

As Passed by the House

129th General Assembly

Regular Session

2011-2012

Am. Sub. H. B. No. 194

Representatives Mecklenborg, Blessing

**Cosponsors: Representatives Combs, Anielski, Baker, Boose, Brenner,
Bubp, Buchy, Coley, Grossman, Hackett, Huffman, Maag, Martin, Newbold,
Slaby, Uecker Speaker Batchelder**

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A B I L L

To amend sections 3.02, 302.09, 305.02, 503.24,	1
511.27, 733.31, 1545.21, 1901.10, 2101.44,	2
2301.02, 3501.01, 3501.02, 3501.05, 3501.051,	3
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3509.02, 3509.03, 3509.031, 3509.04, 3509.05,	15
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3513.02, 3513.12, 3513.131, 3513.18, 3513.19,	19
3513.21, 3513.262, 3513.30, 3513.31, 3515.04,	20
3517.01, 3517.012, 3517.10, 3517.102, 3517.103,	21

3517.106, 3517.1011, 3517.11, 3517.153, 3517.154, 22
3517.155, 3517.992, 3519.01, 3519.16, 3599.03, 23
3599.07, 3599.17, 3599.19, and 3599.31, to enact 24
new section 3504.01 and sections 3501.111, 25
3501.302, 3501.40, 3503.161, 3503.22, 3505.05, 26
3506.021, and 3599.30, and to repeal sections 27
3503.29, 3504.01, 3506.16, and 3517.1010 of the 28
Revised Code to revise the Election Law. 29

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

Section 1. That sections 511.27, 1545.21, 2101.44, 3501.01, 30
3501.05, 3501.051, 3501.10, 3501.11, 3501.13, 3501.17, 3501.18, 31
3501.20, 3501.22, 3501.26, 3501.27, 3501.28, 3501.29, 3501.30, 32
3501.301, 3501.31, 3501.32, 3501.33, 3501.35, 3501.37, 3501.38, 33
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3503.21, 3503.26, 3503.28, 3504.02, 3504.04, 3504.05, 3505.07, 35
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3505.182, 3505.183, 3505.20, 3505.21, 3505.23, 3505.24, 3505.26, 37
3505.28, 3505.29, 3505.30, 3505.31, 3506.05, 3506.12, 3506.15, 38
3509.01, 3509.02, 3509.03, 3509.031, 3509.04, 3509.05, 3509.06, 39
3509.07, 3509.08, 3509.09, 3511.02, 3511.04, 3511.05, 3511.06, 40
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3513.30, 3515.04, 3517.01, 3517.012, 3517.10, 3517.102, 3517.103, 43
3517.106, 3517.1011, 3517.11, 3517.153, 3517.154, 3517.155, 44
3517.992, 3519.01, 3519.16, 3599.03, 3599.07, 3599.17, 3599.19, 45
and 3599.31 be amended and new section 3504.01 and sections 46
3501.111, 3501.302, 3501.40, 3503.161, 3503.22, 3505.05, 3506.021, 47
and 3599.30 of the Revised Code be enacted to read as follows: 48

Sec. 511.27. (A) To defray the expenses of the township park 49
district and for purchasing, appropriating, operating, 50

maintaining, and improving lands for parks or recreational 51
purposes, the board of park commissioners may levy a sufficient 52
tax within the ten-mill limitation, not to exceed one mill on each 53
dollar of valuation on all real and personal property within the 54
township, and on all real and personal property within any 55
municipal corporation that is within the township, that was within 56
the township at the time that the park district was established, 57
or the boundaries of which are coterminous with or include the 58
township. The levy shall be over and above all other taxes and 59
limitations on such property authorized by law. 60

(B) Except as otherwise provided in division (C) of this 61
section, the board of park commissioners, not less than ninety 62
days before the day of the election, may declare by resolution 63
that the amount of taxes that may be raised within the ten-mill 64
limitation will be insufficient to provide an adequate amount for 65
the necessary requirements of the district and that it is 66
necessary to levy a tax in excess of that limitation for the use 67
of the district. The resolution shall specify the purpose for 68
which the taxes shall be used, the annual rate proposed, and the 69
number of consecutive years the levy will be in effect. Upon the 70
adoption of the resolution, the question of levying the taxes 71
shall be submitted to the electors of the township and the 72
electors of any municipal corporation that is within the township, 73
that was within the township at the time that the park district 74
was established, or the boundaries of which are coterminous with 75
or include the township, at a special election to be held on 76
whichever of the following occurs first: 77

(1) The day of the next ensuing general election; 78

(2) ~~The first Tuesday after the first Monday in May of any 79
calendar year, except that, if a presidential day of the next 80
ensuing primary election is held in that calendar year, then the 81
day of that election. 82~~

The rate submitted to the electors at any one election shall 83
not exceed two mills annually upon each dollar of valuation. If a 84
majority of the electors voting upon the question of the levy vote 85
in favor of the levy, the tax shall be levied on all real and 86
personal property within the township and on all real and personal 87
property within any municipal corporation that is within the 88
township, that was within the township at the time that the park 89
district was established, or the boundaries of which are 90
coterminous with or include the township, and the levy shall be 91
over and above all other taxes and limitations on such property 92
authorized by law. 93

(C) In any township park district that contains only 94
unincorporated territory, if the township board of park 95
commissioners is appointed by the board of township trustees, 96
before a tax can be levied and certified to the county auditor 97
pursuant to section 5705.34 of the Revised Code or before a 98
resolution for a tax levy can be certified to the board of 99
elections pursuant to section 511.28 of the Revised Code, the 100
board of park commissioners shall receive approval for its levy 101
request from the board of township trustees. The board of park 102
commissioners shall adopt a resolution requesting the board of 103
township trustees to approve the levy request, stating the annual 104
rate of the proposed levy and the reason for the levy request. On 105
receiving this request, the board of township trustees shall vote 106
on whether to approve the request and, if a majority votes to 107
approve it, shall issue a resolution approving the levy at the 108
requested rate. 109

Sec. 1545.21. The board of park commissioners, by resolution, 110
may submit to the electors of the park district the question of 111
levying taxes for the use of the district. The resolution shall 112
declare the necessity of levying such taxes, shall specify the 113
purpose for which such taxes shall be used, the annual rate 114

proposed, and the number of consecutive years the rate shall be 115
levied. Such resolution shall be forthwith certified to the board 116
of elections in each county in which any part of such district is 117
located, not later than the ninetieth day before the day of the 118
election, and the question of the levy of taxes as provided in 119
such resolution shall be submitted to the electors of the district 120
at a special election to be held on whichever of the following 121
occurs first: 122

(A) The day of the next general election; 123

(B) ~~The first Tuesday after the first Monday in May in any 124
calendar year, except that if a presidential day of the next 125
primary election is held in that calendar year, then the day of 126
that election. The 127~~

The ballot shall set forth the purpose for which the taxes 128
shall be levied, the annual rate of levy, and the number of years 129
of such levy. If the tax is to be placed on the current tax list, 130
the form of the ballot shall state that the tax will be levied in 131
the current tax year and shall indicate the first calendar year 132
the tax will be due. If the resolution of the board of park 133
commissioners provides that an existing levy will be canceled upon 134
the passage of the new levy, the ballot may include a statement 135
that: "an existing levy of ... mills (stating the original levy 136
millage), having ... years remaining, will be canceled and 137
replaced upon the passage of this levy." In such case, the ballot 138
may refer to the new levy as a "replacement levy" if the new 139
millage does not exceed the original millage of the levy being 140
canceled or as a "replacement and additional levy" if the new 141
millage exceeds the original millage of the levy being canceled. 142
If a majority of the electors voting upon the question of such 143
levy vote in favor thereof, such taxes shall be levied and shall 144
be in addition to the taxes authorized by section 1545.20 of the 145
Revised Code, and all other taxes authorized by law. The rate 146

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

Sec. 2101.44. The election upon the question of combining the 160
probate court and the court of common pleas shall be conducted as 161
provided for the election of county officers. 162

The board of ~~election~~ elections shall provide separate 163
ballots, ~~ballot boxes~~, tally sheets, blanks, stationery, and all 164
such other supplies as may be necessary in the conduct of such 165
election. 166

Ballots shall be printed with an affirmative and negative 167
statement thereon, as follows: 168

	The probate court and the court of common pleas shall be combined.	169
	The probate court and the court of common pleas shall not be combined.	170

Returns of said election shall be made and canvassed at the 173
same time and in the same manner as an election for county 174
officers. The board shall certify the result of said election to 175
the secretary of state, to the probate judge of said county, and 176
to the judge of the court of common pleas, and such result shall 177
be spread upon the journal of the probate court and of the court 178
of common pleas. 179

If a majority of the votes cast at such an election are in 180
favor of combining said courts, such courts shall stand combined 181
upon determination of the fact that a majority of the persons 182
voting upon the question of the combination of such courts voted 183
in favor of such combination. 184

Sec. 3501.01. As used in the sections of the Revised Code 185
relating to elections and political communications: 186

(A) "General election" means the election held on the first 187
Tuesday after the first Monday in each November. 188

(B) "Regular municipal election" means the election held on 189
the first Tuesday after the first Monday in November in each 190
odd-numbered year. 191

(C) "Regular state election" means the election held on the 192
first Tuesday after the first Monday in November in each 193
even-numbered year. 194

(D) "Special election" means any election other than those 195
elections defined in other divisions of this section. A special 196
election may be held only on the first Tuesday after the first 197
Monday in February, May, August, or November, or on the day 198
authorized by a particular municipal or county charter for the 199
holding of a primary election, ~~except that in any year in which a~~ 200
~~presidential primary election is held, no special election shall~~ 201
~~be held in February or May, except as authorized by a municipal or~~ 202

~~county charter, but may be held on the first Tuesday after the~~ 203
~~first Monday in March.~~ 204

(E)(1) "Primary" or "primary election" means an election held 205
for the purpose of nominating persons as candidates of political 206
parties for election to offices, and for the purpose of electing 207
persons as members of the controlling committees of political 208
parties and as delegates and alternates to the conventions of 209
political parties. Primary elections shall be held on the first 210
Tuesday after the first Monday in May of each year ~~except in years~~ 211
~~in which a presidential primary election is held.~~ 212

(2) "Presidential primary election" means a primary election 213
as defined by division (E)(1) of this section at which an election 214
is held for the purpose of choosing delegates and alternates to 215
the national conventions of the major political parties pursuant 216
to section 3513.12 of the Revised Code. Unless otherwise 217
specified, presidential primary elections are included in 218
references to primary elections. ~~In years in which a presidential~~ 219
~~primary election is held, all primary elections shall be held on~~ 220
~~the first Tuesday after the first Monday in March except as~~ 221
~~otherwise authorized by a municipal or county charter.~~ 222

(F) "Political party" means any group of voters meeting the 223
requirements set forth in section 3517.01 of the Revised Code for 224
the formation and existence of a political party. 225

(1) "Major political party" means any political party 226
organized under the laws of this state whose candidate for 227
governor or nominees for presidential electors received no less 228
than twenty per cent of the total vote cast for such office at the 229
most recent regular state election. 230

(2) "Intermediate political party" means any political party 231
organized under the laws of this state whose candidate for 232
governor or nominees for presidential electors received less than 233

twenty per cent but not less than ten per cent of the total vote 234
cast for such office at the most recent regular state election. 235

(3) "Minor political party" means any political party 236
organized under the laws of this state whose candidate for 237
governor or nominees for presidential electors received less than 238
ten per cent but not less than five per cent of the total vote 239
cast for such office at the most recent regular state election or 240
which has filed with the secretary of state, subsequent to any 241
election in which it received less than five per cent of such 242
vote, a petition signed by qualified electors equal in number to 243
at least one per cent of the total vote cast for such office in 244
the last preceding regular state election, except that a newly 245
formed political party shall be known as a minor political party 246
until the time of the first election for governor or president 247
which occurs not less than twelve months subsequent to the 248
formation of such party, after which election the status of such 249
party shall be determined by the vote for the office of governor 250
or president. 251

(G) "Dominant party in a precinct" or "dominant political 252
party in a precinct" means that political party whose candidate 253
for election to the office of governor at the most recent regular 254
state election at which a governor was elected received more votes 255
than any other person received for election to that office in such 256
precinct at such election. 257

(H) "Candidate" means any qualified person certified in 258
accordance with the provisions of the Revised Code for placement 259
on the official ballot of a primary, general, or special election 260
to be held in this state, or any qualified person who claims to be 261
a write-in candidate, or who knowingly assents to being 262
represented as a write-in candidate by another at either a 263
primary, general, or special election to be held in this state. 264

(I) "Independent candidate" means any candidate who claims 265

not to be affiliated with a political party, and whose name has 266
been certified on the office-type ballot at a general or special 267
election through the filing of a statement of candidacy and 268
nominating petition, as prescribed in section 3513.257 of the 269
Revised Code. 270

(J) "Nonpartisan candidate" means any candidate whose name is 271
required, pursuant to section 3505.04 of the Revised Code, to be 272
listed on the nonpartisan ballot, including all candidates for 273
judicial office, for member of any board of education, for 274
municipal or township offices in which primary elections are not 275
held for nominating candidates by political parties, and for 276
offices of municipal corporations having charters that provide for 277
separate ballots for elections for these offices. 278

(K) "Party candidate" means any candidate who claims to be a 279
member of a political party, whose name has been certified on the 280
office-type ballot at a general or special election through the 281
filing of a declaration of candidacy and petition of candidate, 282
and who has won the primary election of the candidate's party for 283
the public office the candidate seeks or is selected by party 284
committee in accordance with section 3513.31 of the Revised Code. 285

(L) "Officer of a political party" includes, but is not 286
limited to, any member, elected or appointed, of a controlling 287
committee, whether representing the territory of the state, a 288
district therein, a county, township, a city, a ward, a precinct, 289
or other territory, of a major, intermediate, or minor political 290
party. 291

(M) "Question or issue" means any question or issue certified 292
in accordance with the Revised Code for placement on an official 293
ballot at a general or special election to be held in this state. 294

(N) "Elector" or "qualified elector" means a person having 295
the qualifications provided by law to be entitled to vote. 296

(O) "Voter" means an elector who votes at an election.	297
(P) "Voting residence" means that place of residence of an elector which shall determine the precinct in which the elector may vote.	298 299 300
(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.	301 302 303 304
(R) "Polling place" means that place provided for each precinct at which the electors having a voting residence in such precinct may vote.	305 306 307
(S) "Board" or "board of elections" means the board of elections appointed in a county pursuant to section 3501.06 of the Revised Code.	308 309 310
(T) "Political subdivision" means a county, township, city, village, or school district.	311 312
(U) "Election officer" or "election official" means any of the following:	313 314
(1) Secretary of state;	315
(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;	316 317 318 319
(3) Director of a board of elections;	320
(4) Deputy director of a board of elections;	321
(5) Member of a board of elections;	322
(6) Employees of a board of elections;	323
(7) Precinct polling place judges <u>election officials</u> ;	324
(8) Employees appointed by the boards of elections on a	325

temporary or part-time basis. 326

(V) "Acknowledgment notice" means a notice sent by a board of 327
elections, on a form prescribed by the secretary of state, 328
informing a voter registration applicant or an applicant who 329
wishes to change the applicant's residence or name of the status 330
of the application; the information necessary to complete or 331
update the application, if any; and if the application is 332
complete, the precinct in which the applicant is to vote. 333

(W) "Confirmation notice" means a notice sent by a board of 334
elections, on a form prescribed by the secretary of state, to a 335
registered elector to confirm the registered elector's current 336
address. 337

(X) "Designated agency" means an office or agency in the 338
state that provides public assistance or that provides 339
state-funded programs primarily engaged in providing services to 340
persons with disabilities and that is required by the National 341
Voter Registration Act of 1993 to implement a program designed and 342
administered by the secretary of state for registering voters, or 343
any other public or government office or agency that implements a 344
program designed and administered by the secretary of state for 345
registering voters, including the department of job and family 346
services, the program administered under section 3701.132 of the 347
Revised Code by the department of health, the department of mental 348
health, the department of developmental disabilities, the 349
rehabilitation services commission, and any other agency the 350
secretary of state designates. "Designated agency" does not 351
include public high schools and vocational schools, public 352
libraries, or the office of a county treasurer. 353

(Y) "National Voter Registration Act of 1993" means the 354
"National Voter Registration Act of 1993," 107 Stat. 77, 42 355
U.S.C.A. 1973gg. 356

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

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

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

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

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

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

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

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

(A) Appoint all members of boards of elections;

(B) Issue instructions by directives and advisories in accordance with section 3501.053 of the Revised Code to members of the boards as to the proper methods of conducting elections.

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

(D) Publish and furnish to the boards from time to time a	386
sufficient number of indexed copies of all election laws then in	387
force;	388
(E) Edit and issue all pamphlets concerning proposed laws or	389
amendments required by law to be submitted to the voters;	390
(F) Prescribe the form of registration cards, blanks, and	391
records;	392
(G) Determine and prescribe the forms of ballots and the	393
forms of all blanks, cards of instructions, pollbooks, tally	394
sheets, certificates of election, and forms and blanks required by	395
law for use by candidates, committees, and boards;	396
(H) Prepare the ballot title or statement to be placed on the	397
ballot for any proposed law or amendment to the constitution to be	398
submitted to the voters of the state;	399
(I) Except as otherwise provided in section 3519.08 of the	400
Revised Code, certify to the several boards the forms of ballots	401
and names of candidates for state offices, and the form and	402
wording of state referendum questions and issues, as they shall	403
appear on the ballot;	404
(J) Except as otherwise provided in division (I)(2)(b) of	405
section 3501.38 of the Revised Code, give final approval to ballot	406
language for any local question or issue approved and transmitted	407
by boards of elections under section 3501.11 of the Revised Code;	408
(K) Receive all initiative and referendum petitions on state	409
questions and issues and determine and certify to the sufficiency	410
of those petitions;	411
(L) Require such reports from the several boards as are	412
provided by law, or as the secretary of state considers necessary;	413
(M) Compel the observance by election officers in the several	414
counties of the requirements of the election laws;	415

(N)(1) Except as otherwise provided in division (N)(2) of 416
this section, investigate the administration of election laws, 417
frauds, and irregularities in elections in any county, and report 418
violations of election laws to the attorney general or prosecuting 419
attorney, or both, for prosecution; 420

(2) On and after August 24, 1995, report a failure to comply 421
with or a violation of a provision in sections 3517.08 to 3517.13, 422
3517.17, 3517.18, 3517.20 to 3517.22, 3599.03, or 3599.031 of the 423
Revised Code, whenever the secretary of state has or should have 424
knowledge of a failure to comply with or a violation of a 425
provision in one of those sections, by filing a complaint with the 426
Ohio elections commission under section 3517.153 of the Revised 427
Code. 428

(O) Make an annual report to the governor containing the 429
results of elections, the cost of elections in the various 430
counties, a tabulation of the votes in the several political 431
subdivisions, and other information and recommendations relative 432
to elections the secretary of state considers desirable; 433

(P) Prescribe and distribute to boards of elections a list of 434
instructions indicating all legal steps necessary to petition 435
successfully for local option elections under sections 4301.32 to 436
4301.41, 4303.29, 4305.14, and 4305.15 of the Revised Code; 437

(Q) Adopt rules pursuant to Chapter 119. of the Revised Code 438
for the removal ~~by boards of elections~~ of ineligible voters from 439
the statewide voter registration database and, if applicable, from 440
the poll list or signature pollbook used in each precinct, which 441
rules shall provide for all of the following: 442

(1) A process for the removal of voters who have changed 443
residence, which shall be uniform, nondiscriminatory, and in 444
compliance with the Voting Rights Act of 1965 and the National 445
Voter Registration Act of 1993, including a program that uses the 446

national change of address service provided by the United States 447
postal system through its licensees; 448

(2) A process for the removal of ineligible voters under 449
section 3503.21 of the Revised Code; 450

(3) A uniform system for marking or removing the name of a 451
voter who is ineligible to vote from the statewide voter 452
registration database and, if applicable, from the poll list or 453
signature pollbook used in each precinct and noting the reason for 454
that mark or removal; 455

(4) The secretary of state to notify the applicable board of 456
elections of each elector that the secretary of state has removed 457
from the database. 458

(R) Prescribe a general program for registering voters or 459
updating voter registration information, such as name and 460
residence changes, by boards of elections, designated agencies, 461
offices of deputy registrars of motor vehicles, public high 462
schools and vocational schools, public libraries, and offices of 463
county treasurers consistent with the requirements of section 464
3503.09 of the Revised Code; 465

(S) Prescribe a program of distribution of voter registration 466
forms through boards of elections, designated agencies, offices of 467
the registrar and deputy registrars of motor vehicles, public high 468
schools and vocational schools, public libraries, and offices of 469
county treasurers; 470

(T) To the extent feasible, provide copies, at no cost and 471
upon request, of the voter registration form in post offices in 472
this state; 473

(U) Adopt rules pursuant to section 111.15 of the Revised 474
Code for the purpose of implementing the program for registering 475
voters through boards of elections, designated agencies, and the 476
offices of the registrar and deputy registrars of motor vehicles 477

consistent with this chapter;	478
(V) Establish the full-time position of Americans with Disabilities Act coordinator within the office of the secretary of state to do all of the following:	479 480 481
(1) Assist the secretary of state with ensuring that there is equal access to polling places for persons with disabilities;	482 483
(2) Assist the secretary of state with ensuring that each voter may cast the voter's ballot in a manner that provides the same opportunity for access and participation, including privacy and independence, as for other voters;	484 485 486 487
(3) Advise the secretary of state in the development of standards for the certification of voting machines, marking devices, and automatic tabulating equipment.	488 489 490
(W) Establish and maintain a computerized statewide database of all legally registered voters under section 3503.15 of the Revised Code that complies with the requirements of the "Help America Vote Act of 2002," Pub. L. No. 107-252, 116 Stat. 1666, and provide training in the operation of that system;	491 492 493 494 495
(X) Ensure that all directives, advisories, other instructions, or decisions issued or made during or as a result of any conference or teleconference call with a board of elections to discuss the proper methods and procedures for conducting elections, to answer questions regarding elections, or to discuss the interpretation of directives, advisories, or other instructions issued by the secretary of state are posted on a web site of the office of the secretary of state as soon as is practicable after the completion of the conference or teleconference call, but not later than the close of business on the same day as the conference or teleconference call takes place.	496 497 498 499 500 501 502 503 504 505 506
(Y) Publish a report on a web site of the office of the secretary of state not later than one month after the completion	507 508

of the canvass of the election returns for each primary and 509
general election, identifying, by county, the number of absent 510
voter's ballots cast and the number of those ballots that were 511
counted, and the number of provisional ballots cast and the number 512
of those ballots that were counted, for that election. The 513
secretary of state shall maintain the information on the web site 514
in an archive format for each subsequent election. 515

(Z) Conduct voter education outlining voter identification, 516
absent voters ballot, provisional ballot, and other voting 517
requirements; 518

(AA) Establish a procedure by which a registered elector may 519
make available to a board of elections a more recent signature to 520
be used in the poll list or signature pollbook produced by the 521
board of elections of the county in which the elector resides; 522

(BB) Disseminate information, which may include all or part 523
of the official explanations and arguments, by means of direct 524
mail or other written publication, broadcast, or other means or 525
combination of means, as directed by the Ohio ballot board under 526
division (F) of section 3505.062 of the Revised Code, in order to 527
inform the voters as fully as possible concerning each proposed 528
constitutional amendment, proposed law, or referendum; 529

(CC) Be the single state office responsible for the 530
implementation of the "Uniformed and Overseas Citizens Absentee 531
Voting Act," Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 1973ff, 532
et seq., as amended, in this state. The secretary of state may 533
delegate to the boards of elections responsibilities for the 534
implementation of that act, including responsibilities arising 535
from amendments to that act made by the "Military and Overseas 536
Voter Empowerment Act," Subtitle H of the National Defense 537
Authorization Act for Fiscal Year 2010, Pub. L. No. 111-84, 123 538
Stat. 3190. 539

(DD) Compile, from the boards of elections, the voting history of each registered elector who cast a ballot in an election, for inclusion in the statewide voter registration database. The secretary of state shall determine, by rule, the length of an elector's voting history that shall be included in the database; 540
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(EE) Perform other duties required by law. 546

Whenever a primary election is held under section 3513.32 of the Revised Code or a special election is held under section 3521.03 of the Revised Code to fill a vacancy in the office of representative to congress, the secretary of state shall establish a deadline, notwithstanding any other deadline required under the Revised Code, by which any or all of the following shall occur: the filing of a declaration of candidacy and petitions or a statement of candidacy and nominating petition together with the applicable filing fee; the filing of protests against the candidacy of any person filing a declaration of candidacy or nominating petition; the filing of a declaration of intent to be a write-in candidate; the filing of campaign finance reports; the preparation of, and the making of corrections or challenges to, precinct voter registration lists; the receipt of applications for absent voter's ballots or ~~armed-service~~ uniformed services or overseas absent voter's ballots; the supplying of election materials to precincts by boards of elections; the holding of hearings by boards of elections to consider challenges to the right of a person to appear on a voter registration list; and the scheduling of programs to instruct or reinstruct election officers. 547
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In the performance of the secretary of state's duties as the chief election officer, the secretary of state may administer oaths, issue subpoenas, summon witnesses, compel the production of books, papers, records, and other evidence, and fix the time and 568
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place for hearing any matters relating to the administration and 572
enforcement of the election laws. 573

In any controversy involving or arising out of the adoption 574
of registration or the appropriation of funds for registration, 575
the secretary of state may, through the attorney general, bring an 576
action in the name of the state in the court of common pleas of 577
the county where the cause of action arose or in an adjoining 578
county, to adjudicate the question. 579

In any action involving the laws in Title XXXV of the Revised 580
Code wherein the interpretation of those laws is in issue in such 581
a manner that the result of the action will affect the lawful 582
duties of the secretary of state or of any board of elections, the 583
secretary of state may, on the secretary of state's motion, be 584
made a party. 585

The secretary of state may apply to any court that is hearing 586
a case in which the secretary of state is a party, for a change of 587
venue as a substantive right, and the change of venue shall be 588
allowed, and the case removed to the court of common pleas of an 589
adjoining county named in the application or, if there are cases 590
pending in more than one jurisdiction that involve the same or 591
similar issues, the court of common pleas of Franklin county. 592

Public high schools and vocational schools, public libraries, 593
and the office of a county treasurer shall implement voter 594
registration programs as directed by the secretary of state 595
pursuant to this section. 596

Sec. 3501.051. (A) Notwithstanding any other section of the 597
Revised Code, the secretary of state may authorize, in one or more 598
precincts in one or more counties, a program allowing individuals 599
under the age of eighteen to enter the polling place and vote in a 600
simulated election held at the same time as a general election. 601
Any individual working in or supervising at a simulated election 602

may enter the polling place and remain within it during the entire 603
period the polls are open. 604

(B) A program established under division (A) of this section 605
shall require all of the following: 606

(1) That the duties imposed on ~~judges of precinct~~ election 607
officials and peace officers under section 3501.33 of the Revised 608
Code be performed by those ~~judges~~ officials and officers in regard 609
to simulated elections and all activities related to simulated 610
elections; 611

(2) That volunteers provide the personnel necessary to 612
conduct the simulated election, except that employees of the 613
secretary of state, employees or members of boards of elections, 614
and precinct election officials may aid in operating the program 615
to the extent permitted by the secretary of state; 616

(3) That individuals under the age of fourteen be accompanied 617
to the simulated election by an individual eighteen years of age 618
or over; 619

(4) Any other requirements the secretary of state considers 620
necessary for the orderly administration of the election process. 621

Sec. 3501.10. (A) The board of elections shall, as an expense 622
of the board, provide suitable rooms for its offices and records 623
and the necessary and proper furniture and supplies for those 624
rooms. The board may lease such offices and rooms, necessary to 625
its operation, for the length of time and upon the terms the board 626
deems in the best interests of the public, provided that the term 627
of any such lease shall not exceed fifteen years. 628

Thirty days prior to entering into such a lease, the board 629
shall notify the board of county commissioners in writing of its 630
intent to enter into the lease. The notice shall specify the terms 631
and conditions of the lease. Prior to the thirtieth day after 632

receiving that notice and before any lease is entered into, the 633
board of county commissioners may reject the proposed lease by a 634
majority vote. After receiving written notification of the 635
rejection by the board of county commissioners, the board of 636
elections shall not enter into the lease that was rejected, but 637
may immediately enter into additional lease negotiations, subject 638
to the requirements of this section. 639

