for the office of 6442  
state representative. 6443

(5)(a) "Primary election period" for a candidate begins on 6444  
the beginning date of the candidate's pre-filing period specified 6445  
in division (A)(9) of section 3517.109 of the Revised Code and 6446  
ends on the day of the primary election. 6447

(b) In regard to any candidate, the "general election period" 6448  
begins on the day after the primary election immediately preceding 6449  
the general election at which the candidate seeks an office 6450  
specified in division (A)(1) of this section and ends on the 6451  
thirty-first day of December following that general election. 6452

(6) "State candidate fund" means the state candidate fund 6453  
established by a state or county political party under division 6454  
(D)(3)(c) of section 3517.10 of the Revised Code. 6455

(7) "Postgeneral election statement" means the statement 6456  
filed under division (A)(2) of section 3517.10 of the Revised Code 6457  
by the campaign committee of a candidate after the general 6458  
election in which the candidate ran for office or filed by 6459  
legislative campaign fund after the general election in an 6460

even-numbered year. 6461

(8) "Contribution" means any contribution that is required to 6462  
be reported in the statement of contributions under section 6463  
3517.10 of the Revised Code. 6464

(9)(a) Except as otherwise provided in division (A)(9)(b) of 6465  
this section ~~and in division (F) of section 3517.103 and division~~ 6466  
~~(B)(3)(b) of section 3517.1010 of the Revised Code~~, "designated 6467  
state campaign committee" means: 6468

(i) In the case of contributions to or from a state political 6469  
party, a campaign committee of a statewide candidate, statewide 6470  
officeholder, senate candidate, house candidate, or member of the 6471  
general assembly. 6472

(ii) In the case of contributions to or from a county 6473  
political party, a campaign committee of a senate candidate or 6474  
house candidate whose candidacy is to be submitted to some or all 6475  
of the electors in that county, or member of the general assembly 6476  
whose district contains all or part of that county. 6477

(iii) In the case of contributions to or from a legislative 6478  
campaign fund, a campaign committee of any of the following: 6479

(I) A senate or house candidate who, if elected, will be a 6480  
member of the same party that established the legislative campaign 6481  
fund and the same house with which the legislative campaign fund 6482  
is associated; 6483

(II) A state senator or state representative who is a member 6484  
of the same party that established the legislative campaign fund 6485  
and the same house with which the legislative campaign fund is 6486  
associated. 6487

(b) A campaign committee is no longer a "designated state 6488  
campaign committee" after the campaign committee's candidate 6489  
changes the designation of treasurer required to be filed under 6490

division (D)(1) of section 3517.10 of the Revised Code to indicate 6491  
that the person intends to be a candidate for, or becomes a 6492  
candidate for nomination or election to, any office that, if 6493  
elected, would not qualify that candidate's campaign committee as 6494  
a "designated state campaign committee" under division (A)(9)(a) 6495  
of this section. 6496

(B)(1)(a) No individual who is seven years of age or older 6497  
shall make a contribution or contributions aggregating more than: 6498

(i) Ten thousand dollars to the campaign committee of any one 6499  
statewide candidate in a primary election period or in a general 6500  
election period; 6501

(ii) Ten thousand dollars to the campaign committee of any 6502  
one senate candidate in a primary election period or in a general 6503  
election period; 6504

(iii) Ten thousand dollars to the campaign committee of any 6505  
one house candidate in a primary election period or in a general 6506  
election period; 6507

(iv) Ten thousand dollars to a county political party of the 6508  
county in which the individual's designated Ohio residence is 6509  
located for the party's state candidate fund in a calendar year; 6510

(v) Fifteen thousand dollars to any one legislative campaign 6511  
fund in a calendar year; 6512

(vi) Thirty thousand dollars to any one state political party 6513  
for the party's state candidate fund in a calendar year; 6514

(vii) Ten thousand dollars to any one political action 6515  
committee in a calendar year; 6516

(viii) Ten thousand dollars to any one political contributing 6517  
entity in a calendar year. 6518

(b) No individual shall make a contribution or contributions 6519  
to the state candidate fund of a county political party of any 6520

county other than the county in which the individual's designated 6521  
Ohio residence is located. 6522

(c) No individual who is under seven years of age shall make 6523  
any contribution. 6524

(2)(a) Subject to division (D)(1) of this section, no 6525  
political action committee shall make a contribution or 6526  
contributions aggregating more than: 6527

(i) Ten thousand dollars to the campaign committee of any one 6528  
statewide candidate in a primary election period or in a general 6529  
election period; 6530

(ii) Ten thousand dollars to the campaign committee of any 6531  
one senate candidate in a primary election period or in a general 6532  
election period; 6533

(iii) Ten thousand dollars to the campaign committee of any 6534  
one house candidate in a primary election period or in a general 6535  
election period; 6536

(iv) Fifteen thousand dollars to any one legislative campaign 6537  
fund in a calendar year; 6538

(v) Thirty thousand dollars to any one state political party 6539  
for the party's state candidate fund in a calendar year; 6540

(vi) Ten thousand dollars to another political action 6541  
committee or to a political contributing entity in a calendar 6542  
year. This division does not apply to a political action committee 6543  
that makes a contribution to a political action committee or a 6544  
political contributing entity affiliated with it. For purposes of 6545  
this division, a political action committee is affiliated with 6546  
another political action committee or with a political 6547  
contributing entity if they are both established, financed, 6548  
maintained, or controlled by, or if they are, the same 6549  
corporation, organization, labor organization, continuing 6550

association, or other person, including any parent, subsidiary, 6551  
division, or department of that corporation, organization, labor 6552  
organization, continuing association, or other person. 6553

(b) No political action committee shall make a contribution 6554  
or contributions to a county political party for the party's state 6555  
candidate fund. 6556

(3) No campaign committee shall make a contribution or 6557  
contributions aggregating more than: 6558

(a) Ten thousand dollars to the campaign committee of any one 6559  
statewide candidate in a primary election period or in a general 6560  
election period; 6561

(b) Ten thousand dollars to the campaign committee of any one 6562  
senate candidate in a primary election period or in a general 6563  
election period; 6564

(c) Ten thousand dollars to the campaign committee of any one 6565  
house candidate in a primary election period or in a general 6566  
election period; 6567

(d) Ten thousand dollars to any one political action 6568  
committee in a calendar year; 6569

(e) Ten thousand dollars to any one political contributing 6570  
entity in a calendar year. 6571

(4)(a) Subject to division (D)(3) of this section, no 6572  
political party shall make a contribution or contributions 6573  
aggregating more than ten thousand dollars to any one political 6574  
action committee or to any one political contributing entity in a 6575  
calendar year. 6576

(b) No county political party shall make a contribution or 6577  
contributions to another county political party. 6578

(5)(a) Subject to division (B)(5)(b) of this section, no 6579  
campaign committee, other than a designated state campaign 6580

committee, shall make a contribution or contributions aggregating 6581  
in a calendar year more than: 6582

(i) Thirty thousand dollars to any one state political party 6583  
for the party's state candidate fund; 6584

(ii) Fifteen thousand dollars to any one legislative campaign 6585  
fund; 6586

(iii) Ten thousand dollars to any one county political party 6587  
for the party's state candidate fund. 6588

(b) No campaign committee shall make a contribution or 6589  
contributions to a county political party for the party's state 6590  
candidate fund unless one of the following applies: 6591

(i) The campaign committee's candidate will appear on a 6592  
ballot in that county. 6593

(ii) The campaign committee's candidate is the holder of an 6594  
elected public office that represents all or part of the 6595  
population of that county at the time the contribution is made. 6596

(6)(a) No state candidate fund of a county political party 6597  
shall make a contribution or contributions, except a contribution 6598  
or contributions to a designated state campaign committee, in a 6599  
primary election period or a general election period, aggregating 6600  
more than: 6601

(i) Two hundred fifty thousand dollars to the campaign 6602  
committee of any one statewide candidate; 6603

(ii) Ten thousand dollars to the campaign committee of any 6604  
one senate candidate; 6605

(iii) Ten thousand dollars to the campaign committee of any 6606  
one house candidate. 6607

(b)(i) No state candidate fund of a state or county political 6608  
party shall make a transfer or a contribution or transfers or 6609  
contributions of cash or cash equivalents to a designated state 6610

campaign committee in a primary election period or in a general 6611  
election period aggregating more than: 6612

(I) Five hundred thousand dollars to the campaign committee 6613  
of any one statewide candidate; 6614

(II) One hundred thousand dollars to the campaign committee 6615  
of any one senate candidate; 6616

(III) Fifty thousand dollars to the campaign committee of any 6617  
one house candidate. 6618

(ii) No legislative campaign fund shall make a transfer or a 6619  
contribution or transfers or contributions of cash or cash 6620  
equivalents to a designated state campaign committee aggregating 6621  
more than: 6622

(I) Fifty thousand dollars in a primary election period or 6623  
one hundred thousand dollars in a general election period to the 6624  
campaign committee of any one senate candidate; 6625

(II) Twenty-five thousand dollars in a primary election 6626  
period or fifty thousand dollars in a general election period to 6627  
the campaign committee of any one house candidate. 6628

(iii) As used in divisions (B)(6)(b) and (C)(6) of this 6629  
section, "transfer or contribution of cash or cash equivalents" 6630  
does not include any in-kind contributions. 6631

(c) A county political party that has no state candidate fund 6632  
and that is located in a county having a population of less than 6633  
one hundred fifty thousand may make one or more contributions from 6634  
other accounts to any one statewide candidate or to any one 6635  
designated state campaign committee that do not exceed, in the 6636  
aggregate, two thousand five hundred dollars in any primary 6637  
election period or general election period. As used in this 6638  
division, "other accounts" does not include an account that 6639  
contains the public moneys received from the Ohio political party 6640

fund under section 3517.17 of the Revised Code. 6641

(d) No legislative campaign fund shall make a contribution, 6642  
other than to a designated state campaign committee or to the 6643  
state candidate fund of a political party. 6644

(7)(a) Subject to division (D)(1) of this section, no 6645  
political contributing entity shall make a contribution or 6646  
contributions aggregating more than: 6647

(i) Ten thousand dollars to the campaign committee of any one 6648  
statewide candidate in a primary election period or in a general 6649  
election period; 6650

(ii) Ten thousand dollars to the campaign committee of any 6651  
one senate candidate in a primary election period or in a general 6652  
election period; 6653

(iii) Ten thousand dollars to the campaign committee of any 6654  
one house candidate in a primary election period or in a general 6655  
election period; 6656

(iv) Fifteen thousand dollars to any one legislative campaign 6657  
fund in a calendar year; 6658

(v) Thirty thousand dollars to any one state political party 6659  
for the party's state candidate fund in a calendar year; 6660

(vi) Ten thousand dollars to another political contributing 6661  
entity or to a political action committee in a calendar year. This 6662  
division does not apply to a political contributing entity that 6663  
makes a contribution to a political contributing entity or a 6664  
political action committee affiliated with it. For purposes of 6665  
this division, a political contributing entity is affiliated with 6666  
another political contributing entity or with a political action 6667  
committee if they are both established, financed, maintained, or 6668  
controlled by, or if they are, the same corporation, organization, 6669  
labor organization, continuing association, or other person, 6670



including any parent, subsidiary, division, or department of that corporation, organization, labor organization, continuing association, or other person.

(b) No political contributing entity shall make a contribution or contributions to a county political party for the party's state candidate fund.

(C)(1)(a) Subject to division (D)(1) of this section, no campaign committee of a statewide candidate shall do any of the following:

(i) Knowingly accept a contribution or contributions from any individual who is under seven years of age;

(ii) Accept a contribution or contributions aggregating more than ten thousand dollars from any one individual who is seven years of age or older, from any one political action committee, from any one political contributing entity, or from any one other campaign committee in a primary election period or in a general election period;

(iii) Accept a contribution or contributions aggregating more than two hundred fifty thousand dollars from any one or combination of state candidate funds of county political parties in a primary election period or in a general election period.

(b) No campaign committee of a statewide candidate shall accept a contribution or contributions aggregating more than two thousand five hundred dollars in a primary election period or in a general election period from a county political party that has no state candidate fund and that is located in a county having a population of less than one hundred fifty thousand.

(2)(a) Subject to division (D)(1) of this section and except for a designated state campaign committee, no campaign committee of a senate candidate shall do either of the following:

(i) Knowingly accept a contribution or contributions from any individual who is under seven years of age;

(ii) Accept a contribution or contributions aggregating more than ten thousand dollars from any one individual who is seven years of age or older, from any one political action committee, from any one political contributing entity, from any one state candidate fund of a county political party, or from any one other campaign committee in a primary election period or in a general election period.

(b) No campaign committee of a senate candidate shall accept a contribution or contributions aggregating more than two thousand five hundred dollars in a primary election period or in a general election period from a county political party that has no state candidate fund and that is located in a county having a population of less than one hundred fifty thousand.

(3)(a) Subject to division (D)(1) of this section and except for a designated state campaign committee, no campaign committee of a house candidate shall do either of the following:

(i) Knowingly accept a contribution or contributions from any individual who is under seven years of age;

(ii) Accept a contribution or contributions aggregating more than ten thousand dollars from any one individual who is seven years of age or older, from any one political action committee, from any one political contributing entity, from any one state candidate fund of a county political party, or from any one other campaign committee in a primary election period or in a general election period.

(b) No campaign committee of a house candidate shall accept a contribution or contributions aggregating more than two thousand five hundred dollars in a primary election period or in a general election period from a county political party that has no state

candidate fund and that is located in a county having a population 6732  
of less than one hundred fifty thousand. 6733

(4)(a)(i) Subject to division (C)(4)(a)(ii) of this section 6734  
and except for a designated state campaign committee, no county 6735  
political party shall knowingly accept a contribution or 6736  
contributions from any individual who is under seven years of age, 6737  
or accept a contribution or contributions for the party's state 6738  
candidate fund aggregating more than ten thousand dollars from any 6739  
one individual whose designated Ohio residence is located within 6740  
that county and who is seven years of age or older or from any one 6741  
campaign committee in a calendar year. 6742

(ii) Subject to division (D)(1) of this section, no county 6743  
political party shall accept a contribution or contributions for 6744  
the party's state candidate fund from any individual whose 6745  
designated Ohio residence is located outside of that county and 6746  
who is seven years of age or older, from any campaign committee 6747  
unless the campaign committee's candidate will appear on a ballot 6748  
in that county or unless the campaign committee's candidate is the 6749  
holder of an elected public office that represents all or part of 6750  
the population of that county at the time the contribution is 6751  
accepted, or from any political action committee or any political 6752  
contributing entity. 6753

(iii) No county political party shall accept a contribution 6754  
or contributions from any other county political party. 6755

(b) Subject to division (D)(1) of this section, no state 6756  
political party shall do either of the following: 6757

(i) Knowingly accept a contribution or contributions from any 6758  
individual who is under seven years of age; 6759

(ii) Accept a contribution or contributions for the party's 6760  
state candidate fund aggregating more than thirty thousand dollars 6761  
from any one individual who is seven years of age or older, from 6762

any one political action committee, from any one political 6763  
contributing entity, or from any one campaign committee, other 6764  
than a designated state campaign committee, in a calendar year. 6765

(5) Subject to division (D)(1) of this section, no 6766  
legislative campaign fund shall do either of the following: 6767

(a) Knowingly accept a contribution or contributions from any 6768  
individual who is under seven years of age; 6769

(b) Accept a contribution or contributions aggregating more 6770  
than fifteen thousand dollars from any one individual who is seven 6771  
years of age or older, from any one political action committee, 6772  
from any one political contributing entity, or from any one 6773  
campaign committee, other than a designated state campaign 6774  
committee, in a calendar year. 6775

(6)(a) No designated state campaign committee shall accept a 6776  
transfer or contribution of cash or cash equivalents from a state 6777  
candidate fund of a state political party aggregating in a primary 6778  
election period or a general election period more than: 6779

(i) Five hundred thousand dollars, in the case of a campaign 6780  
committee of a statewide candidate; 6781

(ii) One hundred thousand dollars, in the case of a campaign 6782  
committee of a senate candidate; 6783

(iii) Fifty thousand dollars, in the case of a campaign 6784  
committee of a house candidate. 6785

(b) No designated state campaign committee shall accept a 6786  
transfer or contribution of cash or cash equivalents from a 6787  
legislative campaign fund aggregating more than: 6788

(i) Fifty thousand dollars in a primary election period or 6789  
one hundred thousand dollars in a general election period, in the 6790  
case of a campaign committee of a senate candidate; 6791

(ii) Twenty-five thousand dollars in a primary election 6792

period or fifty thousand dollars in a general election period, in 6793  
the case of a campaign committee of a house candidate. 6794

(c) No campaign committee of a candidate for the office of 6795  
member of the general assembly, including a designated state 6796  
campaign committee, shall accept a transfer or contribution of 6797  
cash or cash equivalents from any one or combination of state 6798  
candidate funds of county political parties aggregating in a 6799  
primary election period or a general election period more than: 6800

(i) One hundred thousand dollars, in the case of a campaign 6801  
committee of a senate candidate; 6802

(ii) Fifty thousand dollars, in the case of a campaign 6803  
committee of a house candidate. 6804

(7)(a) Subject to division (D)(3) of this section, no 6805  
political action committee and no political contributing entity 6806  
shall do either of the following: 6807

(i) Knowingly accept a contribution or contributions from any 6808  
individual who is under seven years of age; 6809

(ii) Accept a contribution or contributions aggregating more 6810  
than ten thousand dollars from any one individual who is seven 6811  
years of age or older, from any one campaign committee, or from 6812  
any one political party in a calendar year. 6813

(b) Subject to division (D)(1) of this section, no political 6814  
action committee shall accept a contribution or contributions 6815  
aggregating more than ten thousand dollars from another political 6816  
action committee or from a political contributing entity in a 6817  
calendar year. Subject to division (D)(1) of this section, no 6818  
political contributing entity shall accept a contribution or 6819  
contributions aggregating more than ten thousand dollars from 6820  
another political contributing entity or from a political action 6821  
committee in a calendar year. This division does not apply to a 6822  
political action committee or political contributing entity that 6823

accepts a contribution from a political action committee or 6824  
political contributing entity affiliated with it. For purposes of 6825  
this division, a political action committee is affiliated with 6826  
another political action committee or with a political 6827  
contributing entity if they are both established, financed, 6828  
maintained, or controlled by the same corporation, organization, 6829  
labor organization, continuing association, or other person, 6830  
including any parent, subsidiary, division, or department of that 6831  
corporation, organization, labor organization, continuing 6832  
association, or other person. 6833

