

**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

—

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
3501.28, 3501.29, 3501.30, 3501.31, 3501.32,	5
3501.33, 3501.35, 3501.37, 3501.38, 3503.02,	6
3503.06, 3503.14, 3503.15, 3503.16, 3503.18,	7
3503.19, 3503.21, 3503.26, 3503.28, 3505.11,	8
3505.17, 3505.18, 3505.181, 3505.182, 3505.183,	9
3505.20, 3505.21, 3505.23, 3505.24, 3505.26,	10
3505.28, 3505.29, 3505.30, 3505.31, 3506.05,	11
3506.12, 3506.15, 3509.01, 3509.02, 3509.03,	12
3509.031, 3509.04, 3509.05, 3509.06, 3509.07,	13
3509.08, 3509.09, 3511.02, 3511.04, 3511.05,	14
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 (D)~~ 1120
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 2190
application that is returned by mail does not bear a postmark or a 2191
legible postmark, the registration shall be valid for that 2192
election if received by the office of the secretary of state or 2193
the office of a board of elections no later than twenty-five days 2194
preceding any special, primary, or general election. 2195

(B)(1) Any person may apply in person, by telephone, by mail, 2196
or through another person for voter registration forms to the 2197
office of the secretary of state or the office of a board of 2198
elections. An individual who is eligible to vote as a uniformed 2199
services voter or an overseas voter in accordance with 42 U.S.C. 2200
1973ff-6 also may apply for voter registration forms by electronic 2201
means to the office of the secretary of state or to the board of 2202
elections of the county in which the person's voting residence is 2203
located pursuant to section 3503.191 of the Revised Code. 2204

(2)(a) An applicant may return the applicant's completed 2205
registration form in person or by mail to any state or local 2206
office of a designated agency, to a public high school or 2207
vocational school, to a public library, to the office of a county 2208
treasurer, to the office of the secretary of state, or to the 2209
office of a board of elections. An applicant who is eligible to 2210
vote as a uniformed services voter or an overseas voter in 2211
accordance with 42 U.S.C. 1973ff-6 also may return the applicant's 2212
completed voter registration form electronically to the office of 2213
the secretary of state or to the board of elections of the county 2214
in which the person's voting residence is located pursuant to 2215
section 3503.191 of the Revised Code. 2216

(b) Subject to division (B)(2)(c) of this section, an 2217
applicant may return the applicant's completed registration form 2218
through another person to any board of elections or the office of 2219
the secretary of state. 2220

(c) A person who receives compensation for registering a 2221

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~~

knowledge and belief.	2931
.....	2932
(Signature of Voter)	2933
.....	2934
(Voter's date of birth)	2935
The last four digits of the voter's social security number	2936
.....	2937
(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)	2938
WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY	2939
OF THE FIFTH DEGREE.	2940
Additional Information For Determining Ballot Validity	2941
(May be completed at voter's discretion)	2942
Voter's current address:	2943
Voter's former address if	2944
photo identification does	

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
2978
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
2986
2987
2988
2989
2990
2991
2992
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)~~ (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
3453
3454
3455
3456

(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
3655

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
3772
3773

(2) Except when used as part of the phrase "tabulating equipment" or "automatic tabulating equipment," 3774
3775

~~(1) "Equipment"~~ "equipment" means a voting machine, marking device, automatic tabulating equipment, ~~or~~ software, or an electronic pollbook. 3776
3777
3778

~~(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
3780
3781

(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
3783
3784
3785
3786
3787
3788
3789
3790
3791
3792
3793
3794
3795
3796
3797

(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
3800
3801

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 director <u>board of elections</u> . The form of the application shall be prescribed by the secretary of state. The director <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 a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the name and address of the elector.	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
5899

(3) The date of the election and whether it was or will be a general, primary, or special election; 5900
5901

(4) A statement of contributions received, which shall include the following information: 5902
5903

(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
5906
5907
5908
5909
5910
5911
5912
5913
5914
5915
5916
5917

(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
5919
5920
5921
5922
5923
5924
5925

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 6671
corporation, organization, labor organization, continuing 6672
association, or other person. 6673

(b) No political contributing entity shall make a 6674
contribution or contributions to a county political party for the 6675
party's state candidate fund. 6676

(C)(1)(a) Subject to division (D)(1) of this section, no 6677
campaign committee of a statewide candidate shall do any of the 6678
following: 6679

(i) Knowingly accept a contribution or contributions from any 6680
individual who is under seven years of age; 6681

(ii) Accept a contribution or contributions aggregating more 6682
than ten thousand dollars from any one individual who is seven 6683
years of age or older, from any one political action committee, 6684
from any one political contributing entity, or from any one other 6685
campaign committee in a primary election period or in a general 6686
election period; 6687

(iii) Accept a contribution or contributions aggregating more 6688
than two hundred fifty thousand dollars from any one or 6689
combination of state candidate funds of county political parties 6690
in a primary election period or in a general election period. 6691

(b) No campaign committee of a statewide candidate shall 6692
accept a contribution or contributions aggregating more than two 6693
thousand five hundred dollars in a primary election period or in a 6694
general election period from a county political party that has no 6695
state candidate fund and that is located in a county having a 6696
population of less than one hundred fifty thousand. 6697

(2)(a) Subject to division (D)(1) of this section and except 6698
for a designated state campaign committee, no campaign committee 6699
of a senate candidate shall do either of the following: 6700

(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.~~ 7108
7109
7110
7111

~~(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.~~ 7112
7113
7114
7115

~~(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.~~ 7116
7117
7118
7119

~~(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.~~ 7120
7121
7122
7123
7124
7125
7126
7127
7128
7129

~~(2) Division (F)(1) of this section no longer applies to a campaign committee after both of the following occur:~~ 7130
7131

~~(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;~~ 7132
7133
7134
7135

~~(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.~~ 7136
7137
7138

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 judge of elections <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 judge <u>precinct election official</u> to fill a vacancy;	8200 8201
(6) Act as registrar or judge <u>precinct election official</u> without having been appointed and having received a certificate of appointment, except a judge <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
Sec. 3599.19. (A) No judge of elections <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 judge <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 8224
known by the ~~judge~~ precinct election official to be improperly or 8225
falsely marked; 8226
- (7) Count or permit to be counted any illegal or fraudulent 8227
ballot; 8228
- (8) Mislead an elector who is physically unable to prepare 8229
the elector's ballot, mark a ballot for such elector otherwise 8230
than as directed by that elector, or disclose to any person, 8231
except when legally required to do so, how such elector voted; 8232
- (9) Alter or mark or permit any alteration or marking on any 8233
ballot when counting the ballots; 8234
- (10) Unlawfully count or tally or sanction the wrongful 8235
counting or tallying of votes; 8236
- (11) After the counting of votes commences, as required by 8237
law, postpone or sanction the postponement of the counting of 8238
votes, adjourn at any time or to any place, or remove the ballot 8239
box from the place of voting, or from the custody or presence of 8240
all the ~~judges of such elections~~ precinct election officials; 8241
- (12) Permit any ballot to remain or to be in the ballot box 8242
at the opening of the polls, or to be put in the box during the 8243
counting of the ballots, or to be left in the box without being 8244
counted; 8245
- (13) Admit or sanction the admission to the polling room at 8246
an election during the receiving, counting, and certifying of 8247
votes of any person not qualified by law to be so admitted; 8248
- (14) Refuse to admit or sanction the refusal to admit any 8249
person, upon lawful request for admission, who is legally 8250
qualified to be present; 8251
- (15) Permit or sanction the counting of the ballots contrary 8252
to the manner prescribed by law; 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

8955
(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.