The board of elections in any county may, by resolution, 640
request that the board of county commissioners submit to the 641
electors of the county, in accordance with section 133.18 of the 642
Revised Code, the question of issuing bonds for the acquisition of 643
real estate and the construction on it of a suitable building with 644
necessary furniture and equipment for the proper administration of 645
the duties of the board of elections. The resolution declaring the 646
necessity for issuing such bonds shall relate only to the 647
acquisition of real estate and to the construction, furnishing, 648
and equipping of a building as provided in this division. 649

(B) The board of elections in each county shall keep its 650
offices, or one or more of its branch registration offices, open 651
for the performance of its duties until nine p.m. on the last day 652
of registration before a general or primary election. At all other 653
times during each week, the board shall keep its offices and rooms 654
open for a period of time that the board considers necessary for 655
the performance of its duties. 656

(C)(1) The board of elections may maintain permanent or 657
temporary branch offices at any place within the county, ~~provided~~ 658
~~that, if. Except as otherwise provided in division (C)(2) of this~~ 659
~~section,~~ the board of elections ~~permits~~ shall not permit electors 660
to vote at a branch office, ~~electors shall not be permitted to~~ 661
~~vote at any other branch office or any other office of the board~~ 662
~~of elections.~~ 663

(2) A board of elections may permit electors to cast absent 664

voter's ballots in person before an election at a branch office of 665
the board of elections if both of the following apply: 666

(a) At least three members of the board of elections vote to 667
establish a branch office at a specified location for the 668
applicable election. 669

(b) At least three members of the board of elections 670
determine, as part of the vote cast under division (C)(2)(a) of 671
this section, that the board of elections lacks the physical 672
capacity at the office of the board to conduct in-person absent 673
voting at that location for the applicable election. 674

(3) The determination of whether to establish a branch office 675
at which electors may cast absent voter's ballots in person before 676
an election under division (C)(2) of this section shall be made 677
separately for each election based on the projected physical 678
capacity requirements for in-person absent voting at that 679
election. 680

Sec. 3501.11. Each board of elections shall exercise by a 681
majority vote all powers granted to the board by Title XXXV of the 682
Revised Code, shall perform all the duties imposed by law, and 683
shall do all of the following: 684

(A) Establish, define, provide, rearrange, and combine 685
election precincts; 686

(B) Fix and provide the places for registration and for 687
holding primaries and elections; 688

(C) Provide for the purchase, preservation, and maintenance 689
of booths, ballot boxes, books, maps, flags, blanks, cards of 690
instructions, and other forms, papers, and equipment used in 691
registration, nominations, and elections; 692

(D) Appoint and remove its director, deputy director, and 693
employees and all registrars, judges, and other officers of 694

elections, fill vacancies, and designate the ward or district and 695
precinct in which each shall serve; 696

(E) Make and issue rules and instructions, not inconsistent 697
with law or the rules, directives, or advisories issued by the 698
secretary of state, as it considers necessary for the guidance of 699
election officers and voters; 700

(F) Advertise and contract for the printing of all ballots 701
and other supplies used in registrations and elections; 702

(G) Provide for the issuance of all notices, advertisements, 703
and publications concerning elections, except as otherwise 704
provided in division (G) of section 3501.17 and divisions (F) and 705
(G) of section 3505.062 of the Revised Code; 706

(H) Provide for the delivery of ballots, pollbooks, and other 707
required papers and material to the polling places; 708

(I) Cause the polling places to be suitably provided with 709
voting machines, marking devices, automatic tabulating equipment, 710
stalls, and other required supplies. In fulfilling this duty, each 711
board of a county that uses voting machines, marking devices, or 712
automatic tabulating equipment shall conduct a full vote of the 713
board during a public session of the board on the allocation and 714
distribution of voting machines, marking devices, and automatic 715
tabulating equipment for each precinct in the county. 716

(J) Investigate irregularities, nonperformance of duties, or 717
violations of Title XXXV of the Revised Code by election officers 718
and other persons; administer oaths, issue subpoenas, summon 719
witnesses, and compel the production of books, papers, records, 720
and other evidence in connection with any such investigation; and 721
report the facts to the prosecuting attorney or the secretary of 722
state; 723

(K) Review, examine, and certify the sufficiency and validity 724
of petitions and nomination papers, and, after certification, 725

return to the secretary of state all petitions and nomination	726
papers that the secretary of state forwarded to the board;	727
(L) Receive the returns of elections, canvass the returns,	728
make abstracts of them, and transmit those abstracts to the proper	729
authorities;	730
(M) Issue certificates of election on forms to be prescribed	731
by the secretary of state;	732
(N) Make an annual report to the secretary of state, on the	733
form prescribed by the secretary of state, containing a statement	734
of the number of voters registered, elections held, votes cast,	735
appropriations received, expenditures made, and other data	736
required by the secretary of state;	737
(O) Prepare and submit to the proper appropriating officer a	738
budget estimating the cost of elections for the ensuing fiscal	739
year;	740
(P) Perform other duties as prescribed by law or the rules,	741
directives, or advisories of the secretary of state;	742
(Q) Investigate and determine the residence qualifications of	743
electors;	744
(R) Administer oaths in matters pertaining to the	745
administration of the election laws;	746
(S) Prepare and submit to the secretary of state, whenever	747
the secretary of state requires, a report containing the names and	748
residence addresses of all incumbent county, municipal, township,	749
and board of education officials serving in their respective	750
counties;	751
(T) Establish and maintain a voter registration database of	752
all qualified electors in the county who offer to register;	753
(U) Maintain voter registration records, make reports	754
concerning voter registration as required by the secretary of	755

state, and remove ineligible electors from voter registration 756
lists in accordance with law and directives of the secretary of 757
state; 758

(V) Give approval to ballot language for any local question 759
or issue and transmit the language to the secretary of state for 760
the secretary of state's final approval; 761

(W) Prepare and cause the following notice to be displayed in 762
a prominent location in every polling place: 763

"NOTICE 764

Ohio law prohibits any person from voting or attempting to 765
vote more than once at the same election. 766

Violators are guilty of a felony of the fourth degree and 767
shall be imprisoned and additionally may be fined in accordance 768
with law." 769

(X) In all cases of a tie vote or a disagreement in the 770
board, if no decision can be arrived at, the director or 771
chairperson shall submit the matter in controversy, not later than 772
fourteen days after the tie vote or the disagreement, to the 773
secretary of state, who shall summarily decide the question, and 774
the secretary of state's decision shall be final. 775

(Y) Assist each designated agency, deputy registrar of motor 776
vehicles, public high school and vocational school, public 777
library, and office of a county treasurer in the implementation of 778
a program for registering voters at all voter registration 779
locations as prescribed by the secretary of state. Under this 780
program, each board of elections shall direct to the appropriate 781
board of elections any voter registration applications for persons 782
residing outside the county where the board is located within five 783
days after receiving the applications. 784

(Z) On any day on which an elector may vote in person at the 785
office of the board or at another site designated by the board, 786

consider the board or other designated site a polling place for 787
that day. All requirements or prohibitions of law that apply to a 788
polling place shall apply to the office of the board or other 789
designated site on that day. 790

(AA) Perform any duties with respect to voter registration 791
and voting by uniformed services and overseas voters that are 792
delegated to the board by law or by the rules, directives, or 793
advisories of the secretary of state. 794

(BB) Maintain a list of registered electors in the county who 795
cast a ballot at each election, which list shall be provided to 796
the secretary of state following each election. 797

Sec. 3501.111. A board of elections may contract with another 798
board of elections in this state, with a county automatic data 799
processing board, or with an educational service center for the 800
provision of election services, including any duties imposed upon 801
the board of elections under section 3501.11 of the Revised Code. 802
Any contract entered into pursuant to this section shall be 803
approved by the boards of county commissioners of the affected 804
counties. 805

Sec. 3501.13. (A) The director of the board of elections 806
shall keep a full and true record of the proceedings of the board 807
and of all moneys received and expended; file and preserve in the 808
board's office all orders and records pertaining to the 809
administration of registrations, primaries, and elections; receive 810
and have the custody of all books, papers, and property belonging 811
to the board; and perform other duties in connection with the 812
office of director and the proper conduct of elections as the 813
board determines. 814

(B) Before entering upon the duties of the office, the 815
director shall subscribe to an oath that the director will support 816

the Constitution of the United States and the Ohio Constitution, 817
perform all the duties of the office to the best of the director's 818
ability, enforce the election laws, and preserve all records, 819
documents, and other property pertaining to the conduct of 820
elections placed in the director's custody. 821

(C) The director may administer oaths to persons required by 822
law to file certificates or other papers with the board, to ~~judges~~ 823
~~of elections~~ precinct election officials, to witnesses who are 824
called to testify before the board, and to voters filling out 825
blanks at the board's offices. Except as otherwise provided by 826
state or federal law, the records of the board and papers and 827
books filed in its office are public records and open to 828
inspection under such reasonable regulations as shall be 829
established by the board. The following notice shall be posted in 830
a prominent place at each board office: 831

"Except as otherwise provided by state or federal law, 832
records filed in this office of the board of elections are open to 833
public inspection during normal office hours, pursuant to the 834
following reasonable regulations: (the board shall here list its 835
regulations). Whoever prohibits any person from inspecting the 836
public records of this board is subject to the penalties of 837
section 3599.161 of the Revised Code." 838

(D) Upon receipt of a written declaration of intent to retire 839
as provided for in section 145.38 of the Revised Code, the 840
director shall provide a copy to each member of the board of 841
elections. 842

Sec. 3501.17. (A) The expenses of the board of elections 843
shall be paid from the county treasury, in pursuance of 844
appropriations by the board of county commissioners, in the same 845
manner as other county expenses are paid. If the board of county 846
commissioners fails to appropriate an amount sufficient to provide 847

for the necessary and proper expenses of the board of elections 848
pertaining to the conduct of elections, the board of elections may 849
apply to the court of common pleas within the county, which shall 850
fix the amount necessary to be appropriated and the amount shall 851
be appropriated. Payments shall be made upon vouchers of the board 852
of elections certified to by its chairperson or acting chairperson 853
and the director or deputy director, upon warrants of the county 854
auditor. 855

The board of elections shall not incur any obligation 856
involving the expenditure of money unless there are moneys 857
sufficient in the funds appropriated therefor to meet the 858
obligation. If the board of elections requests a transfer of funds 859
from one of its appropriation items to another, the board of 860
county commissioners shall adopt a resolution providing for the 861
transfer except as otherwise provided in section 5705.40 of the 862
Revised Code. The expenses of the board of elections shall be 863
apportioned among the county and the various subdivisions as 864
provided in this section, and the amount chargeable to each 865
subdivision shall be withheld by the auditor from the moneys 866
payable thereto at the time of the next tax settlement. At the 867
time of submitting budget estimates in each year, the board of 868
elections shall submit to the taxing authority of each 869
subdivision, upon the request of the subdivision, an estimate of 870
the amount to be withheld from the subdivision during the next 871
fiscal year. 872

(B) Except as otherwise provided in division (F) of this 873
section, the compensation of the members of the board of elections 874
and of the director, deputy director, and regular employees in the 875
board's offices, other than compensation for overtime worked; the 876
expenditures for the rental, furnishing, and equipping of the 877
office of the board and for the necessary office supplies for the 878
use of the board; the expenditures for the acquisition, repair, 879

care, and custody of the polling places, booths, guardrails, and 880
other equipment for polling places; the cost of tally sheets, 881
maps, flags, ballot boxes, and all other permanent records and 882
equipment; the cost of all elections held in and for the state and 883
county; and all other expenses of the board which are not 884
chargeable to a political subdivision in accordance with this 885
section shall be paid in the same manner as other county expenses 886
are paid. 887

(C) The compensation of ~~judges of elections~~ precinct election 888
officials and intermittent employees in the board's offices; the 889
cost of renting, moving, heating, and lighting polling places and 890
of placing and removing ballot boxes and other fixtures and 891
equipment thereof, including voting machines, marking devices, and 892
automatic tabulating equipment; the cost of printing and 893
delivering ballots, cards of instructions, registration lists 894
required under section 3503.23 of the Revised Code, and other 895
election supplies, including the supplies required to comply with 896
division (H) of section 3506.01 of the Revised Code; the cost of 897
contractors engaged by the board to prepare, program, test, and 898
operate voting machines, marking devices, and automatic tabulating 899
equipment; and all other expenses of conducting primaries and 900
elections in the odd-numbered years shall be charged to the 901
subdivisions in and for which such primaries or elections are 902
held. The charge for each primary or general election in 903
odd-numbered years for each subdivision shall be determined in the 904
following manner: first, the total cost of all chargeable items 905
used in conducting such elections shall be ascertained; second, 906
the total charge shall be divided by the number of precincts 907
participating in such election, in order to fix the cost per 908
precinct; third, the cost per precinct shall be prorated by the 909
board of elections to the subdivisions conducting elections for 910
the nomination or election of offices in such precinct; fourth, 911
the total cost for each subdivision shall be determined by adding 912

the charges prorated to it in each precinct within the 913
subdivision. 914

(D) The entire cost of special elections held on a day other 915
than the day of a primary or general election, both in 916
odd-numbered or in even-numbered years, shall be charged to the 917
subdivision. Where a special election is held on the same day as a 918
primary or general election in an even-numbered year, the 919
subdivision submitting the special election shall be charged only 920
for the cost of ballots and advertising. Where a special election 921
is held on the same day as a primary or general election in an 922
odd-numbered year, the subdivision submitting the special election 923
shall be charged for the cost of ballots and advertising for such 924
special election, in addition to the charges prorated to such 925
subdivision for the election or nomination of candidates in each 926
precinct within the subdivision, as set forth in the preceding 927
paragraph. 928

(E) Where a special election is held on the day specified by 929
division (E) of section 3501.01 of the Revised Code for the 930
holding of a primary election, for the purpose of submitting to 931
the voters of the state constitutional amendments proposed by the 932
general assembly, and a subdivision conducts a special election on 933
the same day, the entire cost of the special election shall be 934
divided proportionally between the state and the subdivision based 935
upon a ratio determined by the number of issues placed on the 936
ballot by each, except as otherwise provided in division (G) of 937
this section. Such proportional division of cost shall be made 938
only to the extent funds are available for such purpose from 939
amounts appropriated by the general assembly to the secretary of 940
state. If a primary election is also being conducted in the 941
subdivision, the costs shall be apportioned as otherwise provided 942
in this section. 943

(F) When a precinct is open during a general, primary, or 944

special election solely for the purpose of submitting to the 945
voters a statewide ballot issue, the state shall bear the entire 946
cost of the election in that precinct and shall reimburse the 947
county for all expenses incurred in opening the precinct. 948

(G)(1) The state shall bear the entire cost of advertising in 949
newspapers statewide ballot issues, explanations of those issues, 950
and arguments for or against those issues, as required by Section 951
1g of Article II and Section 1 of Article XVI, Ohio Constitution, 952
and any other section of law. Appropriations made to the 953
controlling board shall be used to reimburse the secretary of 954
state for all expenses the secretary of state incurs for such 955
advertising under division (G) of section 3505.062 of the Revised 956
Code. 957

(2) There is hereby created in the state treasury the 958
statewide ballot advertising fund. The fund shall receive 959
transfers approved by the controlling board, and shall be used by 960
the secretary of state to pay the costs of advertising state 961
ballot issues as required under division (G)(1) of this section. 962
Any such transfers may be requested from and approved by the 963
controlling board prior to placing the advertising, in order to 964
facilitate timely provision of the required advertising. 965

(H) The cost of renting, heating, and lighting registration 966
places; the cost of the necessary books, forms, and supplies for 967
the conduct of registration; and the cost of printing and posting 968
precinct registration lists shall be charged to the subdivision in 969
which such registration is held. 970

(I) At the request of a majority of the members of the board 971
of elections, the board of county commissioners may, by 972
resolution, establish an elections revenue fund. Except as 973
otherwise provided in this division, the purpose of the fund shall 974
be to accumulate revenue withheld by or paid to the county under 975
this section for the payment of any expense related to the duties 976

of the board of elections specified in section 3501.11 of the Revised Code, upon approval of a majority of the members of the board of elections. The fund shall not accumulate any revenue withheld by or paid to the county under this section for the compensation of the members of the board of elections or of the director, deputy director, or other regular employees in the board's offices, other than compensation for overtime worked.

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

(J) As used in this section:

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

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

Sec. 3501.18. (A) The board of elections may divide a political subdivision within its jurisdiction into precincts, establish, define, divide, rearrange, and combine the several

election precincts within its jurisdiction, and change the 1008
location of the polling place for each precinct when it is 1009
necessary to maintain the requirements as to the number of voters 1010
in a precinct and to provide for the convenience of the voters and 1011
the proper conduct of elections. No change in the number of 1012
precincts or in precinct boundaries shall be made during the 1013
twenty-five days immediately preceding a primary or general 1014
election or between the first day of January and the day on which 1015
the members of county central committees are elected in the years 1016
in which those committees are elected. Except as otherwise 1017
provided in section 3501.20 of the Revised Code and in division 1018
(C) of this section, each precinct shall contain a number of 1019
electors, not to exceed one thousand four hundred and, if the 1020
precinct is located in a municipal corporation, not less than five 1021
hundred, that the board of elections determines to be a reasonable 1022
number after taking into consideration the type and amount of 1023
available equipment, prior voter turnout, the size and location of 1024
each selected polling place, available parking, availability of an 1025
adequate number of poll workers, and handicap accessibility and 1026
other accessibility to the polling place. 1027

If the board changes the boundaries of a precinct after the 1028
filing of a local option election petition pursuant to sections 1029
4301.32 to 4301.41, 4303.29, or 4305.14 of the Revised Code that 1030
calls for a local option election to be held in that precinct, the 1031
local option election shall be held in the area that constituted 1032
the precinct at the time the local option petition was filed, 1033
regardless of the change in the boundaries. 1034

If the board changes the boundaries of a precinct in order to 1035
meet the requirements of division (B)(1) of this section in a 1036
manner that causes a member of a county central committee to no 1037
longer qualify as a representative of an election precinct in the 1038
county, of a ward of a city in the county, or of a township in the 1039

county, the member shall continue to represent the precinct, ward, 1040
or township for the remainder of the member's term, regardless of 1041
the change in boundaries. 1042

In an emergency, the board may provide more than one polling 1043
place in a precinct. In order to provide for the convenience of 1044
the voters, the board may locate polling places for voting or 1045
registration outside the boundaries of precincts, provided that 1046
the nearest public school or public building shall be used if the 1047
board determines it to be available and suitable for use as a 1048
polling place. Except in an emergency, no change in the number or 1049
location of the polling places in a precinct shall be made during 1050
the twenty-five days immediately preceding a primary or general 1051
election. 1052

Electors who have failed to respond within thirty days to any 1053
confirmation notice shall not be counted in determining the size 1054
of any precinct under this section. 1055

(B)(1) Except as otherwise provided in division (B)(2) of 1056
this section, a board of elections shall determine all precinct 1057
boundaries using geographical units used by the United States 1058
department of commerce, bureau of the census, in reporting the 1059
decennial census of Ohio. 1060

(2) The board of elections may apply to the secretary of 1061
state for a waiver from the requirement of division (B)(1) of this 1062
section when it is not feasible to comply with that requirement 1063
because of unusual physical boundaries or residential development 1064
practices that would cause unusual hardship for voters. The board 1065
shall identify the affected precincts and census units, explain 1066
the reason for the waiver request, and include a map illustrating 1067
where the census units will be split because of the requested 1068
waiver. If the secretary of state approves the waiver and so 1069
notifies the board of elections in writing, the board may change a 1070
precinct boundary as necessary under this section, notwithstanding 1071

the requirement in division (B)(1) of this section. 1072

(C) The board of elections may apply to the secretary of 1073
state for a waiver from the requirement of division (A) of this 1074
section regarding the number of electors in a precinct when the 1075
use of geographical units used by the United States department of 1076
commerce, bureau of the census, will cause a precinct to contain 1077
more than one thousand four hundred electors. The board shall 1078
identify the affected precincts and census units, explain the 1079
reason for the waiver request, and include a map illustrating 1080
where census units will be split because of the requested waiver. 1081
If the secretary of state approves the waiver and so notifies the 1082
board of elections in writing, the board may change a precinct 1083
boundary as necessary to meet the requirements of division (B)(1) 1084
of this section. 1085

(D) A board of elections does not violate division (A) of 1086
this section if its minimum precinct size varies from the minimum 1087
precinct size established in that division by five per cent or 1088
less. 1089

(E) The board of elections may apply to the secretary of 1090
state for a waiver from the minimum precinct size requirements of 1091
division (A) of this section. The board shall identify the 1092
affected precincts and explain the reason for the waiver request. 1093
If the secretary of state approves the waiver and so notifies the 1094
board of elections in writing, the board may change a precinct 1095
boundary in the manner specified in the waiver request. 1096

Sec. 3501.20. The Notwithstanding the minimum precinct size 1097
established under section 3501.18 of the Revised Code, the lands 1098
used for a state or national home for disabled soldiers shall 1099
constitute a separate election precinct, and, if necessary, may be 1100
divided and rearranged within such limits as other precincts are 1101
arranged and divided. 1102

Sec. 3501.22. (A) On or before the fifteenth day of September 1103
in each year, the board of elections by a majority vote shall, 1104
after careful examination and investigation as to their 1105
qualifications, appoint for each election precinct four residents 1106
of the county in which the precinct is located, as ~~judges precinct~~ 1107
election officials. Except as otherwise provided in division (C) 1108
of this section, all ~~judges of precinct~~ election officials shall 1109
be qualified electors. The ~~judges precinct election officials~~ 1110
shall constitute the election officers of the precinct. Not more 1111
than one-half of the total number of ~~judges precinct election~~ 1112
officials shall be members of the same political party. The term 1113
of such precinct officers shall be for one year. The board may, at 1114
any time, designate any number of election officers, not more than 1115
one-half of whom shall be members of the same political party, to 1116
perform their duties at any precinct in any election. The board 1117
may appoint additional officials, ~~equally divided between the two~~ 1118
~~major political parties~~, when necessary to expedite voting. If the 1119
board of elections determines that four precinct election 1120
officials are not required in a precinct for a special election, 1121
the board of elections may select two of the precinct's election 1122
officers, who are not members of the same political party, to 1123
serve as the precinct election officials for that precinct in that 1124
special election. 1125

Vacancies for unexpired terms shall be filled by the board. 1126
When new precincts have been created, the board shall appoint 1127
~~judges precinct election officials~~ for those precincts for the 1128
unexpired term. Any ~~judge precinct election official~~ may be 1129
summarily removed from office at any time by the board for neglect 1130
of duty, malfeasance, or misconduct in office or for any other 1131
good and sufficient reason. 1132

Precinct election officials shall perform all of the duties 1133
provided by law for receiving the ballots and supplies, opening 1134

and closing the polls, and overseeing the casting of ballots 1135
during the time the polls are open, and any other duties required 1136
by section 3501.26 of the Revised Code. 1137

A board of elections may designate two precinct election 1138
officials as counting officials to count and tally the votes cast 1139
and certify the results of the election at each precinct, and 1140
perform other duties as provided by law. To expedite the counting 1141
of votes at each precinct, the board may appoint additional 1142
officials, not more than one-half of whom shall be members of the 1143
same political party. 1144

The board shall designate one of the precinct election 1145
officials who is a member of the dominant political party to serve 1146
as a ~~presiding judge~~ voting location manager, whose duty it is to 1147
deliver the returns of the election and all supplies to the office 1148
of the board. For these services, the ~~presiding judge~~ voting
location manager shall receive additional compensation in an 1149
amount, consistent with section 3501.28 of the Revised Code, 1150
determined by the board of elections. 1151
1152

The board shall issue to each precinct election official a 1153
certificate of appointment, which the official shall present to 1154
the ~~presiding judge~~ voting location manager at the time the polls 1155
are opened. 1156

(B) If the board of elections determines that not enough 1157
qualified electors in a precinct are available to serve as 1158
precinct officers, it may appoint persons to serve as precinct 1159
officers at a primary, special, or general election who are at 1160
least seventeen years of age and are registered to vote in 1161
accordance with section 3503.07 of the Revised Code. 1162

(C)(1) A board of elections, in conjunction with the board of 1163
education of a city, local, or exempted village school district, 1164
the governing authority of a community school established under 1165

Chapter 3314. of the Revised Code, or the chief administrator of a 1166
nonpublic school may establish a program permitting certain high 1167
school students to apply and, if appointed by the board of 1168
elections, to serve as precinct officers at a primary, special, or 1169
general election. 1170

In addition to the requirements established by division 1171
(C)(2) of this section, a board of education, governing authority, 1172
or chief administrator that establishes a program under this 1173
division in conjunction with a board of elections may establish 1174
additional criteria that students shall meet to be eligible to 1175
participate in that program. 1176

(2)(a) To be eligible to participate in a program established 1177
under division (C)(1) of this section, a student shall be a United 1178
States citizen, a resident of the county, at least seventeen years 1179
of age, and enrolled in the senior year of high school. 1180

(b) Any student applying to participate in a program 1181
established under division (C)(1) of this section, as part of the 1182
student's application process, shall declare the student's 1183
political party affiliation with the board of elections. 1184

(3) No student appointed as a precinct officer pursuant to a 1185
program established under division (C)(1) of this section shall be 1186
designated as a ~~presiding judge~~ voting location manager. 1187

(4) Any student participating in a program established under 1188
division (C)(1) of this section shall be excused for that 1189
student's absence from school on the day of an election at which 1190
the student is serving as a precinct officer. 1191

(D) In any precinct with six or more precinct officers, up to 1192
two students participating in a program established under division 1193
(C)(1) of this section who are under eighteen years of age may 1194
serve as precinct officers. Not more than one precinct officer in 1195
any given precinct with fewer than six precinct officers shall be 1196

under eighteen years of age. 1197

Sec. 3501.26. When the polls are closed after a primary, 1198
general, or special election, the receiving officials shall, in 1199
the presence of the counting officials and attending observers, 1200
proceed as follows: 1201

(A) Count the number of electors who voted, as shown on the 1202
poll books; 1203

(B) Count the unused ballots without removing stubs; 1204

(C) Count the soiled and defaced ballots; 1205

(D) Insert the totals of divisions (A), (B), and (C) of this 1206
section on the report forms provided therefor in the poll books; 1207

(E) Count the voted ballots. If the number of voted ballots 1208
exceeds the number of voters whose names appear upon the poll 1209
books, the ~~presiding judge~~ voting location manager shall enter on 1210
the poll books an explanation of that discrepancy, and that 1211
explanation, if agreed to, shall be subscribed to by all of the 1212
~~judges~~ precinct election officials. Any ~~judge~~ precinct official 1213
having a different explanation shall enter it in the poll books 1214
and subscribe to it. 1215

(F) Put the unused ballots with stubs attached, and soiled 1216
and defaced ballots with stubs attached, in the envelopes or 1217
containers provided therefor, and certify the number. 1218

The receiving officials shall deliver to and place in the 1219
custody of the counting officials all the supplies provided for 1220
the conduct of that election and the ballots that are to be 1221
counted and tallied, and take a receipt for the same, which 1222
receipt shall appear in and be a part of the poll books of such 1223
precinct. Having performed their duties, the receiving officials 1224
shall immediately depart. 1225

Having receipted for the ballots, the counting officials 1226

shall proceed to count and tally the vote as cast in the manner 1227
prescribed by section 3505.27 of the Revised Code and certify the 1228
result of the election to the board of elections. 1229

Sec. 3501.27. (A) All ~~judges of~~ precinct election officials 1230
shall complete a program of instruction pursuant to division (B) 1231
of this section. No person who has been convicted of a felony or 1232
any violation of the election laws, who is unable to read and 1233
write the English language readily, or who is a candidate for an 1234
office to be voted for by the voters of the precinct in which the 1235
person is to serve shall serve as an election officer. A person 1236
when appointed as an election officer shall receive from the board 1237
of elections a certificate of appointment that may be revoked at 1238
any time by the board for good and sufficient reasons. The 1239
certificate shall be in the form the board prescribes and shall 1240
specify the precinct, ward, or district in and for which the 1241
person to whom it is issued is appointed to serve, the date of 1242
appointment, and the expiration of the person's term of service. 1243