(D)(1)(a) For purposes of the limitations prescribed in 6834  
division (B)(2) of this section and the limitations prescribed in 6835  
divisions (C)(1), (2), (3), (4), (5), and (7)(b) of this section, 6836  
whichever is applicable, all contributions made by and all 6837  
contributions accepted from political action committees that are 6838  
established, financed, maintained, or controlled by, or that are, 6839  
the same corporation, organization, labor organization, continuing 6840  
association, or other person, including any parent, subsidiary, 6841  
division, or department of that corporation, organization, labor 6842  
organization, continuing association, or other person, are 6843  
considered to have been made by or accepted from a single 6844  
political action committee. 6845

(b) For purposes of the limitations prescribed in division 6846  
(B)(7) of this section and the limitations prescribed in divisions 6847  
(C)(1), (2), (3), (4), (5), and (7)(b) of this section, whichever 6848  
is applicable, all contributions made by and all contributions 6849  
accepted from political contributing entities that are 6850  
established, financed, maintained, or controlled by, or that are, 6851  
the same corporation, organization, labor organization, continuing 6852  
association, or other person, including any parent, subsidiary, 6853  
division, or department of that corporation, organization, labor 6854  
organization, continuing association, or other person, are 6855

considered to have been made by or accepted from a single 6856  
political contributing entity. 6857

(2) As used in divisions (B)(1)(a)(vii), (B)(3)(d), 6858  
(B)(4)(a), and (C)(7) of this section, "political action 6859  
committee" does not include a political action committee that is 6860  
organized to support or oppose a ballot issue or question and that 6861  
makes no contributions to or expenditures on behalf of a political 6862  
party, campaign committee, legislative campaign fund, political 6863  
action committee, or political contributing entity. As used in 6864  
divisions (B)(1)(a)(viii), (B)(3)(e), (B)(4)(a), and (C)(7) of 6865  
this section, "political contributing entity" does not include a 6866  
political contributing entity that is organized to support or 6867  
oppose a ballot issue or question and that makes no contributions 6868  
to or expenditures on behalf of a political party, campaign 6869  
committee, legislative campaign fund, political action committee, 6870  
or political contributing entity. 6871

(3) For purposes of the limitations prescribed in divisions 6872  
(B)(4) and (C)(7)(a) of this section, all contributions made by 6873  
and all contributions accepted from a national political party, a 6874  
state political party, and a county political party are considered 6875  
to have been made by or accepted from a single political party and 6876  
shall be combined with each other to determine whether the 6877  
limitations have been exceeded. 6878

(E)(1) If a legislative campaign fund has kept a total amount 6879  
of contributions exceeding one hundred fifty thousand dollars at 6880  
the close of business on the seventh day before the postgeneral 6881  
election statement is required to be filed under section 3517.10 6882  
of the Revised Code, the legislative campaign fund shall comply 6883  
with division (E)(2) of this section. 6884

(2)(a) Any legislative campaign fund that has kept a total 6885  
amount of contributions in excess of the amount specified in 6886  
division (E)(1) of this section at the close of business on the 6887

seventh day before the postgeneral election statement is required 6888  
to be filed under section 3517.10 of the Revised Code shall 6889  
dispose of the excess amount in the manner prescribed in division 6890  
(E)(2)(b)(i), (ii), or (iii) of this section not later than ninety 6891  
days after the day the postgeneral election statement is required 6892  
to be filed under section 3517.10 of the Revised Code. Any 6893  
legislative campaign fund that is required to dispose of an excess 6894  
amount of contributions under this division shall file a statement 6895  
on the ninetieth day after the postgeneral election statement is 6896  
required to be filed under section 3517.10 of the Revised Code 6897  
indicating the total amount of contributions the fund has at the 6898  
close of business on the seventh day before the postgeneral 6899  
election statement is required to be filed under section 3517.10 6900  
of the Revised Code and that the excess contributions were 6901  
disposed of pursuant to this division and division (E)(2)(b) of 6902  
this section. The statement shall be on a form prescribed by the 6903  
secretary of state and shall contain any additional information 6904  
the secretary of state considers necessary. 6905

(b) Any legislative campaign fund that is required to dispose 6906  
of an excess amount of contributions under division (E)(2) of this 6907  
section shall dispose of that excess amount by doing any of the 6908  
following: 6909

(i) Giving the amount to the treasurer of state for deposit 6910  
into the state treasury to the credit of the Ohio elections 6911  
commission fund created by division (I) of section 3517.152 of the 6912  
Revised Code; 6913

(ii) Giving the amount to individuals who made contributions 6914  
to that legislative campaign fund as a refund of all or part of 6915  
their contributions; 6916

(iii) Giving the amount to a corporation that is exempt from 6917  
federal income taxation under subsection 501(a) and described in 6918  
subsection 501(c) of the Internal Revenue Code. 6919



(F)(1) No legislative campaign fund shall fail to file a statement required by division (E) of this section.

(2) No legislative campaign fund shall fail to dispose of excess contributions as required by division (E) of this section.

(G) Nothing in this section shall affect, be used in determining, or supersede a limitation on campaign contributions as provided for in the Federal Election Campaign Act.

**Sec. 3517.103.** (A)~~(1)~~ For purposes of this section:

~~(a)~~(1) "Statewide candidate" means the joint candidates for the offices of governor and lieutenant governor or a candidate for the office of secretary of state, auditor of state, treasurer of state, attorney general, or member of the state board of education.

~~(b)(i)~~(2)(a) "Personal funds" means contributions to the campaign committee of a candidate by the candidate ~~or by the candidate's spouse, parents, children, sons in law, daughters in law, brothers, sisters, grandparents, mother in law, father in law, brothers in law, sisters in law, or grandparents by marriage.~~

~~(ii)~~(b) A loan obtained by, guaranteed by, or for the benefit of a statewide candidate, senate candidate, or house candidate shall be considered "personal funds" subject to the provisions of this section ~~and section 3517.1010 of the Revised Code to the extent that the loan is obtained or guaranteed by the candidate or is for the benefit of the candidate and is obtained or guaranteed by the candidate's spouse, parents, children, sons in law, daughters in law, brothers, sisters, grandparents, mother in law, father in law, brothers in law, sisters in law, or grandparents by marriage.~~ A loan that is obtained or guaranteed and that is for the benefit of a statewide candidate, senate candidate, or house

candidate shall not be considered "personal funds" for the 6950  
purposes of this section ~~and section 3517.1010 of the Revised Code~~ 6951  
but shall be considered to be a "contribution" for the purposes of 6952  
this chapter if the loan is obtained or guaranteed by anyone other 6953  
than the candidate ~~or the candidate's spouse, parents, children,~~ 6954  
~~sons-in-law, daughters-in-law, brothers, sisters, grandparents,~~ 6955  
~~mother-in-law, father-in-law, brothers-in-law, sisters-in-law, or~~ 6956  
~~grandparents by marriage.~~ 6957

~~(iii)(c)~~ When a debt or other obligation incurred by a 6958  
committee or by a candidate on behalf of the candidate's committee 6959  
~~described in division (C)(1) or (2) of this section~~ is to be paid 6960  
from "personal funds," those funds are considered to be expended 6961  
when the debt or other obligation is incurred, regardless of when 6962  
it is paid. 6963

~~(2) For purposes of this chapter, a candidate is an~~ 6964  
~~"opponent" when the candidate has indicated on the candidate's~~ 6965  
~~most recently filed designation of treasurer that the candidate~~ 6966  
~~seeks the same office at the same primary or general election as~~ 6967  
~~another candidate whose campaign committee has filed a personal~~ 6968  
~~funds notice required by division (C)(1) or (2) of this section.~~ 6969

(B)(1) Except as otherwise provided in division (B)(2) of 6970  
this section, no statewide candidate or candidate for the office 6971  
of member of the general assembly shall make an expenditure of 6972  
personal funds to influence the results of an election for that 6973  
candidate's nomination or election to office unless the personal 6974  
funds are first deposited into the campaign fund of that 6975  
candidate's campaign committee. 6976

(2) A statewide candidate or candidate for the office of 6977  
member of the general assembly may make an expenditure of personal 6978  
funds without first depositing those funds into the campaign 6979  
committee's funds as long as the aggregate total of those 6980  
expenditures does not exceed five hundred dollars at any time 6981

during an election period. After the candidate's campaign 6982  
committee reimburses the candidate for any direct expenditure of 6983  
personal funds, the amount that was reimbursed is no longer 6984  
included in the aggregate total of expenditures of personal funds 6985  
subject to the five-hundred-dollar limit. 6986

~~(C)(1) If the campaign committee of any statewide candidate 6987  
has received or expended or expects to expend more than one 6988  
hundred thousand dollars of personal funds during a primary 6989  
election period or one hundred fifty thousand dollars of personal 6990  
funds during a general election period, the campaign committee 6991  
shall file a personal funds notice in the manner provided in 6992  
division (C)(3) of this section indicating that the committee has 6993  
received or expended or expects to expend more than that amount. 6994  
For the purpose of this division, a joint team of candidates for 6995  
governor and lieutenant governor shall be considered a single 6996  
candidate and their personal funds shall be combined. 6997~~

~~(2) If the campaign committee of any senate candidate or 6998  
house candidate has received or expended or expects to expend more 6999  
than twenty five thousand dollars of personal funds during a 7000  
primary election period or twenty five thousand dollars of 7001  
personal funds during a general election period, the campaign 7002  
committee shall file a personal funds notice in the manner 7003  
provided in division (C)(3) of this section indicating that the 7004  
committee has received or expended or expects to expend more than 7005  
that amount. 7006~~

~~(3) The personal funds notice required in divisions (C)(1) 7007  
and (2) of this section and the declaration of no limits required 7008  
under division (D)(2) of this section shall be on a form 7009  
prescribed by the secretary of state. The personal funds notice 7010  
required in divisions (C)(1) and (2) of this section shall be 7011  
filed not later than the earlier of the following times: 7012~~

~~(a) One hundred twenty days before a primary election, in the 7013~~

~~ease of personal funds received, expended, or expected to be 7014  
expended during a primary election period, or not later than one 7015  
hundred twenty days before a general election, in the case of 7016  
personal funds received, expended, or expected to be expended 7017  
during a general election period; 7018~~

~~(b) Two business days after the candidate's campaign 7019  
committee receives or makes an expenditure of personal funds or 7020  
the candidate makes an expenditure of personal funds on behalf of 7021  
the candidate's campaign committee during that election period 7022  
that exceed, in the aggregate, the amount specified in division 7023  
(C)(1) or (2) of this section. 7024~~

~~The personal funds notice required under divisions (C)(1) and 7025  
(2) of this section and the declaration of no limits required 7026  
under division (D)(2) of this section shall be filed wherever the 7027  
campaign committee files statements of contributions and 7028  
expenditures under section 3517.11 of the Revised Code. The board 7029  
of elections shall send to the secretary of state a copy of any 7030  
personal funds notice or declaration of no limits filed by the 7031  
campaign committee of a senate candidate or house candidate under 7032  
division (C)(3) or (D)(2) of this section. 7033~~

~~(D)(1) Whenever a campaign committee files a notice under 7034  
division (C)(1) or (2) of this section, and the campaign committee 7035  
of an opponent files a declaration of no limits pursuant to 7036  
division (D)(2) of this section within thirty days of the filing 7037  
of the personal funds notice under division (C)(1) or (2) of this 7038  
section, the contribution limitations prescribed in section 7039  
3517.102 of the Revised Code no longer apply to the campaign 7040  
committee of the candidate's opponent. 7041~~

~~(2) No campaign committee of a candidate described in 7042  
division (D)(1) of this section shall accept any contribution or 7043  
contributions from a contributor that exceed the limitations 7044  
prescribed in section 3517.102 of the Revised Code until the 7045~~

~~committee files a declaration that the committee will accept 7046  
contributions that exceed those limitations. This declaration 7047  
shall be filed not later than thirty days after a candidate's 7048  
opponent has filed a personal funds notice pursuant to division 7049  
(C)(1) or (2) of section 3517.103 of the Revised Code, shall be 7050  
referred to as the "declaration of no limits," and shall list all 7051  
of the following:~~ 7052

~~(a) The amount of cash on hand in the candidate's campaign 7053  
fund at the end of the day immediately preceding the day on which 7054  
the candidate's campaign committee files the declaration of no 7055  
limits:~~ 7056

~~(b) The value and description of all campaign assets worth 7057  
five hundred dollars or more available to the candidate at the end 7058  
of the day immediately preceding the day on which the candidate's 7059  
campaign committee files the declaration of no limits.~~ 7060

~~(3) A candidate who was not an opponent of a candidate who 7061  
filed the personal funds notice required under division (C)(3) of 7062  
this section on the date the personal funds notice was filed may 7063  
file the declaration of no limits pursuant to division (D)(2) of 7064  
this section within thirty days after becoming an opponent of the 7065  
candidate who filed the personal funds notice.~~ 7066

~~(4) If the candidate whose campaign committee filed a 7067  
personal funds notice under division (C)(1) or (2) of this section 7068  
fails to file a declaration of candidacy for the office listed on 7069  
the designation of treasurer filed under division (D) of section 7070  
3517.10 of the Revised Code or files a declaration of candidacy or 7071  
nominating petition for that office and dies or withdraws, both of 7072  
the following apply to the campaign committee of that candidate's 7073  
opponent if the opponent has filed a declaration of no limits 7074  
pursuant to division (D) of this section:~~ 7075

~~(a) No contribution from a contributor may thereafter be 7076~~

~~accepted that, when added to the aggregate total of all 7077  
contributions received by that committee from that contributor 7078  
during the primary election period or general election period, 7079  
whichever is applicable, would cause that committee to exceed the 7080  
contribution limitations prescribed in section 3517.102 of the 7081  
Revised Code for the applicable election period. 7082~~

~~(b) The statement of primary day finances or the year end 7083  
statement required to be filed under division (E) of section 7084  
3517.1010 of the Revised Code shall be filed not later than 7085  
fourteen days after the date the candidate's opponent fails to 7086  
file a declaration of candidacy or nominating petition by the 7087  
appropriate filing deadline, or dies or withdraws. For purposes of 7088  
calculating permitted funds under division (A)(4) of section 7089  
3517.1010 of the Revised Code, the primary or general election 7090  
period, whichever is applicable, shall be considered to have ended 7091  
on the filing deadline, in the case of an opponent who fails to 7092  
file a declaration of candidacy or nominating petition, or on the 7093  
date of the opponent's death or withdrawal. In such an event, the 7094  
filing of a statement of primary day finances or year end finances 7095  
and the disposing of any excess funds as required under division 7096  
(B) of section 3517.1010 of the Revised Code satisfies the 7097  
candidate's obligation to file such a statement for that election 7098  
period. 7099~~

~~(E)(1) No campaign committee shall fail to file a personal 7100  
funds notice as required under division (C)(1) or (2) of this 7101  
section. 7102~~

~~(2) No campaign committee shall accept any contribution in 7103  
excess of the contribution limitations prescribed in section 7104  
3517.102 of the Revised Code. 7105~~

~~(a) Unless a declaration of no limits has been filed under 7106  
division (D)(2) of this section. 7107~~

~~(b) In violation of division (D)(4) of this section once the candidate who filed a personal funds notice under division (C)(3) of this section fails to file a declaration of candidacy or nominating petition or that candidate dies or withdraws.~~

~~(3) No campaign committee that violates division (E)(1) of this section shall expend any personal funds in excess of the amount specified in division (C)(1) or (2) of this section, whichever is appropriate to the committee.~~

~~(4) The candidate of any campaign committee that violates division (E) of this section shall forfeit the candidate's nomination, if the candidate was nominated, or the office to which the candidate was elected, if the candidate was elected to office.~~

~~(F)(1) Whenever a campaign committee files a notice under division (C)(1) or (2) of this section or whenever the contribution limitations prescribed in section 3517.102 of the Revised Code do not apply to a campaign committee under division (D)(1) of this section, that committee is not a designated state campaign committee for the purpose of the limitations prescribed in section 3517.102 of the Revised Code with regard to contributions made by that campaign committee to a legislative campaign fund or to a state candidate fund of a state or county political party.~~

~~(2) Division (F)(1) of this section no longer applies to a campaign committee after both of the following occur:~~

~~(a) The primary or general election period during which the contribution limitations prescribed in section 3517.102 of the Revised Code did not apply after being removed pursuant to division (D) of this section has expired;~~

~~(b) When the campaign committee has disposed of all excess funds and excess aggregate contributions as required under section 3517.1010 of the Revised Code.~~

Sec. 3517.1011. (A) As used in this section:	7139
(1) "Address" has the same meaning as in section 3517.10 of the Revised Code.	7140 7141
(2) "Broadcast, cable, or satellite communication" means a communication that is publicly distributed by a television station, radio station, cable television system, or satellite system.	7142 7143 7144 7145
(3) "Candidate" has the same meaning as in section 3501.01 of the Revised Code.	7146 7147
(4) "Contribution" means any loan, gift, deposit, forgiveness of indebtedness, donation, advance, payment, or transfer of funds or of anything of value, including a transfer of funds from an inter vivos or testamentary trust or decedent's estate, and the payment by any person other than the person to whom the services are rendered for the personal services of another person, that is made, received, or used to pay the direct costs of producing or airing electioneering communications.	7148 7149 7150 7151 7152 7153 7154 7155
(5)(a) "Coordinated electioneering communication" means any electioneering communication that is made pursuant to any arrangement, coordination, or direction by a candidate or a candidate's campaign committee, by an officer, agent, employee, or consultant of a candidate or a candidate's campaign committee, or by a former officer, former agent, former employee, or former consultant of a candidate or a candidate's campaign committee prior to the airing, broadcasting, or cablecasting of the communication. An electioneering communication is presumed to be a "coordinated electioneering communication" when it is either of the following:	7156 7157 7158 7159 7160 7161 7162 7163 7164 7165 7166
(i) Based on information about a candidate's plans, projects, or needs provided to the person making the disbursement by the	7167 7168



candidate or the candidate's campaign committee, by an officer, 7169  
agent, employee, or consultant of the candidate or the candidate's 7170  
campaign committee, or by a former officer, former agent, former 7171  
employee, or former consultant of the candidate or the candidate's 7172  
campaign committee, with a view toward having the communication 7173  
made; 7174

(ii) Made by or through any person who is, or has been, 7175  
authorized to raise or expend funds on behalf of a candidate or 7176  
the candidate's campaign committee, who is, or has been, an 7177  
officer, agent, employee, or consultant of the candidate or of the 7178  
candidate's campaign committee, or who is, or has been, receiving 7179  
any form of compensation or reimbursement from the candidate or 7180  
the candidate's campaign committee or from an officer, agent, 7181  
employee, or consultant of the candidate or of the candidate's 7182  
campaign committee. 7183