(B) Each board shall establish a program as prescribed by the 1244
secretary of state for the instruction of election officers in the 1245
rules, procedures, and law relating to elections. In each program, 1246
the board shall use training materials prepared by the secretary 1247
of state and may use additional materials prepared by or on behalf 1248
of the board. The board may use the services of unpaid volunteers 1249
in conducting its program and may reimburse those volunteers for 1250
necessary and actual expenses incurred in participating in the 1251
program. 1252

The board shall train each new election officer before the 1253
new officer participates in the first election in that capacity. 1254
The board shall instruct election officials who have been trained 1255
previously only when the board or secretary of state considers 1256
that instruction necessary, but the board shall reinstruct such 1257

persons, other than ~~presiding judges~~ voting location managers, at 1258
least once in every three years and shall reinstruct ~~presiding~~ 1259
~~judges~~ voting location managers before the primary election in 1260
even-numbered years. The board shall schedule any program of 1261
instruction within sixty days prior to the election in which the 1262
officials to be trained will participate. 1263

(C) The duties of a ~~judge of an~~ precinct election official in 1264
each polling place shall be performed only by an individual who 1265
has successfully completed the requirements of the program, unless 1266
such an individual is unavailable after reasonable efforts to 1267
obtain such services. 1268

(D) The secretary of state shall establish a program for the 1269
instruction of members of boards of elections and employees of 1270
boards in the rules, procedures, and law relating to elections. 1271
Each member and employee shall complete the training program 1272
within six months after the member's or employee's original 1273
appointment or employment, and thereafter each member and employee 1274
shall complete a training program to update their knowledge once 1275
every four years or more often as determined by the secretary of 1276
state. 1277

(E) The secretary of state shall reimburse each county for 1278
the cost of programs established pursuant to division (B) of this 1279
section, once the secretary of state has received an itemized 1280
statement of expenses for such instruction programs from the 1281
county. The itemized statement shall be in a form prescribed by 1282
the secretary of state. 1283

Sec. 3501.28. (A) As used in this section: 1284

(1) "Fair Labor Standards Act" or "Act" means the "Fair Labor 1285
Standards Act of 1938," 52 Stat. 1062, 29 U.S.C.A. 201, as 1286
amended. 1287

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

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

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

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

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

~~(E)~~(D)(1)(a) No board of elections shall increase the pay of a ~~judge of an~~ precinct election official under this section during a calendar year unless the board has given written notice of the

proposed increase to the board of county commissioners not later 1319
than the first day of October of the preceding calendar year. 1320

(b) Except as otherwise provided in division ~~(E)~~(D)(2) of 1321
this section, a board of elections may increase the pay of a ~~judge~~ 1322
~~of an precinct~~ election official during a calendar year by up to, 1323
but not exceeding, nine per cent over the compensation paid to a 1324
~~judge of an precinct~~ election official in the county where the 1325
board is located during the previous calendar year, if the 1326
compensation so paid during the previous calendar year was 1327
eighty-five dollars or less per diem. 1328

(c) Except as otherwise provided in division ~~(E)~~(D)(2) of 1329
this section, a board of elections may increase the pay of a ~~judge~~ 1330
~~of an precinct~~ election official during a calendar year by up to, 1331
but not exceeding, four and one-half per cent over the 1332
compensation paid to a ~~judge of an precinct~~ election official in 1333
the county where the board is located during the previous calendar 1334
year, if the compensation so paid during the previous calendar 1335
year was more than eighty-five but less than ninety-five dollars 1336
per diem. 1337

(2) The board of county commissioners may review and comment 1338
upon a proposed increase and may enter into a written agreement 1339
with a board of elections to permit an increase in the 1340
compensation paid to ~~judges of an precinct~~ election officials for 1341
their services during a calendar year that is greater than the 1342
applicable percentage limitation described in division 1343
~~(E)~~(D)(1)(b) or (c) of this section. 1344

~~(F)~~(E) No ~~judge of an precinct~~ election official who works 1345
less than the full election day shall be paid the maximum amount 1346
allowed under this section or the maximum amount as set by the 1347
board of elections, whichever is less. 1348

~~(G)~~(F)(1) Except as otherwise provided in divisions ~~(G)~~(F)(4) 1349

to (6) of this section, any employee of the state or of any 1350
political subdivision of the state may serve as a ~~judge of~~ 1351
~~elections~~ precinct election official on the day of an election 1352
without loss of the employee's regular compensation for that day 1353
as follows: 1354

(a) For employees of a county office, department, commission, 1355
board, or other entity, or of a court of common pleas, county 1356
court, or county-operated municipal court, as defined in section 1357
1901.03 of the Revised Code, the employee's appointing authority 1358
may permit leave with pay for this service in accordance with a 1359
resolution setting forth the terms and conditions for that leave 1360
passed by the board of county commissioners. 1361

(b) For all other employees of a political subdivision of the 1362
state, leave with pay for this service shall be subject to the 1363
terms and conditions set forth in an ordinance or a resolution 1364
passed by the legislative authority of the applicable political 1365
subdivision. 1366

(c) For state employees, leave with pay for this service 1367
shall be subject to the terms and conditions set forth by the head 1368
of the state agency, as defined in section 1.60 of the Revised 1369
Code, by which the person is employed. 1370

(2) Any terms and conditions set forth by a board of county 1371
commissioners, legislative authority of a political subdivision, 1372
or head of a state agency under division ~~(G)~~(F)(1) of this section 1373
shall include a standard procedure for deciding which employees 1374
are permitted to receive leave with pay if multiple employees of 1375
an entity or court described in division ~~(G)~~(F)(1)(a) of this 1376
section, of an entity of a political subdivision described in 1377
division ~~(G)~~(F)(1)(b) of this section, or of a state agency as 1378
defined in section 1.60 of the Revised Code apply to serve as a 1379
~~judge of elections~~ precinct election official on the day of an 1380
election. This procedure shall be applied uniformly to all 1381

similarly situated employees. 1382

(3) Any employee who is eligible for leave with pay under 1383
division ~~(G)~~(F)(1) of this section shall receive, in addition to 1384
the employee's regular compensation, the compensation paid to the 1385
~~judge of an~~ precinct election official under division (B)~~,~~ or (C)~~,~~ 1386
~~or (D)~~ of this section. 1387

(4) Division ~~(G)~~(F)(1) of this section does not apply to 1388
either of the following: 1389

(a) Election officials; 1390

(b) Public school teachers. 1391

(5) Nothing in division ~~(G)~~(F)(1) of this section supersedes 1392
or negates any provision of a collective bargaining agreement in 1393
effect under Chapter 4117. of the Revised Code. 1394

(6) If a board of county commissioners, legislative authority 1395
of a political subdivision, or head of a state agency fails to set 1396
forth any terms and conditions under division ~~(G)~~(F)(1) of this 1397
section, an employee of an entity or court described in division 1398
~~(G)~~(F)(1)(a) of this section, of an entity of a political 1399
subdivision described in division ~~(G)~~(F)(1)(b) of this section, or 1400
of a state agency as defined in section 1.60 of the Revised Code 1401
may use personal leave, vacation leave, or compensatory time, or 1402
take unpaid leave, to serve as a ~~judge of elections~~ precinct 1403
election official on the day of an election. 1404

~~(H)~~(G) The board of elections may withhold the compensation 1405
of any precinct election official for failure to obey the 1406
instructions of the board or to comply with the law relating to 1407
the duties of ~~such a~~ precinct ~~judge~~ election official. Any payment 1408
a ~~judge of an~~ precinct election official is entitled to receive 1409
under section 3501.36 of the Revised Code is in addition to the 1410
compensation the ~~judge~~ official is entitled to receive under this 1411
section. 1412

Sec. 3501.29. (A) The board of elections shall provide for 1413
each precinct a polling place and provide adequate facilities at 1414
each polling place for conducting the election. The board shall 1415
provide a sufficient number of screened or curtained voting 1416
compartments to which electors may retire and conveniently mark 1417
their ballots, protected from the observation of others. Each 1418
voting compartment shall be provided at all times with writing 1419
implements, instructions how to vote, and other necessary 1420
conveniences for marking the ballot. The ~~presiding judge~~ voting 1421
location manager shall ensure that the voting compartments at all 1422
times are adequately lighted and contain the necessary supplies. 1423
The board shall utilize, in so far as practicable, rooms in public 1424
schools and other public buildings for polling places. Upon 1425
application of the board of elections, the authority which has the 1426
control of any building or grounds supported by taxation under the 1427
laws of this state, shall make available the necessary space 1428
therein for the purpose of holding elections and adequate space 1429
for the storage of voting machines, without charge for the use 1430
thereof. A reasonable sum may be paid for necessary janitorial 1431
service. When polling places are established in private buildings, 1432
the board may pay a reasonable rental therefor, and also the cost 1433
of liability insurance covering the premises when used for 1434
election purposes, or the board may purchase a single liability 1435
policy covering the board and the owners of the premises when used 1436
for election purposes. When removable buildings are supplied by 1437
the board, they shall be constructed under the contract let to the 1438
lowest and best bidder, and the board shall observe all ordinances 1439
and regulations then in force as to safety. The board shall remove 1440
all such buildings from streets and other public places within 1441
thirty days after an election, unless another election is to be 1442
held within ninety days. 1443

(B)(1) Except as otherwise provided in this section, the 1444

board shall ensure all of the following: 1445

(a) That polling places are free of barriers that would 1446
impede ingress and egress of handicapped persons; 1447

(b) That the minimum number of special parking locations, 1448
also known as handicapped parking spaces or disability parking 1449
spaces, for handicapped persons are designated at each polling 1450
place in accordance with 28 C.F.R. Part 36, Appendix A, and in 1451
compliance with division (E) of section 4511.69 of the Revised 1452
Code. 1453

(c) That the entrances of polling places are level or are 1454
provided with a nonskid ramp ~~of not over eight per cent gradient~~ 1455
that meets the requirements of the "Americans with Disabilities 1456
Act of 1990," 104 Stat. 327, 42 U.S.C. 12101; 1457

(d) That doors are a minimum of thirty-two inches wide. 1458

(2) Notwithstanding division (B)(1)(a), (c), or (d) of this 1459
section, certain polling places may be specifically exempted by 1460
the secretary of state upon certification by a board of elections 1461
that a good faith, but unsuccessful, effort has been made to 1462
modify, or change the location of, such polling places. 1463

(C) At any polling place that is exempted from compliance by 1464
the secretary of state, the board of elections shall permit any 1465
handicapped elector who travels to that elector's polling place, 1466
but who is unable to enter the polling place, to vote, with the 1467
assistance of two polling place officials of major political 1468
parties, in the vehicle that conveyed that elector to the polling 1469
place, or to receive and cast that elector's ballot at the door of 1470
the polling place. 1471

(D) The secretary of state shall: 1472

(1) Work with other state agencies to facilitate the 1473
distribution of information and technical assistance to boards of 1474

elections to meet the requirements of division (B) of this 1475
section; 1476

(2) Work with organizations that represent or provide 1477
services to handicapped, disabled, or elderly citizens to effect a 1478
wide dissemination of information about the availability of 1479
absentee voting, voting in the voter's vehicle or at the door of 1480
the polling place, or other election services to handicapped, 1481
disabled, or elderly citizens. 1482

(E) Before the day of an election, the director of the board 1483
of elections of each county shall sign a statement verifying that 1484
each polling place that will be used in that county at that 1485
election meets the requirements of division (B)(1)(b) of this 1486
section. The signed statement shall be sent to the secretary of 1487
state by ~~certified~~ mail or electronically. 1488

(F) As used in this section, "handicapped" means having lost 1489
the use of one or both legs, one or both arms, or any combination 1490
thereof, or being blind or so severely disabled as to be unable to 1491
move about without the aid of crutches or a wheelchair. 1492

Sec. 3501.30. (A) The board of elections shall provide for 1493
each polling place the necessary ballot ~~boxes~~ box, official 1494
ballots, cards of instructions, registration forms, pollbooks or 1495
poll lists, tally sheets, forms on which to make summary 1496
statements, writing implements, paper, and all other supplies 1497
necessary for casting and counting the ballots and recording the 1498
results of the voting at the polling place. The pollbooks or poll 1499
lists shall have certificates appropriately printed on them for 1500
the signatures of all the precinct officials, by which they shall 1501
certify that, to the best of their knowledge and belief, the 1502
pollbooks or poll lists correctly show the names of all electors 1503
who voted in the polling place at the election indicated in the 1504
pollbooks or poll lists. 1505

All of the following shall be included among the supplies 1506
provided to each polling place: 1507

(1) A large map of each appropriate precinct, which shall be 1508
displayed prominently to assist persons who desire to register or 1509
vote on election day. Each map shall show all streets within the 1510
precinct and contain identifying symbols of the precinct in bold 1511
print. 1512

(2) Any materials, postings, or instructions required to 1513
comply with state or federal laws; 1514

(3) A flag of the United States approximately two and 1515
one-half feet in length along the top, which shall be displayed 1516
outside the entrance to the polling place during the time it is 1517
open for voting; 1518

(4) Two or more small flags of the United States 1519
approximately fifteen inches in length along the top, which shall 1520
be placed at a distance of one hundred feet from the polling place 1521
on the thoroughfares or walkways leading to the polling place, to 1522
mark the distance within which persons other than election 1523
officials, observers, police officers, and electors waiting to 1524
mark, marking, or casting their ballots shall not loiter, 1525
congregate, or engage in any kind of election campaigning. Where 1526
small flags cannot reasonably be placed one hundred feet from the 1527
polling place, the ~~presiding election judge~~ voting location 1528
manager shall place the flags as near to one hundred feet from the 1529
entrance to the polling place as is physically possible. Police 1530
officers and all election officials shall see that this 1531
prohibition against loitering and congregating is enforced. 1532

When the period of time during which the polling place is 1533
open for voting expires, all of the flags described in this 1534
division shall be taken into the polling place and shall be 1535
returned to the board together with all other election supplies 1536

required to be delivered to the board. 1537

(B) The board of elections shall follow the instructions and 1538
advisories of the secretary of state in the production and use of 1539
polling place supplies. 1540

Sec. 3501.301. A contract involving a cost in excess of ~~ten~~ 1541
twenty-five thousand dollars for printing and furnishing the 1542
supplies, other than the official ballots, required in section 1543
3501.30 of the Revised Code, shall not be let until the board of 1544
elections has caused notice to be published once in a newspaper of 1545
general circulation within the county or upon notice given by 1546
mail, addressed to the responsible suppliers within the state. The 1547
board of elections may require that each bid be accompanied by a 1548
bond, with at least two individual sureties, or a surety company, 1549
satisfactory to the board, in a sum double the amount of the bid, 1550
conditioned upon the faithful performance of the contract awarded 1551
and for the payment as damages by such bidder to the board of any 1552
excess of cost over the bid which it may be required to pay for 1553
such work by reason of the failure of the bidder to complete the 1554
contract. The contract shall be let to the lowest and best bidder. 1555

Sec. 3501.302. The secretary of state may enter into 1556
agreements for the bulk purchase of election supplies in order to 1557
reduce the costs for such purchases by individual boards of 1558
elections. A board of elections desiring to participate in such 1559
purchase agreements shall file with the secretary of state a 1560
written request for inclusion. A request for inclusion shall 1561
include an agreement to be bound by such terms and conditions as 1562
the secretary of state prescribes and to make direct payments to 1563
the vendor under each purchase agreement. 1564

Sec. 3501.31. The board of elections shall mail to each 1565
precinct election official notice of the date, hours, and place of 1566

holding each election in the official's respective precinct at 1567
which it desires the official to serve. Each of such officials 1568
shall notify the board immediately upon receipt of such notice of 1569
any inability to serve. 1570

The election official designated as ~~presiding judge voting~~ 1571
location manager under section 3501.22 of the Revised Code shall 1572
call at the office of the board at such time before the day of the 1573
election, not earlier than the tenth day before the day of the 1574
election, as the board designates to obtain the ballots, 1575
pollbooks, registration forms and lists, and other material to be 1576
used in the official's polling place on election day. 1577

The board may also provide for the delivery of such materials 1578
to polling places in a municipal corporation by members of the 1579
police department of such municipal corporation; or the board may 1580
provide for the delivery of such materials to the ~~presiding judge~~ 1581
voting location manager not earlier than the tenth day before the 1582
election, in any manner it finds to be advisable. 1583

On election day the precinct election officials shall 1584
punctually attend the polling place one-half hour before the time 1585
fixed for opening the polls. Each of the precinct election 1586
officials shall thereupon make and subscribe to a statement which 1587
shall be as follows: 1588

"State of Ohio 1589

County of 1590

I do solemnly swear under the penalty of perjury that I will 1591
support the constitution of the United States of America and the 1592
constitution of the state of Ohio and its laws; that I have not 1593
been convicted of a felony or any violation of the election laws; 1594
that I will discharge to the best of my ability the duties of 1595
~~judge of precinct~~ election official in and for precinct 1596
..... in the (township) or 1597

(ward and city or village) in the county of 1598
....., in the election to be held on the 1599
day of,, as required by law and the rules 1600
and instructions of the board of elections of said county; and 1601
that I will endeavor to prevent fraud in such election, and will 1602
report immediately to said board any violations of the election 1603
laws which come to my attention, and will not disclose any 1604
information as to how any elector voted which is gained by me in 1605
the discharge of my official duties. 1606

..... 1607
..... 1608
..... 1609
..... 1610
..... 1611
..... 1612

(Signatures of precinct election officials)" 1613

If any of the other precinct election officials is absent at 1614
that time, the ~~presiding judge~~ voting location manager, with the 1615
concurrence of a majority of the precinct election officials 1616
present, shall appoint a qualified elector who is a member of the 1617
same political party as the political party of which such absent 1618
precinct election official is a member to fill the vacancy until 1619
the board appoints a person to fill such vacancy and the person so 1620
appointed reports for duty at the polling place. The ~~presiding~~ 1621
~~judge~~ voting location manager shall promptly notify the board of 1622
such vacancy by telephone or otherwise. The ~~presiding judge~~ voting 1623
location manager also shall assign the precinct election officials 1624
to their respective duties and shall have general charge of the 1625
polling place. 1626

Sec. 3501.32. (A) Except as otherwise provided in division 1627

(B) of this section, on the day of the election the polls shall be 1628
opened by proclamation by the ~~presiding judge~~ voting location 1629
manager, or in ~~his~~ the manager's absence by a ~~presiding judge~~ 1630
voting location manager chosen by the ~~judges~~ precinct election 1631
officials, at six-thirty a.m. and shall be closed by proclamation 1632
at seven-thirty p.m. unless there are voters waiting in line to 1633
cast their ballots, in which case the polls shall be kept open 1634
until such waiting voters have voted. 1635

(B) On the day of the election, any polling place located on 1636
an island not connected to the mainland by a highway or a bridge 1637
may close earlier than seven-thirty p.m. if all registered voters 1638
in the precinct have voted. When a polling place closes under 1639
division (B) of this section the ~~presiding judge~~ voting location 1640
manager shall immediately notify the board of elections of the 1641
closing. 1642

Sec. 3501.33. All ~~judges of~~ precinct election officials shall 1643
enforce peace and good order in and about the place of 1644
registration or election. They shall especially keep the place of 1645
access of the electors to the polling place open and unobstructed 1646
and prevent and stop any improper practices or attempts tending to 1647
obstruct, intimidate, or interfere with any elector in registering 1648
or voting. They shall protect observers against molestation and 1649
violence in the performance of their duties, and may eject from 1650
the polling place any observer for violation of any provision of 1651
Title XXXV of the Revised Code. They shall prevent riots, 1652
violence, tumult, or disorder. In the discharge of these duties, 1653
they may call upon the sheriff, police, or other peace officers to 1654
aid them in enforcing the law. They may order the arrest of any 1655
person violating Title XXXV of the Revised Code, but such an 1656
arrest shall not prevent the person from registering or voting if 1657
the person is entitled to do so. The sheriff, all constables, 1658
police officers, and other officers of the peace shall immediately 1659

obey and aid in the enforcement of any lawful order made by the 1660
precinct election officials in the enforcement of Title XXXV of 1661
the Revised Code. 1662

Sec. 3501.35. (A) During an election and the counting of the 1663
ballots, no person shall do any of the following: 1664

(1) Loiter, congregate, or engage in any kind of election 1665
campaigning within the area between the polling place and the 1666
small flags of the United States placed on the thoroughfares and 1667
walkways leading to the polling place, and if the line of electors 1668
waiting to vote extends beyond those small flags, within ten feet 1669
of any elector in that line; 1670

(2) In any manner hinder or delay an elector in reaching or 1671
leaving the place fixed for casting the elector's ballot; 1672

(3) Give, tender, or exhibit any ballot or ticket to any 1673
person other than the elector's own ballot to the ~~judge of~~ 1674
precinct election officials within the area between the polling 1675
place and the small flags of the United States placed on the 1676
thoroughfares and walkways leading to the polling place, and if 1677
the line of electors waiting to vote extends beyond those small 1678
flags, within ten feet of any elector in that line; 1679

(4) Exhibit any ticket or ballot which the elector intends to 1680
cast; 1681

(5) Solicit or in any manner attempt to influence any elector 1682
in casting the elector's vote. 1683

(B)(1) Except as otherwise provided in division (B)(2) of 1684
this section and division (C) of section 3503.23 of the Revised 1685
Code, no person who is not an election official, employee, 1686
observer, or police officer shall be allowed to enter the polling 1687
place during the election, except for the purpose of voting or 1688
assisting another person to vote as provided in section 3505.24 of 1689

the Revised Code. 1690

(2) Notwithstanding any provision of this section to the 1691
contrary, a journalist shall be allowed reasonable access to a 1692
polling place during an election. As used in this division, 1693
"journalist" has the same meaning as in division (B)(2) of section 1694
2923.129 of the Revised Code. 1695

(C) No more electors shall be allowed to approach the voting 1696
shelves at any time than there are voting shelves provided. 1697

(D) The ~~judges of~~ precinct election officials and the police 1698
officer shall strictly enforce the observance of this section. 1699

Sec. 3501.37. After each election, the ~~judges of elections~~ 1700
precinct election officials of each precinct, except when the 1701
board of elections assumes the duty, shall see that the movable 1702
booths and other equipment are returned for safekeeping to the 1703
fiscal officer of the township or to the clerk or auditor of the 1704
municipal corporation in which the precinct is situated. The 1705
fiscal officer, clerk, or auditor shall have booths and equipment 1706
on hand and in place at the polling places in each precinct before 1707
the time for opening the polls on election days, and for this 1708
service the board may allow the necessary expenses incurred. In 1709
cities, this duty shall devolve on the board. 1710

Sec. 3501.38. All declarations of candidacy, nominating 1711
petitions, or other petitions presented to or filed with the 1712
secretary of state or a board of elections or with any other 1713
public office for the purpose of becoming a candidate for any 1714
nomination or office or for the holding of an election on any 1715
issue shall, in addition to meeting the other specific 1716
requirements prescribed in the sections of the Revised Code 1717
relating to them, be governed by the following rules: 1718

(A) Only electors qualified to vote on the candidacy or issue 1719

which is the subject of the petition shall sign a petition. Each 1720
signer shall be a registered elector pursuant to section ~~3503.11~~ 1721
3503.01 of the Revised Code. The facts of qualification shall be 1722
determined as of the date when the petition is filed. 1723

(B) Signatures shall be affixed in ink. Each signer may also 1724
print the signer's name, so as to clearly identify the signer's 1725
signature. 1726

(C) Each signer shall place on the petition after the 1727
signer's name the date of signing and the location of the signer's 1728
voting residence, including the street and number if in a 1729
municipal corporation or the rural route number, post office 1730
address, or township if outside a municipal corporation. The 1731
voting address given on the petition shall be the address 1732
appearing in the registration records at the board of elections. 1733

(D) Except as otherwise provided in section 3501.382 of the 1734
Revised Code, no person shall write any name other than the 1735
person's own on any petition. Except as otherwise provided in 1736
section 3501.382 of the Revised Code, no person may authorize 1737
another to sign for the person. If a petition contains the 1738
signature of an elector two or more times, only the first 1739
signature shall be counted. 1740

(E)(1) On each petition paper, the circulator shall indicate 1741
the number of signatures contained on it, and shall sign a 1742
statement made under penalty of election falsification that the 1743
circulator witnessed the affixing of every signature, that all 1744
signers were to the best of the circulator's knowledge and belief 1745
qualified to sign, and that every signature is to the best of the 1746
circulator's knowledge and belief the signature of the person 1747
whose signature it purports to be or of an attorney in fact acting 1748
pursuant to section 3501.382 of the Revised Code. On the 1749
circulator's statement for a declaration of candidacy or 1750
nominating petition for a person seeking to become a statewide 1751

candidate or for a statewide initiative or a statewide referendum 1752
petition, the circulator shall identify the circulator's name, the 1753
address of the circulator's permanent residence, and the name and 1754
address of the person employing the circulator to circulate the 1755
petition, if any. 1756

(2) As used in division (E) of this section, "statewide 1757
candidate" means the joint candidates for the offices of governor 1758
and lieutenant governor or a candidate for the office of secretary 1759
of state, auditor of state, treasurer of state, or attorney 1760
general. 1761

(F) Except as otherwise provided in section 3501.382 of the 1762
Revised Code, if a circulator knowingly permits an unqualified 1763
person to sign a petition paper or permits a person to write a 1764
name other than the person's own on a petition paper, that 1765
petition paper is invalid; otherwise, the signature of a person 1766
not qualified to sign shall be rejected but shall not invalidate 1767
the other valid signatures on the paper. 1768

(G) The circulator of a petition may, before filing it in a 1769
public office, strike from it any signature the circulator does 1770
not wish to present as a part of the petition. 1771

(H) Any signer of a petition or an attorney in fact acting 1772
pursuant to section 3501.382 of the Revised Code on behalf of a 1773
signer may remove the signer's signature from that petition at any 1774
time before the petition is filed in a public office by striking 1775
the signer's name from the petition; no signature may be removed 1776
after the petition is filed in any public office. 1777

(I)(1) No alterations, corrections, or additions may be made 1778
to a petition after it is filed in a public office. 1779

(2)(a) No declaration of candidacy, nominating petition, or 1780
other petition for the purpose of becoming a candidate may be 1781
withdrawn after it is filed in a public office. Nothing in this 1782

division prohibits a person from withdrawing as a candidate as 1783
otherwise provided by law. 1784

(b) No petition presented to or filed with the secretary of 1785
state, a board of elections, or any other public office for the 1786
purpose of the holding of an election on any question or issue may 1787
be resubmitted after it is withdrawn from a public office. Nothing 1788
in this division prevents a question or issue petition from being 1789
withdrawn by the filing of a written notice of the withdrawal by a 1790
majority of the members of the petitioning committee with the same 1791
public office with which the petition was filed prior to the 1792
sixtieth day before the election at which the question or issue is 1793
scheduled to appear on the ballot. 1794

(J) All declarations of candidacy, nominating petitions, or 1795
other petitions under this section shall be accompanied by the 1796
following statement in boldface capital letters: WHOEVER COMMITS 1797
ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. 1798

(K) All separate petition papers shall be filed at the same 1799
time, as one instrument. 1800

(L) If a board of elections distributes for use a petition 1801
form for a declaration of candidacy, nominating petition, or any 1802
type of question or issue petition that does not satisfy the 1803
requirements of law as of the date of that distribution, the board 1804
shall not invalidate the petition on the basis that the petition 1805
form does not satisfy the requirements of law, if the petition 1806
otherwise is valid. Division (L) of this section applies only if 1807
the candidate received the petition from the board within ninety 1808
days of when the petition is required to be filed. 1809

Sec. 3501.40. In any administrative review of, or legal 1810
proceeding regarding, the actions of any election official under 1811
Title XXXV of the Revised Code, all of the following shall apply: 1812

(A) No election official shall be presumed to have committed any error in the course of the election official's duties, unless that error shall be independently proven by the facts of the administrative review or legal proceeding. 1813
1814
1815
1816

(B) If an election official has been found to have committed an error with respect to a particular person or set of circumstances, that election official shall not be presumed to have committed an error with respect to any other person or set of circumstances. 1817
1818
1819
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(C) If election officials in one precinct, polling location, or county are found to have committed an error with respect to a particular person or set of circumstances, that error shall not be presumed to have occurred in any other precinct, polling location, or county. 1822
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Sec. 3503.02. All registrars and ~~judges of elections~~ precinct election officials, in determining the residence of a person offering to register or vote, shall be governed by the following rules: 1827
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(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. 1831
1832
1833

(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 or county of this state, for temporary purposes only, with the intention of returning. 1834
1835
1836
1837

(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 such county the permanent place of abode. 1838
1839
1840
1841

(D) The place where the family of a married person resides 1842

shall be considered to be the person's place of residence; except 1843
that when the spouses have separated and live apart, the place 1844
where such a spouse resides the length of time required to entitle 1845
a person to vote shall be considered to be the spouse's place of 1846
residence. 1847

(E) If a person removes to another state with the intention 1848
of making such state the person's residence, the person shall be 1849
considered to have lost the person's residence in this state. 1850

(F) Except as otherwise provided in division (G) of this 1851
section, if a person removes from this state and continuously 1852
resides outside this state for a period of four years or more, the 1853
person shall be considered to have lost the person's residence in 1854
this state, notwithstanding the fact that the person may entertain 1855
an intention to return at some future period. 1856

(G) If a person removes from this state to engage in the 1857
services of the United States government, the person shall not be 1858
considered to have lost the person's residence in this state 1859
during the period of such service, and likewise should the person 1860
enter the employment of the state, the place where such person 1861
resided at the time of the person's removal shall be considered to 1862
be the person's place of residence. 1863

(H) If a person goes into another state and while there 1864
exercises the right of a citizen by voting, the person shall be 1865
considered to have lost the person's residence in this state. 1866

(I) If a person does not have a fixed place of habitation, 1867
but has a shelter or other location at which the person has been a 1868
consistent or regular inhabitant and to which the person has the 1869
intention of returning, that shelter or other location shall be 1870
deemed the person's residence for the purpose of registering to 1871
vote. 1872

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

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

~~(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.~~ 1903
1904

~~(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.~~ 1905
1906
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1911

~~(g) If a person goes into another state and, while there,
exercises the right of a citizen by voting, the person shall be
considered to have lost the person's residence in this state.~~ 1912
1913
1914

~~(C) No person shall be entitled to sign any initiative or
referendum petition unless the person is registered as an elector
and will have resided in the county and precinct where the person
is registered for at least thirty days at the time of the next
election.~~ 1915
1916
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Sec. 3503.14. (A) The secretary of state shall prescribe the 1920
form and content of the registration, change of residence, and 1921
change of name forms used in this state. The forms shall meet the 1922
requirements of the National Voter Registration Act of 1993 and 1923
shall include spaces for all of the following: 1924

- (1) The voter's name; 1925
- (2) The voter's address; 1926
- (3) The current date; 1927
- (4) The voter's date of birth; 1928
- (5) The voter to provide one or more of the following: 1929
 - (a) The voter's driver's license number, if any; 1930
 - (b) The last four digits of the voter's social security 1931

number, if any; 1932

(c) A copy of a current and valid photo identification, a 1933
copy of a military identification, or a copy of a current utility 1934
bill, bank statement, government check, paycheck, or other 1935
government document, other than ~~a notice of an election mailed by~~ 1936
~~a board of elections under section 3501.19 of the Revised Code or~~ 1937
a notice of voter registration mailed by a board of elections 1938
under section 3503.19 of the Revised Code, that shows the voter's 1939
name and address. 1940

(6) The voter's signature. 1941

The registration form shall include a space on which the 1942
person registering an applicant shall sign the person's name and 1943
provide the person's address and a space on which the person 1944
registering an applicant shall name the employer who is employing 1945
that person to register the applicant. 1946

Except for forms prescribed by the secretary of state under 1947
section 3503.11 of the Revised Code, the secretary of state shall 1948
permit boards of elections to produce forms that have subdivided 1949
spaces for each individual alphanumeric character of the 1950
information provided by the voter so as to accommodate the 1951
electronic reading and conversion of the voter's information to 1952
data and the subsequent electronic transfer of that data to the 1953
statewide voter registration database established under section 1954
3503.15 of the Revised Code. 1955

(B) None of the following persons who are registering an 1956
applicant in the course of that official's or employee's normal 1957
duties shall sign the person's name, provide the person's address, 1958
or name the employer who is employing the person to register an 1959
applicant on a form prepared under this section: 1960

(1) An election official; 1961

(2) A county treasurer; 1962

(3) A deputy registrar of motor vehicles;	1963
(4) An employee of a designated agency;	1964
(5) An employee of a public high school;	1965
(6) An employee of a public vocational school;	1966
(7) An employee of a public library;	1967
(8) An employee of the office of a county treasurer;	1968
(9) An employee of the bureau of motor vehicles;	1969
(10) An employee of a deputy registrar of motor vehicles;	1970
(11) An employee of an election official.	1971
(C) Except as provided in section 3501.382 of the Revised Code, any applicant who is unable to sign the applicant's own name shall make an "X," if possible, which shall be certified by the signing of the name of the applicant by the person filling out the form, who shall add the person's own signature. If an applicant is unable to make an "X," the applicant shall indicate in some manner that the applicant desires to register to vote or to change the applicant's name or residence. The person registering the applicant shall sign the form and attest that the applicant indicated that the applicant desired to register to vote or to change the applicant's name or residence.	1972 1973 1974 1975 1976 1977 1978 1979 1980 1981 1982
(D) No registration, change of residence, or change of name form shall be rejected solely on the basis that a person registering an applicant failed to sign the person's name or failed to name the employer who is employing that person to register the applicant as required under division (A) of this section.	1983 1984 1985 1986 1987 1988
(E) As used in this section, "registering an applicant" includes any effort, for compensation, to provide voter registration forms or to assist persons in completing or returning those forms.	1989 1990 1991 1992

Sec. 3503.15. (A)(1) The secretary of state shall establish 1993
and maintain a statewide voter registration database that shall be 1994
administered by the office of the secretary of state and made 1995
continuously available to each board of elections and to other 1996
agencies as authorized by law. 1997

(2) State agencies, including, but not limited to, the 1998
department of health, bureau of motor vehicles, department of job 1999
and family services, and the department of rehabilitation and 2000
corrections, shall provide any information and data to the 2001
secretary of state that the secretary of state considers necessary 2002
in order to maintain the statewide voter registration database 2003
established pursuant to this section. The secretary of state shall 2004
ensure that any information or data provided to the secretary of 2005
state that is confidential in the possession of the entity 2006
providing the data remains confidential while in the possession of 2007
the secretary of state. 2008

Information provided under this division for maintenance of 2009
the statewide voter registration database shall not be used to 2010
update the name or address of a registered elector. The name or 2011
address of a registered elector shall only be updated as a result 2012
of the elector's actions in filing a notice of change of name, 2013
change of address, or both. 2014

(3) The secretary of state may enter into agreements to share 2015
information or data with other states or groups of states, as the 2016
secretary of state considers necessary, in order to maintain the 2017
statewide voter registration database established pursuant to this 2018
section. Except as otherwise provided in this division, the 2019
secretary of state shall ensure that any information or data 2020
provided to the secretary of state that is confidential in the 2021
possession of the state providing the data remains confidential 2022
while in the possession of the secretary of state. The secretary 2023

of state may provide such otherwise confidential information or 2024
data to persons or organizations that are engaging in legitimate 2025
governmental purposes related to the maintenance of the statewide 2026
voter registration database. 2027

(B) The statewide voter registration database established 2028
under this section shall be the official list of registered voters 2029
for all elections conducted in this state. 2030

(C) The statewide voter registration database established 2031
under this section shall, at a minimum, include all of the 2032
following: 2033

(1) An electronic network that connects all board of 2034
elections offices with the office of the secretary of state and 2035
with the offices of all other boards of elections; 2036

(2) A computer program that harmonizes the records contained 2037
in the database with records maintained by each board of 2038
elections; 2039

(3) An interactive computer program that allows access to the 2040
records contained in the database by each board of elections and 2041
by any persons authorized by the secretary of state to add, 2042
delete, modify, or print database records, and to conduct updates 2043
of the database; 2044

(4) A search program capable of verifying registered voters 2045
and their registration information by name, driver's license 2046
number, birth date, social security number, or current address; 2047

(5) Safeguards and components to ensure that the integrity, 2048
security, and confidentiality of the voter registration 2049
information is maintained. 2050

(D) The secretary of state shall adopt rules pursuant to 2051
Chapter 119. of the Revised Code doing all of the following: 2052

(1) Specifying the manner in which existing voter 2053

registration records maintained by boards of elections shall be 2054
converted to electronic files for inclusion in the statewide voter 2055
registration database; 2056

(2) Establishing a uniform method for entering voter 2057
registration records into the statewide voter registration 2058
database on an expedited basis, but not less than once per day, if 2059
new registration information is received; 2060

(3) Establishing a uniform method for purging canceled voter 2061
registration records from the statewide voter registration 2062
database in accordance with section 3503.21 of the Revised Code; 2063

(4) Specifying the persons authorized to add, delete, modify, 2064
or print records contained in the statewide voter registration 2065
database and to make updates of that database; 2066

(5) Establishing a process for annually auditing the 2067
information contained in the statewide voter registration 2068
database; 2069

(6) Establishing a uniform method for addressing instances in 2070
which records contained in the statewide voter registration 2071
database do not conform with records maintained by the bureau of 2072
motor vehicles. 2073

(E) ~~A board of elections promptly shall purge~~ a voter's name 2074
and voter registration information shall be purged from the 2075
statewide voter registration database in accordance with the rules 2076
adopted by the secretary of state under division (D)(3) of this 2077
section after the cancellation of a voter's registration under 2078
section 3503.21 of the Revised Code. The secretary of state shall 2079
notify the applicable board of elections of each voter from that 2080
county that the secretary of state has purged from the statewide 2081
voter registration database. 2082

(F) The secretary of state shall provide training in the 2083
operation of the statewide voter registration database to each 2084

board of elections and to any persons authorized by the secretary 2085
of state to add, delete, modify, or print database records, and to 2086
conduct updates of the database. 2087

(G)(1) The statewide voter registration database established 2088
under this section shall be made available on a web site of the 2089
office of the secretary of state as follows: 2090

(a) Except as otherwise provided in division (G)(1)(b) of 2091
this section, ~~only~~ the following information from the statewide 2092
voter registration database regarding a registered voter shall be 2093
made available on the web site: 2094

(i) The voter's name; 2095

(ii) The voter's address; 2096

(iii) The voter's precinct number; 2097

(iv) The voter's voting history. 2098

(b) During the thirty days before the day of a primary or 2099
general election, the web site interface of the statewide voter 2100
registration database shall permit a voter to search for the 2101
polling location at which that voter may cast a ballot. 2102

(2) The secretary of state shall establish, by rule adopted 2103
under Chapter 119. of the Revised Code, a process for boards of 2104
elections to notify the secretary of state of changes in the 2105
locations of precinct polling places for the purpose of updating 2106
the information made available on the secretary of state's web 2107
site under division (G)(1)(b) of this section. Those rules shall 2108
require a board of elections, during the thirty days before the 2109
day of a primary or general election, to notify the secretary of 2110
state within one business day of any change to the location of a 2111
precinct polling place within the county. 2112

(3) During the thirty days before the day of a primary or 2113
general election, not later than one business day after receiving 2114

a notification from a county pursuant to division (G)(2) of this 2115
section that the location of a precinct polling place has changed, 2116
the secretary of state shall update that information on the 2117
secretary of state's web site for the purpose of division 2118
(G)(1)(b) of this section. 2119

Sec. 3503.16. (A) Whenever a registered elector changes the 2120
place of residence of that registered elector from one precinct to 2121
another within a county or from one county to another, or has a 2122
change of name, that registered elector shall report the change by 2123
delivering a change of residence or change of name form, whichever 2124
is appropriate, as prescribed by the secretary of state under 2125
section 3503.14 of the Revised Code to the state or local office 2126
of a designated agency, a public high school or vocational school, 2127
a public library, the office of the county treasurer, the office 2128
of the secretary of state, any office of the registrar or deputy 2129
registrar of motor vehicles, or any office of a board of elections 2130
in person or by a third person. Any voter registration, change of 2131
address, or change of name application, returned by mail, may be 2132
sent only to the secretary of state or the board of elections. 2133

A registered elector also may update the registration of that 2134
registered elector by filing a change of residence or change of 2135
name form on the day of a special, primary, or general election at 2136
the polling place in the precinct in which that registered elector 2137
resides or at the board of elections ~~or at another site designated~~ 2138
~~by the board.~~ 2139

(B)(1)(a) Any registered elector who moves within a precinct 2140
on or prior to the day of a general, primary, or special election 2141
and has not filed a notice of change of residence with the board 2142
of elections may vote in that election by going to that registered 2143
elector's assigned polling place in the precinct in which the 2144
registered elector resides, completing and signing a notice of 2145

change of residence, showing identification in the form of a 2146
current and valid photo identification, a military identification, 2147
or a copy of a current utility bill, bank statement, government 2148
check, paycheck, or other government document, other than a ~~notice~~ 2149
~~of an election mailed by a board of elections under section~~ 2150
~~3501.19 of the Revised Code or~~ a notice of voter registration 2151
mailed by a board of elections under section 3503.19 of the 2152
Revised Code, that shows the name and current address of the 2153
elector, and casting a ballot. ~~If the elector provides either a~~ 2154
~~driver's license or a state identification card issued under~~ 2155
~~section 4507.50 of the Revised Code that does not contain the~~ 2156
~~elector's current residence address, the elector shall provide the~~ 2157
~~last four digits of the elector's driver's license number or state~~ 2158
~~identification card number, and the precinct election official~~ 2159
~~shall mark the poll list or signature pollbook to indicate that~~ 2160
~~the elector has provided a driver's license or state~~ 2161
~~identification card number with a former address and record the~~ 2162
~~last four digits of the elector's driver's license number or state~~ 2163
~~identification card number.~~ 2164

(b) Any registered elector who changes the name of that 2165
registered elector and remains within a precinct on or prior to 2166
the day of a general, primary, or special election and has not 2167
filed a notice of change of name with the board of elections may 2168
vote in that election by going to that registered elector's 2169
assigned polling place in the precinct in which the registered 2170
elector resides, completing and signing a notice of a change of 2171
name, showing the identification required by division (B)(1)(a) of 2172
this section, and casting a ~~provisional~~ ballot ~~under section~~ 2173
~~3505.181 of the Revised Code.~~ 2174

(2) Any registered elector who moves from one precinct to 2175
another within a county or moves from one precinct to another and 2176
changes the name of that registered elector on or prior to the day 2177

of a general, primary, or special election and has not filed a 2178
notice of change of residence or change of name, whichever is 2179
appropriate, with the board of elections may vote in that election 2180
if that registered elector complies with division (G) of this 2181
section or does all of the following: 2182

(a) ~~Appears at anytime during regular business hours on or~~ 2183
~~after the twenty eighth day prior to the election in which that~~ 2184
~~registered elector wishes to vote or, if the election is held on~~ 2185
~~the day of a presidential primary election, the twenty fifth day~~ 2186
~~prior to the election, through noon of the Saturday prior to the~~ 2187
~~election~~ the time that absent voter's ballots may be cast in 2188
person at the office of the board of elections, ~~appears at any~~ 2189
~~time during regular business hours on the Monday prior to the~~ 2190
~~election at the office of the board of elections, or, if pursuant~~ 2191
to division (C)(2) of section 3501.10 of the Revised Code the 2192
board has designated another location at which registered electors 2193
may cast absent voter's ballots in person before an election, at 2194
that other location instead of the office of the board of 2195
elections, or appears on the day of the election at either of the 2196
following locations: 2197

(i) The polling place in the precinct in which that 2198
registered elector resides; 2199

(ii) ~~The office of the board of elections or, if pursuant to~~ 2200
~~division (C) of section 3501.10 of the Revised Code the board has~~ 2201
~~designated another location in the county at which registered~~ 2202
~~electors may vote, at that other location instead of the office of~~ 2203
~~the board of elections.~~ 2204

(b) Completes and signs, under penalty of election 2205
falsification, the written affirmation on the provisional ballot 2206
envelope, which shall serve as a notice of change of residence or 2207
change of name, whichever is appropriate, ~~and files it with~~ 2208
~~election officials at the polling place, at the office of the~~ 2209

~~board of elections, or, if pursuant to division (C) of section 2210
3501.10 of the Revised Code the board has designated another 2211
location in the county at which registered electors may vote, at 2212
that other location instead of the office of the board of 2213
elections, whichever is appropriate; 2214~~

(c) Votes a provisional ballot under section 3505.181 of the 2215
Revised Code at the polling place, in the precinct in which the 2216
registered elector resides, at the office of the board of 2217
elections, or, if pursuant to division (C)(2) of section 3501.10 2218
of the Revised Code the board has designated another location in 2219
the county at which registered electors may vote cast absent 2220
voter's ballots in person before an election, at that other 2221
location instead of the office of the board of elections, 2222
whichever is appropriate, using the address to which that 2223
registered elector has moved or the name of that registered 2224
elector as changed, whichever is appropriate; 2225

(d) Completes and signs, under penalty of election 2226
falsification, a statement attesting that that registered elector 2227
moved or had a change of name, whichever is appropriate, on or 2228
prior to the day of the election, has voted a provisional ballot 2229
at the polling place in the precinct in which that registered 2230
elector resides, at the office of the board of elections, or, if 2231
pursuant to division (C)(2) of section 3501.10 of the Revised Code 2232
the board has designated another location in the county at which 2233
registered electors may vote cast absent voter's ballots in person 2234
before an election, at that other location instead of the office 2235
of the board of elections, whichever is appropriate, and will not 2236
vote or attempt to vote at any other location for that particular 2237
election. ~~The statement required under division (B)(2)(d) of this 2238
section shall be included on the notice of change of residence or 2239
change of name, whichever is appropriate, required under division 2240
(B)(2)(b) of this section. 2241~~

(C) Any registered elector who moves from one county to 2242
another county within the state or moves from one county to 2243
another and changes the name of that registered elector on or 2244
prior to the day of a general, primary, or special election and 2245
has not registered to vote in the county to which that registered 2246
elector moved may vote in that election if that registered elector 2247
complies with division (G) of this section or does all of the 2248
following: 2249

(1) ~~Appears at any time during regular business hours on or~~ 2250
~~after the twenty eighth day prior to the election in which that~~ 2251
~~registered elector wishes to vote or, if the election is held on~~ 2252
~~the day of a presidential primary election, the twenty fifth day~~ 2253
~~prior to the election, through noon of the Saturday prior to the~~ 2254
~~election~~ the time that absent voter's ballots may be cast in 2255
person at the office of the board of elections or, if pursuant to 2256
division (C)(2) of section 3501.10 of the Revised Code the board 2257
has designated another location in the county at which registered 2258
electors may ~~vote~~ cast absent voter's ballots in person before an 2259
election, at that other location instead of the office of the 2260
board of elections, ~~appears during regular business hours on the~~ 2261
~~Monday prior to the election at the office of the board of~~ 2262
~~elections or, if pursuant to division (C) of section 3501.10 of~~ 2263
~~the Revised Code the board has designated another location in the~~ 2264
~~county at which registered electors may vote, at that other~~ 2265
~~location instead of the office of the board of elections, or~~ 2266
appears on the day of the election at ~~the~~ either of the following 2267
locations: 2268

(a) The polling place in the precinct in which that elector 2269
resides; 2270

(b) The office of the board of elections ~~or, if pursuant to~~ 2271
~~division (C) of section 3501.10 of the Revised Code the board has~~ 2272
~~designated another location in the county at which registered~~ 2273

~~electors may vote, at that other location instead of the office of
the board of elections;~~ 2274
2275

(2) Completes and signs, under penalty of election 2276
falsification, the written affirmation on the provisional ballot 2277
envelope, which shall serve as a notice of change of residence and 2278
~~files it with election officials at the board of elections or, if~~ 2279
~~pursuant to division (C) of section 3501.10 of the Revised Code~~ 2280
~~the board has designated another location in the county at which~~ 2281
~~registered electors may vote, at that other location instead of~~ 2282
~~the office of the board of elections or change of name, whichever~~ 2283
is appropriate; 2284

(3) Votes a provisional ballot under section 3505.181 of the 2285
Revised Code at the polling place in which the registered elector 2286
resides, at the office of the board of elections or, if pursuant 2287
to division (C)(2) of section 3501.10 of the Revised Code the 2288
board has designated another location in the county at which 2289
registered electors may ~~vote~~ cast absent voter's ballots in person 2290
before an election, at that other location instead of the office 2291
of the board of elections, using the address to which that 2292
registered elector has moved or the name of that registered 2293
elector as changed, whichever is appropriate; 2294

(4) Completes and signs, under penalty of election 2295
falsification, a statement attesting that that registered elector 2296
has moved from one county to another county within the state or 2297
moved from one county to another and changed the elector's name, 2298
whichever is appropriate, on or prior to the day of the election, 2299
has voted at the office of the board of elections or, if pursuant 2300
to division (C)(2) of section 3501.10 of the Revised Code the 2301
board has designated another location in the county at which 2302
registered electors may ~~vote~~ cast absent voter's ballots in person 2303
before an election, at that other location instead of the office 2304
of the board of elections, and will not vote or attempt to vote at 2305

any other location for that particular election. ~~The statement~~ 2306
~~required under division (C)(4) of this section shall be included~~ 2307
~~on the notice of change of residence required under division~~ 2308
~~(C)(2) of this section.~~ 2309

(D) A person who votes by absent voter's ballots pursuant to 2310
division (G) of this section shall not make written application 2311
for the ballots pursuant to Chapter 3509. of the Revised Code. 2312
Ballots cast pursuant to division (G) of this section shall be set 2313
aside in a special envelope and counted during the official 2314
canvass of votes in the manner provided for in sections 3505.32 2315
and 3509.06 of the Revised Code insofar as that manner is 2316
applicable. The board shall examine the pollbooks to verify that 2317
no ballot was cast at the polls or by absent voter's ballots under 2318
Chapter 3509. or 3511. of the Revised Code by an elector who has 2319
voted by absent voter's ballots pursuant to division (G) of this 2320
section. Any ballot determined to be insufficient for any of the 2321
reasons stated above or stated in section 3509.07 of the Revised 2322
Code shall not be counted. 2323

~~Subject to division (C) of section 3501.10 of the Revised~~ 2324
~~Code, a board of elections may lease or otherwise acquire a site~~ 2325
~~different from the office of the board at which registered~~ 2326
~~electors may vote pursuant to division (B) or (C) of this section.~~ 2327

(E) Upon receiving a change of residence or change of name 2328
form, the board of elections shall immediately send the registrant 2329
an acknowledgment notice. If the change of residence or change of 2330
name form is valid, the board shall update the voter's 2331
registration as appropriate. If that form is incomplete, the board 2332
shall inform the registrant in the acknowledgment notice specified 2333
in this division of the information necessary to complete or 2334
update that registrant's registration. 2335

(F) Change of residence and change of name forms shall be 2336
available at each polling place, and when these forms are 2337

completed, noting changes of residence or name, as appropriate, 2338
they shall be filed with election officials at the polling place. 2339
Election officials shall return completed forms, together with the 2340
pollbooks and tally sheets, to the board of elections. 2341

The board of elections shall provide change of residence and 2342
change of name forms to the probate court and court of common 2343
pleas. The court shall provide the forms to any person eighteen 2344
years of age or older who has a change of name by order of the 2345
court or who applies for a marriage license. The court shall 2346
forward all completed forms to the board of elections within five 2347
days after receiving them. 2348

(G) A registered elector who otherwise would qualify to vote 2349
under division (B) or (C) of this section but is unable to appear 2350
at the office of the board of elections or, if pursuant to 2351
division (C)(2) of section 3501.10 of the Revised Code the board 2352
has designated another location in the county at which registered 2353
electors may ~~vote~~ cast absent voter's ballots in person before an 2354
election, at that other location, on account of personal illness, 2355
physical disability, or infirmity, may vote on the day of the 2356
election if that registered elector does all of the following: 2357

(1) Makes a written application that includes all of the 2358
information required under section 3509.03 of the Revised Code to 2359
the appropriate board for an absent voter's ballot on or after the 2360
~~twenty-seventh~~ twenty-first day prior to the election in which the 2361
registered elector wishes to vote through ~~noon~~ six p.m. of the 2362
~~Saturday~~ Friday prior to that election and requests that the 2363
absent voter's ballot be sent to the address to which the 2364
registered elector has moved if the registered elector has moved, 2365
or to the address of that registered elector who has not moved but 2366
has had a change of name; 2367

(2) Declares that the registered elector has moved or had a 2368
change of name, whichever is appropriate, and otherwise is 2369

qualified to vote under the circumstances described in division 2370
(B) or (C) of this section, whichever is appropriate, but that the 2371
registered elector is unable to appear at the board of elections 2372
because of personal illness, physical disability, or infirmity; 2373

(3) Completes and returns along with the completed absent 2374
voter's ballot a notice of change of residence indicating the 2375
address to which the registered elector has moved, or a notice of 2376
change of name, whichever is appropriate; 2377

(4) Completes and signs, under penalty of election 2378
falsification, a statement attesting that the registered elector 2379
has moved or had a change of name on or prior to the day before 2380
the election, has voted by absent voter's ballot because of 2381
personal illness, physical disability, or infirmity that prevented 2382
the registered elector from appearing at the board of elections, 2383
and will not vote or attempt to vote at any other location or by 2384
absent voter's ballot mailed to any other location or address for 2385
that particular election. 2386

Sec. 3503.161. The secretary of state, by rule, shall 2387
establish a secure online process to allow registered voters who 2388
have changed their place of residence to update their voter 2389
registration through the internet. The rules shall provide for all 2390
of the following: 2391

(A) A registered elector to update the elector's residential 2392
address information with the secretary of state online through the 2393
internet; 2394

(B) The elector's residential address information to be 2395
updated in the statewide voter registration database, if all of 2396
the following apply: 2397

(1) The online change of residence form contains all of the 2398
required information; 2399

(2) The elector is currently registered to vote in this 2400
state; and 2401

(3) The elector's name, new residence address, birthdate, and 2402
other information contained on the change of residence form 2403
matches the same information in the records of the bureau of motor 2404
vehicles regarding the elector. 2405

Sec. 3503.18. (A)(1)(a) The chief health officer of each 2406
political subdivision and the director of health shall file with 2407
the secretary of state and each board of elections, at least once 2408
each month, the names, social security numbers, dates of birth, 2409
dates of death, and residences of all persons, over eighteen years 2410
of age, who have died within such subdivision or within this state 2411
or another state, respectively, within such month. 2412

(b) The secretary of state and the director of health shall 2413
jointly establish a secure electronic system through which they 2414
shall exchange the information described in division (A)(1)(a) of 2415
this section regarding the death of a registered elector. 2416

(2) At least once each month, the secretary of state shall 2417
query the social security administration death master file for a 2418
report of all persons of the age of eighteen years or older, whose 2419
last state of residence was Ohio, and who have died within another 2420
state. 2421

(B) At least once each month, each probate judge in this 2422
state shall file with the board of elections the names and 2423
residence addresses of all persons over eighteen years of age who 2424
have been adjudicated incompetent for the purpose of voting, as 2425
provided in section 5122.301 of the Revised Code. At 2426

(C) At least once each month the clerk of the court of common 2427
pleas shall file with the board the names and residence addresses 2428
of all persons who have been convicted during the previous month 2429

of crimes that would disfranchise such persons under existing laws 2430
of the state. Reports of conviction of crimes under the laws of 2431
the United States that would disfranchise an elector and that are 2432
provided to the secretary of state by any United States attorney 2433
shall be forwarded by the secretary of state to the appropriate 2434
board of elections. 2435

(D) Upon receiving a report required by this section, the 2436
~~board of elections shall promptly cancel the~~ registration of each 2437
elector named in the report shall be promptly canceled by the 2438
secretary of state or the board of elections, as applicable. If a 2439
board of elections receives the report, and the report contains a 2440
residence address of an elector in a county other than the county 2441
in which the board of elections is located, the director shall 2442
promptly send a copy of the report to the appropriate board of 2443
elections, which shall cancel the registration. 2444

Sec. 3503.19. (A) Persons qualified to register or to change 2445
their registration because of a change of address or change of 2446
name may register or change their registration in person at any 2447
state or local office of a designated agency, at the office of the 2448
registrar or any deputy registrar of motor vehicles, at a public 2449
high school or vocational school, at a public library, at the 2450
office of a county treasurer, or at a branch office established by 2451
the board of elections, or in person, through another person, or 2452
by mail at the office of the secretary of state or at the office 2453
of a board of elections. A registered elector may also change the 2454
elector's registration on election day at any polling place where 2455
the elector is eligible to vote, in the manner provided under 2456
section 3503.16 of the Revised Code. 2457