(b) An electioneering communication shall not be presumed to 7184  
be a "coordinated electioneering communication" under division 7185  
(A)(5)(a)(ii) of this section if the communication is made through 7186  
any person who provides a service that does not affect the content 7187  
of the communication, such as communications placed through the 7188  
efforts of a media buyer, unless that person also affects the 7189  
content of the communication. 7190

(6) "Disclosure date" means both of the following: 7191

(a) The first date during any calendar year by which a person 7192  
makes disbursements for the direct costs of producing or airing 7193  
electioneering communications aggregating in excess of ten 7194  
thousand dollars; 7195

(b) The same day of the week of each remaining week in the 7196  
same calendar year as the day of the week of the initial 7197  
disclosure date established under division (A)(6)(a) of this 7198  
section, if, during that remaining week, the person makes 7199

disbursements for the direct costs of producing or airing 7200  
electioneering communications aggregating in excess of one dollar. 7201

(7)(a) "Electioneering communication" means any broadcast, 7202  
cable, or satellite communication that refers to a clearly 7203  
identified candidate and that is made during either of the 7204  
following periods of time: 7205

(i) If the person becomes a candidate before the day of the 7206  
primary election at which candidates will be nominated for 7207  
election to that office, between the date that the person becomes 7208  
a candidate and the thirtieth day prior to that primary election, 7209  
and between the date of the primary election and the thirtieth day 7210  
prior to the general election at which a candidate will be elected 7211  
to that office; 7212

(ii) If the person becomes a candidate after the day of the 7213  
primary election at which candidates were nominated for election 7214  
to that office, between the date of the primary election and the 7215  
thirtieth day prior to the general election at which a candidate 7216  
will be elected to that office. 7217

(b) "Electioneering communication" does not include any of 7218  
the following: 7219

(i) A communication that is publicly disseminated through a 7220  
means of communication other than a broadcast, cable, or satellite 7221  
television or radio station. For example, "electioneering 7222  
communication" does not include communications appearing in print 7223  
media, including a newspaper or magazine, handbill, brochure, 7224  
bumper sticker, yard sign, poster, billboard, and other written 7225  
materials, including mailings; communications over the internet, 7226  
including electronic mail; or telephone communications. 7227

(ii) A communication that appears in a news story, 7228  
commentary, public service announcement, bona fide news 7229  
programming, or editorial distributed through the facilities of 7230

any broadcast, cable, or satellite television or radio station, 7231  
unless those facilities are owned or controlled by any political 7232  
party, political committee, or candidate; 7233

(iii) A communication that constitutes an expenditure or an 7234  
independent expenditure under section 3517.01 of the Revised Code; 7235

(iv) A communication that constitutes a candidate debate or 7236  
forum or that solely promotes a candidate debate or forum and is 7237  
made by or on behalf of the person sponsoring the debate or forum. 7238

(8) "Filing date" has the same meaning as in section 3517.109 7239  
of the Revised Code. 7240

(9) "Immigration and Nationality Act" means the Immigration 7241  
and Nationality Act, 110 Stat. 309 (1996), 8 U.S.C. 1101 et seq., 7242  
as amended. 7243

(10) "Person" has the same meaning as in section 1.59 of the 7244  
Revised Code and includes any political organization considered 7245  
exempt from income taxation under section 527 of the Internal 7246  
Revenue Code. 7247

(11) "Political committee" means any of the following: 7248

(a) Any committee, club, association, or other group of 7249  
persons that receives contributions aggregating in excess of one 7250  
thousand dollars during a calendar year or that makes expenditures 7251  
aggregating in excess of one thousand dollars during a calendar 7252  
year; 7253

(b) Any separate segregated fund; 7254

(c) Any state, county, or local committee of a political 7255  
party that does any of the following: 7256

(i) Receives contributions aggregating in excess of five 7257  
thousand dollars during a calendar year; 7258

(ii) Makes payments that do not constitute contributions or 7259  
expenditures aggregating in excess of five thousand dollars during 7260

a calendar year; 7261

(iii) Makes contributions or expenditures aggregating in 7262  
excess of one thousand dollars during a calendar year. 7263

(12) "Publicly distributed" means aired, broadcast, 7264  
cablecast, or otherwise disseminated for a fee. 7265

(13) "Refers to a clearly identified candidate" means that 7266  
the candidate's name, nickname, photograph, or drawing appears, or 7267  
the identity of the candidate is otherwise apparent through an 7268  
unambiguous reference to the person such as "the chief justice," 7269  
"the governor," "member of the Ohio senate," "member of the Ohio 7270  
house of representatives," "county auditor," "mayor," or "township 7271  
trustee" or through an unambiguous reference to the person's 7272  
status as a candidate. 7273

(B) For the purposes of this section, a person shall be 7274  
considered to have made a disbursement if the person has entered 7275  
into a contract to make the disbursement. 7276

(C) Any person intending to make a disbursement or 7277  
disbursements for the direct costs of producing or airing 7278  
electioneering communications, prior to making the first 7279  
disbursement for the direct costs of producing or airing an 7280  
electioneering communication, shall file a notice with the office 7281  
of the secretary of state that the person is intending to make 7282  
such disbursements. 7283

(D)(1) Every person that makes a disbursement or 7284  
disbursements for the direct costs of producing and airing 7285  
electioneering communications aggregating in excess of ten 7286  
thousand dollars during any calendar year shall file, within 7287  
twenty-four hours of each disclosure date, a disclosure of 7288  
electioneering communications statement containing the following 7289  
information: 7290

(a) The full name and address of the person making the 7291

disbursement, of any person sharing or exercising direction or 7292  
control over the activities of the person making the disbursement, 7293  
and of the custodian of the books and accounts of the person 7294  
making the disbursement; 7295

(b) The principal place of business of the person making the 7296  
disbursement, if not an individual; 7297

(c) The amount of each disbursement of more than one dollar 7298  
during the period covered by the statement and the identity of the 7299  
person to whom the disbursement was made; 7300

(d) The nominations or elections to which the electioneering 7301  
communications pertain and the names, if known, of the candidates 7302  
identified or to be identified; 7303

(e) If the disbursements were paid out of a segregated bank 7304  
account that consists of funds contributed solely by individuals 7305  
who are United States citizens or nationals or lawfully admitted 7306  
for permanent residence as defined in section 101(a)(20) of the 7307  
Immigration and Nationality Act directly to the account for 7308  
electioneering communications, the information specified in 7309  
division (D)(2) of this section for all contributors who 7310  
contributed an aggregate amount of two hundred dollars or more to 7311  
the segregated bank account and whose contributions were used for 7312  
making the disbursement or disbursements required to be reported 7313  
under division (D) of this section during the period covered by 7314  
the statement. Nothing in this division prohibits or shall be 7315  
construed to prohibit the use of funds in such a segregated bank 7316  
account for a purpose other than electioneering communications. 7317

(f) If the disbursements were paid out of funds not described 7318  
in division (D)(1)(e) of this section, the information specified 7319  
in division (D)(2) of this section for all contributors who 7320  
contributed an aggregate amount of two hundred dollars or more to 7321  
the person making the disbursement and whose contributions were 7322

used for making the disbursement or disbursements required to be 7323  
reported under division (D) of this section during the period 7324  
covered by the statement. 7325

(2) For each contributor for which information is required to 7326  
be reported under division (D)(1)(e) or (f) of this section, all 7327  
of the following shall be reported: 7328

(a) The month, day, and year that the contributor made the 7329  
contribution or contributions aggregating two hundred dollars or 7330  
more; 7331

(b)(i) The full name and address of the contributor, and, if 7332  
the contributor is a political action committee, the registration 7333  
number assigned to the political action committee under division 7334  
(D)(1) of section 3517.10 of the Revised Code; 7335

(ii) If the contributor is an individual, the name of the 7336  
individual's current employer, if any, or, if the individual is 7337  
self-employed, the individual's occupation and the name of the 7338  
individual's business, if any; 7339

(iii) If the contribution is transmitted pursuant to section 7340  
3599.031 of the Revised Code from amounts deducted from the wages 7341  
and salaries of two or more employees that exceed in the aggregate 7342  
one hundred dollars during the period specified in division 7343  
(D)(1)(e) or (f) of this section, as applicable, the full name of 7344  
the employees' employer and the full name of the labor 7345  
organization of which the employees are members, if any. 7346

(c) A description of the contribution, if other than money; 7347

(d) The value in dollars and cents of the contribution. 7348

(3) Subject to the secretary of state having implemented, 7349  
tested, and verified the successful operation of any system the 7350  
secretary of state prescribes pursuant to divisions (C)(6)(b) and 7351  
(D)(6) of section 3517.10 and division (H)(1) of section 3517.106 7352

of the Revised Code for the filing of campaign finance statements 7353  
by electronic means of transmission, a person shall file the 7354  
disclosure of electioneering communications statement prescribed 7355  
under divisions (D)(1) and (2) of this section by electronic means 7356  
of transmission to the office of the secretary of state. 7357

Within five business days after the secretary of state 7358  
receives a disclosure of electioneering communications statement 7359  
under this division, the secretary of state shall make available 7360  
online to the public through the internet, as provided in division 7361  
(I) of section 3517.106 of the Revised Code, the contribution and 7362  
disbursement information in that statement. 7363

If a filed disclosure of electioneering communications 7364  
statement is found to be incomplete or inaccurate after its 7365  
examination for completeness and accuracy pursuant to division 7366  
(B)(3)(a) of section 3517.11 of the Revised Code, the person shall 7367  
file by electronic means of transmission to the office of the 7368  
secretary of state any addendum, amendment, or other correction to 7369  
the statement that provides the information necessary to complete 7370  
or correct the statement or, if required by the secretary of state 7371  
under that division, an amended statement. 7372

Within five business days after the secretary of state 7373  
receives an addendum, amendment, or other correction to a 7374  
disclosure of electioneering communications statement or an 7375  
amended statement by electronic means of transmission under this 7376  
division or division (B)(3)(a) of section 3517.11 of the Revised 7377  
Code, the secretary of state shall make the contribution and 7378  
disbursement information in the addendum, amendment, or other 7379  
correction to the statement or amended statement available online 7380  
to the public through the internet as provided in division (I) of 7381  
section 3517.106 of the Revised Code. 7382

(E)(1) Any person who makes a contribution for the purpose of 7383  
funding the direct costs of producing or airing an electioneering 7384

communication under this section shall provide the person's full 7385  
name and address to the recipient of the contribution at the time 7386  
the contribution is made. 7387

(2) Any individual who makes a contribution or contributions 7388  
aggregating two hundred dollars or more for the purpose of funding 7389  
the direct costs of producing or airing an electioneering 7390  
communication under this section shall provide the name of the 7391  
individual's current employer, if any, or, if the individual is 7392  
self-employed, the individual's occupation and the name of the 7393  
individual's business, if any, to the recipient of the 7394  
contribution at the time the contribution is made. 7395

(F) In each electioneering communication, a statement shall 7396  
appear or be presented in a clear and conspicuous manner that does 7397  
both of the following: 7398

(1) Clearly indicates that the electioneering communication 7399  
is not authorized by the candidate or the candidate's campaign 7400  
committee; 7401

(2) Clearly identifies the person making the disbursement for 7402  
the electioneering communication in accordance with section 7403  
3517.20 of the Revised Code. 7404

(G) Any coordinated electioneering communication is an 7405  
in-kind contribution, subject to the applicable contribution 7406  
limits prescribed in section 3517.102 of the Revised Code, to the 7407  
candidate by the person making disbursements to pay the direct 7408  
costs of producing or airing the communication. 7409

~~(H) No person shall make, during the thirty days preceding a 7410  
primary election or during the thirty days preceding a general 7411  
election, any broadcast, cable, or satellite communication that 7412  
refers to a clearly identified candidate using any contributions 7413  
received from a corporation or labor organization. 7414~~



**Sec. 3517.153.** (A) Upon the filing of a complaint with the 7415  
Ohio elections commission, which shall be made by affidavit of any 7416  
person, on personal knowledge, and subject to the penalties for 7417  
perjury, or upon the filing of a complaint made by the secretary 7418  
of state or an official at the board of elections, setting forth a 7419  
failure to comply with or a violation of any provision in sections 7420  
3517.08 to 3517.13, 3517.17, 3517.18, 3517.20 to 3517.22, 3599.03, 7421  
or 3599.031 of the Revised Code, the commission shall proceed in 7422  
accordance with sections 3517.154 to 3517.157 of the Revised Code. 7423

(B) The commission shall prescribe the form for complaints 7424  
made under division (A) of this section. The secretary of state 7425  
and boards of elections shall furnish the information that the 7426  
commission requests. The commission or a member of the commission 7427  
may administer oaths, and the commission may issue subpoenas to 7428  
any person in the state compelling the attendance of witnesses and 7429  
the production of relevant papers, books, accounts, and reports. 7430  
Section 101.42 of the Revised Code governs the issuance of 7431  
subpoenas insofar as applicable. Upon the refusal of any person to 7432  
obey a subpoena or to be sworn or to answer as a witness, the 7433  
commission may apply to the court of common pleas of Franklin 7434  
county under section 2705.03 of the Revised Code. The court shall 7435  
hold proceedings in accordance with Chapter 2705. of the Revised 7436  
Code. 7437

(C) No prosecution shall commence for a violation of a 7438  
provision in sections 3517.08 to 3517.13, 3517.17, 3517.18, 7439  
3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised Code 7440  
unless a complaint has been filed with the commission under this 7441  
section and all proceedings of the commission or a panel of the 7442  
commission, as appropriate, under sections 3517.154 to 3517.157 of 7443  
the Revised Code are completed. 7444

(D) The commission may recommend legislation and render 7445

advisory opinions concerning sections 3517.08, 3517.082, 3517.092, 7446  
3517.102, ~~3517.103~~, 3517.105, 3517.1014, 3517.13, 3517.18, 3517.20 7447  
to 3517.22, 3599.03, and 3599.031 of the Revised Code for persons 7448  
over whose acts it has or may have jurisdiction. When the 7449  
commission renders an advisory opinion relating to a specific set 7450  
of circumstances involving any of those sections stating that 7451  
there is no violation of a provision in those sections, the person 7452  
to whom the opinion is directed or a person who is similarly 7453  
situated may reasonably rely on the opinion and is immune from 7454  
criminal prosecution and a civil action, including, without 7455  
limitation, a civil action for removal from public office or 7456  
employment, based on facts and circumstances covered by the 7457  
opinion. 7458

(E) The commission shall establish a web site on which it 7459  
shall post, at a minimum, all decisions and advisory opinions 7460  
issued by the commission and copies of each election law as it is 7461  
amended by the general assembly. The commission shall update the 7462  
web site regularly to reflect any changes to those decisions and 7463  
advisory opinions and any new decisions and advisory opinions. 7464

**Sec. 3517.154.** (A)(1) The full-time attorney for the Ohio 7465  
elections commission shall review each complaint filed with the 7466  
commission under section 3517.153 of the Revised Code, shall 7467  
determine the nature of the complaint, and, unless division 7468  
(A)(2)(a) of this section requires that the complaint receive an 7469  
automatic expedited hearing, shall make a recommendation to the 7470  
commission for its disposition, in accordance with this section. 7471  
The attorney shall make the determination and the recommendation, 7472  
if required, not later than one business day after the complaint 7473  
is filed. 7474

(2)(a) If the attorney determines that the complaint sets 7475  
forth a violation of division (B) of section 3517.21 or division 7476

(B) of section 3517.22 of the Revised Code and that the complaint 7477  
is filed during one of the periods of time specified in division 7478  
(B)(1) of section 3517.156 of the Revised Code, ~~or that the~~ 7479  
~~complaint sets forth a violation of section 3517.103 of the~~ 7480  
~~Revised Code or a violation described in division (D) of section~~ 7481  
~~3517.1010 of the Revised Code,~~ the complaint shall receive an 7482  
automatic expedited hearing under section 3517.156 of the Revised 7483  
Code. 7484

(b) If the attorney determines that the complaint sets forth 7485  
a failure to comply with or a violation of division (G), (I), (J), 7486  
(O), (P), or (Q) of section 3517.13, division (A) of section 7487  
3517.21, or division (A) of section 3517.22 of the Revised Code 7488  
and that the complaint is filed during one of the periods of time 7489  
specified in division (B)(1) of section 3517.156 of the Revised 7490  
Code, the attorney shall recommend to the commission that the 7491  
complaint receive an expedited hearing under section 3517.156 of 7492  
the Revised Code, and the complaint shall receive such a hearing. 7493

(c) If the attorney determines that the complaint sets forth 7494  
a failure to comply with or a violation of a section of the 7495  
Revised Code over which the commission has jurisdiction to hear 7496  
complaints other than the sections described in divisions 7497  
(A)(2)(a) and (b) of this section, and unless the attorney makes a 7498  
determination as provided for in division (A)(3) of this section, 7499  
the attorney shall recommend to the commission that the complaint 7500  
be submitted to the commission under section 3517.155 of the 7501  
Revised Code. After the attorney makes that recommendation, the 7502  
attorney shall notify all parties to the complaint of the 7503  
attorney's recommendation. 7504

(3)(a) If a complaint sets forth a failure to comply with or 7505  
a violation of a section of the Revised Code over which the 7506  
commission has jurisdiction to hear complaints other than the 7507  
sections described in divisions (A)(2)(a) and (b) of this section 7508

and if the complaint is filed during one of the periods of time 7509  
specified in division (B)(1) of section 3517.156 of the Revised 7510  
Code, the attorney may determine that the complaint should receive 7511  
an expedited hearing under that section. The attorney shall make 7512  
that determination by considering one or more of the following: 7513

(i) The number of prior failures to comply with or violations 7514  
of Title XXXV of the Revised Code that the person or entity 7515  
against whom the complaint has been brought has committed and any 7516  
prior penalties the commission has imposed on the person or 7517  
entity; 7518

(ii) If the complaint involves a statement required to be 7519  
filed under section 3517.10, division (E) of section 3517.102, or 7520  
section ~~3517.103~~, 3517.105, 3517.107, 3517.108, 3517.109, 7521  
3517.1011, 3517.1012, or 3517.1014 of the Revised Code or an 7522  
addendum required to be filed under section 3517.11 of the Revised 7523  
Code that is filed late, how late the filing is and how much time 7524  
has elapsed between the deadline for filing the statement or 7525  
addendum and the filing of the complaint; 7526