Any state or local office of a designated agency, the office 2458
of the registrar or any deputy registrar of motor vehicles, a 2459
public high school or vocational school, a public library, or the 2460

office of a county treasurer shall transmit any voter registration 2461
application or change of registration form that it receives to the 2462
board of elections of the county in which the state or local 2463
office is located, within five business days after receiving the 2464
voter registration application or change of registration form. 2465

An otherwise valid voter registration application that is 2466
returned to the appropriate office other than by mail must be 2467
received by a state or local office of a designated agency, the 2468
office of the registrar or any deputy registrar of motor vehicles, 2469
a public high school or vocational school, a public library, the 2470
office of a county treasurer, the office of the secretary of 2471
state, or the office of a board of elections no later than the 2472
thirtieth day preceding a primary, special, or general election 2473
for the person to qualify as an elector eligible to vote at that 2474
election. An otherwise valid registration application received 2475
after that day entitles the elector to vote at all subsequent 2476
elections. 2477

Any state or local office of a designated agency, the office 2478
of the registrar or any deputy registrar of motor vehicles, a 2479
public high school or vocational school, a public library, or the 2480
office of a county treasurer shall date stamp a registration 2481
application or change of name or change of address form it 2482
receives using a date stamp that does not disclose the identity of 2483
the state or local office that receives the registration. 2484

Voter registration applications, if otherwise valid, that are 2485
returned by mail to the office of the secretary of state or to the 2486
office of a board of elections must be postmarked no later than 2487
the thirtieth day preceding a primary, special, or general 2488
election in order for the person to qualify as an elector eligible 2489
to vote at that election. If an otherwise valid voter registration 2490
application that is returned by mail does not bear a postmark or a 2491
legible postmark, the registration shall be valid for that 2492

election if received by the office of the secretary of state or 2493
the office of a board of elections no later than twenty-five days 2494
preceding any special, primary, or general election. 2495

(B)(1) Any person may apply in person, by telephone, by mail, 2496
or through another person for voter registration forms to the 2497
office of the secretary of state or the office of a board of 2498
elections. An individual who is eligible to vote as a uniformed 2499
services voter or an overseas voter in accordance with 42 U.S.C. 2500
1973ff-6 also may apply for voter registration forms by electronic 2501
means to the office of the secretary of state or to the board of 2502
elections of the county in which the person's voting residence is 2503
located pursuant to section 3503.191 of the Revised Code. 2504

(2)(a) An applicant may return the applicant's completed 2505
registration form in person or by mail to any state or local 2506
office of a designated agency, to a public high school or 2507
vocational school, to a public library, to the office of a county 2508
treasurer, to the office of the secretary of state, or to the 2509
office of a board of elections. An applicant who is eligible to 2510
vote as a uniformed services voter or an overseas voter in 2511
accordance with 42 U.S.C. 1973ff-6 also may return the applicant's 2512
completed voter registration form electronically to the office of 2513
the secretary of state or to the board of elections of the county 2514
in which the person's voting residence is located pursuant to 2515
section 3503.191 of the Revised Code. 2516

(b) Subject to division (B)(2)(c) of this section, an 2517
applicant may return the applicant's completed registration form 2518
through another person to any board of elections or the office of 2519
the secretary of state. 2520

(c) A person who receives compensation for registering a 2521
voter shall return any registration form entrusted to that person 2522
by an applicant to any board of elections or to the office of the 2523
secretary of state. 2524

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

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

(a) The applicant's registration;

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

(c) In bold type as follows:

"Voters must bring identification to the polls in order to verify identity. Identification may include 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 this notification ~~or a notification of an election mailed by a board of elections~~, that shows the voter's name and current address. Voters who do not

provide one of these documents will still be able to vote by 2556
providing the last four digits of the voter's social security 2557
number and by casting a provisional ballot. Voters who do not have 2558
any of the above forms of identification, including a social 2559
security number, will still be able to vote by signing an 2560
affirmation swearing to the voter's identity under penalty of 2561
election falsification and by casting a provisional ballot." 2562

The notification shall be by nonforwardable mail. If the mail 2563
is returned to the board, it shall investigate and cause the 2564
notification to be delivered to the correct address. 2565

(2) If, after investigating as required under division (C)(1) 2566
of this section, the board is unable to verify the voter's correct 2567
address, it shall cause the voter's name in the official 2568
registration list and in the poll list or signature pollbook to be 2569
marked to indicate that the voter's notification was returned to 2570
the board. 2571

At the first election at which a voter whose name has been so 2572
marked appears to vote, the voter shall be required to provide 2573
identification to the election officials and to vote by 2574
provisional ballot under section 3505.181 of the Revised Code. If 2575
the provisional ballot is counted pursuant to division (B)(3) of 2576
section 3505.183 of the Revised Code, the board shall correct that 2577
voter's registration, if needed, and shall remove the indication 2578
that the voter's notification was returned from that voter's name 2579
on the official registration list and on the poll list or 2580
signature pollbook. If the provisional ballot is not counted 2581
pursuant to division (B)(4)(a)(i), or (v), ~~or (vi)~~ of section 2582
3505.183 of the Revised Code, the voter's registration shall be 2583
canceled. The board shall notify the voter by United States mail 2584
of the cancellation. 2585

(3) If a notice of the disposition of an otherwise valid 2586
registration application is sent by nonforwardable mail and is 2587

returned undelivered, the person shall be registered as provided 2588
in division (C)(2) of this section and sent a confirmation notice 2589
by forwardable mail. If the person fails to respond to the 2590
confirmation notice, update the person's registration, or vote by 2591
provisional ballot as provided in division (C)(2) of this section 2592
in any election during the period of two federal elections 2593
subsequent to the mailing of the confirmation notice, the person's 2594
registration shall be canceled. 2595

Sec. 3503.21. (A) The registration of a registered elector 2596
shall be canceled upon the occurrence of any of the following: 2597

(1) The filing by a registered elector of a written request 2598
with a board of elections, on a form prescribed by the secretary 2599
of state and signed by the elector, that the registration be 2600
canceled. The filing of such a request does not prohibit an 2601
otherwise qualified elector from reregistering to vote at any 2602
time. 2603

(2) The filing of a notice of the death of a registered 2604
elector as provided in section 3503.18 of the Revised Code; 2605

(3) The filing with the board of elections of a certified 2606
copy of the death certificate of a registered elector by the 2607
deceased elector's spouse, parent, or child, by the administrator 2608
of the deceased elector's estate, or by the executor of the 2609
deceased elector's will; 2610

(4) The conviction of the registered elector of a felony 2611
under the laws of this state, any other state, or the United 2612
States as provided in section 2961.01 of the Revised Code; 2613

~~(3)~~(5) The adjudication of incompetency of the registered 2614
elector for the purpose of voting as provided in section 5122.301 2615
of the Revised Code; 2616

~~(5)~~(6) The change of residence of the registered elector to a 2617

location outside the county of registration in accordance with 2618
division (B) of this section; 2619

~~(6)~~(7) The failure of the registered elector, after having 2620
been mailed a confirmation notice, to do either of the following: 2621

(a) Respond to such a notice and vote at least once during a 2622
period of four consecutive years, which period shall include two 2623
general federal elections; 2624

(b) Update the elector's registration and vote at least once 2625
during a period of four consecutive years, which period shall 2626
include two general federal elections. 2627

(B)(1) The secretary of state shall prescribe procedures to 2628
identify and cancel the registration in a prior county of 2629
residence of any registrant who changes the registrant's voting 2630
residence to a location outside the registrant's current county of 2631
registration. Any procedures prescribed in this division shall be 2632
uniform and nondiscriminatory, and shall comply with the Voting 2633
Rights Act of 1965. The secretary of state may prescribe 2634
procedures under this division that include the use of the 2635
national change of address service provided by the United States 2636
postal system through its licensees. Any program so prescribed 2637
shall be completed not later than ninety days prior to the date of 2638
any primary or general election for federal office. 2639

(2) The registration of any elector identified as having 2640
changed the elector's voting residence to a location outside the 2641
elector's current county of registration shall not be canceled 2642
unless the registrant is sent a confirmation notice on a form 2643
prescribed by the secretary of state and the registrant fails to 2644
respond to the confirmation notice or otherwise update the 2645
registration and fails to vote in any election during the period 2646
of two federal elections subsequent to the mailing of the 2647
confirmation notice. 2648

(C) The registration of a registered elector shall not be 2649
canceled except as provided in this section, division (Q) of 2650
section 3501.05 of the Revised Code, division (C)(2) of section 2651
3503.19 of the Revised Code, or division (C) of section 3503.24 of 2652
the Revised Code. 2653

(D) ~~Boards of elections shall send their voter registration~~ 2654
~~information to the secretary of state as required under section~~ 2655
~~3503.15 of the Revised Code.~~ In the first quarter of each 2656
~~odd-numbered year, the secretary of state~~ each board of elections 2657
shall send the voter-registration information of each person 2658
registered to vote in the applicable county to the national change 2659
of address service described in division (B) of this section and 2660
request that service to provide the ~~secretary of state~~ board of 2661
elections with a list of any voters sent by the ~~secretary of state~~ 2662
board of elections who have moved within the last ~~thirty six~~ 2663
twelve months. ~~The secretary of state shall transmit to each~~ 2664
~~appropriate board of elections whatever lists the secretary of~~ 2665
~~state receives~~ Upon receipt of a response from that service. ~~The,~~ 2666
the board shall send a notice to each person on the list 2667
transmitted by ~~the secretary of state~~ that service requesting 2668
confirmation of the person's change of address, together with a 2669
postage prepaid, preaddressed return envelope containing a form on 2670
which the voter may verify or correct the change of address 2671
information. 2672

(E) The registration of a registered elector described in 2673
division (A)~~(6)~~(7) or (B)(2) of this section shall be canceled not 2674
later than one hundred twenty days after the date of the second 2675
general federal election in which the elector fails to vote or not 2676
later than one hundred twenty days after the expiration of the 2677
four-year period in which the elector fails to vote or respond to 2678
a confirmation notice, whichever is later. 2679

Sec. 3503.22. A board of elections may send an acknowledgment 2680
notice as prescribed by the secretary of state to any registered 2681
elector at any time to facilitate the maintenance and accuracy of 2682
the statewide voter registration database. 2683

Sec. 3503.26. (A) All registration forms and lists, when not 2684
in official use by the registrars or ~~judges of elections~~ precinct 2685
election officials, shall be in the possession of the board of 2686
elections. Names and addresses of electors may be copied from the 2687
registration lists only in the office of the board when it is open 2688
for business; but no such copying shall be permitted during the 2689
period of time commencing twenty-one days before an election and 2690
ending on the eleventh day after an election if such copying will, 2691
in the opinion of the board, interfere with the necessary work of 2692
the board. The board shall keep in convenient form and available 2693
for public inspection a correct set of the registration lists of 2694
all precincts in the county. 2695

(B) Notwithstanding division (A) of this section, the board 2696
of elections shall maintain and make available for public 2697
inspection and copying at a reasonable cost all records concerning 2698
the implementation of programs and activities conducted for the 2699
purpose of ensuring the accuracy and currency of voter 2700
registration lists, including the names and addresses of all 2701
registered electors sent confirmation notices and whether or not 2702
the elector responded to the confirmation notice. The board shall 2703
maintain all records described in this division for a period of 2704
two years. 2705

Sec. 3503.28. (A) The secretary of state shall develop an 2706
information brochure regarding voter registration. The brochure 2707
shall include, but is not limited to, all of the following 2708
information: 2709

(1) The applicable deadlines for registering to vote or for
returning an applicant's completed registration form; 2710
2711

(2) The applicable deadline for returning an applicant's
completed registration form if the person returning the form is 2712
being compensated for registering voters; 2713
2714

(3) The locations to which a person may return an applicant's
completed registration form; 2715
2716

(4) The location to which a person who is compensated for
registering voters may return an applicant's completed 2717
registration form; 2718
2719

~~(5) The registration and affirmation requirements applicable
to persons who are compensated for registering voters under
section 3503.29 of the Revised Code;~~ 2720
2721
2722

~~(6)~~ A notice, which shall be written in bold type, stating as
follows: 2723
2724

"Voters must bring identification to the polls in order to
verify identity. Identification may include a current and valid 2725
photo identification, a military identification, or a copy of a 2726
current utility bill, bank statement, government check, paycheck, 2727
or other government document, other than ~~a notice of an election~~ 2728
~~or~~ a voter registration notification sent by a board of elections, 2729
that shows the voter's name and current address. Voters who do not 2730
provide one of these documents will still be able to vote by 2731
providing the last four digits of the voter's social security 2732
number and by casting a provisional ballot. Voters who do not have 2733
any of the above forms of identification, including a social 2734
security number, will still be able to vote by signing an 2735
affirmation swearing to the voter's identity under penalty of 2736
election falsification and by casting a provisional ballot." 2737
2738

~~(B) Except as otherwise provided in division (D) of this
section, a board of elections, designated agency, public high~~ 2739
2740

~~school, public vocational school, public library, office of a 2741
county treasurer, or deputy registrar of motor vehicles shall 2742
distribute a copy of the brochure developed under division (A) of 2743
this section to any person who requests more than two voter 2744
registration forms at one time. 2745~~

~~(C)(1) The secretary of state shall provide the information 2746
required to be included in the brochure developed under division 2747
(A) of this section to any person who prints a voter registration 2748
form that is made available on a web site of the office of the 2749
secretary of state. 2750~~

~~(2) If a board of elections operates and maintains a web 2751
site, the board shall provide the information required to be 2752
included in the brochure developed under division (A) of this 2753
section to any person who prints a voter registration form that is 2754
made available on that web site. 2755~~

~~(D) A board of elections shall not be required to distribute 2756
a copy of a brochure under division (B) of this section to any of 2757
the following officials or employees who are requesting more than 2758
two voter registration forms at one time in the course of the 2759
official's or employee's normal duties: 2760~~

~~(1) An election official; 2761~~

~~(2) A county treasurer; 2762~~

~~(3) A deputy registrar of motor vehicles; 2763~~

~~(4) An employee of a designated agency; 2764~~

~~(5) An employee of a public high school; 2765~~

~~(6) An employee of a public vocational school; 2766~~

~~(7) An employee of a public library; 2767~~

~~(8) An employee of the office of a county treasurer; 2768~~

~~(9) An employee of the bureau of motor vehicles; 2769~~

(10) An employee of a deputy registrar of motor vehicles;	2770
(11) An employee of an election official.	2771
(E) (C) As used in this section, "registering voters" includes any effort, for compensation, to provide voter registration forms or to assist persons in completing or returning those forms.	2772 2773 2774
<u>Sec. 3504.01. A former elector of this state is eligible to vote a presidential ballot in the presidential general election held in this state in person or by mail if the former elector meets all of the following conditions:</u>	2775 2776 2777 2778
<u>(A) The former elector moved out of this state not more than thirty days before the day of the presidential general election;</u>	2779 2780
<u>(B) The former elector has not resided in the elector's new state of residence long enough to be eligible to vote in the presidential general election;</u>	2781 2782 2783
<u>(C) The former elector was registered to vote in this state at the time the former resident ceased to be a resident of this state; and</u>	2784 2785 2786
<u>(D) The former elector would be eligible to vote in this state if the former elector was a resident of this state.</u>	2787 2788
<u>Sec. 3504.02. Any citizen A former elector of this state who desires to vote in a presidential general election under this chapter shall, submit a completed certificate of intent to vote for presidential and vice-presidential electors not later than four p.m. of the thirtieth day prior to the date of the presidential election, complete a certificate of intent to vote for presidential and vice-presidential electors twelve noon of the third day before the day of the election. The certificate of intent shall be completed in duplicate on a form prescribed by the secretary of state that may be obtained and filed personally in</u>	2789 2790 2791 2792 2793 2794 2795 2796 2797 2798

the office of the board of elections of the county in which such 2799
person last resided before removal from this state, or mailed to 2800
such board of elections. 2801

Immediately following the spaces on the certificate for 2802
inserting information as requested by the secretary of state, the 2803
following statement shall be printed: "I declare under penalty of 2804
election falsification that the statements ~~herein~~ contained herein 2805
are true to the best of my knowledge and belief; that I am legally 2806
qualified to vote; that I am not ~~registered~~ eligible to vote in 2807
the presidential general election in any other state; and that I 2808
have not voted in an election in any other state since removing 2809
myself from the state of Ohio. 2810

..... 2811
Signature of applicant 2812
..... 2813
Date 2814

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY 2815
OF THE FIFTH DEGREE." 2816

The former elector also shall submit with the certificate of 2817
intent to vote for presidential and vice-presidential electors a 2818
properly completed and signed Ohio voter registration cancellation 2819
request on a form prescribed by the secretary of state. 2820

Sec. 3504.04. On or before the day of a presidential general 2821
election ~~day~~, the director of the board of elections shall deliver 2822
to the polling place a list of persons who have filed certificates 2823
of intent to vote as former resident voters and who appear, from 2824
their voting address, entitled to vote at such polling place. 2825
Those persons whose names appear on the list of former resident 2826
voters, and who have otherwise complied with sections 3504.01 to 2827
3504.06 of the Revised Code, shall then be entitled to vote for 2828
presidential and vice-presidential electors only at their polling 2829

place on election day or by absent voter's ballots. Such voter who 2830
votes at that voter's polling place on election day shall sign 2831
that voter's name in the poll book or poll list followed by, 2832
"Former Resident's Presidential Ballot." Qualified former 2833
residents shall be entitled to cast absent voter's ballots for 2834
presidential and vice-presidential electors. 2835

Sec. 3504.05. The director of the board of elections shall 2836
~~forward copies of all certificates~~ electronically transmit any 2837
certificate of intent received from a former residents elector to 2838
the secretary of state ~~no later than the twenty fifth day prior to~~ 2839
~~the day of the election in which such former resident desires to~~ 2840
~~vote~~ within one business day. Upon receipt of such certificate, 2841
the secretary of state shall immediately notify the chief 2842
elections officer of the state of each applicant's prior residence 2843
of the fact that such applicant has declared ~~his~~ the applicant's 2844
intention to vote for presidential and vice-presidential electors 2845
in this state. 2846

Sec. 3505.05. At any time prior to the seventieth day before 2847
the day of an election at which a question or issue, other than a 2848
statewide question or issue, is certified to appear on the ballot, 2849
the political subdivision, taxing authority, or other entity that 2850
placed the issue on the ballot may remove that issue from the 2851
ballot using the same process that the entity used to originally 2852
certify the issue for placement on the ballot. 2853

Upon receipt of a notification that a question or issue has 2854
been withdrawn, the board of elections shall remove that question 2855
or issue from the ballot. 2856

Sec. 3505.07. (A) If the board of elections, by a unanimous 2857
vote of its members, or if the secretary of state, in the 2858
secretary of state's sole discretion, finds it impracticable to 2859

place the names of candidates for any office of a minor political 2860
subdivision in the county or the wording of any question or issue 2861
to be voted upon in such minor political subdivision on the 2862
ballots under sections 3505.01 to 3505.09 of the Revised Code, 2863
then such board may, or at the direction of the secretary of state 2864
shall, provide separate ballots for the candidates, question, or 2865
issue. 2866

(B) If the secretary of state, in the secretary of state's 2867
sole discretion, determines that it is impracticable to place the 2868
names of candidates for any office or the wording for any question 2869
or issue to be voted upon on the ballot when the candidates, 2870
question, issue, or wording for the question or issue was ordered 2871
onto the ballot by a court of competent jurisdiction and the 2872
ballots have been printed prior to the court order, the board of 2873
elections, at the direction of the secretary of state, shall 2874
provide separate ballots for the candidates, question, or issue. 2875

(C) All separate ballots provided for in this section shall 2876
conform in quality of paper, style of printing, form of ballot, 2877
arrangement of names, and in all other ways, in so far as 2878
practicable, with the provisions relating to the printing of the 2879
general official ballot. ~~Separate ballot boxes shall be provided~~ 2880
~~for each such separate kind of ballot.~~ 2881

Sec. 3505.08. (A) Ballots shall be provided by the board of 2882
elections for all general and special elections. The ballots shall 2883
be printed with black ink on No. 2 white book paper fifty pounds 2884
in weight per ream assuming such ream to consist of five hundred 2885
sheets of such paper twenty-five by thirty-eight inches in size. 2886
Each ballot shall have attached at the top two stubs, each of the 2887
width of the ballot and not less than one-half inch in length, 2888
except that, if the board of elections has an alternate method to 2889
account for the ballots that the secretary of state has 2890

authorized, each ballot may have only one stub that shall be the 2891
width of the ballot and not less than one-half inch in length. In 2892
the case of ballots with two stubs, the stubs shall be separated 2893
from the ballot and from each other by perforated lines. The top 2894
stub shall be known as Stub B and shall have printed on its face 2895
"Stub B." The other stub shall be known as Stub A and shall have 2896
printed on its face "Stub A." Each stub shall also have printed on 2897
its face "Consecutive Number" 2898

Each ballot of each kind of ballot provided for use in each 2899
precinct shall be numbered consecutively beginning with number 1 2900
by printing such number upon both of the stubs attached to the 2901
ballot. On ballots bearing the names of candidates, each 2902
candidate's name shall be printed in twelve point boldface upper 2903
case type in an enclosed rectangular space, and an enclosed blank 2904
rectangular space shall be provided at the left of the candidate's 2905
name. The name of the political party of a candidate nominated at 2906
a primary election or certified by a party committee shall be 2907
printed in ten point lightface upper and lower case type and shall 2908
be separated by a two point blank space. The name of each 2909
candidate shall be indented one space within the enclosed 2910
rectangular space, and the name of the political party shall be 2911
indented two spaces within the enclosed rectangular space. 2912

The title of each office on the ballots shall be printed in 2913
twelve point boldface upper and lower case type in a separate 2914
enclosed rectangular space. A four point rule shall separate the 2915
name of a candidate or a group of candidates for the same office 2916
from the title of the office next appearing below on the ballot; a 2917
two point rule shall separate the title of the office from the 2918
names of candidates; and a one point rule shall separate names of 2919
candidates. Headings shall be printed in display Roman type. When 2920
the names of several candidates are grouped together as candidates 2921
for the same office, there shall be printed on the ballots 2922

immediately below the title of the office and within the separate 2923
rectangular space in which the title is printed "Vote for not more 2924
than," in six point boldface upper and lower case filling 2925
the blank space with that number which will indicate the number of 2926
persons who may be lawfully elected to the office. 2927

Columns on ballots shall be separated from each other by a 2928
heavy vertical border or solid line at least one-eighth of an inch 2929
wide, and a similar vertical border or line shall enclose the left 2930
and right side of ballots. Ballots shall be trimmed along the 2931
sides close to such lines. 2932

The ballots provided for by this section shall be comprised 2933
of four kinds of ballots designated as follows: office type 2934
ballot; nonpartisan ballot; questions and issues ballot; and 2935
presidential ballot. 2936

On the back of each office type ballot shall be printed 2937
"Official Office Type Ballot;" on the back of each nonpartisan 2938
ballot shall be printed "Official Nonpartisan Ballot;" on the back 2939
of each questions and issues ballot shall be printed "Official 2940
Questions and Issues Ballot;" and on the back of each presidential 2941
ballot shall be printed "Official Presidential Ballot." On the 2942
back of every ballot also shall be printed the date of the 2943
election at which the ballot is used and the facsimile signatures 2944
of the members of the board of the county in which the ballot is 2945
used. For the purpose of identifying the kind of ballot, the back 2946
of every ballot may be numbered in the order the board shall 2947
determine. The numbers shall be printed in not less than 2948
thirty-six point type above the words "Official Office Type 2949
Ballot," "Official Nonpartisan Ballot," "Official Questions and 2950
Issues Ballot," or "Official Presidential Ballot," as the case may 2951
be. ~~Ballot boxes~~ A ballot box bearing corresponding numbers shall 2952
be furnished for each precinct in which the above-described 2953
numbered ballots are used. 2954

On the back of every ballot used, there shall be a solid 2955
black line printed opposite the blank rectangular space that is 2956
used to mark the choice of the voter. This line shall be printed 2957
wide enough so that the mark in the blank rectangular space will 2958
not be visible from the back side of the ballot. 2959

Sample ballots may be printed by the board of elections for 2960
all general elections. The ballots shall be printed on colored 2961
paper, and "Sample Ballot" shall be plainly printed in boldface 2962
type on the face of each ballot. In counties of less than one 2963
hundred thousand population, the board may print not more than 2964
five hundred sample ballots; in all other counties, it may print 2965
not more than one thousand sample ballots. The sample ballots 2966
shall not be distributed by a political party or a candidate, nor 2967
shall a political party or candidate cause their title or name to 2968
be imprinted on sample ballots. 2969

(B) Notwithstanding division (A) of this section, in 2970
approving the form of an official ballot, the secretary of state 2971
may authorize the use of fonts, type face settings, and ballot 2972
formats other than those prescribed in that division. 2973

Sec. 3505.11. (A) The ballots, with the stubs attached, shall 2974
be bound into tablets for each precinct, which tablets shall 2975
contain at least one per cent more ballots than the total 2976
registration in the precinct, except as otherwise provided in 2977
division (B) of this section. Upon the covers of the tablets shall 2978
be written, printed, or stamped the designation of the precinct 2979
for which the ballots have been prepared. All official ballots 2980
shall be printed uniformly upon the same kind and quality of paper 2981
and shall be of the same shape, size, and type. 2982

Electors who have failed to respond within thirty days to any 2983
confirmation notice shall not be counted in determining the number 2984
of ballots to be printed under this section. 2985

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

(a) For a primary election or a special election held on the day of a primary election, the total number of electors in that precinct who voted in the primary election held four years previously or, if no primary election was held four years previously, the total number of electors in that precinct who voted in a similarly situated primary, as determined by the board;

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

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

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

Sec. 3505.13. A contract for the printing of ballots involving a cost in excess of ~~ten~~ twenty-five thousand dollars shall not be let until after five days' notice published once in a

leading newspaper published in the county or upon notice given by 3017
mail by the board of elections, addressed to the responsible 3018
printing offices within the state. Except as otherwise provided in 3019
this section, each bid for such printing must be accompanied by a 3020
bond with at least two sureties, or a surety company, satisfactory 3021
to the board, in a sum double the amount of the bid, conditioned 3022
upon the faithful performance of the contract for such printing as 3023
is awarded and for the payment as damages by such bidder to the 3024
board of any excess of cost over the bid which it may be obliged 3025
to pay for such work by reason of the failure of the bidder to 3026
complete the contract. No bid unaccompanied by such bond shall be 3027
considered by the board. The board may, however, waive the 3028
requirement that each bid be accompanied by a bond if the cost of 3029
the contract is ~~ten~~ twenty-five thousand dollars or less. The 3030
contract shall be let to the lowest responsible bidder in the 3031
state. All ballots shall be printed within the state. 3032

Sec. 3505.16. Before the opening of the polls, the package of 3033
supplies and the ballot ~~boxes~~ box shall be opened in the presence 3034
of the precinct officials. The ballot ~~boxes~~ box, the package of 3035
ballots, registration forms, and other supplies shall at all times 3036
be in full sight of the observers, and no ballot box or unused 3037
ballots during the balloting or counting shall be removed or 3038
screened from their full sight until the counting has been closed 3039
and the final returns completed and the certificate signed by the 3040
judges. 3041

Sec. 3505.17. If by accident or casualty the ballots or other 3042
required papers, lists, or supplies are lost or destroyed, or in 3043
case none are delivered at the polling place, or if during the 3044
time the polls are open additional ballots or supplies are 3045
required, the board of elections, upon requisition by telephone or 3046
in writing and signed by a majority of the precinct election 3047

~~judges officials~~ of the precinct stating why such additional 3048
supplies are needed, shall supply them as speedily as possible. 3049

Sec. 3505.18. (A)(1) When an elector appears in a polling 3050
place to vote, the elector shall announce to the precinct election 3051
officials the elector's full name and current address and provide 3052
proof of the elector's identity in the form of a current and valid 3053
photo identification, a military identification, or a copy of a 3054
current utility bill, bank statement, government check, paycheck, 3055
or other government document, other than ~~a notice of an election~~ 3056
~~mailed by a board of elections under section 3501.19 of the~~ 3057
~~Revised Code or~~ a notice of voter registration mailed by a board 3058
of elections under section 3503.19 of the Revised Code, that shows 3059
the name and current address of the elector. ~~If the elector~~ 3060
~~provides either a driver's license or a state identification card~~ 3061
~~issued under section 4507.50 of the Revised Code that does not~~ 3062
~~contain the elector's current residence address, the elector shall~~ 3063
~~provide the last four digits of the elector's driver's license~~ 3064
~~number or state identification card number, and the precinct~~ 3065
~~election official shall mark the poll list or signature pollbook~~ 3066
~~to indicate that the elector has provided a driver's license or~~ 3067
~~state identification card number with a former address and record~~ 3068
~~the last four digits of the elector's driver's license number or~~ 3069
~~state identification card number.~~ 3070

(2) If an elector has but is unable to provide to the 3071
precinct election officials any of the forms of identification 3072
required under division (A)(1) of this section, ~~but has a social~~ 3073
~~security number, the elector may provide the last four digits of~~ 3074
~~the elector's social security number. Upon providing the social~~ 3075
~~security number information,~~ the elector may cast a provisional 3076
ballot under section 3505.181 of the Revised Code, ~~the envelope of~~ 3077
~~which ballot shall include that social security number~~ 3078
~~information.~~ 3079

(3) ~~If an elector has but is unable to provide to the~~ 3080
~~precinct election officials any of the forms of identification~~ 3081
~~required under division (A)(1) of this section and if the elector~~ 3082
~~has a social security number but is unable to provide the last~~ 3083
~~four digits of the elector's social security number, the elector~~ 3084
~~may cast a provisional ballot under section 3505.181 of the~~ 3085
~~Revised Code.~~ 3086

~~(4)~~ If an elector does not have any of the forms of 3087
identification required under division (A)(1) of this section ~~and~~ 3088
~~cannot provide the last four digits of the elector's social~~ 3089
~~security number because the elector does not have a social~~ 3090
~~security number, the elector may execute an affirmation under~~ 3091
penalty of election falsification that the elector cannot provide 3092
the identification required under that division ~~or the last four~~ 3093
~~digits of the elector's social security number for those reasons~~ 3094
that reason. Upon signing the affirmation, the elector may cast a 3095
provisional ballot under section 3505.181 of the Revised Code. The 3096
secretary of state shall prescribe the form of the affirmation, 3097
which shall include spaces for the elector to complete all of the 3098
following: 3099

(a) The elector's name; 3100

(b) The elector's address; 3101

(c) The ~~current date~~ last four digits of the elector's social 3102
security number or the elector's Ohio driver's license number or 3103
state identification card number; 3104

(d) The elector's date of birth; 3105

(e) The elector's signature. 3106

~~(5)~~(4) If an elector does not have any of the forms of 3107
identification required under division (A)(1) of this section and 3108
~~cannot provide the last four digits of the elector's social~~ 3109
~~security number because the elector does not have a social~~ 3110

~~security number, and if the elector declines to execute an~~ 3111
~~affirmation under division (A)(4)(3) of this section, the elector~~ 3112
~~may cast a provisional ballot under section 3505.181 of the~~ 3113
~~Revised Code, the envelope of which ballot shall include the~~ 3114
~~elector's name but the ballot will not be counted.~~ 3115

~~(6) If an elector has but declines to provide to the precinct~~ 3116
~~election officials any of the forms of identification required~~ 3117
~~under division (A)(1) of this section or the elector has a social~~ 3118
~~security number but declines to provide to the precinct election~~ 3119
~~officials the last four digits of the elector's social security~~ 3120
~~number, the elector may cast a provisional ballot under section~~ 3121
~~3505.181 of the Revised Code.~~ 3122

(B) After the elector has announced the elector's full name 3123
and current address and provided any of the forms of 3124
identification required under division (A)(1) of this section, the 3125
elector shall write the elector's ~~name and address~~ signature at 3126
the proper place in the poll list or signature pollbook provided 3127
for the purpose, except that if, for any reason, an elector is 3128
unable to write the elector's ~~name and current address~~ signature 3129
in the poll list or signature pollbook, the elector may make the 3130
elector's mark at the place intended for the elector's ~~name~~ 3131
signature, and a precinct election official shall write the name 3132
of the elector at the proper place on the poll list or signature 3133
pollbook following the elector's mark. The making of such a mark 3134
shall be attested by the precinct election official, who shall 3135
evidence the same by signing the precinct election official's name 3136
on the poll list or signature pollbook as a witness to the mark. 3137
Alternatively, if applicable, an attorney in fact acting pursuant 3138
to section 3501.382 of the Revised Code may sign the elector's 3139
signature in the poll list or signature pollbook in accordance 3140
with that section. 3141

The elector's signature in the poll list or signature 3142

pollbook then shall be compared with the elector's signature on 3143
the elector's registration form or a digitized signature list as 3144
provided for in section 3503.13 of the Revised Code, and if, in 3145
the opinion of a majority of the precinct election officials, the 3146
signatures are the signatures of the same person, the election 3147
officials shall enter the date of the election on the registration 3148
form or shall record the date by other means prescribed by the 3149
secretary of state. The validity of an attorney in fact's 3150
signature on behalf of an elector shall be determined in 3151
accordance with section 3501.382 of the Revised Code. 3152

If the right of the elector to vote is not then challenged, 3153
or, if being challenged, the elector establishes the elector's 3154
right to vote, the elector shall be allowed to proceed to use the 3155
voting machine. If voting machines are not being used in that 3156
precinct, the judge in charge of ballots shall then detach the 3157
next ballots to be issued to the elector from Stub B attached to 3158
each ballot, leaving Stub A attached to each ballot, hand the 3159
ballots to the elector, and call the elector's name and the stub 3160
number on each of the ballots. The judge shall enter the stub 3161
numbers opposite the signature of the elector in the pollbook. The 3162
elector shall then retire to one of the voting compartments to 3163
mark the elector's ballots. No mark shall be made on any ballot 3164
which would in any way enable any person to identify the person 3165
who voted the ballot. 3166

Sec. 3505.181. (A) All of the following individuals shall be 3167
permitted to cast a provisional ballot at an election: 3168

(1) An individual who declares that the individual is a 3169
registered voter in the jurisdiction in which the individual 3170
desires to vote and that the individual is eligible to vote in an 3171
election, but the name of the individual does not appear on the 3172
official list of eligible voters for the polling place or an 3173

election official asserts that the individual is not eligible to 3174
vote; 3175

~~(2) An individual who has a social security number and 3176
provides to the election officials the last four digits of the 3177
individual's social security number as permitted by division 3178
(A)(2) of section 3505.18 of the Revised Code; 3179~~

~~(3) An individual who has but is unable to provide to the 3180
election officials any of the forms of identification required 3181
under division (A)(1) of section 3505.18 of the Revised Code and 3182
who has a social security number but is unable to provide the last 3183
four digits of the individual's social security number as 3184
permitted under division (A)(2) of that section; 3185~~

~~(4)(3) An individual who does not have any of the forms of 3186
identification required under division (A)(1) of section 3505.18 3187
of the Revised Code, who cannot provide the last four digits of 3188
the individual's social security number under division (A)(2) of 3189
that section because the individual does not have a social 3190
security number, and who has ~~executed~~ executes an affirmation ~~as~~ 3191
permitted under division (A)(3) of that section or declines to 3192
execute an affirmation under division (A)(4) of that section; 3193~~

~~(5)(4) An individual whose name in the poll list or signature 3194
pollbook has been marked under section 3509.09 or 3511.13 of the 3195
Revised Code as having requested an absent voter's ballot or ~~an~~ 3196
~~armed service~~ a uniformed services or overseas absent voter's 3197
ballot for that election and who appears to vote at the polling 3198
place; 3199~~

~~(6)(5) An individual whose notification of registration has 3200
been returned undelivered to the board of elections and whose name 3201
in the official registration list and in the poll list or 3202
signature pollbook has been marked under division (C)(2) of 3203
section 3503.19 of the Revised Code; 3204~~

~~(7)~~(6) An individual who is challenged under section 3505.20 3205
of the Revised Code and the election officials determine that the 3206
person is ineligible to vote or are unable to determine the 3207
person's eligibility to vote; 3208

~~(8)~~(7) An individual whose application or challenge hearing 3209
has been postponed until after the day of the election under 3210
division (D)(1) of section 3503.24 of the Revised Code; 3211

~~(9)~~(8) An individual who ~~changes the individual's name and~~ 3212
~~remains within the precinct,~~ moves from one precinct to another 3213
within a county, moves from one precinct to another and changes 3214
the individual's name, ~~or~~ moves from one county to another within 3215
the state, or moves from one county to another and changes the 3216
individual's name and completes and signs the required forms and 3217
statements under division (B) or (C) of section 3503.16 of the 3218
Revised Code; 3219

~~(10)~~(9) An individual whose signature, in the opinion of the 3220
precinct officers under section 3505.22 of the Revised Code, is 3221
not that of the person who signed that name in the registration 3222
forms; 3223

~~(11)~~(10) An individual who is challenged under section 3224
3513.20 of the Revised Code who refuses to make the statement 3225
required under that section, who a majority of the precinct 3226
officials find lacks any of the qualifications to make the 3227
individual a qualified elector, or who a majority of the precinct 3228
officials find is not affiliated with or a member of the political 3229
party whose ballot the individual desires to vote; 3230

~~(12)~~ An individual who ~~does not have any of the forms of~~ 3231
~~identification required under division (A)(1) of section 3505.18~~ 3232
~~of the Revised Code, who cannot provide the last four digits of~~ 3233
~~the individual's social security number under division (A)(2) of~~ 3234
~~that section because the person does not have a social security~~ 3235

~~number, and who declines to execute an affirmation as permitted 3236
under division (A)(4) of that section; 3237~~

~~(13) An individual who has but declines to provide to the 3238
precinct election officials any of the forms of identification 3239
required under division (A)(1) of section 3501.18 of the Revised 3240
Code or who has a social security number but declines to provide 3241
to the precinct election officials the last four digits of the 3242
individual's social security number (11) An individual who is 3243
casting a ballot after the time for the closing of the polls under 3244
section 3501.32 of the Revised Code pursuant to a court order 3245
extending the time for the closing of the polls. 3246~~

(B) An individual who is eligible to cast a provisional 3247
ballot under division (A) of this section shall be permitted to 3248
cast a provisional ballot as follows: 3249

(1) An election official at the polling place shall notify 3250
the individual that the individual may cast a provisional ballot 3251
in that election. 3252

(2) The individual shall be permitted to cast a provisional 3253
ballot at that polling place upon the execution of a written 3254
affirmation by the individual before an election official at the 3255
polling place stating that the individual is both of the 3256
following: 3257

(a) A registered voter in the jurisdiction in which the 3258
individual desires to vote; 3259

(b) Eligible to vote in that election. 3260

If the individual declines to execute the affirmation, the 3261
election official shall not record any of the information required 3262
to be provided by the individual on the affirmation. The election 3263
official shall explain to the individual that the provisional 3264
ballot will not be counted. 3265

(3) An election official at the polling place shall transmit 3266
the ballot cast by the individual, and the voter information 3267
contained in the written affirmation executed by the individual 3268
under division (B)(2) of this section, ~~or the individual's name if~~ 3269
~~the individual declines to execute such an affirmation~~ to an 3270
appropriate local election official for verification ~~under~~ 3271
~~division (B)(4) of this section.~~ 3272

~~(4) If the appropriate local election official to whom the~~ 3273
~~ballot or voter or address information is transmitted under~~ 3274
~~division (B)(3) of this section determines that the individual is~~ 3275
~~eligible to vote, the individual's provisional ballot shall be~~ 3276
~~counted as a vote in that election.~~ 3277

~~(5)~~(a) At the time that an individual casts a provisional 3278
ballot, the appropriate local election official shall give the 3279
individual written information that states that any individual who 3280
casts a provisional ballot will be able to ascertain under the 3281
system established under division (B)~~(5)~~(4)(b) of this section 3282
whether the vote was counted, and, if the vote was not counted, 3283
the reason that the vote was not counted. 3284

(b) The appropriate state or local election official shall 3285
establish a free access system, in the form of a toll-free 3286
telephone number, that any individual who casts a provisional 3287
ballot may access to discover whether the vote of that individual 3288
was counted, and, if the vote was not counted, the reason that the 3289
vote was not counted. The free access system established under 3290
this division also shall provide to an individual whose 3291
provisional ballot was not counted information explaining how that 3292
individual may contact the board of elections to register to vote 3293
or to resolve problems with the individual's voter registration. 3294

The appropriate state or local election official shall 3295
establish and maintain reasonable procedures necessary to protect 3296
the security, confidentiality, and integrity of personal 3297

information collected, stored, or otherwise used by the free 3298
access system established under this division. Access to 3299
information about an individual ballot shall be restricted to the 3300
individual who cast the ballot. 3301

~~(6) If, at the time that an individual casts a provisional 3302
ballot, the individual provides identification in the form of a 3303
current and valid photo identification, a military identification, 3304
or a copy of a current utility bill, bank statement, government 3305
check, paycheck, or other government document, other than a notice 3306
of an election mailed by a board of elections under section 3307
3501.19 of the Revised Code or a notice of voter registration 3308
mailed by a board of elections under section 3503.19 of the 3309
Revised Code, that shows the individual's name and current 3310
address, or provides the last four digits of the individual's 3311
social security number, or executes an affirmation that the 3312
elector does not have any of those forms of identification or the 3313
last four digits of the individual's social security number 3314
because the individual does not have a social security number, or 3315
declines to execute such an affirmation, the appropriate local 3316
election official shall record the type of identification 3317
provided, the social security number information, the fact that 3318
the affirmation was executed, or the fact that the individual 3319
declined to execute such an affirmation and include that 3320
information with the transmission of the ballot or voter or 3321
address information under division (B)(3) of this section. If the 3322
individual declines to execute such an affirmation, the 3323
appropriate local election official shall record the individual's 3324
name and include that information with the transmission of the 3325
ballot under division (B)(3) of this section. 3326~~

~~(7)(5) If an individual casts a provisional ballot pursuant 3327
to division (A)(3), (7), (8), (12), or (13)(7) of this section, 3328
the election official shall indicate, on the provisional ballot 3329~~

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

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

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

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

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

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

Code. 3361

~~(b) For a provisional ballot cast pursuant to division (A)(7) of this section to be eligible to be counted, the individual who east that ballot, within ten days after the day of that election, shall provide to the board of elections any identification or other documentation required to be provided by the applicable challenge questions asked of that individual under section 3505.20 of the Revised Code.~~ 3362
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(C)(1) If an individual declares that the individual is eligible to vote in a jurisdiction other than the jurisdiction in which the individual desires to vote, ~~or if, upon review of the precinct voting location guide using the residential street address provided by the individual, an election official at the polling place at which the individual desires to vote determines that the individual is not eligible to vote in that jurisdiction,~~ the election official shall ~~direct the individual to the polling place for the jurisdiction in which the individual appears to be eligible to vote,~~ explain that the individual may cast a provisional ballot at the current location but the ballot will not be counted if it is cast in the wrong precinct, and provide the telephone number of the board of elections in case the individual has additional questions. 3369
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(2) ~~If the~~ The individual ~~refuses to~~ may travel to the polling place for the correct jurisdiction or to the office of the board of elections to cast a ballot, or the individual shall be permitted to vote a provisional ballot at that jurisdiction in accordance with division (B) of this section. ~~If any of the following apply, the provisional ballot cast by that individual shall not be opened or counted:~~ 3383
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~~(a) The individual is not properly registered in that jurisdiction.~~ 3390
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~~(b) The individual is not eligible to vote in that election 3392
in that jurisdiction. 3393~~

~~(c) The individual's eligibility to vote in that jurisdiction 3394
in that election cannot be established upon examination of the 3395
records on file with the board of elections. 3396~~

(D) The appropriate local election official shall cause 3397
voting information to be publicly posted at each polling place on 3398
the day of each election. 3399

(E) As used in this section and sections 3505.182 and 3400
3505.183 of the Revised Code: 3401

(1) "Jurisdiction" means the precinct in which a person is a 3402
legally qualified elector. 3403

~~(2) "Precinct voting location guide" means either of the 3404
following: 3405~~

~~(a) An electronic or paper record that lists the correct 3406
jurisdiction and polling place for either each specific 3407
residential street address in the county or the range of 3408
residential street addresses located in each neighborhood block in 3409
the county; 3410~~

~~(b) Any other method that a board of elections creates that 3411
allows a precinct election official or any elector who is at a 3412
polling place in that county to determine the correct jurisdiction 3413
and polling place of any qualified elector who resides in the 3414
county. 3415~~

~~(3) "Voting information" means all of the following: 3416~~

(a) A sample version of the ballot that will be used for that 3417
election; 3418

(b) Information regarding the date of the election and the 3419
hours during which polling places will be open; 3420

(c) Instructions on how to vote, including how to cast a vote 3421

and how to cast a provisional ballot; 3422

(d) Instructions for mail-in registrants and first-time 3423
voters under applicable federal and state laws; 3424

(e) General information on voting rights under applicable 3425
federal and state laws, including information on the right of an 3426
individual to cast a provisional ballot and instructions on how to 3427
contact the appropriate officials if these rights are alleged to 3428
have been violated; 3429

(f) General information on federal and state laws regarding 3430
prohibitions against acts of fraud and misrepresentation. 3431

(F) Nothing in this section or section 3505.183 of the 3432
Revised Code is in derogation of section 3505.24 of the Revised 3433
Code, which permits a blind, disabled, or illiterate elector to 3434
receive assistance in the marking of the elector's ballot by two 3435
precinct election officials of different political parties. A 3436
blind, disabled, or illiterate elector may receive assistance in 3437
marking that elector's provisional ballot and in completing the 3438
required affirmation in the same manner as an elector may receive 3439
assistance on the day of an election under that section. 3440

Sec. 3505.182. Each individual who casts a provisional ballot 3441
under section 3505.181 of the Revised Code shall execute a written 3442
affirmation. The secretary of state shall prescribe the form of 3443
the written affirmation, which shall be printed upon the face of 3444
the provisional ballot envelope and shall be substantially as 3445
follows: 3446

~~"Provisional Ballot Affirmation 3447~~

~~STATE OF OHIO 3448~~

~~I, (Name of provisional voter), solemnly 3449
swear or affirm that I am a registered voter in the jurisdiction 3450
in which I am voting this provisional ballot and that I am 3451~~

~~eligible to vote in the election in which I am voting this~~ 3452
~~provisional ballot.~~ 3453

~~I understand that, if the above provided information is not~~ 3454
~~fully completed and correct, if the board of elections determines~~ 3455
~~that I am not registered to vote, a resident of this precinct, or~~ 3456
~~eligible to vote in this election, or if the board of elections~~ 3457
~~determines that I have already voted in this election, my~~ 3458
~~provisional ballot will not be counted. I further understand that~~ 3459
~~knowingly providing false information is a violation of law and~~ 3460
~~subjects me to possible criminal prosecution.~~ 3461

~~I hereby declare, under penalty of election falsification,~~ 3462
~~that the above statements are true and correct to the best of my~~ 3463
~~knowledge and belief.~~ 3464

~~.....~~ 3465

~~(Signature of Voter)~~ 3466

~~.....~~ 3467

~~(Voter's date of birth)~~ 3468

~~The last four digits of the~~ 3469

~~voter's social security number~~

~~.....~~ 3470

~~(To be provided if the voter is~~ 3471

~~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)~~

~~WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY~~ 3472
~~OF THE FIFTH DEGREE.~~ 3473

~~Additional Information For Determining Ballot Validity~~ 3474

~~(May be completed at voter's discretion)~~ 3475

~~Voter's current address:~~ 3476

~~Voter's former address if~~ 3477

~~photo identification does
not contain voter's current
address~~

~~Voter's driver's license~~ 3478
~~number or, if not provided
above, the last four digits
of voter's social security
number~~

~~(Please circle number type)~~ 3479

~~(Voter may attach a copy of any of the following for~~ 3480
~~identification purposes: a current and valid photo identification,
a military identification, or a current utility bill, bank
statement, government check, paycheck, or other government
document, other than a notice of an election mailed by a board of
elections under section 3501.19 of the Revised Code or a notice of
voter registration mailed by a board of elections under section
3503.19 of the Revised Code, that shows the voter's name and
current address.)~~

~~Reason for voting provisional ballot (Check one):~~ 3481

~~..... Requested, but did not receive, absent voter's ballot~~ 3482

~~..... Other~~ 3483

~~Verification Statement~~ 3484

~~(To be completed by election official)~~ 3485

~~The Provisional Ballot Affirmation printed above was~~ 3486
~~subscribed and affirmed before me this day of~~ 3487
~~..... (Month), (Year).~~ 3488

~~(If applicable, the election official must check the~~ 3489
~~following true statement concerning additional information needed~~ 3490
~~to determine the eligibility of the provisional voter.)~~ 3491

~~..... The provisional voter is required to provide~~ 3492
~~additional information to the board of elections.~~ 3493

~~..... An application or challenge hearing regarding this~~ 3494
~~voter has been postponed until after the election.~~ 3495

~~(The election official must check the following true~~ 3496
~~statement concerning identification provided by the provisional~~ 3497
~~voter, if any.)~~ 3498

~~..... The provisional voter provided a current and valid~~ 3499
~~photo identification.~~ 3500

~~..... The provisional voter provided a current valid photo~~ 3501
~~identification, other than a driver's license or a state~~ 3502
~~identification card, with the voter's former address instead of~~ 3503
~~current address and has provided the election official both the~~ 3504
~~current and former addresses.~~ 3505

~~..... The provisional voter provided a military~~ 3506
~~identification or a copy of a current utility bill, bank~~ 3507
~~statement, government check, paycheck, or other government~~ 3508
~~document, other than a notice of an election mailed by a board of~~ 3509
~~elections under section 3501.19 of the Revised Code or a notice of~~ 3510
~~voter registration mailed by a board of elections under section~~ 3511
~~3503.19 of the Revised Code, with the voter's name and current~~ 3512
~~address.~~ 3513

~~..... The provisional voter provided the last four digits of~~ 3514

~~the voter's social security number.~~ 3515

~~..... 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.~~ 3516
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~~..... 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.~~ 3527
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~~..... 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~~ 3542
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~~affirmation.~~ 3547

~~..... 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.~~ 3548
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~~..... 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 social security number. 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.~~ 3554
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~~.....
(Signature of Election Official)"~~ 3564
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~~In addition to any information required to be included on the written affirmation, an individual casting a provisional ballot may provide additional information to the election official to assist the board of elections in determining the individual's eligibility to vote in that election, including the date and location at which the individual registered to vote, if known.~~ 3566
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~~If the individual declines to execute the affirmation, an appropriate local election official shall comply with division (B)(6) of section 3505.181 of the Revised Code.~~ 3572
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Sec. 3505.183. (A) When the ballot boxes are delivered to the board of elections from the precincts, the board shall separate the provisional ballot envelopes from the rest of the ballots. 3575
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Teams of employees of the board consisting of one member of each 3578
major political party shall place the sealed provisional ballot 3579
envelopes in a secure location within the office of the board. The 3580
sealed provisional ballot envelopes shall remain in that secure 3581
location until the validity of those ballots is determined under 3582
division (B) of this section. ~~While the provisional ballot is 3583
stored in that secure location, and prior to the counting of the 3584
provisional ballots, if the board receives information regarding 3585
the validity of a specific provisional ballot under division (B) 3586
of this section, the board may note, on the sealed provisional 3587
ballot envelope for that ballot, whether the ballot is valid and 3588
entitled to be counted. 3589~~

(B)(1) To determine whether a provisional ballot is valid and 3590
entitled to be counted, the board shall examine ~~its~~ the 3591
affirmation executed by the provisional voter, the statewide voter 3592
registration database, and other records maintained by the board 3593
of elections and determine whether the individual who cast the 3594
provisional ballot is registered and eligible to vote in the 3595
applicable election. The board shall examine the information 3596
contained in the written affirmation executed by the individual 3597
who cast the provisional ballot under division (B)(2) of section 3598
3505.181 of the Revised Code. ~~If the individual declines to 3599
execute such an affirmation, the individual's name, written by 3600
either the individual or the election official at the direction of 3601
the individual, shall be included in a written affirmation in 3602
order for the provisional ballot to be eligible to be counted; 3603
otherwise, the The following information shall be included by the 3604
provisional voter in the written affirmation in order for the 3605
provisional ballot to be eligible to be counted: 3606~~

(a) The individual's printed name ~~and;~~ 3607

(b) The individual's signature; 3608

~~(b)(c)~~ The individual's date of birth; 3609

(d) The last four digits of the individual's social security number, the individual's driver's license number or state identification card number, or an affirmative notation that the individual provided the required identification under division (A)(1) of section 3505.18 of the Revised Code; 3610
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(e) The individual's residence address; 3615

(f) A statement that the individual is a registered voter in the jurisdiction in which the provisional ballot is being voted; 3616
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~~(e)(g)~~ A statement that the individual is eligible to vote in the election in which the provisional ballot is being voted. 3618
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~~(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.~~ 3620
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~~(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: 3631
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(a) The individual named on the affirmation is properly registered to vote. 3636
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(b) The individual named on the affirmation is eligible to 3638

cast a ballot in the precinct and for the election in which the 3639
individual cast the provisional ballot. 3640

(c) The individual provided all of the information required 3641
under division (B)(1) of this section in the affirmation that the 3642
individual executed at the time the individual cast the 3643
provisional ballot. 3644

~~(d) If applicable, the individual provided any additional 3645
information required under division (B)(8) of section 3505.181 of 3646
the Revised Code within ten days after the day of the election. 3647~~

~~(e)~~ If applicable, the hearing conducted under division (B) 3648
of section 3503.24 of the Revised Code after the day of the 3649
election resulted in the individual's inclusion in the official 3650
registration list. 3651

~~(4)(3)(a)~~ If, in examining a provisional ballot affirmation 3652
~~and additional information under divisions (B)(1) and (2) of this 3653
section,~~ the board determines that any of the following applies, 3654
the provisional ballot envelope shall not be opened, and the 3655
ballot shall not be counted: 3656

(i) The individual named on the affirmation is not qualified 3657
or is not properly registered to vote. 3658

(ii) The individual named on the affirmation is not eligible 3659
to cast a ballot in the precinct or for the election in which the 3660
individual cast the provisional ballot. 3661

(iii) The individual did not provide all of the information 3662
required under division (B)(1) of this section in the affirmation 3663
that the individual executed at the time the individual cast the 3664
provisional ballot. 3665

(iv) The individual has already cast a ballot for the 3666
election in which the individual cast the provisional ballot. 3667

~~(v) If applicable, the individual did not provide any 3668~~

~~additional information required under division (B)(8) of section 3505.181 of the Revised Code within ten days after the day of the election.~~ 3669
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~~(vi) If applicable, the hearing conducted under division (B) of section 3503.24 of the Revised Code after the day of the election did not result in the individual's inclusion in the official registration list.~~ 3672
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~~(vii) The individual failed 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, 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, or the last four digits of the individual's social security number or to execute an affirmation under division (A) of section 3505.18 or division (B) of section 3505.181 of the Revised Code.~~ 3676
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~~(b) If, in examining a provisional ballot affirmation and additional information under divisions (B)(1) and (2) of this section, the board is unable to determine either of the following, the provisional ballot envelope shall not be opened, and the ballot shall not be counted:~~ 3687
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~~(i) Whether the individual named on the affirmation is qualified or properly registered to vote;~~ 3692
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~~(ii) Whether the individual named on the affirmation is eligible to cast a ballot in the precinct or for the election in which the individual cast the provisional ballot.~~ 3694
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~~(C)(1) For each provisional ballot rejected under division (B)(4)(3) of this section, the board shall record the name of the provisional voter who cast the ballot, the identification number~~ 3697
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of the provisional ballot envelope, the names of the election 3700
officials who determined the validity of that ballot, the date and 3701
time that the determination was made, and the reason that the 3702
ballot was not counted. 3703

(2) Provisional ballots that are rejected under division 3704
(B)~~(4)~~(3) of this section shall not be counted but shall be 3705
preserved in their provisional ballot envelopes unopened until the 3706
time provided by section 3505.31 of the Revised Code for the 3707
destruction of all other ballots used at the election for which 3708
ballots were provided, at which time they shall be destroyed. 3709