(iii) If the complaint involves contributions and 7527  
expenditures, contributions and disbursements, deposits and 7528  
disbursements, gifts and disbursements, or donations and 7529  
disbursements required to be reported under section 3517.10, 7530  
division (E) of section 3517.102, or section 3517.105, 3517.107, 7531  
3517.108, 3517.109, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 7532  
of the Revised Code that are either not reported or reported late, 7533  
the number of contributions and expenditures, contributions and 7534  
disbursements, deposits and disbursements, gifts and 7535  
disbursements, or donations and disbursements not reported or how 7536  
late they were reported; 7537

(iv) If the complaint involves contributions required to be 7538  
reported by a campaign committee under section 3517.10, division 7539  
(E) of section 3517.102, or section 3517.105, 3517.107, 3517.108, 7540

or 3517.109 of the Revised Code that are not reported, whether any 7541  
of the contributors of the contributions not reported have a 7542  
personal or professional relationship with the campaign 7543  
committee's candidate; 7544

(v) If the complaint involves a statement required to be 7545  
filed under section 3517.10, division (E) of section 3517.102, or 7546  
section ~~3517.103~~, 3517.105, 3517.107, 3517.108, 3517.109, 7547  
3517.1011, 3517.1012, 3517.1013, or 3517.1014 of the Revised Code 7548  
that is incomplete, the degree to which it is incomplete; 7549

(vi) If the complaint involves the receipt of contributions 7550  
in violation of section 3599.03 of the Revised Code, the dollar 7551  
amount and number of contributions received in violation of that 7552  
section; 7553

(vii) If the complaint involves a failure to make the 7554  
identification or a misstatement of the identification required 7555  
under section 3517.105 or 3517.20 of the Revised Code, whether the 7556  
failure or misstatement was purposely made; 7557

(viii) If the complaint sets forth a failure to comply with 7558  
or a violation of a section of the Revised Code described in 7559  
division (A)(2)(c) of this section, whether the person or entity 7560  
against whom the complaint has been made has committed more than 7561  
one such failure or violation within a reasonable amount of time, 7562  
or whether the cumulative nature of the failures or violations 7563  
indicates a systematic disregard for the law. 7564

(b) Prior to making a determination under division (A)(3)(a) 7565  
of this section that the complaint should receive an expedited 7566  
hearing under section 3517.156 of the Revised Code, the attorney 7567  
shall take into consideration the number of panels of the 7568  
commission that have cases pending before them and the number of 7569  
cases pending before the panels and shall not make a determination 7570  
that will place an undue burden on a panel of the commission. 7571

(c) If the attorney determines that the complaint should 7572  
receive an expedited hearing under section 3517.156 of the Revised 7573  
Code, the attorney shall recommend to the commission that the 7574  
complaint receive an expedited hearing, and, if a majority of the 7575  
members of the commission agrees with the recommendation, the 7576  
complaint shall receive an expedited hearing under that section. 7577

(4) The attorney may join two or more complaints if the 7578  
attorney determines that the allegations in each complaint are of 7579  
the same or similar character, are based on the same act or 7580  
failure to act, or are based on two or more acts or failures to 7581  
act constituting parts of a common scheme or plan. If one 7582  
complaint contains two or more allegations, the attorney may 7583  
separate the allegations if they are not of the same or similar 7584  
character, if they are not based on the same act or failure to 7585  
act, or if they are not based on two or more acts or failures to 7586  
act constituting parts of a common scheme or plan. If the attorney 7587  
separates the allegations in a complaint, the attorney may make 7588  
separate recommendations under division (A)(2) or (3) of this 7589  
section for each allegation. 7590

(B) Whenever a person or other entity files a complaint with 7591  
the commission setting forth a failure to comply with or a 7592  
violation of a section of the Revised Code as described in 7593  
division (A)(2)(c) of this section and the complaint is filed 7594  
during one of the periods of time specified in division (B)(1) of 7595  
section 3517.156 of the Revised Code, the person or entity may 7596  
request an expedited hearing under that section at the time the 7597  
complaint is filed. The attorney for the commission shall inform 7598  
the members of the commission of that request at the time the 7599  
attorney makes a recommendation under division (A) of this 7600  
section. The commission may grant the request for an expedited 7601  
hearing under this division if it determines that an expedited 7602  
hearing is practicable. 7603

Sec. 3517.155. (A)(1) Except as otherwise provided in 7604  
division (B) of this section, the Ohio elections commission shall 7605  
hold its first hearing on a complaint filed with it, other than a 7606  
complaint that receives an expedited hearing under section 7607  
3517.156 of the Revised Code, not later than ninety business days 7608  
after the complaint is filed unless the commission has good cause 7609  
to hold the hearing after that time, in which case it shall hold 7610  
the hearing not later than one hundred eighty business days after 7611  
the complaint is filed. At the hearing, the commission shall 7612  
determine whether or not the failure to act or the violation 7613  
alleged in the complaint has occurred and shall do only one of the 7614  
following, except as otherwise provided in division (B) of this 7615  
section or in division (B) of section 3517.151 of the Revised 7616  
Code: 7617

(a) Enter a finding that good cause has been shown not to 7618  
impose a fine or not to refer the matter to the appropriate 7619  
prosecutor; 7620

(b) Impose a fine under section 3517.993 of the Revised Code; 7621

(c) Refer the matter to the appropriate prosecutor; 7622

~~(d) Direct the secretary of state or appropriate board of 7623  
elections with the authority to certify a candidate to the ballot 7624  
to remove a candidate's name from the ballot if the candidate is 7625  
barred from the ballot under division (D) of section 3517.1010 of 7626  
the Revised Code. 7627~~

(2) As used in division (A) of this section, "appropriate 7628  
prosecutor" means a prosecutor as defined in section 2935.01 of 7629  
the Revised Code and either of the following: 7630

(a) In the case of a failure to comply with or a violation of 7631  
law involving a campaign committee or the committee's candidate, a 7632  
political party, a legislative campaign fund, a political action 7633

committee, or a political contributing entity, that is required to 7634  
file a statement of contributions and expenditures with the 7635  
secretary of state under division (A) of section 3517.11 of the 7636  
Revised Code, the prosecutor of Franklin county; 7637

(b) In the case of a failure to comply with or a violation of 7638  
law involving any other campaign committee or committee's 7639  
candidate, or any other political party, political action 7640  
committee, or political contributing entity either of the 7641  
following as determined by the commission: 7642

(i) The prosecutor of Franklin county; 7643

(ii) The prosecutor of the county in which the candidacy or 7644  
ballot question or issue is submitted to the electors or, if it is 7645  
submitted in more than one county, the most populous of those 7646  
counties. 7647

(B) If the commission decides that the evidence is 7648  
insufficient for it to determine whether or not the failure to act 7649  
or the violation alleged in the complaint has occurred, the 7650  
commission, by the affirmative vote of five members, may request 7651  
that an investigatory attorney investigate the complaint. Upon 7652  
that request, an investigatory attorney shall make an 7653  
investigation in order to produce sufficient evidence for the 7654  
commission to decide the matter. If the commission requests an 7655  
investigation under this division, for good cause shown by the 7656  
investigatory attorney, the commission may extend by sixty days 7657  
the deadline for holding its first hearing on the complaint as 7658  
required in division (A) of this section. 7659

(C) The commission shall take one of the actions required 7660  
under division (A) of this section not later than thirty days 7661  
after the close of all the evidence presented. 7662

(D)(1) The commission shall make any finding of a failure to 7663  
comply with or a violation of law in regard to a complaint that 7664



alleges a violation of ~~division (D) of section 3517.1010~~, division 7665  
(A) or (B) of section 3517.21, or division (A) or (B) of section 7666  
3517.22 of the Revised Code by clear and convincing evidence. The 7667  
commission shall make any finding of a failure to comply with or a 7668  
violation of law in regard to any other complaint by a 7669  
preponderance of the evidence. 7670

(2) If the commission finds a violation of division (B) of 7671  
section 3517.21 or division (B) of section 3517.22 of the Revised 7672  
Code, it shall refer the matter to the appropriate prosecutor 7673  
under division (A)(1)(c) of this section and shall not impose a 7674  
fine under division (A)(1)(b) of this section or section 3517.993 7675  
of the Revised Code. 7676

(E) In an action before the commission or a panel of the 7677  
commission, if the allegations of the complainant are not proved, 7678  
and the commission takes the action described in division 7679  
(A)(1)(a) of this section or a panel of the commission takes the 7680  
action described in division (C)(1) of section 3517.156 of the 7681  
Revised Code, the commission or a panel of the commission may find 7682  
that the complaint is frivolous, and, if the commission or panel 7683  
so finds, the commission shall order the complainant to pay 7684  
reasonable attorney's fees and to pay the costs of the commission 7685  
or panel as determined by a majority of the members of the 7686  
commission. The costs paid to the commission or panel under this 7687  
division shall be deposited into the Ohio elections commission 7688  
fund. 7689

**Sec. 3517.992.** This section establishes penalties only with 7690  
respect to acts or failures to act that occur on and after August 7691  
24, 1995. 7692

(A)(1) A candidate whose campaign committee violates division 7693  
(A), (B), (C), (D), or (V) of section 3517.13 of the Revised Code, 7694  
or a treasurer of a campaign committee who violates any of those 7695

divisions, shall be fined not more than one hundred dollars for 7696  
each day of violation. 7697

(2) Whoever violates division (E) or (X)(5) of section 7698  
3517.13 or division (E)(1) of section 3517.1014 of the Revised 7699  
Code shall be fined not more than one hundred dollars for each day 7700  
of violation. 7701

(B) A political party that violates division (F)(1) of 7702  
section 3517.101 of the Revised Code shall be fined not more than 7703  
one hundred dollars for each day of violation. 7704

(C) Whoever violates division (F)(2) of section 3517.101, 7705  
division (G) of section 3517.13, or division (E)(2) or (3) of 7706  
section 3517.1014 of the Revised Code shall be fined not more than 7707  
ten thousand dollars or, if the offender is a person who was 7708  
nominated or elected to public office, shall forfeit the 7709  
nomination or the office to which the offender was elected, or 7710  
both. 7711

(D) Whoever violates division (F) of section 3517.13 of the 7712  
Revised Code shall be fined not more than three times the amount 7713  
contributed. 7714

(E) Whoever violates division (H) of section 3517.13 of the 7715  
Revised Code shall be fined not more than one hundred dollars. 7716

(F) Whoever violates division (O), (P), or (Q) of section 7717  
3517.13 of the Revised Code is guilty of a misdemeanor of the 7718  
first degree. 7719

(G) A state or county committee of a political party that 7720  
violates division (B)(1) of section 3517.18 of the Revised Code 7721  
shall be fined not more than twice the amount of the improper 7722  
expenditure. 7723

(H) A state or county political party that violates division 7724  
(G) of section 3517.101 of the Revised Code shall be fined not 7725

more than twice the amount of the improper expenditure or use. 7726

(I)(1) Any individual who violates division (B)(1) of section 7727  
3517.102 of the Revised Code and knows that the contribution the 7728  
individual makes violates that division shall be fined an amount 7729  
equal to three times the amount contributed in excess of the 7730  
amount permitted by that division. 7731

(2) Any political action committee that violates division 7732  
(B)(2) of section 3517.102 of the Revised Code shall be fined an 7733  
amount equal to three times the amount contributed in excess of 7734  
the amount permitted by that division. 7735

(3) Any campaign committee that violates division (B)(3) or 7736  
(5) of section 3517.102 of the Revised Code shall be fined an 7737  
amount equal to three times the amount contributed in excess of 7738  
the amount permitted by that division. 7739

(4)(a) Any legislative campaign fund that violates division 7740  
(B)(6) of section 3517.102 of the Revised Code shall be fined an 7741  
amount equal to three times the amount transferred or contributed 7742  
in excess of the amount permitted by that division, as applicable. 7743

(b) Any state political party, county political party, or 7744  
state candidate fund of a state political party or county 7745  
political party that violates division (B)(6) of section 3517.102 7746  
of the Revised Code shall be fined an amount equal to three times 7747  
the amount transferred or contributed in excess of the amount 7748  
permitted by that division, as applicable. 7749

(c) Any political contributing entity that violates division 7750  
(B)(7) of section 3517.102 of the Revised Code shall be fined an 7751  
amount equal to three times the amount contributed in excess of 7752  
the amount permitted by that division. 7753

(5) Any political party that violates division (B)(4) of 7754  
section 3517.102 of the Revised Code shall be fined an amount 7755  
equal to three times the amount contributed in excess of the 7756

amount permitted by that division. 7757

(6) Notwithstanding divisions (I)(1), (2), (3), (4), and (5) 7758  
of this section, no violation of division (B) of section 3517.102 7759  
of the Revised Code occurs, and the secretary of state shall not 7760  
refer parties to the Ohio elections commission, if the amount 7761  
transferred or contributed in excess of the amount permitted by 7762  
that division meets either of the following conditions: 7763

(a) It is completely refunded within five business days after 7764  
it is accepted. 7765

(b) It is completely refunded on or before the tenth business 7766  
day after notification to the recipient of the excess transfer or 7767  
contribution by the board of elections or the secretary of state 7768  
that a transfer or contribution in excess of the permitted amount 7769  
has been received. 7770

(J)(1) Any campaign committee that violates division (C)(1), 7771  
(2), (3), or (6) of section 3517.102 of the Revised Code shall be 7772  
fined an amount equal to three times the amount accepted in excess 7773  
of the amount permitted by that division. 7774

(2)(a) Any county political party that violates division 7775  
(C)(4)(a)(ii) or (iii) of section 3517.102 of the Revised Code 7776  
shall be fined an amount equal to three times the amount accepted. 7777

(b) Any county political party that violates division 7778  
(C)(4)(a)(i) of section 3517.102 of the Revised Code shall be 7779  
fined an amount from its state candidate fund equal to three times 7780  
the amount accepted in excess of the amount permitted by that 7781  
division. 7782

(c) Any state political party that violates division 7783  
(C)(4)(b) of section 3517.102 of the Revised Code shall be fined 7784  
an amount from its state candidate fund equal to three times the 7785  
amount accepted in excess of the amount permitted by that 7786  
division. 7787

(3) Any legislative campaign fund that violates division 7788  
(C)(5) of section 3517.102 of the Revised Code shall be fined an 7789  
amount equal to three times the amount accepted in excess of the 7790  
amount permitted by that division. 7791

(4) Any political action committee or political contributing 7792  
entity that violates division (C)(7) of section 3517.102 of the 7793  
Revised Code shall be fined an amount equal to three times the 7794  
amount accepted in excess of the amount permitted by that 7795  
division. 7796

(5) Notwithstanding divisions (J)(1), (2), (3), and (4) of 7797  
this section, no violation of division (C) of section 3517.102 of 7798  
the Revised Code occurs, and the secretary of state shall not 7799  
refer parties to the Ohio elections commission, if the amount 7800  
transferred or contributed in excess of the amount permitted to be 7801  
accepted by that division meets either of the following 7802  
conditions: 7803

(a) It is completely refunded within five business days after 7804  
its acceptance. 7805

(b) It is completely refunded on or before the tenth business 7806  
day after notification to the recipient of the excess transfer or 7807  
contribution by the board of elections or the secretary of state 7808  
that a transfer or contribution in excess of the permitted amount 7809  
has been received. 7810

(K)(1) Any legislative campaign fund that violates division 7811  
(F)(1) of section 3517.102 of the Revised Code shall be fined 7812  
twenty-five dollars for each day of violation. 7813

(2) Any legislative campaign fund that violates division 7814  
(F)(2) of section 3517.102 of the Revised Code shall give to the 7815  
treasurer of state for deposit into the state treasury to the 7816  
credit of the Ohio elections commission fund all excess 7817  
contributions not disposed of as required by division (E) of 7818

section 3517.102 of the Revised Code. 7819

(L) Whoever violates section 3517.105 of the Revised Code 7820  
shall be fined one thousand dollars. 7821

(M)(1) Whoever solicits a contribution in violation of 7822  
section 3517.092 or violates division (B) of section 3517.09 of 7823  
the Revised Code is guilty of a misdemeanor of the first degree. 7824

(2) Whoever knowingly accepts a contribution in violation of 7825  
division (B) or (C) of section 3517.092 of the Revised Code shall 7826  
be fined an amount equal to three times the amount accepted in 7827  
violation of either of those divisions and shall return to the 7828  
contributor any amount so accepted. Whoever unknowingly accepts a 7829  
contribution in violation of division (B) or (C) of section 7830  
3517.092 of the Revised Code shall return to the contributor any 7831  
amount so accepted. 7832

(N) Whoever violates division (S) of section 3517.13 of the 7833  
Revised Code shall be fined an amount equal to three times the 7834  
amount of funds transferred or three times the value of the assets 7835  
transferred in violation of that division. 7836

(O) Any campaign committee that accepts a contribution or 7837  
contributions in violation of section 3517.108 of the Revised 7838  
Code, uses a contribution in violation of that section, or fails 7839  
to dispose of excess contributions in violation of that section 7840  
shall be fined an amount equal to three times the amount accepted, 7841  
used, or kept in violation of that section. 7842

(P) Any political party, state candidate fund, legislative 7843  
candidate fund, or campaign committee that violates division (T) 7844  
of section 3517.13 of the Revised Code shall be fined an amount 7845  
equal to three times the amount contributed or accepted in 7846  
violation of that section. 7847

(Q) A treasurer of a committee or another person who violates 7848  
division (U) of section 3517.13 of the Revised Code shall be fined 7849

not more than two hundred fifty dollars. 7850

(R) Whoever violates division (I) or (J) of section 3517.13 7851  
of the Revised Code shall be fined not more than one thousand 7852  
dollars. Whenever a person is found guilty of violating division 7853  
(I) or (J) of section 3517.13 of the Revised Code, the contract 7854  
awarded in violation of either of those divisions shall be 7855  
rescinded if its terms have not yet been performed. 7856

(S) A candidate whose campaign committee violates or a 7857  
treasurer of a campaign committee who violates section 3517.081 of 7858  
the Revised Code, and a candidate whose campaign committee 7859  
violates or a treasurer of a campaign committee or another person 7860  
who violates division (C) of section 3517.10 of the Revised Code, 7861  
shall be fined not more than five hundred dollars. 7862

(T) A candidate whose campaign committee violates or a 7863  
treasurer of a committee who violates division (B) of section 7864  
3517.09 of the Revised Code, or a candidate whose campaign 7865  
committee violates or a treasurer of a campaign committee or 7866  
another person who violates division (C) of section 3517.09 of the 7867  
Revised Code shall be fined not more than one thousand dollars. 7868

(U) Whoever violates section 3517.20 of the Revised Code 7869  
shall be fined not more than five hundred dollars. 7870

(V) Whoever violates section 3517.21 or section 3517.22 of 7871  
the Revised Code shall be imprisoned for not more than six months 7872  
or fined not more than five thousand dollars, or both. 7873

(W) A campaign committee that is required to file a 7874  
declaration of no limits under division (D)(2) of section 3517.103 7875  
of the Revised Code that, before filing that declaration, accepts 7876  
a contribution or contributions that exceed the limitations 7877  
prescribed in section 3517.102 of the Revised Code, shall return 7878  
that contribution or those contributions to the contributor. 7879

(X) Any campaign committee that fails to file the declaration 7880

of filing-day finances required by division (F) of section 7881  
3517.109 ~~or the declaration of primary day finances or declaration~~ 7882  
~~of year end finances required by division (E) of section 3517.1010~~ 7883  
of the Revised Code shall be fined twenty-five dollars for each 7884  
day of violation. 7885

(Y)(1) Any campaign committee that fails to dispose of excess 7886  
funds or excess aggregate contributions under division (B) of 7887  
section 3517.109 of the Revised Code in the manner required by 7888  
division (C) of that section ~~or under division (B) of section~~ 7889  
~~3517.1010 of the Revised Code in the manner required by division~~ 7890  
~~(C) of that section~~ shall give to the treasurer of state for 7891  
deposit into the Ohio elections commission fund created under 7892  
division (I) of section 3517.152 of the Revised Code all funds not 7893  
disposed of pursuant to ~~those divisions~~ that division. 7894

(2) Any treasurer of a transition fund that fails to dispose 7895  
of assets remaining in the transition fund as required under 7896  
division (H)(1) or (2) of section 3517.1014 of the Revised Code 7897  
shall give to the treasurer of state for deposit into the Ohio 7898  
elections commission fund all assets not disposed of pursuant to 7899  
that division. 7900

(Z) Any individual, campaign committee, political action 7901  
committee, political contributing entity, legislative campaign 7902  
fund, political party, treasurer of a transition fund, or other 7903  
entity that violates any provision of sections 3517.09 to 3517.12 7904  
of the Revised Code for which no penalty is provided for under any 7905  
other division of this section shall be fined not more than one 7906  
thousand dollars. 7907

(AA)(1) Whoever knowingly violates division (W)(1) of section 7908  
3517.13 of the Revised Code shall be fined an amount equal to 7909  
three times the amount contributed, expended, or promised in 7910  
violation of that division or ten thousand dollars, whichever 7911  
amount is greater. 7912



(2) Whoever knowingly violates division (W)(2) of section 7913  
3517.13 of the Revised Code shall be fined an amount equal to 7914  
three times the amount solicited or accepted in violation of that 7915  
division or ten thousand dollars, whichever amount is greater. 7916

(BB) Whoever knowingly violates division (C) or (D) of 7917  
section 3517.1011 of the Revised Code shall be fined not more than 7918  
ten thousand dollars plus not more than one thousand dollars for 7919  
each day of violation. 7920

~~(CC)(1) Subject to division (CC)(2) of this section, whoever 7921  
violates division (H) of section 3517.1011 of the Revised Code 7922  
shall be fined an amount up to three times the amount disbursed 7923  
for the direct costs of airing the communication made in violation 7924  
of that division. 7925~~

~~(2) Whoever has been ordered by the Ohio elections commission 7926  
or by a court of competent jurisdiction to cease making 7927  
communications in violation of division (H) of section 3517.1011 7928  
of the Revised Code who again violates that division shall be 7929  
fined an amount equal to three times the amount disbursed for the 7930  
direct costs of airing the communication made in violation of that 7931  
division. 7932~~

~~(DD)(1) Any corporation or labor organization that violates 7933  
division (X)(3)(a) of section 3517.13 of the Revised Code shall be 7934  
fined an amount equal to three times the amount given in excess of 7935  
the amount permitted by that division. 7936~~

(2) Any state or county political party that violates 7937  
division (X)(3)(b) of section 3517.13 of the Revised Code shall be 7938  
fined an amount equal to three times the amount accepted in excess 7939  
of the amount permitted by that division. 7940

~~(EE)(DD)(1) Any campaign committee or person who violates 7941  
division (C)(1)(b) or (c) of section 3517.1014 of the Revised Code 7942  
shall be fined an amount equal to three times the amount donated 7943~~

in excess of the amount permitted by that division. 7944

(2) Any officeholder or treasurer of a transition fund who 7945  
violates division (C)(3)(a) or (b) of section 3517.1014 of the 7946  
Revised Code shall be fined an amount equal to three times the 7947  
amount accepted in excess of the amount permitted by that 7948  
division. 7949

**Sec. 3519.01.** (A) Only one proposal of law or constitutional 7950  
amendment to be proposed by initiative petition shall be contained 7951  
in an initiative petition to enable the voters to vote on that 7952  
proposal separately. A petition shall include the text of any 7953  
existing statute or constitutional provision that would be amended 7954  
or repealed if the proposed law or constitutional amendment is 7955  
adopted. 7956

Whoever seeks to propose a law or constitutional amendment by 7957  
initiative petition shall, by a written petition signed by one 7958  
thousand qualified electors, submit the proposed law or 7959  
constitutional amendment and a summary of it to the attorney 7960  
general for examination. Within ten days after the receipt of the 7961  
written petition and the summary of it, the attorney general shall 7962  
conduct an examination of the summary. If, in the opinion of the 7963  
attorney general, the summary is a fair and truthful statement of 7964  
the proposed law or constitutional amendment, the attorney general 7965  
shall so certify and then forward the submitted petition to the 7966  
Ohio ballot board for its approval under division (A) of section 7967  
3505.062 of the Revised Code. If the Ohio ballot board returns the 7968  
submitted petition to the attorney general with its certification 7969  
as described in that division, the attorney general shall then 7970  
file with the secretary of state a verified copy of the proposed 7971  
law or constitutional amendment together with its summary and the 7972  
attorney general's certification. 7973

Whenever the Ohio ballot board divides an initiative petition 7974

into individual petitions containing only one proposed law or 7975  
constitutional amendment under division (A) of section 3505.062 of 7976  
the Revised Code resulting in the need for the petitioners to 7977  
resubmit to the attorney general appropriate summaries for each of 7978  
the individual petitions arising from the board's division of the 7979  
initiative petition, the attorney general shall review the 7980  
resubmitted summaries, within ten days after their receipt, to 7981  
determine if they are a fair and truthful statement of the 7982  
respective proposed laws or constitutional amendments and, if so, 7983  
certify them. These resubmissions shall contain no new 7984  
explanations or arguments. Then, the attorney general shall file 7985  
with the secretary of state a verified copy of each of the 7986  
proposed laws or constitutional amendments together with their 7987  
respective summaries and the attorney general's certification of 7988  
each. 7989

(B)(1) Whoever seeks to file a referendum petition against 7990  
any law, section, or item in any law shall, by a written petition 7991  
signed by one thousand qualified electors, submit the measure to 7992  
be referred and a summary of it to the secretary of state and, on 7993  
the same day or within one business day before or after that day, 7994  
submit a copy of the petition, measure, and summary to the 7995  
attorney general. 7996

(2) Not later than ten business days after receiving the 7997  
petition, measure, and summary, the secretary of state shall do 7998  
both of the following: 7999

(a) Have the validity of the signatures on the petition 8000  
verified; 8001

(b) After comparing the text of the measure to be referred 8002  
with the copy of the enrolled act on file in the secretary of 8003  
state's office containing the law, section, or item of law, 8004  
determine whether the text is correct and, if it is, so certify. 8005

(3) Not later than ten business days after receiving a copy 8006  
of the petition, measure, and summary, the attorney general shall 8007  
examine the summary and, if in the attorney general's opinion, the 8008  
summary is a fair and truthful statement of the measure to be 8009  
referred, so certify. 8010

(C) Any person who is aggrieved by a certification decision 8011  
under division (A) or (B) of this section may challenge the 8012  
certification or failure to certify of the attorney general in the 8013  
supreme court, which shall have exclusive, original jurisdiction 8014  
in all challenges of those certification decisions. 8015

~~Sec. 3519.16. The circulator of any part petition, the 8016  
committee interested in the petition, or any elector may file with 8017  
the board of elections a protest against the board's findings made 8018  
pursuant to section 3519.15 of the Revised Code. Protests shall be 8019  
in writing and shall specify reasons for the protest. Protests for 8020  
all initiative and referendum petitions other than those to be 8021  
voted on by electors throughout the entire state shall be filed 8022  
not later than four p.m. of the seventy fourth day before the day 8023  
of the election. Once a protest is filed, the board shall proceed 8024  
to establish the sufficiency or insufficiency of the signatures 8025  
and of the verification of those signatures in an action before 8026  
the court of common pleas in the county. The action shall be 8027  
brought within three days after the protest is filed, and it shall 8028  
be heard forthwith by a judge of that court, whose decision shall 8029  
be certified to the board. The signatures that are adjudged 8030  
sufficient or the part petitions that are adjudged properly 8031  
verified shall be included with the others by the board, and those 8032  
found insufficient and all those part petitions that are adjudged 8033  
not properly verified shall not be included. Pursuant to Section 8034  
1g of Article II, Ohio Constitution, the supreme court of Ohio 8035  
shall have original, exclusive jurisdiction in all challenges to 8036  
initiative and referendum petitions. 8037~~

The properly verified part-petitions, together with the 8038  
report of the board, shall be returned to the secretary of state 8039  
~~not less than sixty days before the election, provided that, in~~ 8040  
~~the case of an initiated law to be presented to the general~~ 8041  
~~assembly, the boards shall promptly check and return the petitions~~ 8042  
~~together with their report.~~ The secretary of state shall notify, 8043  
by certified mail, the chairperson each member of the committee in 8044  
charge of the circulation as to the sufficiency or insufficiency 8045  
of the petition and the extent of the insufficiency. 8046

If the petition is found insufficient because of an 8047  
insufficient number of valid signatures, the committee shall be 8048  
allowed ten additional days after the ~~notification by first member~~ 8049  
of the committee receives notice of the petition's insufficiency 8050  
by certified mail from the secretary of state for the filing of 8051  
additional signatures to the petition. No additional signatures 8052  
shall be collected by the circulator of a referendum petition 8053  
during the period beginning ninety days after the governor filed 8054  
the bill that is the subject of the referendum with the secretary 8055  
of state and ending on the date that the secretary of state 8056  
notifies the circulators that the petition has an insufficient 8057  
number of valid signatures. The part-petitions of the 8058  
supplementary petition that appear to the secretary of state to be 8059  
properly verified, upon their receipt by the secretary of state, 8060  
shall forthwith be forwarded to the boards of the several counties 8061  
together with the part-petitions of the original petition that 8062  
have been properly verified. They shall be immediately examined 8063  
and passed upon as to the validity and sufficiency of the 8064  
signatures on them by each of the boards and returned within five 8065  
days to the secretary of state with the report of each board. No 8066  
signature on a supplementary part-petition that is the same as a 8067  
signature on an original part-petition shall be counted. The 8068  
number of signatures in both the original and supplementary 8069  
petitions, properly verified, shall be used by the secretary of 8070

state in determining the total number of signatures to the 8071  
petition that the secretary of state shall record and announce. If 8072  
they are sufficient, the amendment, proposed law, or law shall be 8073  
placed on the ballot as required by law. If the petition is found 8074  
insufficient, the secretary of state shall notify the committee in 8075  
charge of the circulation of the petition. 8076

**Sec. 3599.03.** (A)(1) ~~Except to carry on activities specified~~ 8077  
~~in sections 3517.082 and 3517.1011, division (A)(2) of section~~ 8078  
~~3517.1012, division (B) of section 3517.1013, division (C)(1) of~~ 8079  
~~section 3517.1014, and section 3599.031 of the Revised Code and~~ 8080  
~~except as provided in divisions (D), (E), and (F) of this section,~~ 8081  
~~no~~ No corporation, no nonprofit corporation, and no labor 8082  
organization, directly or indirectly, shall pay or use, or offer, 8083  
advise, consent, or agree to pay or use, the corporation's money 8084  
or property, or the labor organization's money, including dues, 8085  
initiation fees, or other assessments paid by members, or 8086  
property, ~~for or in aid of or opposition~~ to make a contribution to 8087  
a political party, a candidate for election or nomination to 8088  
public office, a political action committee including a political 8089  
action committee of the corporation or labor organization, a 8090  
legislative campaign fund, or any organization that supports or 8091  
opposes any such candidate, ~~or for any partisan political purpose,~~ 8092  
shall violate any law requiring the filing of an affidavit or 8093  
statement respecting such use of those funds, or shall pay or use 8094  
the corporation's or labor organization's money for the expenses 8095  
of a social fund-raising event for its political action committee 8096  
if an employee's or labor organization member's right to attend 8097  
such an event is predicated on the employee's or member's 8098  
contribution to the corporation's or labor organization's 8099  
political action committee. 8100

(2) Whoever violates division (A)(1) of this section shall be 8101  
fined not less than five hundred nor more than five thousand 8102

dollars. 8103

(B)(1) No officer, stockholder, attorney, or agent of a 8104  
corporation or nonprofit corporation, no member, including an 8105  
officer, attorney, or agent, of a labor organization, and no 8106  
candidate, political party official, or other individual shall 8107  
knowingly aid, advise, solicit, or receive money or other property 8108  
in violation of division (A)(1) of this section. 8109

(2) Whoever violates division (B)(1) of this section shall be 8110  
fined not more than one thousand dollars, or imprisoned not more 8111  
than one year, or both. 8112

(C) A corporation, a nonprofit corporation, or a labor 8113  
organization may use its funds or property for or in aid of or 8114  
opposition to a proposed or certified ballot issue. Such use of 8115  
funds or property shall be reported on a form prescribed by the 8116  
secretary of state. Reports of contributions in connection with 8117  
statewide ballot issues shall be filed with the secretary of 8118  
state. Reports of contributions in connection with local issues 8119  
shall be filed with the board of elections of the most populous 8120  
county of the district in which the issue is submitted or to be 8121  
submitted to the electors. Reports made pursuant to this division 8122  
shall be filed by the times specified in divisions (A)(1) and (2) 8123  
of section 3517.10 of the Revised Code. 8124

(D)(1) Any gift made pursuant to section 3517.101 of the 8125  
Revised Code does not constitute a violation of this section or of 8126  
any other section of the Revised Code. 8127

(2) Any gift made pursuant to division (A)(2) of section 8128  
3517.1012 of the Revised Code does not constitute a violation of 8129  
this section. 8130

(3) Any gift made pursuant to division (B) of section 8131  
3517.1013 of the Revised Code does not constitute a violation of 8132  
this section. 8133

(4) Any donation made pursuant to division (C)(1) of section 8134  
3517.1014 of the Revised Code does not constitute a violation of 8135  
this section. 8136

(E) Any compensation or fees paid by a financial institution 8137  
to a state political party for services rendered pursuant to 8138  
division (B) of section 3517.19 of the Revised Code do not 8139  
constitute a violation of this section or of any other section of 8140  
the Revised Code. 8141

(F)(1) The use by a nonprofit corporation of its money or 8142  
property for communicating information for a purpose specified in 8143  
division (A) of this section is not a violation of that division 8144  
if the stockholders, members, donors, trustees, or officers of the 8145  
nonprofit corporation are the predominant recipients of the 8146  
communication. 8147

(2) The placement of a campaign sign on the property of a 8148  
corporation, nonprofit corporation, or labor organization is not a 8149  
use of property in violation of division (A) of this section by 8150  
that corporation, nonprofit corporation, or labor organization. 8151

(3) The use by a corporation or labor organization of its 8152  
money or property for communicating information for a purpose 8153  
specified in division (A) of this section is not a violation of 8154  
that division if it is not a communication made by mass broadcast 8155  
such as radio or television or made by advertising in a newspaper 8156  
of general circulation but is a communication sent exclusively to 8157  
members, employees, officers, or trustees of that labor 8158  
organization or shareholders, employees, officers, or directors of 8159  
that corporation or to members of the immediate families of any 8160  
such individuals or if the communication intended to be so sent 8161  
exclusively is unintentionally sent as well to a de minimis number 8162  
of other individuals. 8163

(G) In addition to the laws listed in division (A) of section 8164



4117.10 of the Revised Code that prevail over conflicting 8165  
agreements between employee organizations and public employers, 8166  
this section prevails over any conflicting provisions of 8167  
agreements between labor organizations and public employers that 8168  
are entered into on or after March 31, 2005, pursuant to Chapter 8169  
4117. of the Revised Code. 8170

(H) As used in this section, "labor organization" has the 8171  
same meaning as in section 3517.01 of the Revised Code. 8172

**Sec. 3599.07.** No ~~judge of elections precinct election~~ 8173  
official, observer, or police officer admitted into the polling 8174  
rooms at the election, at any time while the polls are open, shall 8175  
have in the individual's possession, distribute, or give out any 8176  
ballot or ticket to any person on any pretense during the 8177  
receiving, counting, or certifying of the votes, or have any 8178  
ballot or ticket in the individual's possession or control, except 8179  
in the proper discharge of the individual's official duty in 8180  
receiving, counting, or canvassing the votes. This section does 8181  
not prevent the lawful exercise by a ~~judge of elections precinct~~ 8182  
election official or observer of the individual right to vote at 8183  
such election. 8184

**Sec. 3599.17.** (A) No elections official serving as a 8185  
registrar or ~~judge of elections precinct election official~~ shall 8186  
do any of the following: 8187

(1) Fail to appear before the board of elections, or its 8188  
representative, after notice has been served personally upon the 8189  
official or left at the official's usual place of residence, for 8190  
examination as to the official's qualifications; 8191

(2) Fail to appear at the polling place to which the official 8192  
is assigned at the hour and during the hours set for the 8193  
registration or election; 8194