(D) Provisional ballots that the board determines are 3710
eligible to be counted under division (B)~~(3)~~(2) of this section 3711
shall be counted in the same manner as provided for other ballots 3712
under section 3505.27 of the Revised Code. No provisional ballots 3713
shall be counted in a particular county until the board determines 3714
the eligibility to be counted of all provisional ballots cast in 3715
that county under division (B) of this section for that election. 3716
Observers, as provided in section 3505.21 of the Revised Code, may 3717
be present at all times that the board is determining the 3718
eligibility of provisional ballots to be counted and counting 3719
those provisional ballots determined to be eligible. No person 3720
shall recklessly disclose the count or any portion of the count of 3721
provisional ballots in such a manner as to jeopardize the secrecy 3722
of any individual ballot. 3723

(E)(1) Except as otherwise provided in division (E)(2) of 3724
this section, nothing in this section shall prevent a board of 3725
elections from examining provisional ballot affirmations ~~and~~ 3726
~~additional information under divisions (B)(1) and (2) of this~~ 3727
~~section~~ to determine the eligibility of provisional ballots to be 3728
counted during the ten days after the day of an election. 3729

(2) A board of elections shall not examine the provisional 3730
ballot affirmation ~~and additional information under divisions~~ 3731

~~(B)(1) and (2) of this section~~ of any provisional ballot for which 3732
an election official has indicated under division ~~(B)(7)~~(5) of 3733
section 3505.181 of the Revised Code that ~~additional information~~ 3734
~~is required for the board of elections to determine the~~ 3735
~~eligibility of the individual who cast that provisional ballot~~ 3736
~~until the individual provides any information required under~~ 3737
~~division (B)(8) of section 3505.181 of the Revised Code~~ an 3738
application or challenge hearing has been postponed, until any 3739
hearing required to be conducted under section 3503.24 of the 3740
Revised Code with regard to the provisional voter is held, or 3741
until the eleventh day after the day of the election, whichever is 3742
earlier. 3743

Sec. 3505.20. Any person offering to vote may be challenged 3744
at the polling place by any ~~judge of elections~~ precinct election 3745
official. If the board of elections has ruled on the question 3746
presented by a challenge prior to election day, its finding and 3747
decision shall be final, and the ~~presiding judge~~ voting location 3748
manager shall be notified in writing. If the board has not ruled, 3749
the question shall be determined as set forth in this section. If 3750
any person is so challenged as unqualified to vote, the ~~presiding~~ 3751
~~judge~~ voting location manager shall tender the person the 3752
following oath: "You do swear or affirm under penalty of election 3753
falsification that you will fully and truly answer all of the 3754
following questions put to you concerning your qualifications as 3755
an elector at this election." 3756

(A) If the person is challenged as unqualified on the ground 3757
that the person is not a citizen, the ~~judges~~ precinct election 3758
officials shall put the following ~~questions~~ question: 3759

~~(1)~~ Are you a citizen of the United States? 3760

~~(2)~~ Are you a native or naturalized citizen? 3761

~~(3)~~ Where were you born? 3762

~~(4) What official documentation do you possess to prove your citizenship? Please provide that documentation.~~ 3763
3764

~~If the person offering to vote claims to be a naturalized citizen of the United States, the person shall, before the vote is received, produce for inspection of the judges a certificate of naturalization and declare under oath that the person is the identical person named in the certificate. If the person states under oath that, by reason of the naturalization of the person's parents or one of them, the person has become a citizen of the United States, and when or where the person's parents were naturalized, the certificate of naturalization need not be produced. If the person is unable to provide a certificate of naturalization on the day of the election, the judges shall provide to the person, and the person may vote, a provisional ballot under section 3505.181 of the Revised Code. The provisional ballot shall not be counted unless it is properly completed and the board of elections determines that the voter is properly registered and eligible to vote in the election.~~ 3765
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(B) If the person is challenged as unqualified on the ground that the person has not resided in this state for thirty days immediately preceding the election, the judges precinct election officials shall put the following questions: 3781
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(1) Have you resided in this state for thirty days immediately preceding this election? If so, where have you resided? 3785
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(2) Did you properly register to vote? 3788

(3) Can you provide some form of identification containing your current mailing address in this precinct? Please provide that identification. 3789
3790
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(4) Have you voted or attempted to vote at any other location in this or in any other state at this election? 3792
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(5) Have you applied for an absent voter's ballot in any state for this election?	3794 3795
If the judges <u>precinct election officials</u> are unable to verify the person's eligibility to cast a ballot in the election, the judges <u>precinct election officials</u> shall provide to the person, and the person may vote, a provisional ballot under section 3505.181 of the Revised Code. The provisional ballot shall not be counted unless it is properly completed and the board of elections determines that the voter is properly registered and eligible to vote in the election.	3796 3797 3798 3799 3800 3801 3802 3803
(C) If the person is challenged as unqualified on the ground that the person is not a resident of the precinct where the person offers to vote, the judges <u>precinct election officials</u> shall put the following questions:	3804 3805 3806 3807
(1) Do you reside in this precinct?	3808
(2) When did you move into this precinct?	3809
(3) When you came into this precinct, did you come for a temporary purpose merely or for the purpose of making it your home?	3810 3811 3812
(4) What is your current mailing address?	3813
(5) Do you have some official identification containing your current address in this precinct? Please provide that identification.	3814 3815 3816
(6) Have you voted or attempted to vote at any other location in this or in any other state at this election?	3817 3818
(7) Have you applied for any absent voter's ballot in any state for this election?	3819 3820
The judges <u>precinct election officials</u> shall direct an individual who is not in the appropriate polling place to the appropriate polling place. If the individual refuses to go to the	3821 3822 3823

appropriate polling place, or if the ~~judges~~ precinct election
officials are unable to verify the person's eligibility to cast a
ballot in the election, the ~~judges~~ precinct election officials
shall provide to the person, and the person may vote, a
provisional ballot under section 3505.181 of the Revised Code. The
provisional ballot shall not be counted unless it is properly
completed and the board of elections determines that the voter is
properly registered and eligible to vote in the election.

(D) If the person is challenged as unqualified on the ground
that the person is not of legal voting age, the ~~judges~~ precinct
election officials shall put the following questions:

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

(2) What is your date of birth?

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

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

~~The presiding judge shall put such other questions to the
person challenged as are necessary to determine the person's
qualifications as an elector at the election.~~ If a person
challenged refuses to answer fully any question put to the person,
is unable to answer the questions as they were answered on the
registration form by the person under whose name the person offers
to vote, or refuses to sign the person's name or make the person's
mark, or if for any other reason a majority of the ~~judges~~ precinct

election officials believes the person is not entitled to vote, 3855
the ~~judges~~ precinct election officials shall provide to the 3856
person, and the person may vote, a provisional ballot under 3857
section 3505.181 of the Revised Code. The provisional ballot shall 3858
not be counted unless it is properly completed and the board of 3859
elections determines that the voter is properly registered and 3860
eligible to vote in the election. 3861

A qualified citizen who has certified the citizen's intention 3862
to vote for president and vice-president as provided by Chapter 3863
3504. of the Revised Code shall be eligible to receive only the 3864
ballot containing presidential and vice-presidential candidates. 3865

However, prior to the nineteenth day before the day of an 3866
election and in accordance with section 3503.24 of the Revised 3867
Code, any person qualified to vote may challenge the right of any 3868
other person to be registered as a voter, or the right to cast an 3869
absent voter's ballot, or to make application for such ballot. 3870
Such challenge shall be made in accordance with section 3503.24 of 3871
the Revised Code, and the board of elections of the county in 3872
which the voting residence of the challenged voter is situated 3873
shall make a final determination relative to the legality of such 3874
registration or application. 3875

Sec. 3505.21. (A) As used in this section, "during the 3876
casting of the ballots" includes any time during which a board of 3877
elections permits an elector to vote an absent voter's ballot in 3878
person at the office of the board and any time ballots may be cast 3879
in a precinct polling place on the day of an election. 3880

(B) At any primary, special, or general election, any 3881
political party supporting candidates to be voted upon at such 3882
election and any group of five or more candidates may appoint to 3883
the board of elections or to any of the precincts in the county or 3884
city one person, a qualified elector, who shall serve as observer 3885

for such party or such candidates during the casting of the 3886
ballots and during the counting of the ballots; provided that 3887
separate observers may be appointed to serve during the casting 3888
and during the counting of the ballots. No candidate, no uniformed 3889
peace officer as defined by section 2935.01 of the Revised Code, 3890
no uniformed state highway patrol trooper, no uniformed member of 3891
any fire department, no uniformed member of the armed services, no 3892
uniformed member of the organized militia, no person wearing any 3893
other uniform, and no person carrying a firearm or other deadly 3894
weapon shall serve as an observer, nor shall any candidate be 3895
represented by more than one observer at any one precinct at the 3896
board of elections except that a candidate who is a member of a 3897
party controlling committee, as defined in section 3517.03 of the 3898
Revised Code, may serve as an observer. ~~Any~~ 3899

(C) Any political party or group of candidates appointing 3900
observers shall notify the board of elections of the names and 3901
addresses of its appointees and the precincts at which they shall 3902
serve or that they will serve at the board of elections. 3903
Notification of observers appointed to serve on the day of an 3904
election shall take place not less than eleven days before the day 3905
of the election on forms prescribed by the secretary of state and 3906
may be amended by filing an amendment with the board of elections 3907
at any time until four p.m. of the day before the election. 3908
Notification of observers appointed to serve at the office of the 3909
board during the time absent voter's ballots may be cast in person 3910
shall take place not less than eleven days before absent voter's 3911
ballots are required to be ready for use pursuant to division 3912
(B)(3) of section 3509.01 of the Revised Code on forms prescribed 3913
by the secretary of state and may be amended by filing an 3914
amendment with the board of elections at any time until four p.m. 3915
of the day before the observer is appointed to serve. The observer 3916
serving on behalf of a political party shall be appointed in 3917
writing by the chairperson and secretary of the respective 3918

controlling party committee. Observers serving for any five or 3919
more candidates shall have their certificates signed by those 3920
candidates. Observers appointed to a precinct may file their 3921
certificates of appointment with the ~~presiding judge~~ voting 3922
location manager of the precinct at the meeting on the evening 3923
prior to the election, or with the ~~presiding judge~~ voting location 3924
manager of the precinct on the day of the election. Upon Observers 3925
appointed to the office of the board to observe the casting of 3926
absent voter's ballots in person prior to the day of the election 3927
may file their certificates with the director of the board of 3928
elections the day before or on the day that the observers are 3929
scheduled to serve at the office of the board. 3930

Upon the filing of a certificate, the person named as 3931
observer in the certificate shall be permitted to be in and about 3932
the applicable polling place ~~for the precinct~~ during the casting 3933
of the ballots and shall be permitted to watch every proceeding of 3934
the ~~judges of elections~~ precinct election officials from the time 3935
of the opening until the closing of the polls. The observer also 3936
may inspect the counting of all ballots in the polling place or 3937
board of elections from the time of the closing of the polls until 3938
the counting is completed and the final returns are certified and 3939
signed. Observers appointed to serve at the board of elections on 3940
the day of an election under this section may observe at the board 3941
of elections and may observe at any precinct in the county. The 3942
~~judges of elections~~ precinct election officials shall protect such 3943
observers in all of the rights and privileges granted to them by 3944
Title XXXV of the Revised Code. 3945

(D) No persons other than the ~~judges of elections~~ precinct 3946
election officials, the observers, a police officer, other persons 3947
who are detailed to any precinct on request of the board of 3948
elections, or the secretary of state or the secretary of state's 3949
legal representative shall be admitted to the polling place, or 3950

any room in which a board of elections is counting ballots, after 3951
the closing of the polls until the counting, certifying, and 3952
signing of the final returns of each election have been completed. 3953

(E) Not later than four p.m. of the twentieth day prior to an 3954
election at which questions are to be submitted to a vote of the 3955
people, any committee that in good faith advocates or opposes a 3956
measure may file a petition with the board of any county asking 3957
that the petitioners be recognized as the committee entitled to 3958
appoint observers to the count at the election. If more than one 3959
committee alleging themselves to advocate or oppose the same 3960
measure file such a petition, the board shall decide and announce 3961
by registered mail to each committee not less than twelve days 3962
immediately preceding the election which committee is recognized 3963
as being entitled to appoint observers. The decision shall not be 3964
final, but any aggrieved party may institute mandamus proceedings 3965
in the court of common pleas of the county in which the board has 3966
jurisdiction to compel the ~~judges of elections~~ precinct election 3967
officials to accept the appointees of such aggrieved party. Any 3968
such recognized committee may appoint an observer to the count in 3969
each precinct. Committees appointing observers shall notify the 3970
board of elections of the names and addresses of its appointees 3971
and the precincts at which they shall serve. Notification shall 3972
take place not less than eleven days before the election on forms 3973
prescribed by the secretary of state and may be amended by filing 3974
an amendment with the board of elections at any time until four 3975
p.m. on the day before the election. A person so appointed shall 3976
file the person's certificate of appointment with the ~~presiding~~ 3977
~~judge~~ voting location manager in the precinct in which the person 3978
has been appointed to serve. Observers shall file their 3979
certificates before the polls are closed. In no case shall more 3980
than six observers be appointed for any one election in any one 3981
precinct. If more than three questions are to be voted on, the 3982
committees which have appointed observers may agree upon not to 3983

exceed six observers, and the ~~judges of elections~~ precinct 3984
election officials shall appoint such observers. If such 3985
committees fail to agree, the ~~judges of elections~~ precinct 3986
election officials shall appoint six observers from the appointees 3987
so certified, in such manner that each side of the several 3988
questions shall be represented. 3989

(F) No person shall serve as an observer at any precinct or 3990
at the board of elections unless the board of elections of the 3991
county in which such observer is to serve has first been notified 3992
of the name, address, and ~~precinct~~ location at which such observer 3993
is to serve. Notification to the board of elections shall be given 3994
by the political party, group of candidates, or committee 3995
appointing such observer as prescribed in this section. No such 3996
observers shall receive any compensation from the county, 3997
municipal corporation, or township, and they shall take the 3998
following oath, to be administered by one of the ~~judges of~~ 3999
~~elections~~ precinct election officials: 4000

"You do solemnly swear that you will faithfully and 4001
impartially discharge the duties as an official observer, assigned 4002
by law; that you will not cause any delay to persons offering to 4003
vote; and that you will not disclose or communicate to any person 4004
how any elector has voted at such election. 4005

(G)(1) An observer who serves during the casting of the 4006
ballots shall only be permitted to do the following: 4007

(a) Watch and listen to the activities conducted by the 4008
precinct election officials and the interactions between precinct 4009
election officials and voters, as long as the precinct election 4010
officials are not delayed in performing the officials' prescribed 4011
duties and voters are not delayed in casting their ballots; 4012

(b) Make notes on the observer's observations other than by 4013
means of a photographic, video, or audio recording. 4014

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

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

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

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

If a voter tears, soils, defaces, or erroneously marks a ballot the voter may return it to the precinct election officials and a second ballot shall be issued to the voter. Before returning a torn, soiled, defaced, or erroneously marked ballot, the voter shall fold it so as to conceal any marks the voter made upon it, but the voter shall not remove Stub A therefrom. If the voter tears, soils, defaces, or erroneously marks such second ballot, the voter may return it to the precinct election officials, and a third ballot shall be issued to the voter. In no case shall more than three ballots be issued to a voter. Upon receiving a returned

torn, soiled, defaced, or erroneously marked ballot the precinct 4046
election officials shall detach Stub A therefrom, write "Defaced" 4047
on the back of such ballot, and place the stub and the ballot in 4048
the separate containers provided therefor. 4049

No elector shall leave the polling place until the elector 4050
returns to the precinct election officials every ballot issued to 4051
the elector with Stub A on each ballot attached thereto, 4052
regardless of whether the elector has or has not placed any marks 4053
upon the ballot. 4054

Before leaving the voting compartment, the voter shall fold 4055
each ballot marked by the voter so that no part of the face of the 4056
ballot is visible, and so that the printing thereon indicating the 4057
kind of ballot it is and the facsimile signatures of the members 4058
of the board of elections are visible. The voter shall then leave 4059
the voting compartment, deliver the voter's ballots, and state the 4060
voter's name to the judge precinct election official having charge 4061
of the ballot ~~boxes~~ box, who shall announce the name, detach Stub 4062
A from each ballot, and announce the number on the stubs. The 4063
~~judges~~ precinct election officials in charge of the poll lists or 4064
poll books shall check to ascertain whether the number so 4065
announced is the number on Stub B of the ballots issued to such 4066
voter, and if no discrepancy appears to exist, the judge precinct 4067
election official in charge of the ballot ~~boxes~~ box shall, in the 4068
presence of the voter, deposit each such ballot in the ~~proper~~ 4069
ballot box and shall place Stub A from each ballot in the 4070
container provided therefor. The voter shall then immediately 4071
leave the polling place. 4072

No ballot delivered by a voter to the judge precinct election 4073
official in charge of the ballot ~~boxes~~ box with Stub A detached 4074
therefrom, and only ballots provided in accordance with Title XXXV 4075
of the Revised Code, shall be voted or deposited in the ballot 4076
~~boxes~~ box. 4077

In marking a presidential ballot, the voter shall record the 4078
vote in the manner provided on the ballot next to the names of the 4079
candidates for the offices of president and vice-president. Such 4080
ballot shall be considered and counted as a vote for each of the 4081
candidates for election as presidential elector whose names were 4082
certified to the secretary of state by the political party of such 4083
nominees for president and vice-president. 4084

In marking an office type ballot or nonpartisan ballot, the 4085
voter shall record the vote in the manner provided on the ballot 4086
next to the name of each candidate for whom the voter desires to 4087
vote. 4088

In marking a primary election ballot, the voter shall record 4089
the vote in the manner provided on the ballot next to the name of 4090
each candidate for whom the voter desires to vote. If the voter 4091
desires to vote for the nomination of a person whose name is not 4092
printed on the primary election ballot, the voter may do so by 4093
writing such person's name on the ballot in the proper place 4094
provided for such purpose. 4095

In marking a questions and issues ballot, the voter shall 4096
record the vote in the manner provided on the ballot at the left 4097
or at the right of "YES" or "NO" or other words of similar import 4098
which are printed on the ballot to enable the voter to indicate 4099
how the voter votes in connection with each question or issue upon 4100
which the voter desires to vote. 4101

In marking any ballot on which a blank space has been 4102
provided wherein an elector may write in the name of a person for 4103
whom the elector desires to vote, the elector shall write such 4104
person's name in such blank space and on no other place on the 4105
ballot. Unless specific provision is made by statute, no blank 4106
space shall be provided on a ballot for write-in votes, and any 4107
names written on a ballot other than in a blank space provided 4108
therefor shall not be counted or recorded. 4109

Sec. 3505.24. ~~Any~~ Notwithstanding any provision of the 4110
Revised Code to the contrary, any elector who declares to the 4111
~~presiding judge of elections~~ voting location manager that the 4112
elector is unable to mark the elector's ballot by reason of 4113
blindness, disability, or illiteracy may be accompanied in the 4114
voting booth and aided by any person of the elector's choice, 4115
other than the elector's employer, an agent of the elector's 4116
employer, or an officer or agent of the elector's union, if any. 4117
The elector also may request and receive assistance in the marking 4118
of the elector's ballot from two election officials of different 4119
political parties. Any person providing assistance in the marking 4120
of an elector's ballot under this section shall thereafter provide 4121
no information in regard to the marking of that ballot. 4122

Any ~~judge~~ precinct election official may require a 4123
declaration of inability to be made by the elector under oath 4124
before the ~~judge~~ official. Assistance shall not be rendered for 4125
causes other than those specified in this section, and no 4126
candidate whose name appears on the ballot shall assist any person 4127
in marking that person's ballot. 4128

Sec. 3505.26. At the time for closing the polls, the 4129
~~presiding judge~~ voting location manager shall by proclamation 4130
announce that the polls are closed. 4131

The ~~judges~~ precinct election officials shall then in the 4132
presence of observers proceed as follows: 4133

(A) Count the number of electors who voted, as shown on the 4134
pollbooks; 4135

(B) Count the unused ballots without removing stubs; 4136

(C) Count the soiled and defaced ballots; 4137

(D) Insert the totals of (A), (B), and (C) on the report 4138
forms provided therefor in the pollbook; 4139

(E) Count the voted ballots. If the number of voted ballots 4140
exceeds the number of voters whose names appear upon the 4141
pollbooks, the ~~presiding judge~~ voting location manager shall enter 4142
on the pollbooks an explanation of that discrepancy, and that 4143
explanation, if agreed to, shall be subscribed to by all of the 4144
~~judges~~ precinct election officials. Any ~~judge~~ precinct official 4145
having a different explanation shall enter it in the pollbooks and 4146
subscribe to it. 4147

(F) Put the unused ballots with stubs attached, and soiled 4148
and defaced ballots with stubs attached, in the envelopes or 4149
containers provided therefor, certify the number, and then proceed 4150
to count and tally the votes in the manner prescribed by section 4151
3505.27 of the Revised Code and certify the result of the election 4152
to the board of elections. 4153

Sec. 3505.28. No ballot shall be counted which is marked 4154
contrary to law, except that no ballot shall be rejected for any 4155
technical error unless it is impossible to determine the voter's 4156
choice. ~~If~~ 4157

A ballot is marked contrary to law and does not contain a 4158
technical error if the voter marks more selections for a 4159
particular office, question, or issue than the number of 4160
selections that the voter is allowed by law to make for that 4161
office, question, or issue. A voter makes more selections for a 4162
particular office than the voter is allowed by law to make for 4163
that office if the voter marks the ballot for a candidate and also 4164
writes in the name of that candidate as a write-in vote. The 4165
voter's ballot shall be invalidated for that office, question, or 4166
issue, but shall not be invalidated for any other office, 4167
question, or issue for which the voter has not marked an excess 4168
number of selections. 4169

If two or more ballots are found folded together among the 4170

ballots removed from a ballot box, they shall be deemed to be 4171
fraudulent. Such ballots shall not be counted. They shall be 4172
marked "Fraudulent" and shall be placed in an envelope indorsed 4173
"Not Counted" with the reasons therefor, and such envelope shall 4174
be delivered to the board of elections together with other 4175
uncounted ballots. 4176

No ballot shall be rejected because of being marked with ink 4177
or by any writing instrument other than one of the pencils 4178
provided by the board of elections. 4179

Sec. 3505.29. From the time the ballot box is opened and the 4180
count of ballots begun until the ballots are counted and 4181
certificates of votes cast are made out, signed, certified and 4182
given to the ~~presiding judge~~ voting location manager for delivery 4183
to the headquarters of the board of elections, the ~~judges~~ precinct
election officials in each precinct shall not separate, nor shall 4184
a ~~judge~~ precinct election official leave the polling place except 4185
from unavoidable necessity. In cases of illness or unavoidable 4186
necessity, the board may substitute another qualified person for 4187
any precinct official so incapacitated. 4188
4189

Sec. 3505.30. When the results of the ballots have been 4190
ascertained, such results shall be embodied in a summary statement 4191
to be prepared by the ~~judges~~ precinct election officials in 4192
duplicate, on forms provided by the board of elections. One copy 4193
shall be certified by the ~~judges~~ precinct election officials and 4194
posted on the front of the polling place, and one copy, similarly 4195
certified, shall be transmitted without delay to the board in a 4196
sealed envelope along with the other returns of the election. The 4197
board shall, immediately upon receipt of such summary statements, 4198
compile and prepare an unofficial count and upon its completion 4199
shall transmit prepaid, immediately by telephone, facsimile 4200
machine, or other telecommunications device, the results of such 4201

unofficial count to the secretary of state, or to the board of the 4202
most populous county of the district which is authorized to 4203
canvass the returns. Such count, in no event, shall be made later 4204
than twelve noon on the day following the election. ~~The board~~ 4205
~~shall also, at the same time, certify the results thereof to the~~ 4206
~~secretary of state by certified mail.~~ The board shall remain in 4207
session from the time of the opening of the polls, continuously, 4208
until the results of the election are received from every precinct 4209
in the county and such results are communicated to the secretary 4210
of state. 4211

Sec. 3505.31. When the results of the voting in a polling 4212
place on the day of an election have been determined and entered 4213
upon the proper forms and the certifications of those results have 4214
been signed by the precinct officials, those officials, before 4215
leaving the polling place, shall place all ballots that they have 4216
counted in containers provided for that purpose by the board of 4217
elections, and shall seal each container in a manner that it 4218
cannot be opened without breaking the seal or the material of 4219
which the container is made. They shall also seal the pollbook, 4220
poll list or signature pollbook, and tally sheet in a manner that 4221
the data contained in these items cannot be seen without breaking 4222
the seals. On the outside of these items shall be a plain 4223
indication that they are to be filed with the board. ~~The presiding~~ 4224
~~judge~~ voting location manager and an employee or appointee of the 4225
board of elections who has taken an oath to uphold the laws and 4226
constitution of this state, including an oath that the person will 4227
promptly and securely perform the duties required under this 4228
section and who is a member of a different political party than 4229
the ~~presiding judge~~ voting location manager, shall then deliver to 4230
the board the containers of ballots and the sealed pollbook, poll 4231
list, and tally sheet, together with all other election reports, 4232
materials, and supplies required to be delivered to the board. 4233

The board shall carefully preserve all ballots prepared and 4234
provided by it for use in an election, whether used or unused, for 4235
sixty days after the day of the election, except that, if an 4236
election includes the nomination or election of candidates for any 4237
of the offices of president, vice-president, presidential elector, 4238
member of the senate of the congress of the United States, or 4239
member of the house of representatives of the congress of the 4240
United States, the board shall carefully preserve all ballots 4241
prepared and provided by it for use in that election, whether used 4242
or unused, for twenty-two months after the day of the election. If 4243
an election is held within that sixty-day period, the board shall 4244
have authority to transfer those ballots to other containers to 4245
preserve them until the sixty-day period has expired. After that 4246
sixty-day period, the ballots shall be disposed of by the board in 4247
a manner that the board orders, or where voting machines have been 4248
used the counters may be turned back to zero; provided that the 4249
secretary of state, within that sixty-day period, may order the 4250
board to preserve the ballots or any part of the ballots for a 4251
longer period of time, in which event the board shall preserve 4252
those ballots for that longer period of time. 4253

In counties where voting machines are used, if an election is 4254
to be held within the sixty days immediately following a primary, 4255
general, or special election or within any period of time within 4256
which the ballots have been ordered preserved by the secretary of 4257
state or a court of competent jurisdiction, the board, after 4258
giving notice to all interested parties and affording them an 4259
opportunity to have a representative present, shall open the 4260
compartments of the machines and, without unlocking the machines, 4261
shall recanvass the vote cast in them as if a recount were being 4262
held. The results shall be certified by the board, and this 4263
certification shall be filed in the board's office and retained 4264
for the remainder of the period for which ballots must be kept. 4265
After preparation of the certificate, the counters may be turned 4266

back to zero, and the machines may be used for the election. 4267

The board shall carefully preserve the pollbook, poll list or 4268
signature pollbook, and tally sheet delivered to it from each 4269
polling place until it has completed the official canvass of the 4270
election returns from all precincts in which electors were 4271
entitled to vote at an election, and has prepared and certified 4272
the abstracts of election returns, as required by law. The board 4273
shall not break, or permit anyone to break, the seals upon the 4274
pollbook, poll list or signature pollbook, and tally sheet, or 4275
make, or permit any one to make, any changes or notations in these 4276
items, while they are in its custody, except as provided by 4277
section 3505.32 of the Revised Code. 4278

Pollbooks and poll lists or signature pollbooks of a party 4279
primary election delivered to the board from polling places shall 4280
be carefully preserved by it for two years after the day of 4281
election in which they were used, and shall then be disposed of by 4282
the board in a manner that the board orders. 4283

Pollbooks, poll lists or signature pollbooks, tally sheets, 4284
summary statements, and other records and returns of an election 4285
delivered to it from polling places shall be carefully preserved 4286
by the board for two years after the day of the election in which 4287
they were used, and shall then be disposed of by the board in a 4288
manner that the board orders. 4289

Sec. 3506.021. (A) A board of elections may adopt the use of 4290
any electronic pollbook that has been certified for use in this 4291
state in accordance with section 3506.05 of the Revised Code, 4292
instead of using poll lists or signature pollbooks. A board of 4293
elections that opts to use electronic pollbooks shall notify the 4294
secretary of state of that decision. 4295