(3) Fail to take the oath prescribed by section 3501.31 of the Revised Code, unless excused by such board;	8195 8196
(4) Refuse or sanction the refusal of another registrar or <del>judge of elections</del> <u>precinct election official</u> to administer an oath required by law;	8197 8198 8199
(5) Fail to send notice to the board of the appointment of a <del>judge</del> <u>precinct election official</u> to fill a vacancy;	8200 8201
(6) Act as registrar or <del>judge</del> <u>precinct election official</u> without having been appointed and having received a certificate of appointment, except a <del>judge</del> <u>precinct election official</u> appointed to fill a vacancy caused by absence or removal;	8202 8203 8204 8205
(7) Fail in any other way to perform any duty imposed by law.	8206
(B) Whoever violates division (A) of this section is guilty of a misdemeanor of the first degree.	8207 8208
<b>Sec. 3599.19.</b> (A) No <del>judge of elections</del> <u>precinct election official</u> shall knowingly do any of the following:	8209 8210
(1) Unlawfully open or permit to be opened the sealed package containing registration lists, ballots, blanks, pollbooks, and other papers and material to be used in an election;	8211 8212 8213
(2) Unlawfully misplace, carry away, negligently lose or permit to be taken from the <del>judge</del> <u>precinct election official</u> , fail to deliver, or destroy any such packages, papers, or material;	8214 8215 8216
(3) Receive or sanction the reception of a ballot from a person not a qualified elector or from a person who refused to answer a question in accordance with the election law;	8217 8218 8219
(4) Refuse to receive or sanction the rejection of a ballot from a person, knowing that person to be a qualified elector;	8220 8221
(5) Permit a fraudulent ballot to be placed in the ballot box;	8222 8223

- (6) Place or permit to be placed in any ballot box any ballot known by the ~~judge~~ precinct election official to be improperly or falsely marked; 8224  
8225  
8226
- (7) Count or permit to be counted any illegal or fraudulent ballot; 8227  
8228
- (8) Mislead an elector who is physically unable to prepare the elector's ballot, mark a ballot for such elector otherwise than as directed by that elector, or disclose to any person, except when legally required to do so, how such elector voted; 8229  
8230  
8231  
8232
- (9) Alter or mark or permit any alteration or marking on any ballot when counting the ballots; 8233  
8234
- (10) Unlawfully count or tally or sanction the wrongful counting or tallying of votes; 8235  
8236
- (11) After the counting of votes commences, as required by law, postpone or sanction the postponement of the counting of votes, adjourn at any time or to any place, or remove the ballot box from the place of voting, or from the custody or presence of all the ~~judges of such elections~~ precinct election officials; 8237  
8238  
8239  
8240  
8241
- (12) Permit any ballot to remain or to be in the ballot box at the opening of the polls, or to be put in the box during the counting of the ballots, or to be left in the box without being counted; 8242  
8243  
8244  
8245
- (13) Admit or sanction the admission to the polling room at an election during the receiving, counting, and certifying of votes of any person not qualified by law to be so admitted; 8246  
8247  
8248
- (14) Refuse to admit or sanction the refusal to admit any person, upon lawful request for admission, who is legally qualified to be present; 8249  
8250  
8251
- (15) Permit or sanction the counting of the ballots contrary to the manner prescribed by law; 8252  
8253

(16) Neglect or unlawfully execute any duty enjoined upon the 8254  
~~judge~~ precinct election official by law. 8255

(B) Whoever violates division (A) of this section is guilty 8256  
of a misdemeanor of the first degree. 8257

**Sec. 3599.30.** No school operated by a school district, no 8258  
community school established under Chapter 3314. of the Revised 8259  
Code, no STEM school established under Chapter 3326. of the 8260  
Revised Code, and no chartered nonpublic school shall, during the 8261  
regular school day, transport one or more students to a polling 8262  
place or board of elections for the purpose of casting a ballot. 8263

**Sec. 3599.31.** No officer of the law shall fail to obey 8264  
forthwith an order of the ~~presiding judge~~ voting location manager 8265  
and aid in enforcing a lawful order of the ~~presiding judges~~ voting 8266  
location manager at an election, against persons unlawfully 8267  
congregating or loitering within one hundred feet of a polling 8268  
place, hindering or delaying an elector from reaching or leaving 8269  
the polling place, soliciting or attempting, within one hundred 8270  
feet of the polling place, to influence an elector in casting the 8271  
elector's vote, or interfering with the registration of voters or 8272  
casting and counting of the ballots. 8273

Whoever violates this section is guilty of a misdemeanor of 8274  
the first degree. 8275

**Section 2.** That existing sections 111.27, 511.27, 1545.21, 8276  
3501.01, 3501.05, 3501.051, 3501.10, 3501.13, 3501.17, 3501.22, 8277  
3501.26, 3501.27, 3501.28, 3501.29, 3501.30, 3501.31, 3501.32, 8278  
3501.33, 3501.35, 3501.37, 3501.38, 3503.02, 3503.06, 3503.14, 8279  
3503.15, 3503.16, 3503.18, 3503.19, 3503.21, 3503.26, 3503.28, 8280  
3505.11, 3505.17, 3505.18, 3505.181, 3505.182, 3505.183, 3505.20, 8281  
3505.21, 3505.23, 3505.24, 3505.26, 3505.28, 3505.29, 3505.30, 8282  
3505.31, 3506.05, 3506.12, 3506.15, 3509.01, 3509.02, 3509.03, 8283

3509.031, 3509.04, 3509.05, 3509.06, 3509.07, 3509.08, 3509.09, 8284  
3511.02, 3511.04, 3511.05, 3511.06, 3511.07, 3511.08, 3511.09, 8285  
3511.10, 3511.11, 3511.13, 3511.14, 3513.02, 3513.12, 3513.131, 8286  
3513.19, 3513.21, 3513.262, 3513.30, 3515.04, 3517.10, 3517.102, 8287  
3517.103, 3517.1011, 3517.153, 3517.154, 3517.155, 3517.992, 8288  
3519.01, 3519.16, 3599.03, 3599.07, 3599.17, 3599.19, and 3599.31 8289  
and sections 3503.29, 3506.16, 3513.301, 3513.312, and 3517.1010 8290  
of the Revised Code are hereby repealed. 8291

**Section 3.** That sections 3.02, 302.09, 305.02, 503.24, 8292  
733.31, 1901.10, 2301.02, 3501.02, and 3513.31 of the Revised Code 8293  
be amended to read as follows, to make those sections consistent 8294  
with the requirements of the Ohio Constitution: 8295

**Sec. 3.02.** (A) When an elective office becomes vacant and is 8296  
filled by appointment, such appointee shall hold the office until 8297  
the appointee's successor is elected and qualified; and such 8298  
successor shall be elected for the unexpired term, at the first 8299  
general election for the office which is vacant that occurs more 8300  
than ~~fifty-six~~ forty days after the vacancy has occurred; provided 8301  
that when the unexpired term ends within one year immediately 8302  
following the date of such general election, an election to fill 8303  
such unexpired term shall not be held and the appointment shall be 8304  
for such unexpired term. 8305

(B) When an elective office becomes vacant and is filled by 8306  
appointment, the appointing authority shall, immediately but no 8307  
later than seven days after making the appointment, certify it to 8308  
the board of elections and to the secretary of state. The board of 8309  
elections or, in the case of an appointment to a statewide office, 8310  
the secretary of state shall issue a certificate of appointment to 8311  
the appointee. Certificates of appointment shall be in such form 8312  
as the secretary of state shall prescribe. 8313

(C) When an elected candidate fails to qualify for the office 8314  
to which the candidate has been elected, the office shall be 8315  
filled as in the case of a vacancy. Until so filled, the incumbent 8316  
officer shall continue to hold office. This section does not 8317  
postpone the time for such election beyond that at which it would 8318  
have been held had no such vacancy occurred, or affect the 8319  
official term, or the time for the commencement thereof, of any 8320  
person elected to such office before the occurrence of such 8321  
vacancy. 8322

**Sec. 302.09.** When a vacancy occurs in the board of county 8323  
commissioners or in the office of county auditor, county 8324  
treasurer, prosecuting attorney, clerk of the court of common 8325  
pleas, sheriff, county recorder, county engineer, or coroner more 8326  
than ~~fifty-six~~ forty days before the next general election for 8327  
state and county officers, the vacancy shall be filled as provided 8328  
for in divisions (A) and (B) of section 305.02 of the Revised 8329  
Code. 8330

**Sec. 305.02.** (A) If a vacancy in the office of county 8331  
commissioner, prosecuting attorney, county auditor, county 8332  
treasurer, clerk of the court of common pleas, sheriff, county 8333  
recorder, county engineer, or coroner occurs more than ~~fifty-six~~ 8334  
forty days before the next general election for state and county 8335  
officers, a successor shall be elected at such election for the 8336  
unexpired term unless such term expires within one year 8337  
immediately following the date of such general election. 8338

In either event, the vacancy shall be filled as provided in 8339  
this section, and the appointee shall hold office until a 8340  
successor is elected and qualified. 8341

(B) If a vacancy occurs from any cause in any of the offices 8342  
named in division (A) of this section, the county central 8343

committee of the political party with which the last occupant of 8344  
the office was affiliated shall appoint a person to hold the 8345  
office and to perform the duties thereof until a successor is 8346  
elected and has qualified, except that if such vacancy occurs 8347  
because of the death, resignation, or inability to take the office 8348  
of an officer-elect whose term has not yet begun, an appointment 8349  
to take such office at the beginning of the term shall be made by 8350  
the central committee of the political party with which such 8351  
officer-elect was affiliated. 8352

(C) Not less than five nor more than forty-five days after a 8353  
vacancy occurs, the county central committee shall meet for the 8354  
purpose of making an appointment under this section. Not less than 8355  
four days before the date of such meeting the chairperson or 8356  
secretary of such central committee shall send by first class mail 8357  
to every member of such central committee a written notice which 8358  
shall state the time and place of such meeting and the purpose 8359  
thereof. A majority of the members of the central committee 8360  
present at such meeting may make the appointment. 8361

(D) If the last occupant of the office or the officer-elect 8362  
was elected as an independent candidate, the board of county 8363  
commissioners shall make such appointment at the time when the 8364  
vacancy occurs, except where the vacancy is in the office of 8365  
county commissioner, in which case the prosecuting attorney and 8366  
the remaining commissioners or a majority of them shall make the 8367  
appointment. 8368

(E) Appointments made under this section shall be certified 8369  
by the appointing county central committee or by the board of 8370  
county commissioners to the county board of elections and to the 8371  
secretary of state, and the persons so appointed and certified 8372  
shall be entitled to all remuneration provided by law for the 8373  
offices to which they are appointed. 8374

(F) The board of county commissioners may appoint a person to 8375

hold any of the offices named in division (A) of this section as 8376  
an acting officer and to perform the duties thereof between the 8377  
occurrence of the vacancy and the time when the officer appointed 8378  
by the central committee qualifies and takes the office. 8379

(G) A person appointed prosecuting attorney or assistant 8380  
prosecuting attorney shall give bond and take the oath of office 8381  
prescribed by section 309.03 of the Revised Code for the 8382  
prosecuting attorney. 8383

**Sec. 503.24.** If there is a vacancy by reason of the 8384  
nonacceptance, death, or removal of a person chosen to an office 8385  
in any township at the regular election, or if there is a vacancy 8386  
from any other cause, the board of township trustees shall appoint 8387  
a person having the qualifications of an elector to fill such 8388  
vacancy for the unexpired term or until a successor is elected. 8389

If a township is without a board or if no appointment is made 8390  
within thirty days after the occurrence of a vacancy, a majority 8391  
of the persons designated as the committee of five on the 8392  
last-filed nominating petition of the township officer whose 8393  
vacancy is to be filled who are residents of the township shall 8394  
appoint a person having the qualifications of an elector to fill 8395  
the vacancy for the unexpired term or until a successor is 8396  
elected. If at least three of the committee members who are 8397  
residents of the township cannot be found, or if that number of 8398  
such members fails to make an appointment within ten days after 8399  
the thirty-day period in which the board of township trustees is 8400  
authorized to make an appointment, then the presiding probate 8401  
judge of the county shall appoint a suitable person having the 8402  
qualifications of an elector in the township to fill the vacancy 8403  
for the unexpired term or until a successor is elected. 8404

If a vacancy occurs in a township elective office more than 8405  
~~fifty-six~~ forty days before the next general election for 8406



municipal and township officers a successor shall be chosen at 8407  
that election to fill the unexpired term, provided the term does 8408  
not expire within one year from the day of the election. If the 8409  
term expires within one year from the day of the next general 8410  
election for municipal and township officers, a successor 8411  
appointed pursuant to this section shall serve out the unexpired 8412  
term. 8413

**Sec. 733.31.** (A) Unless otherwise provided by law, vacancies 8414  
arising in appointive and elective offices of villages shall be 8415  
filled by appointment by the mayor for the remainder of the 8416  
unexpired term, provided that: 8417

(1) Vacancies in the office of mayor shall be filled in the 8418  
manner provided by section 733.25 of the Revised Code; 8419

(2) Vacancies in the membership of the legislative authority 8420  
shall be filled in the manner provided by section 731.43 of the 8421  
Revised Code; 8422

(3) Vacancies in the office of president pro tempore of a 8423  
village legislative authority shall be filled in the manner 8424  
provided by section 731.11 of the Revised Code. 8425

In the event of a vacancy in the office of village clerk or 8426  
treasurer, the mayor may appoint a person to serve as an acting 8427  
officer to perform the duties of the office until a permanent 8428  
officer is appointed to fill the vacancy. 8429

(B) Unless otherwise provided by law, vacancies arising in 8430  
appointive offices of cities shall be filled by appointment by the 8431  
mayor for the remainder of the unexpired term. 8432

(C) A vacancy in the office of president of the legislative 8433  
authority of a city shall be filled in the same manner as provided 8434  
in division (D) of this section. Vacancies in the office of mayor 8435  
of a city shall be filled in the manner provided in section 733.08 8436

of the Revised Code. Vacancies in the membership of the 8437  
legislative authority of a city shall be filled in the manner 8438  
provided in section 731.43 of the Revised Code. 8439

(D) In case of the death, resignation, removal, or disability 8440  
of the director of law, auditor, or treasurer of a city and such 8441  
vacancy occurs more than ~~fifty-six~~ forty days before the next 8442  
general election for such office, a successor shall be elected at 8443  
such election for the unexpired term unless such term expires 8444  
within one year immediately following the date of such general 8445  
election. In either event, the vacancy shall be filled as provided 8446  
in this section and the appointee shall hold office until a 8447  
successor is elected and qualified. 8448

(1) The county central committee of the political party with 8449  
which the last occupant of the office was affiliated, acting 8450  
through its members who reside in the city where the vacancy 8451  
occurs, shall appoint a person to hold the office and to perform 8452  
the duties thereof until a successor is elected and has qualified, 8453  
except that if such vacancy occurs because of the death, 8454  
resignation, or inability to take the office of an officer-elect 8455  
whose term has not yet begun, an appointment to take such office 8456  
at the beginning of the term shall be made by the members of the 8457  
central committee who reside in the city where the vacancy occurs. 8458

(2) Not less than five nor more than forty-five days after a 8459  
vacancy occurs, the county central committee, acting through its 8460  
members who reside in the city where the vacancy occurs, shall 8461  
meet for the purpose of making an appointment. Not less than four 8462  
days before the date of the meeting the chairperson or secretary 8463  
of the central committee shall send by first class mail to every 8464  
member of such central committee who resides in the city where the 8465  
vacancy occurs a written notice which shall state the time and 8466  
place of such meeting and the purpose thereof. A majority of the 8467  
members of the central committee present at such meeting may make 8468

the appointment. 8469

(E) If the last occupant of the office or the officer-elect, 8470  
as provided in division (D) of this section, was elected as an 8471  
independent candidate, the mayor of the city shall make the 8472  
appointment at the time the vacancy occurs. 8473

(F) Appointments made under this section shall be certified 8474  
by the appointing county central committee or by the mayor of the 8475  
municipal corporation to the county board of elections and to the 8476  
secretary of state. The persons so appointed and certified shall 8477  
be entitled to all remuneration provided by law for the offices to 8478  
which they are appointed. 8479

(G) The mayor of the city may appoint a person to hold the 8480  
city office of director of law, auditor, or treasurer as an acting 8481  
officer and to perform the duties thereof between the occurrence 8482  
of the vacancy and the time when the person appointed by the 8483  
central committee qualifies and takes the office. 8484

**Sec. 1901.10.** (A)(1)(a) The judges of the municipal court and 8485  
officers of the court shall take an oath of office as provided in 8486  
section 3.23 of the Revised Code. The office of judge of the 8487  
municipal court is subject to forfeiture, and the judge may be 8488  
removed from office, for the causes and by the procedure provided 8489  
in sections 3.07 to 3.10 of the Revised Code. A vacancy in the 8490  
office of judge exists upon the death, resignation, forfeiture, 8491  
removal from office, or absence from official duties for a period 8492  
of six consecutive months, as determined under this section, of 8493  
the judge and also by reason of the expiration of the term of an 8494  
incumbent when no successor has been elected or qualified. The 8495  
chief justice of the supreme court may designate a judge of 8496  
another municipal court to act until that vacancy is filled in 8497  
accordance with section 107.08 of the Revised Code. A vacancy 8498  
resulting from the absence of a judge from official duties for a 8499

period of six consecutive months shall be determined and declared 8500  
by the legislative authority. 8501

(b) If a vacancy occurs in the office of judge or clerk of 8502  
the municipal court after the one-hundredth day before the first 8503  
Tuesday after the first Monday in May and prior to the ~~fifty-sixth~~ 8504  
fortieth day before the day of the general election, all 8505  
candidates for election to the unexpired term of the judge or 8506  
clerk shall file nominating petitions with the board of elections 8507  
not later than four p.m. on the tenth day following the day on 8508  
which the vacancy occurs, except that, when the vacancy occurs 8509  
fewer than ~~four six~~ days before the ~~fifty-sixth~~ fortieth day 8510  
before the general election, the deadline for filing shall be four 8511  
p.m. on the ~~fiftieth~~ thirty-sixth day before the day of the 8512  
general election. 8513

(c) Each nominating petition referred to in division 8514  
(A)(1)(b) of this section shall be in the form prescribed in 8515  
section 3513.261 of the Revised Code and shall be signed by at 8516  
least fifty qualified electors of the territory of the municipal 8517  
court. No nominating petition shall be accepted for filing or 8518  
filed if it appears on its face to contain signatures aggregating 8519  
in number more than twice the minimum aggregate number of 8520  
signatures required by this section. 8521

(2) If a judge of a municipal court that has only one judge 8522  
is temporarily absent, incapacitated, or otherwise unavailable, 8523  
the judge may appoint a substitute who has the qualifications 8524  
required by section 1901.06 of the Revised Code or a retired judge 8525  
of a court of record who is a qualified elector and a resident of 8526  
the territory of the court. If the judge is unable to make the 8527  
appointment, the chief justice of the supreme court shall appoint 8528  
a substitute. The appointee shall serve during the absence, 8529  
incapacity, or unavailability of the incumbent, shall have the 8530  
jurisdiction and powers conferred upon the judge of the municipal 8531

court, and shall be styled "acting judge." During that time of 8532  
service, the acting judge shall sign all process and records and 8533  
shall perform all acts pertaining to the office, except that of 8534  
removal and appointment of officers of the court. All courts shall 8535  
take judicial notice of the selection and powers of the acting 8536  
judge. The incumbent judge shall establish the amount of 8537  
compensation of an acting judge upon either a per diem, hourly, or 8538  
other basis, but the rate of pay shall not exceed the per diem 8539  
amount received by the incumbent judge. 8540

(B) When the volume of cases pending in any municipal court 8541  
necessitates an additional judge, the chief justice of the supreme 8542  
court, upon the written request of the judge or presiding judge of 8543  
that municipal court, may designate a judge of another municipal 8544  
court or county court to serve for any period of time that the 8545  
chief justice may prescribe. The compensation of a judge so 8546  
designated shall be paid from the city treasury or, in the case of 8547  
a county-operated municipal court, from the county treasury. In 8548  
addition to the annual salary provided for in section 1901.11 of 8549  
the Revised Code and in addition to any compensation under 8550  
division (A)(5) or (6) of section 141.04 of the Revised Code to 8551  
which the judge is entitled in connection with the judge's own 8552  
court, a full-time or part-time judge while holding court outside 8553  
the judge's territory on the designation of the chief justice 8554  
shall receive actual and necessary expenses and compensation as 8555  
follows: 8556

(1) A full-time judge shall receive thirty dollars for each 8557  
day of the assignment. 8558

(2) A part-time judge shall receive for each day of the 8559  
assignment the per diem compensation of the judges of the court to 8560  
which the judge is assigned, less the per diem amount paid to 8561  
those judges pursuant to section 141.04 of the Revised Code, 8562  
calculated on the basis of two hundred fifty working days per 8563

year. 8564

If a request is made by a judge or the presiding judge of a 8565  
municipal court to designate a judge of another municipal court 8566  
because of the volume of cases in the court for which the request 8567  
is made and the chief justice reports, in writing, that no 8568  
municipal or county court judge is available to serve by 8569  
designation, the judges of the court requesting the designation 8570  
may appoint a substitute as provided in division (A)(2) of this 8571  
section, who may serve for any period of time that is prescribed 8572  
by the chief justice. The substitute judge shall be paid in the 8573  
same manner and at the same rate as the incumbent judges, except 8574  
that, if the substitute judge is entitled to compensation under 8575  
division (A)(5) or (6) of section 141.04 of the Revised Code, then 8576  
section 1901.121 of the Revised Code shall govern its payment. 8577

**Sec. 2301.02.** The number of judges of the court of common 8578  
pleas for each county, the time for the next election of the 8579  
judges in the several counties, and the beginning of their terms 8580  
shall be as follows: 8581

(A) In Adams, Ashland, Fayette, and Pike counties, one judge, 8582  
elected in 1956, term to begin February 9, 1957; 8583

In Brown, Crawford, Defiance, Highland, Holmes, Morgan, 8584  
Ottawa, and Union counties, one judge, to be elected in 1954, term 8585  
to begin February 9, 1955; 8586

In Auglaize county, one judge, to be elected in 1956, term to 8587  
begin January 9, 1957; 8588

In Coshocton, Darke, Fulton, Gallia, Guernsey, Hardin, 8589  
Jackson, Knox, Madison, Mercer, Monroe, Paulding, Vinton, and 8590  
Wyandot counties, one judge, to be elected in 1956, term to begin 8591  
January 1, 1957; 8592

In Morrow county, two judges, one to be elected in 1956, term 8593

to begin January 1, 1957, and one to be elected in 2006, term to 8594  
begin January 1, 2007; 8595

In Logan county, two judges, one to be elected in 1956, term 8596  
to begin January 1, 1957, and one to be elected in 2004, term to 8597  
begin January 2, 2005; 8598

In Carroll, Clinton, Hocking, Meigs, Pickaway, Preble, 8599  
Shelby, Van Wert, and Williams counties, one judge, to be elected 8600  
in 1952, term to begin January 1, 1953; 8601

In Champaign county, two judges, one to be elected in 1952, 8602  
term to begin January 1, 1953, and one to be elected in 2008, term 8603  
to begin February 10, 2009. 8604

In Harrison and Noble counties, one judge, to be elected in 8605  
1954, term to begin April 18, 1955; 8606

In Henry county, two judges, one to be elected in 1956, term 8607  
to begin May 9, 1957, and one to be elected in 2004, term to begin 8608  
January 1, 2005; 8609

In Putnam county, one judge, to be elected in 1956, term to 8610  
begin May 9, 1957; 8611

In Huron county, one judge, to be elected in 1952, term to 8612  
begin May 14, 1953; 8613

In Perry county, one judge, to be elected in 1954, term to 8614  
begin July 6, 1956; 8615

In Sandusky county, two judges, one to be elected in 1954, 8616  
term to begin February 10, 1955, and one to be elected in 1978, 8617  
term to begin January 1, 1979; 8618

(B) In Allen county, three judges, one to be elected in 1956, 8619  
term to begin February 9, 1957, the second to be elected in 1958, 8620  
term to begin January 1, 1959, and the third to be elected in 8621  
1992, term to begin January 1, 1993; 8622

In Ashtabula county, three judges, one to be elected in 1954, 8623

term to begin February 9, 1955, one to be elected in 1960, term to 8624  
begin January 1, 1961, and one to be elected in 1978, term to 8625  
begin January 2, 1979; 8626

In Athens county, two judges, one to be elected in 1954, term 8627  
to begin February 9, 1955, and one to be elected in 1990, term to 8628  
begin July 1, 1991; 8629

In Erie county, four judges, one to be elected in 1956, term 8630  
to begin January 1, 1957, the second to be elected in 1970, term 8631  
to begin January 2, 1971, the third to be elected in 2004, term to 8632  
begin January 2, 2005, and the fourth to be elected in 2008, term 8633  
to begin February 9, 2009; 8634

In Fairfield county, three judges, one to be elected in 1954, 8635  
term to begin February 9, 1955, the second to be elected in 1970, 8636  
term to begin January 1, 1971, and the third to be elected in 8637  
1994, term to begin January 2, 1995; 8638

In Geauga county, two judges, one to be elected in 1956, term 8639  
to begin January 1, 1957, and the second to be elected in 1976, 8640  
term to begin January 6, 1977; 8641

In Greene county, four judges, one to be elected in 1956, 8642  
term to begin February 9, 1957, the second to be elected in 1960, 8643  
term to begin January 1, 1961, the third to be elected in 1978, 8644  
term to begin January 2, 1979, and the fourth to be elected in 8645  
1994, term to begin January 1, 1995; 8646

In Hancock county, two judges, one to be elected in 1952, 8647  
term to begin January 1, 1953, and the second to be elected in 8648  
1978, term to begin January 1, 1979; 8649

In Lawrence county, two judges, one to be elected in 1954, 8650  
term to begin February 9, 1955, and the second to be elected in 8651  
1976, term to begin January 1, 1977; 8652

In Marion county, three judges, one to be elected in 1952, 8653



term to begin January 1, 1953, the second to be elected in 1976, 8654  
term to begin January 2, 1977, and the third to be elected in 8655  
1998, term to begin February 9, 1999; 8656

In Medina county, three judges, one to be elected in 1956, 8657  
term to begin January 1, 1957, the second to be elected in 1966, 8658  
term to begin January 1, 1967, and the third to be elected in 8659  
1994, term to begin January 1, 1995; 8660

In Miami county, two judges, one to be elected in 1954, term 8661  
to begin February 9, 1955, and one to be elected in 1970, term to 8662  
begin on January 1, 1971; 8663

In Muskingum county, three judges, one to be elected in 1968, 8664  
term to begin August 9, 1969, one to be elected in 1978, term to 8665  
begin January 1, 1979, and one to be elected in 2002, term to 8666  
begin January 2, 2003; 8667

In Portage county, three judges, one to be elected in 1956, 8668  
term to begin January 1, 1957, the second to be elected in 1960, 8669  
term to begin January 1, 1961, and the third to be elected in 8670  
1986, term to begin January 2, 1987; 8671

In Ross county, two judges, one to be elected in 1956, term 8672  
to begin February 9, 1957, and the second to be elected in 1976, 8673  
term to begin January 1, 1977; 8674

In Scioto county, three judges, one to be elected in 1954, 8675  
term to begin February 10, 1955, the second to be elected in 1960, 8676  
term to begin January 1, 1961, and the third to be elected in 8677  
1994, term to begin January 2, 1995; 8678

In Seneca county, two judges, one to be elected in 1956, term 8679  
to begin January 1, 1957, and the second to be elected in 1986, 8680  
term to begin January 2, 1987; 8681

In Warren county, four judges, one to be elected in 1954, 8682  
term to begin February 9, 1955, the second to be elected in 1970, 8683

term to begin January 1, 1971, the third to be elected in 1986, 8684  
term to begin January 1, 1987, and the fourth to be elected in 8685  
2004, term to begin January 2, 2005; 8686

In Washington county, two judges, one to be elected in 1952, 8687  
term to begin January 1, 1953, and one to be elected in 1986, term 8688  
to begin January 1, 1987; 8689

In Wood county, three judges, one to be elected in 1968, term 8690  
beginning January 1, 1969, the second to be elected in 1970, term 8691  
to begin January 2, 1971, and the third to be elected in 1990, 8692  
term to begin January 1, 1991; 8693

In Belmont and Jefferson counties, two judges, to be elected 8694  
in 1954, terms to begin January 1, 1955, and February 9, 1955, 8695  
respectively; 8696

In Clark county, four judges, one to be elected in 1952, term 8697  
to begin January 1, 1953, the second to be elected in 1956, term 8698  
to begin January 2, 1957, the third to be elected in 1986, term to 8699  
begin January 3, 1987, and the fourth to be elected in 1994, term 8700  
to begin January 2, 1995. 8701

In Clermont county, five judges, one to be elected in 1956, 8702  
term to begin January 1, 1957, the second to be elected in 1964, 8703  
term to begin January 1, 1965, the third to be elected in 1982, 8704  
term to begin January 2, 1983, the fourth to be elected in 1986, 8705  
term to begin January 2, 1987; and the fifth to be elected in 8706  
2006, term to begin January 3, 2007; 8707

In Columbiana county, two judges, one to be elected in 1952, 8708  
term to begin January 1, 1953, and the second to be elected in 8709  
1956, term to begin January 1, 1957; 8710

In Delaware county, two judges, one to be elected in 1990, 8711  
term to begin February 9, 1991, the second to be elected in 1994, 8712  
term to begin January 1, 1995; 8713

In Lake county, six judges, one to be elected in 1958, term 8714  
to begin January 1, 1959, the second to be elected in 1960, term 8715  
to begin January 2, 1961, the third to be elected in 1964, term to 8716  
begin January 3, 1965, the fourth and fifth to be elected in 1978, 8717  
terms to begin January 4, 1979, and January 5, 1979, respectively, 8718  
and the sixth to be elected in 2000, term to begin January 6, 8719  
2001; 8720

In Licking county, four judges, one to be elected in 1954, 8721  
term to begin February 9, 1955, one to be elected in 1964, term to 8722  
begin January 1, 1965, one to be elected in 1990, term to begin 8723  
January 1, 1991, and one to be elected in 2004, term to begin 8724  
January 1, 2005; 8725

In Lorain county, nine judges, two to be elected in 1952, 8726  
terms to begin January 1, 1953, and January 2, 1953, respectively, 8727  
one to be elected in 1958, term to begin January 3, 1959, one to 8728  
be elected in 1968, term to begin January 1, 1969, two to be 8729  
elected in 1988, terms to begin January 4, 1989, and January 5, 8730  
1989, respectively, two to be elected in 1998, terms to begin 8731  
January 2, 1999, and January 3, 1999, respectively; and one to be 8732  
elected in 2006, term to begin January 6, 2007; 8733

In Butler county, eleven judges, one to be elected in 1956, 8734  
term to begin January 1, 1957; two to be elected in 1954, terms to 8735  
begin January 1, 1955, and February 9, 1955, respectively; one to 8736  
be elected in 1968, term to begin January 2, 1969; one to be 8737  
elected in 1986, term to begin January 3, 1987; two to be elected 8738  
in 1988, terms to begin January 1, 1989, and January 2, 1989, 8739  
respectively; one to be elected in 1992, term to begin January 4, 8740  
1993; two to be elected in 2002, terms to begin January 2, 2003, 8741  
and January 3, 2003, respectively; and one to be elected in 2006, 8742  
term to begin January 3, 2007; 8743

In Richland county, four judges, one to be elected in 1956, 8744  
term to begin January 1, 1957, the second to be elected in 1960, 8745

term to begin February 9, 1961, the third to be elected in 1968, 8746  
term to begin January 2, 1969, and the fourth to be elected in 8747  
2004, term to begin January 3, 2005; 8748

In Tuscarawas county, two judges, one to be elected in 1956, 8749  
term to begin January 1, 1957, and the second to be elected in 8750  
1960, term to begin January 2, 1961; 8751

In Wayne county, two judges, one to be elected in 1956, term 8752  
beginning January 1, 1957, and one to be elected in 1968, term to 8753  
begin January 2, 1969; 8754

In Trumbull county, six judges, one to be elected in 1952, 8755  
term to begin January 1, 1953, the second to be elected in 1954, 8756  
term to begin January 1, 1955, the third to be elected in 1956, 8757  
term to begin January 1, 1957, the fourth to be elected in 1964, 8758  
term to begin January 1, 1965, the fifth to be elected in 1976, 8759  
term to begin January 2, 1977, and the sixth to be elected in 8760  
1994, term to begin January 3, 1995; 8761

(C) In Cuyahoga county, thirty-nine judges; eight to be 8762  
elected in 1954, terms to begin on successive days beginning from 8763  
January 1, 1955, to January 7, 1955, and February 9, 1955, 8764  
respectively; eight to be elected in 1956, terms to begin on 8765  
successive days beginning from January 1, 1957, to January 8, 8766  
1957; three to be elected in 1952, terms to begin from January 1, 8767  
1953, to January 3, 1953; two to be elected in 1960, terms to 8768  
begin on January 8, 1961, and January 9, 1961, respectively; two 8769  
to be elected in 1964, terms to begin January 4, 1965, and January 8770  
5, 1965, respectively; one to be elected in 1966, term to begin on 8771  
January 10, 1967; four to be elected in 1968, terms to begin on 8772  
successive days beginning from January 9, 1969, to January 12, 8773  
1969; two to be elected in 1974, terms to begin on January 18, 8774  
1975, and January 19, 1975, respectively; five to be elected in 8775  
1976, terms to begin on successive days beginning January 6, 1977, 8776  
to January 10, 1977; two to be elected in 1982, terms to begin 8777

January 11, 1983, and January 12, 1983, respectively; and two to 8778  
be elected in 1986, terms to begin January 13, 1987, and January 8779  
14, 1987, respectively; 8780

In Franklin county, twenty-two judges; two to be elected in 8781  
1954, terms to begin January 1, 1955, and February 9, 1955, 8782  
respectively; four to be elected in 1956, terms to begin January 8783  
1, 1957, to January 4, 1957; four to be elected in 1958, terms to 8784  
begin January 1, 1959, to January 4, 1959; three to be elected in 8785  
1968, terms to begin January 5, 1969, to January 7, 1969; three to 8786  
be elected in 1976, terms to begin on successive days beginning 8787  
January 5, 1977, to January 7, 1977; one to be elected in 1982, 8788  
term to begin January 8, 1983; one to be elected in 1986, term to 8789  
begin January 9, 1987; two to be elected in 1990, terms to begin 8790  
July 1, 1991, and July 2, 1991, respectively; one to be elected in 8791  
1996, term to begin January 2, 1997; and one to be elected in 8792  
2004, term to begin July 1, 2005; 8793

In Hamilton county, twenty-one judges; eight to be elected in 8794  
1966, terms to begin January 1, 1967, January 2, 1967, and from 8795  
February 9, 1967, to February 14, 1967, respectively; five to be 8796  
elected in 1956, terms to begin from January 1, 1957, to January 8797  
5, 1957; one to be elected in 1964, term to begin January 1, 1965; 8798  
one to be elected in 1974, term to begin January 15, 1975; one to 8799  
be elected in 1980, term to begin January 16, 1981; two to be 8800  
elected at large in the general election in 1982, terms to begin 8801  
April 1, 1983; one to be elected in 1990, term to begin July 1, 8802  
1991; and two to be elected in 1996, terms to begin January 3, 8803  
1997, and January 4, 1997, respectively; 8804

In Lucas county, fourteen judges; two to be elected in 1954, 8805  
terms to begin January 1, 1955, and February 9, 1955, 8806  
respectively; two to be elected in 1956, terms to begin January 1, 8807  
1957, and October 29, 1957, respectively; two to be elected in 8808  
1952, terms to begin January 1, 1953, and January 2, 1953, 8809

respectively; one to be elected in 1964, term to begin January 3, 8810  
1965; one to be elected in 1968, term to begin January 4, 1969; 8811  
two to be elected in 1976, terms to begin January 4, 1977, and 8812  
January 5, 1977, respectively; one to be elected in 1982, term to 8813  
begin January 6, 1983; one to be elected in 1988, term to begin 8814  
January 7, 1989; one to be elected in 1990, term to begin January 8815  
2, 1991; and one to be elected in 1992, term to begin January 2, 8816  
1993; 8817

In Mahoning county, seven judges; three to be elected in 8818  
1954, terms to begin January 1, 1955, January 2, 1955, and 8819  
February 9, 1955, respectively; one to be elected in 1956, term to 8820  
begin January 1, 1957; one to be elected in 1952, term to begin 8821  
January 1, 1953; one to be elected in 1968, term to begin January 8822  
2, 1969; and one to be elected in 1990, term to begin July 1, 8823  
1991; 8824

In Montgomery county, fifteen judges; three to be elected in 8825  
1954, terms to begin January 1, 1955, January 2, 1955, and January 8826  
3, 1955, respectively; four to be elected in 1952, terms to begin 8827  
January 1, 1953, January 2, 1953, July 1, 1953, and July 2, 1953, 8828  
respectively; one to be elected in 1964, term to begin January 3, 8829  
1965; one to be elected in 1968, term to begin January 3, 1969; 8830  
three to be elected in 1976, terms to begin on successive days 8831  
beginning January 4, 1977, to January 6, 1977; two to be elected 8832  
in 1990, terms to begin July 1, 1991, and July 2, 1991, 8833  
respectively; and one to be elected in 1992, term to begin January 8834  
1, 1993. 8835

In Stark county, eight judges; one to be elected in 1958, 8836  
term to begin on January 2, 1959; two to be elected in 1954, terms 8837  
to begin on January 1, 1955, and February 9, 1955, respectively; 8838  
two to be elected in 1952, terms to begin January 1, 1953, and 8839  
April 16, 1953, respectively; one to be elected in 1966, term to 8840  
begin on January 4, 1967; and two to be elected in 1992, terms to 8841

begin January 1, 1993, and January 2, 1993, respectively; 8842

In Summit county, thirteen judges; four to be elected in 8843  
1954, terms to begin January 1, 1955, January 2, 1955, January 3, 8844  
1955, and February 9, 1955, respectively; three to be elected in 8845  
1958, terms to begin January 1, 1959, January 2, 1959, and May 17, 8846  
1959, respectively; one to be elected in 1966, term to begin 8847  
January 4, 1967; one to be elected in 1968, term to begin January 8848  
5, 1969; one to be elected in 1990, term to begin May 1, 1991; one 8849  
to be elected in 1992, term to begin January 6, 1993; and two to 8850  
be elected in 2008, terms to begin January 5, 2009, and January 6, 8851  
2009, respectively. 8852

Notwithstanding the foregoing provisions, in any county 8853  
having two or more judges of the court of common pleas, in which 8854  
more than one-third of the judges plus one were previously elected 8855  
at the same election, if the office of one of those judges so 8856  
elected becomes vacant more than ~~fifty-six~~ forty days prior to the 8857  
second general election preceding the expiration of that judge's 8858  
term, the office that that judge had filled shall be abolished as 8859  
of the date of the next general election, and a new office of 8860  
judge of the court of common pleas shall be created. The judge who 8861  
is to fill that new office shall be elected for a six-year term at 8862  
the next general election, and the term of that judge shall 8863  
commence on the first day of the year following that general 8864  
election, on which day no other judge's term begins, so that the 8865  
number of judges that the county shall elect shall not be reduced. 8866

Judges of the probate division of the court of common pleas 8867  
are judges of the court of common pleas but shall be elected 8868  
pursuant to sections 2101.02 and 2101.021 of the Revised Code, 8869  
except in Adams, Harrison, Henry, Morgan, Noble, and Wyandot 8870  
counties in which the judge of the court of common pleas elected 8871  
pursuant to this section also shall serve as judge of the probate 8872  
division, except in Lorain county in which the judges of the 8873

domestic relations division of the Lorain county court of common 8874  
pleas elected pursuant to this section also shall perform the 8875  
duties and functions of the judge of the probate division from 8876  
February 9, 2009, through September 28, 2009, and except in Morrow 8877  
county in which the judges of the court of common pleas elected 8878  
pursuant to this section also shall perform the duties and 8879  
functions of the judge of the probate division. 8880

**Sec. 3501.02.** General elections in the state and its 8881  
political subdivisions shall be held as follows: 8882

(A) For the election of electors of president and 8883  
vice-president of the United States, in the year of 1932 and every 8884  
four years thereafter; 8885

(B) For the election of a member of the senate of the United 8886  
States, in the years 1932 and 1934, and every six years after each 8887  
of such years; except as otherwise provided for filling vacancies; 8888

(C) For the election of representatives in the congress of 8889  
the United States and of elective state and county officers 8890  
including elected members of the state board of education, in the 8891  
even-numbered years; except as otherwise provided for filling 8892  
vacancies; 8893

(D) For municipal and township officers, members of boards of 8894  
education, judges and clerks of municipal courts, in the 8895  
odd-numbered years; 8896

(E)(1) Proposed constitutional amendments or proposed 8897  
measures submitted ~~by the general assembly or~~ by initiative or 8898  
referendum petitions to the voters of the state at large may be 8899  
submitted to the general election in any year occurring at least 8900  
~~sixty days, in case of a referendum, and ninety one hundred~~ 8901  
~~twenty-five days, in the case of an initiated measure,~~ subsequent 8902  
to the filing of the petitions therefor. ~~Proposed~~ 8903



(2) Proposed constitutional amendments submitted by the 8904  
general assembly to the voters of the state at large may be 8905  
submitted at a special election or general election in any year 8906  
occurring at least ninety days after the resolution is filed with 8907  
the secretary of state. The proposed constitutional amendment may 8908  
be submitted to the voters at a special election occurring on the 8909  
day in any year specified by division (E) of section 3501.01 of 8910  
the Revised Code for the holding of a primary election, ~~when~~ if a 8911  
special election on that date is designated by the general 8912  
assembly in the resolution adopting the proposed constitutional 8913  
amendment. 8914

No special election shall be held on a day other than the day 8915  
of a general election, unless a law or charter provides otherwise, 8916  
regarding the submission of a question or issue to the voters of a 8917  
county, township, city, village, or school district. 8918

(F)(1) Notwithstanding any provision of the Revised Code to 8919  
the contrary, any question or issue, except a candidacy, to be 8920  
voted upon at an election shall be certified, for placement upon 8921  
the ballot, to the board of elections not later than four p.m. of 8922  
the ninetieth day before the day of the election. 8923

(2) Any question or issue that is certified for placement on 8924  
a ballot on or after ~~the effective date of this amendment~~ July 2, 8925  
2010, shall be certified not later than the ninetieth day before 8926  
the day of the applicable election, notwithstanding any deadlines 8927  
appearing in any section of the Revised Code governing the 8928  
placement of that question or issue on the ballot. 8929

**Sec. 3513.31.** (A) If a person nominated in a primary election 8930  
as a candidate for election at the next general election, whose 8931  
candidacy is to be submitted to the electors of the entire state, 8932  
withdraws as that candidate or is disqualified as that candidate 8933  
under section 3513.052 of the Revised Code, the vacancy in the 8934

party nomination so created may be filled by the state central 8935  
committee of the major political party that made the nomination at 8936  
the primary election, if the committee's chairperson and secretary 8937  
certify the name of the person selected to fill the vacancy by the 8938  
time specified in this division, at a meeting called for that 8939  
purpose. The meeting shall be called by the chairperson of that 8940  
committee, who shall give each member of the committee at least 8941  
two days' notice of the time, place, and purpose of the meeting. 8942  
If a majority of the members of the committee are present at the 8943  
meeting, a majority of those present may select a person to fill 8944  
the vacancy. The chairperson and secretary of the meeting shall 8945  
certify in writing and under oath to the secretary of state, not 8946  
later than the eighty-sixth day before the day of the general 8947  
election, the name of the person selected to fill the vacancy. The 8948  
certification must be accompanied by the written acceptance of the 8949  
nomination by the person whose name is certified. A vacancy that 8950  
may be filled by an intermediate or minor political party shall be 8951  
filled in accordance with the party's rules by authorized 8952  
officials of the party. Certification must be made as in the 8953  
manner provided for a major political party. 8954

(B) If a person nominated in a primary election as a party 8956  
candidate for election at the next general election, whose 8957  
candidacy is to be submitted to the electors of a district 8958  
comprised of more than one county but less than all of the 8959  
counties of the state, withdraws as that candidate or is 8960  
disqualified as that candidate under section 3513.052 of the 8961  
Revised Code, the vacancy in the party nomination so created may 8962  
be filled by a district committee of the major political party 8963  
that made the nomination at the primary election, if the 8964  
committee's chairperson and secretary certify the name of the 8965  
person selected to fill the vacancy by the time specified in this 8966  
division, at a meeting called for that purpose. The district 8967

committee shall consist of the chairperson and secretary of the 8968  
county central committee of such political party in each county in 8969  
the district. The district committee shall be called by the 8970  
chairperson of the county central committee of such political 8971  
party of the most populous county in the district, who shall give 8972  
each member of the district committee at least two days' notice of 8973  
the time, place, and purpose of the meeting. If a majority of the 8974  
members of the district committee are present at the district 8975  
committee meeting, a majority of those present may select a person 8976  
to fill the vacancy. The chairperson and secretary of the meeting 8977  
shall certify in writing and under oath to the board of elections 8978  
of the most populous county in the district, not later than four 8979  
p.m. of the eighty-sixth day before the day of the general 8980  
election, the name of the person selected to fill the vacancy. The 8981  
certification must be accompanied by the written acceptance of the 8982  
nomination by the person whose name is certified. A vacancy that 8983  
may be filled by an intermediate or minor political party shall be 8984  
filled in accordance with the party's rules by authorized 8985  
officials of the party. Certification must be made as in the 8986  
manner provided for a major political party. 8987

(C) If a person nominated in a primary election as a party 8988  
candidate for election at the next general election, whose 8989  
candidacy is to be submitted to the electors of a county, 8990  
withdraws as that candidate or is disqualified as that candidate 8991  
under section 3513.052 of the Revised Code, the vacancy in the 8992  
party nomination so created may be filled by the county central 8993  
committee of the major political party that made the nomination at 8994  
the primary election, or by the county executive committee if so 8995  
authorized, if the committee's chairperson and secretary certify 8996  
the name of the person selected to fill the vacancy by the time 8997  
specified in this division, at a meeting called for that purpose. 8998  
The meeting shall be called by the chairperson of that committee, 8999  
who shall give each member of the committee at least two days' 9000

notice of the time, place, and purpose of the meeting. If a 9001  
majority of the members of the committee are present at the 9002  
meeting, a majority of those present may select a person to fill 9003  
the vacancy. The chairperson and secretary of the meeting shall 9004  
certify in writing and under oath to the board of that county, not 9005  
later than four p.m. of the eighty-sixth day before the day of the 9006  
general election, the name of the person selected to fill the 9007  
vacancy. The certification must be accompanied by the written 9008  
acceptance of the nomination by the person whose name is 9009  
certified. A vacancy that may be filled by an intermediate or 9010  
minor political party shall be filled in accordance with the 9011  
party's rules by authorized officials of the party. Certification 9012  
must be made as in the manner provided for a major political 9013  
party. 9014

(D) If a person nominated in a primary election as a party 9015  
candidate for election at the next general election, whose 9016  
candidacy is to be submitted to the electors of a district within 9017  
a county, withdraws as that candidate or is disqualified as that 9018  
candidate under section 3513.052 of the Revised Code, the vacancy 9019  
in the party nomination so created may be filled by a district 9020  
committee consisting of those members of the county central 9021  
committee or, if so authorized, those members of the county 9022  
executive committee in that county of the major political party 9023  
that made the nomination at the primary election who represent the 9024  
precincts or the wards and townships within the district, if the 9025  
committee's chairperson and secretary certify the name of the 9026  
person selected to fill the vacancy by the time specified in this 9027  
division, at a meeting called for that purpose. The district 9028  
committee meeting shall be called by the chairperson of the county 9029  
central committee or executive committee, as appropriate, who 9030  
shall give each member of the district committee at least two 9031  
days' notice of the time, place, and purpose of the meeting. If a 9032  
majority of the members of the district committee are present at 9033

the district committee meeting, a majority of those present may 9034  
select a person to fill the vacancy. The chairperson and secretary 9035  
of the district committee meeting shall certify in writing and 9036  
under oath to the board of the county, not later than four p.m. of 9037  
the eighty-sixth day before the day of the general election, the 9038  
name of the person selected to fill the vacancy. The certification 9039  
must be accompanied by the written acceptance of the nomination by 9040  
the person whose name is certified. A vacancy that may be filled 9041  
by an intermediate or minor political party shall be filled in 9042  
accordance with the party's rules by authorized officials of the 9043  
party. Certification must be made as in the manner provided for a 9044  
major political party. 9045

(E) If a person nominated in a primary election as a party 9046  
candidate for election at the next general election, whose 9047  
candidacy is to be submitted to the electors of a subdivision 9048  
within a county, withdraws as that candidate or is disqualified as 9049  
that candidate under section 3513.052 of the Revised Code, the 9050  
vacancy in the party nomination so created may be filled by a 9051  
subdivision committee consisting of those members of the county 9052  
central committee or, if so authorized, those members of the 9053  
county executive committee in that county of the major political 9054  
party that made the nomination at that primary election who 9055  
represent the precincts or the wards and townships within that 9056  
subdivision, if the committee's chairperson and secretary certify 9057  
the name of the person selected to fill the vacancy by the time 9058  
specified in this division, at a meeting called for that purpose. 9059

The subdivision committee meeting shall be called by the 9060  
chairperson of the county central committee or executive 9061  
committee, as appropriate, who shall give each member of the 9062  
subdivision committee at least two days' notice of the time, 9063  
place, and purpose of the meeting. If a majority of the members of 9064  
the subdivision committee are present at the subdivision committee 9065

meeting, a majority of those present may select a person to fill 9066  
the vacancy. The chairperson and secretary of the subdivision 9067  
committee meeting shall certify in writing and under oath to the 9068  
board of the county, not later than four p.m. of the eighty-sixth 9069  
day before the day of the general election, the name of the person 9070  
selected to fill the vacancy. The certification must be 9071  
accompanied by the written acceptance of the nomination by the 9072  
person whose name is certified. A vacancy that may be filled by an 9073  
intermediate or minor political party shall be filled in 9074  
accordance with the party's rules by authorized officials of the 9075  
party. Certification must be made in the manner provided for a 9076  
major political party. 9077

(F) If a person nominated by petition as an independent or 9078  
nonpartisan candidate for election at the next general election 9079  
withdraws as that candidate or is disqualified as that candidate 9080  
under section 3513.052 of the Revised Code, the vacancy so created 9081  
may be filled by a majority of the committee of five, as 9082  
designated on the candidate's nominating petition, if a member of 9083  
that committee certifies in writing and under oath to the election 9084  
officials with whom the candidate filed the candidate's nominating 9085  
petition, not later than the eighty-sixth day before the day of 9086  
the general election, the name of the person selected to fill the 9087  
vacancy. The certification shall be accompanied by the written 9088  
acceptance of the nomination by the person whose name is certified 9089  
and shall be made in the manner provided for a major political 9090  
party. 9091

(G) If a person nominated in a primary election as a party 9092  
candidate for election at the next general election dies, the 9093  
vacancy so created may be filled by the same committee in the same 9094  
manner as provided in this section for the filling of similar 9095  
vacancies created by withdrawals or disqualifications under 9096  
section 3513.052 of the Revised Code, except that the 9097

certification, when filling a vacancy created by death, may not be 9098  
filed with the secretary of state, or with a board of the most 9099  
populous county of a district, or with the board of a county in 9100  
which the major portion of the population of a subdivision is 9101  
located, later than four p.m. of the tenth day before the day of 9102  
such general election, or with any other board later than four 9103  
p.m. of the fifth day before the day of such general election. 9104

(H) If a person nominated by petition as an independent or 9105  
nonpartisan candidate for election at the next general election 9106  
dies prior to the tenth day before the day of that general 9107  
election, the vacancy so created may be filled by a majority of 9108  
the committee of five designated in the nominating petition to 9109  
represent the candidate named in it. To fill the vacancy a member 9110  
of the committee shall, not later than four p.m. of the fifth day 9111  
before the day of the general election, file with the election 9112  
officials with whom the petition nominating the person was filed, 9113  
a certificate signed and sworn to under oath by a majority of the 9114  
members, designating the person they select to fill the vacancy. 9115  
The certification must be accompanied by the written acceptance of 9116  
the nomination by the person whose name is so certified. 9117

(I) If a person holding an elective office dies or resigns 9118  
subsequent to the one hundred fifteenth day before the day of a 9119  
primary election and prior to the eighty-sixth day before the day 9120  
of the next general election, and if, under the laws of this 9121  
state, a person may be elected at that general election to fill 9122  
the unexpired term of the person who has died or resigned, the 9123  
appropriate committee of each political party, acting as in the 9124  
case of a vacancy in a party nomination, as provided in divisions 9125  
(A) to (D) of this section, may select a person as the party 9126  
candidate for election for such unexpired term at that general 9127  
election, and certify the person's name to the appropriate 9128  
election official not later than four p.m. on the eighty-sixth day 9129

before the day of that general election, or on the tenth day 9130  
following the day on which the vacancy occurs, whichever is later. 9131  
When the vacancy occurs on or subsequent to the eighty-sixth day 9132  
and six or more days prior to the ~~fifty-sixth~~ fortieth day before 9133  
the general election, the appropriate committee may select a 9134  
person as the party candidate and certify the person's name, as 9135  
provided in the preceding sentence, not later than four p.m. on 9136  
the ~~fiftieth~~ tenth day following the day on which the vacancy 9137  
occurs. When the vacancy occurs fewer than six days before the 9138  
fortieth day before the general election, the deadline for filing 9139  
shall be four p.m. on the thirty-sixth day before the general 9140  
election. Thereupon the name shall be printed as the party 9141  
candidate under proper titles and in the proper place on the 9142  
proper ballots for use at the election. If a person has been 9143  
nominated in a primary election, the authorized committee of that 9144  
political party shall not select and certify a person as the party 9145  
candidate. 9146

(J) Each person desiring to become an independent candidate 9147  
to fill the unexpired term shall file a statement of candidacy and 9148  
nominating petition, as provided in section 3513.261 of the 9149  
Revised Code, with the appropriate election official not later 9150  
than four p.m. on the tenth day following the day on which the 9151  
vacancy occurs, provided that when the vacancy occurs fewer than 9152  
six days before the fifty-sixth day before the general election, 9153  
the deadline for filing shall be four p.m. on the fiftieth day 9154  
before the general election. The nominating petition shall contain 9155  
at least seven hundred fifty signatures and no more than one 9156  
thousand five hundred signatures of qualified electors of the 9157  
district, political subdivision, or portion of a political 9158  
subdivision in which the office is to be voted upon, or the amount 9159  
provided for in section 3513.257 of the Revised Code, whichever is 9160  
less. 9161



(K) When a person nominated as a candidate by a political party in a primary election or by nominating petition for an elective office for which candidates are nominated at a party primary election withdraws, dies, or is disqualified under section 3513.052 of the Revised Code prior to the general election, the appropriate committee of any other major political party or committee of five that has not nominated a candidate for that office, or whose nominee as a candidate for that office has withdrawn, died, or been disqualified without the vacancy so created having been filled, may, acting as in the case of a vacancy in a party nomination or nomination by petition as provided in divisions (A) to (F) of this section, whichever is appropriate, select a person as a candidate of that party or of that committee of five for election to the office.

**Section 4.** That existing sections 3.02, 302.09, 305.02, 503.24, 733.31, 1901.10, 2301.02, 3501.02, and 3513.31 of the Revised Code are hereby repealed.