(B) The secretary of state shall provide each board of 4296
elections that adopts the use of electronic pollbooks under 4297

division (A) of this section with rules, instructions, directives, 4298
and advisories regarding the examination, testing, and use of 4299
electronic pollbooks, including rules regarding the sealing of the 4300
information in those pollbooks as required under section 3505.31 4301
of the Revised Code. 4302

(C) As used in this section, "electronic pollbook" has the 4303
same meaning as in section 3506.05 of the Revised Code. 4304

Sec. 3506.05. (A) As used in this section, ~~except:~~ 4305

(1) "Electronic pollbook" means an electronic list of 4306
registered voters for a particular precinct or polling location 4307
that may be transported to a polling location; 4308

(2) Except when used as part of the phrase "tabulating 4309
equipment" or "automatic tabulating equipment,"+ 4310

~~(1) "Equipment"~~ "equipment" means a voting machine, marking 4311
device, automatic tabulating equipment, ~~or~~ software, or an 4312
electronic pollbook. 4313

~~(2)~~(3) "Vendor" means the person that owns, manufactures, 4314
distributes, or has the legal right to control the use of 4315
equipment, or the person's agent. 4316

(B) No voting machine, marking device, automatic tabulating 4317
equipment, or software for the purpose of casting or tabulating 4318
votes or for communications among systems involved in the 4319
tabulation, storage, or casting of votes, and no electronic 4320
pollbook, shall be purchased, leased, put in use, or continued to 4321
be used, except for experimental use as provided in division (B) 4322
of section 3506.04 of the Revised Code, unless it, a manual of 4323
procedures governing its use, and training materials, service, and 4324
other support arrangements have been certified by the secretary of 4325
state and unless the board of elections of each county where the 4326
equipment will be used has assured that a demonstration of the use 4327

of the equipment has been made available to all interested 4328
electors. The secretary of state shall appoint a board of voting 4329
machine examiners to examine and approve equipment and its related 4330
manuals and support arrangements. The board shall consist of four 4331
members, who shall be appointed as follows: 4332

(1) Two members appointed by the secretary of state. 4333

(2) One member appointed by either the speaker of the house 4334
of representatives or the minority leader of the house of 4335
representatives, whichever is a member of the opposite political 4336
party from the one to which the secretary of state belongs. 4337

(3) One member appointed by either the president of the 4338
senate or the minority leader of the senate, whichever is a member 4339
of the opposite political party from the one to which the 4340
secretary of state belongs. 4341

In all cases of a tie vote or a disagreement in the board, if 4342
no decision can be arrived at, the board shall submit the matter 4343
in controversy to the secretary of state, who shall summarily 4344
decide the question, and the secretary of state's decision shall 4345
be final. Each member of the board shall be a competent and 4346
experienced election officer or a person who is knowledgeable 4347
about the operation of voting equipment and shall serve during the 4348
secretary of state's term. Any vacancy on the board shall be 4349
filled in the same manner as the original appointment. The 4350
secretary of state shall provide staffing assistance to the board, 4351
at the board's request. 4352

For the member's service, each member of the board shall 4353
receive three hundred dollars per day for each combination of 4354
marking device, tabulating equipment, ~~and~~ voting machine, and 4355
electronic pollbook examined and reported, but in no event shall a 4356
member receive more than six hundred dollars to examine and report 4357
on any one marking device, item of tabulating equipment, ~~or~~ voting 4358

machine, or electronic pollbook. Each member of the board shall be 4359
reimbursed for expenses the member incurs during an examination or 4360
during the performance of any related duties that may be required 4361
by the secretary of state. Reimbursement of these expenses shall 4362
be made in accordance with, and shall not exceed, the rates 4363
provided for under section 126.31 of the Revised Code. 4364

Neither the secretary of state nor the board, nor any public 4365
officer who participates in the authorization, examination, 4366
testing, or purchase of equipment, shall have any pecuniary 4367
interest in the equipment or any affiliation with the vendor. 4368

(C)(1) A vendor who desires to have the secretary of state 4369
certify equipment shall first submit the equipment, all current 4370
related procedural manuals, and a current description of all 4371
related support arrangements to the board of voting machine 4372
examiners for examination, testing, and approval. The submission 4373
shall be accompanied by a fee of eighteen hundred dollars and a 4374
detailed explanation of the construction and method of operation 4375
of the equipment, a full statement of its advantages, and a list 4376
of the patents and copyrights used in operations essential to the 4377
processes of vote recording and tabulating, vote storage, system 4378
security, pollbook storage and security, and other crucial 4379
operations of the equipment as may be determined by the board. An 4380
additional fee, in an amount to be set by rules promulgated by the 4381
board, may be imposed to pay for the costs of alternative testing 4382
or testing by persons other than board members, record-keeping, 4383
and other extraordinary costs incurred in the examination process. 4384
Moneys not used shall be returned to the person or entity 4385
submitting the equipment for examination. 4386

(2) Fees collected by the secretary of state under this 4387
section shall be deposited into the state treasury to the credit 4388
of the board of voting machine examiners fund, which is hereby 4389
created. All moneys credited to this fund shall be used solely for 4390

the purpose of paying for the services and expenses of each member 4391
of the board or for other expenses incurred relating to the 4392
examination, testing, reporting, or certification of ~~voting~~ 4393
~~machine devices~~ equipment, the performance of any related duties 4394
as required by the secretary of state, or the reimbursement of any 4395
person submitting an examination fee as provided in this chapter. 4396

(D) Within sixty days after the submission of the equipment 4397
and payment of the fee, or as soon thereafter as is reasonably 4398
practicable, but in any event within not more than ninety days 4399
after the submission and payment, the board of voting machine 4400
examiners shall examine the equipment and file with the secretary 4401
of state a written report on the equipment with its 4402
recommendations and, if applicable, its determination or condition 4403
of approval regarding whether the equipment, manual, and other 4404
related materials or arrangements meet the criteria set forth in 4405
sections 3506.07 and 3506.10 of the Revised Code and can be safely 4406
used by the voters at elections under the conditions prescribed in 4407
Title XXXV of the Revised Code, or a written statement of reasons 4408
for which testing requires a longer period. The board may grant 4409
temporary approval for the purpose of allowing experimental use of 4410
equipment. If the board finds that the equipment meets ~~the~~ any 4411
applicable criteria set forth in sections 3506.06, 3506.07, and 4412
3506.10 of the Revised Code, can be used safely and, if 4413
applicable, can be depended upon to record and count accurately 4414
and continuously the votes of electors, and has the capacity to be 4415
warranted, maintained, and serviced, it shall approve the 4416
equipment and recommend that the secretary of state certify the 4417
equipment. The secretary of state shall notify all boards of 4418
elections of any such certification. Equipment of the same model 4419
and make, if it ~~provides for recording of voter intent, system~~ 4420
~~security, voter privacy, retention of vote, and communication of~~ 4421
~~voting records~~ operates in an identical manner, may then be 4422
adopted for use at elections. 4423

(E) The vendor shall notify the secretary of state, who shall 4424
then notify the board of voting machine examiners, of any 4425
enhancement and any significant adjustment to the hardware or 4426
software that could result in a patent or copyright change or that 4427
significantly alters the methods of recording voter intent, system 4428
security, voter privacy, retention of the vote, communication of 4429
~~voting~~ records, and connections between the system and other 4430
systems. The vendor shall provide the secretary of state with an 4431
updated operations manual for the equipment, and the secretary of 4432
state shall forward the manual to the board. Upon receiving such a 4433
notification and manual, the board may require the vendor to 4434
submit the equipment to an examination and test in order for the 4435
equipment to remain certified. The board or the secretary of state 4436
shall periodically examine, test, and inspect certified equipment 4437
to determine continued compliance with the requirements of this 4438
chapter and the initial certification. Any examination, test, or 4439
inspection conducted for the purpose of continuing certification 4440
of any equipment in which a significant problem has been uncovered 4441
or in which a record of continuing problems exists shall be 4442
performed pursuant to divisions (C) and (D) of this section, in 4443
the same manner as the examination, test, or inspection is 4444
performed for initial approval and certification. 4445

(F) If, at any time after the certification of equipment, the 4446
board of voting machine examiners or the secretary of state is 4447
notified by a board of elections of any significant problem with 4448
the equipment or determines that the equipment fails to meet the 4449
requirements necessary for approval or continued compliance with 4450
the requirements of this chapter, or if the board of voting 4451
machine examiners determines that there are significant 4452
enhancements or adjustments to the hardware or software, or if 4453
notice of such enhancements or adjustments has not been given as 4454
required by division (E) of this section, the secretary of state 4455
shall notify the users and vendors of that equipment that 4456

certification of the equipment may be withdrawn. 4457

(G)(1) The notice given by the secretary of state under 4458
division (F) of this section shall be in writing and shall specify 4459
both of the following: 4460

(a) The reasons why the certification may be withdrawn; 4461

(b) The date on which certification will be withdrawn unless 4462
the vendor takes satisfactory corrective measures or explains why 4463
there are no problems with the equipment or why the enhancements 4464
or adjustments to the equipment are not significant. 4465

(2) A vendor who receives a notice under division (F) of this 4466
section shall, within thirty days after receiving it, submit to 4467
the board of voting machine examiners in writing a description of 4468
the corrective measures taken and the date on which they were 4469
taken, or the explanation required under division (G)(1)(b) of 4470
this section. 4471

(3) Not later than fifteen days after receiving a written 4472
description or explanation under division (G)(2) of this section 4473
from a vendor, the board shall determine whether the corrective 4474
measures taken or the explanation is satisfactory to allow 4475
continued certification of the equipment, and the secretary of 4476
state shall send the vendor a written notice of the board's 4477
determination, specifying the reasons for it. If the board has 4478
determined that the measures taken or the explanation given is 4479
unsatisfactory, the notice shall include the effective date of 4480
withdrawal of the certification. This date may be different from 4481
the date originally specified in division (G)(1)(b) of this 4482
section. 4483

(4) A vendor who receives a notice under division (G)(3) of 4484
this section indicating a decision to withdraw certification may, 4485
within thirty days after receiving it, request in writing that the 4486
board hold a hearing to reconsider its decision. Any interested 4487

party shall be given the opportunity to submit testimony or 4488
documentation in support of or in opposition to the board's 4489
recommendation to withdraw certification. Failure of the vendor to 4490
take appropriate steps as described in division (G)(1)(b) or to 4491
comply with division (G)(2) of this section results in a waiver of 4492
the vendor's rights under division (G)(4) of this section. 4493

(H)(1) The secretary of state, in consultation with the board 4494
of voting machine examiners, shall establish, by rule, guidelines 4495
for the approval, certification, and continued certification of 4496
the voting machines, marking devices, ~~and~~ tabulating equipment, 4497
and electronic pollbooks to be used under Title XXXV of the 4498
Revised Code. The guidelines shall establish procedures requiring 4499
vendors or computer software developers to place in escrow with an 4500
independent escrow agent approved by the secretary of state a copy 4501
of all source code and related documentation, together with 4502
periodic updates as they become known or available. The secretary 4503
of state shall require that the documentation include a system 4504
configuration and that the source code include all relevant 4505
program statements in low- or high-level languages. As used in 4506
this division, "source code" does not include variable codes 4507
created for specific elections. 4508

(2) Nothing in any rule adopted under division (H) of this 4509
section shall be construed to limit the ability of the secretary 4510
of state to follow or adopt, or to preclude the secretary of state 4511
from following or adopting, any guidelines proposed by the federal 4512
election commission, any entity authorized by the federal election 4513
commission to propose guidelines, the election assistance 4514
commission, or any entity authorized by the election assistance 4515
commission to propose guidelines. 4516

(3)(a) Before the initial certification of any direct 4517
recording electronic voting machine with a voter verified paper 4518
audit trail, and as a condition for the continued certification 4519

and use of those machines, the secretary of state shall establish, 4520
by rule, standards for the certification of those machines. Those 4521
standards shall include, but are not limited to, all of the 4522
following: 4523

(i) A definition of a voter verified paper audit trail as a 4524
paper record of the voter's choices that is verified by the voter 4525
prior to the casting of the voter's ballot and that is securely 4526
retained by the board of elections; 4527

(ii) Requirements that the voter verified paper audit trail 4528
shall not be retained by any voter and shall not contain 4529
individual voter information; 4530

(iii) A prohibition against the production by any direct 4531
recording electronic voting machine of anything that legally could 4532
be removed by the voter from the polling place, such as a receipt 4533
or voter confirmation; 4534

(iv) A requirement that paper used in producing a voter 4535
verified paper audit trail be sturdy, clean, and resistant to 4536
degradation; 4537

(v) A requirement that the voter verified paper audit trail 4538
shall be capable of being optically scanned for the purpose of 4539
conducting a recount or other audit of the voting machine and 4540
shall be readable in a manner that makes the voter's ballot 4541
choices obvious to the voter without the use of computer or 4542
electronic codes; 4543

(vi) A requirement, for office-type ballots, that the voter 4544
verified paper audit trail include the name of each candidate 4545
selected by the voter; 4546

(vii) A requirement, for questions and issues ballots, that 4547
the voter verified paper audit trail include the title of the 4548
question or issue, the name of the entity that placed the question 4549
or issue on the ballot, and the voter's ballot selection on that 4550

question or issue, but not the entire text of the question or 4551
issue. 4552

(b) The secretary of state, by rule adopted under Chapter 4553
119. of the Revised Code, may waive the requirement under division 4554
(H)(3)(a)(v) of this section, if the secretary of state determines 4555
that the requirement is cost prohibitive. 4556

(4)(a) Except as otherwise provided in division (H)(4)(c) of 4557
this section, any voting machine, marking device, or automatic 4558
tabulating equipment initially certified or acquired on or after 4559
December 1, 2008, shall have the most recent federal certification 4560
number issued by the election assistance commission. 4561

(b) Any voting machine, marking device, or automatic 4562
tabulating equipment certified for use in this state on ~~the~~ 4563
~~effective date of this amendment~~ September 12, 2008, shall meet, 4564
as a condition of continued certification and use, the voting 4565
system standards adopted by the federal election commission in 4566
2002. 4567

(c) A county that acquires additional voting machines, 4568
marking devices, or automatic tabulating equipment on or after 4569
December 1, 2008, shall not be considered to have acquired those 4570
machines, devices, or equipment on or after December 1, 2008, for 4571
the purpose of division (H)(4)(a) of this section if all of the 4572
following apply: 4573

(i) The voting machines, marking devices, or automatic 4574
tabulating equipment acquired are the same as the machines, 4575
devices, or equipment currently used in that county. 4576

(ii) The acquisition of the voting machines, marking devices, 4577
or automatic tabulating equipment does not replace or change the 4578
primary voting system used in that county. 4579

(iii) The acquisition of the voting machines, marking 4580
devices, or automatic tabulating equipment is for the purpose of 4581

replacing inoperable machines, devices, or equipment or for the 4582
purpose providing additional machines, devices, or equipment 4583
required to meet the allocation requirements established pursuant 4584
to division (I) of section 3501.11 of the Revised Code. 4585

Sec. 3506.12. In counties where marking devices, automatic 4586
tabulating equipment, voting machines, or any combination of these 4587
are in use or are to be used, the board of elections: 4588

(A) May combine, rearrange, and enlarge precincts; but the 4589
board shall arrange for a sufficient number of these devices to 4590
accommodate the number of electors in each precinct as determined 4591
by the number of votes cast in that precinct at the most recent 4592
election for the office of governor, taking into consideration the 4593
size and location of each selected polling place, available 4594
parking, handicap accessibility and other accessibility to the 4595
polling place, and the number of candidates and issues to be voted 4596
on. Notwithstanding section 3501.22 of the Revised Code, the board 4597
may appoint more than four precinct officers to each precinct if 4598
this is made necessary by the number of voting machines to be used 4599
in that precinct. 4600

(B) Except as otherwise provided in this division, shall 4601
establish one or more counting stations to receive voted ballots 4602
and other precinct election supplies after the polling precincts 4603
are closed. Those stations shall be under the supervision and 4604
direction of the board of elections. Processing and counting of 4605
voted ballots, and the preparation of summary sheets, shall be 4606
done in the presence of observers approved by the board. A 4607
certified copy of the summary sheet for the precinct shall be 4608
posted at each counting station immediately after completion of 4609
the summary sheet. 4610

~~In counties where punch card ballots are used, one or more 4611
counting stations, located at the board of elections, shall be 4612~~

~~established, at which location all punch card ballots shall be~~ 4613
~~counted.~~ 4614

~~As used in this division, "punch card ballot" has the same~~ 4615
~~meaning as in section 3506.16 of the Revised Code.~~ 4616

Sec. 3506.15. The secretary of state shall provide each board 4617
of elections with rules, instructions, directives, and advisories 4618
regarding the examination, testing, and use of the voting machine 4619
and tabulating equipment, the assignment of duties of booth 4620
officials, the procedure for casting a vote on the machine, and 4621
how the vote shall be tallied and reported to the board, and with 4622
other rules, instructions, directives, and advisories the 4623
secretary of state finds necessary to ensure the adequate care and 4624
custody of voting equipment, and the accurate registering, 4625
counting, and canvassing of the votes as required by this chapter. 4626
The boards of elections shall be charged with the responsibility 4627
of providing for the adequate instruction of voters and election 4628
officials in the proper use of the voting machine and marking 4629
devices. ~~The boards' instructions shall include, in counties where~~ 4630
~~punch card ballots are used, instructions that each voter shall~~ 4631
~~examine the voter's marked ballot card and remove any chads that~~ 4632
~~remain partially attached to it before returning it to election~~ 4633
~~officials.~~ 4634

The secretary of state's rules, instructions, directives, and 4635
advisories provided under this section shall comply, insofar as 4636
practicable, with this chapter. The provisions of Title XXXV of 4637
the Revised Code, not inconsistent with the provisions relating to 4638
voting machines, apply in any county using a voting machine. 4639

~~As used in this section, "chad" and "punch card ballot" have~~ 4640
~~the same meanings as in section 3506.16 of the Revised Code.~~ 4641

Sec. 3509.01. (A) The board of elections of each county shall 4642

provide absent voter's ballots for use at every primary and 4643
general election, or special election to be held on the day 4644
specified by division (E) of section 3501.01 of the Revised Code 4645
for the holding of a primary election, designated by the general 4646
assembly for the purpose of submitting constitutional amendments 4647
proposed by the general assembly to the voters of the state. Those 4648
ballots shall be the same size, shall be printed on the same kind 4649
of paper, and shall be in the same form as has been approved for 4650
use at the election for which those ballots are to be voted; 4651
except that, in counties using marking devices, ballot cards may 4652
be used for absent voter's ballots, and those absent voters shall 4653
be instructed to record the vote in the manner provided on the 4654
ballot cards. ~~In counties where punch card ballots are used, those~~ 4655
~~absent voters shall be instructed to examine their marked ballot~~ 4656
~~cards and to remove any chads that remain partially attached to~~ 4657
~~them before returning them to election officials.~~ 4658

(B) The rotation of names of candidates and questions and 4659
issues shall be substantially complied with on absent voter's 4660
ballots, within the limitation of time allotted. Those ballots 4661
shall be designated as "Absent Voter's Ballots." Except as 4662
otherwise provided in division (D) of this section, those ballots 4663
shall be printed and ready for use as follows: 4664

(1) For overseas voters and absent uniformed services voters 4665
eligible to vote under the Uniformed and Overseas Citizens 4666
Absentee Voting Act, Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 4667
1973ff, et seq., as amended, ballots shall be printed and ready 4668
for use on the forty-fifth day before the day of the election. 4669

(2) For all ~~other~~ voters, other than overseas voters and 4670
absent uniformed services voters, who are applying to vote absent 4671
voter's ballots other than in person, ballots shall be printed and 4672
ready for use on the ~~thirty-fifth~~ twenty-first day before the day 4673
of the election. 4674

(3) For all voters who are applying to vote absent voter's ballots in person, ballots shall be printed and ready for use beginning on the tenth day before the day of the election and shall continue to be available for use through six p.m. on the last Friday before the day of the election, except that ballots shall not be available for use on Sunday. On the days in which absent voter's ballots are available for use in person, those ballots shall be available from eight a.m. through six p.m. Monday through Friday and from eight a.m. through six p.m. on Saturday. If, at the time for the close of in-person absent voting on a particular day, there are voters waiting in line to cast their ballots, the in-person absent voting location shall be kept open until such waiting voters have cast their absent voter's ballots.

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

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

(2) If, in accordance with Section 2 of Article XVII, Ohio Constitution, an election is required to be held to fill a vacancy

that occurs after absent voter's ballots have been printed and 4707
distributed under division (B) of this section, the board of 4708
elections shall print and distribute a supplemental ballot for 4709
that election to each absent voter who has requested a ballot for 4710
that election as many days before the election as reasonably 4711
possible. 4712

(E) A copy of the absent voter's ballots shall be forwarded 4713
by the director of the board in each county to the secretary of 4714
state at least twenty-five days before the election. 4715

~~(F) As used in this section, "chad" and "punch card ballot"~~ 4716
~~have the same meanings as in section 3506.16 of the Revised Code.~~ 4717

Sec. 3509.02. (A) Any qualified elector may vote by absent 4718
voter's ballots at an election. 4719

(B) Any qualified elector who is unable to appear at the 4720
office of the board of elections or, if pursuant to division 4721
(C)(2) of section 3501.10 of the Revised Code the board has 4722
designated another location in the county at which registered 4723
electors may ~~vote~~ cast absent voter's ballots in person before an 4724
election, at that other location on account of personal illness, 4725
physical disability, or infirmity, and who moves from one precinct 4726
to another within a county, changes the elector's name and moves 4727
from one precinct to another within a county, or moves from one 4728
county to another county within the state, on or prior to the day 4729
of a general, primary, or special election and has not filed a 4730
notice of change of residence or change of name may vote by absent 4731
voter's ballots in that election as specified in division (G) of 4732
section 3503.16 of the Revised Code. 4733

Sec. 3509.03. Except as provided in section 3509.031 or 4734
division (B) of section 3509.08 of the Revised Code, any qualified 4735
elector desiring to vote absent voter's ballots at an election 4736

shall make written application for those ballots to the ~~director~~ 4737
board of elections of the county in which the elector's voting 4738
residence is located. The application need not be in any 4739
particular form but shall contain all of the following: 4740

(A) The elector's name; 4741

(B) The elector's signature; 4742

(C) The address at which the elector is registered to vote; 4743

(D) The elector's date of birth; 4744

(E) One of the following: 4745

(1) The elector's driver's license number; 4746

(2) The last four digits of the elector's social security 4747
number; 4748

(3) A copy of the elector's current and valid photo 4749
identification, a copy of a military identification, or a copy of 4750
a current utility bill, bank statement, government check, 4751
paycheck, or other government document, other than ~~a notice of an~~ 4752
~~election mailed by a board of elections under section 3501.19 of~~ 4753
~~the Revised Code or~~ a notice of voter registration mailed by a 4754
board of elections under section 3503.19 of the Revised Code, that 4755
shows the name and address of the elector. 4756

(F) A statement identifying the election for which absent 4757
voter's ballots are requested; 4758

(G) A statement that the person requesting the ballots is a 4759
qualified elector; 4760

(H) If the request is for primary election ballots, the 4761
elector's party affiliation; 4762

(I) If the elector desires ballots to be mailed to the 4763
elector, the address to which those ballots shall be mailed. 4764

Each application for absent voter's ballots shall be 4765

delivered to the ~~director~~ board not earlier than the first day of 4766
January of the year of the elections for which the absent voter's 4767
ballots are requested or not earlier than ninety days before the 4768
day of the election at which the ballots are to be voted, 4769
whichever is earlier, and not later than twelve noon of the third 4770
day before the day of the election at which the ballots are to be 4771
voted, or not later than the close of regular business hours on 4772
the day before the day of the election at which the ballots are to 4773
be voted if the application is delivered in person to the office 4774
of the board. 4775

A board of elections shall not mail any unsolicited 4776
applications for absent voter's ballots. A board shall only mail 4777
an absent voter's ballot application to an elector who has 4778
requested such an application from the board. A board of elections 4779
that mails an absent voter's ballot application to an elector 4780
under this section shall not prepay the return postage for that 4781
application. 4782

Sec. 3509.031. (A) Any qualified elector who is a member of 4783
the organized militia called to active duty within the state and 4784
who will be unable to vote on election day on account of that 4785
active duty may make written application for absent voter's 4786
ballots to the ~~director~~ board of elections for the county in which 4787
the elector's voting residence is located. The elector may 4788
personally deliver the application to the ~~director~~ office of the 4789
board or may mail it, send it by facsimile machine, or otherwise 4790
send it to the ~~director~~ board. The application need not be in any 4791
particular form but shall contain all of the following: 4792

- (1) The elector's name; 4793
- (2) The elector's signature; 4794
- (3) The address at which the elector is registered to vote; 4795

(4) The elector's date of birth;	4796
(5) One of the following:	4797
(a) The elector's driver's license number;	4798
(b) The last four digits of the elector's social security number;	4799 4800
(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.	4801 4802 4803 4804 4805 4806 4807 4808
(6) A statement identifying the election for which absent voter's ballots are requested;	4809 4810
(7) A statement that the person requesting the ballots is a qualified elector;	4811 4812
(8) A statement that the elector is a member of the organized militia serving on active duty within the state;	4813 4814
(9) If the request is for primary election ballots, the elector's party affiliation;	4815 4816
(10) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed;	4817 4818
(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.	4819 4820 4821
(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	4822 4823 4824 4825

duty may be made by the spouse of the militia member or the 4826
father, mother, father-in-law, mother-in-law, grandfather, 4827
grandmother, brother or sister of the whole blood or half blood, 4828
son, daughter, adopting parent, adopted child, stepparent, 4829
stepchild, uncle, aunt, nephew, or niece of the militia member. 4830
The application shall be in writing upon a blank form furnished 4831
only by the ~~director~~ board of elections. The form of the 4832
application shall be prescribed by the secretary of state. The 4833
~~director~~ board shall furnish that blank form to any of the 4834
relatives specified in this division desiring to make the 4835
application, only upon the request of such a relative in person at 4836
the office of the board or upon the written request of such a 4837
relative mailed to the office of the board. The application, 4838
subscribed and sworn to by the applicant, shall contain all of the 4839
following: 4840

(1) The full name of the elector for whom ballots are 4841
requested; 4842

(2) A statement that such person is a qualified elector in 4843
the county; 4844

(3) The address at which the elector is registered to vote; 4845

(4) The elector's date of birth; 4846

(5) One of the following: 4847

(a) The elector's driver's license number; 4848

(b) The last four digits of the elector's social security 4849
number; 4850

(c) A copy of the elector's current and valid photo 4851
identification, a copy of a military identification, or a copy of 4852
a current utility bill, bank statement, government check, 4853
paycheck, or other government document, other than ~~a notice of an~~ 4854
~~election mailed by a board of elections under section 3501.19 of~~ 4855

~~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.

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

(7) A statement that the elector is a member of the organized militia serving on active duty within the state;

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

(9) A statement that the applicant bears a relationship to the elector as specified in division (B) of this section;

(10) The address to which ballots shall be mailed or telephone number to which ballots shall be sent by facsimile machine;

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

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

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

Sec. 3509.04. (A) If a ~~director~~ of a board of elections receives an application for 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) Upon receipt by the ~~director~~ board of elections of an application for absent voter's ballots that contains all of the required information, as provided by sections 3509.03 and 3509.031 and division (G) of section 3503.16 of the Revised Code, the ~~director~~ board, if the ~~director~~ board finds that the applicant is a qualified elector, shall deliver to the applicant in person or mail directly to the applicant by special delivery mail, air mail, or regular mail, postage prepaid, proper absent voter's ballots. The ~~director~~ board shall deliver or mail with the ballots an unsealed identification envelope upon the face of which shall be printed a form substantially as follows:

"Identification Envelope Statement of Voter

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

My voting residence in Ohio is

..... 4918
 (Street and Number, if any, or Rural Route and Number) 4919
of (City, Village, or Township) 4920
Ohio, which is in Ward Precinct 4921
in that city, village, or township. 4922

 The primary election ballots, if any, within this envelope 4923
are primary election ballots of the Party. 4924

 Ballots contained within this envelope are to be voted at the 4925
..... (general, special, or primary) election to be held on 4926
the day of, 4927

 My date of birth is (Month and Day), 4928
..... (Year). 4929

 (Voter must provide one of the following:) 4930

 My driver's license number is (Driver's 4931
license number). 4932

 The last four digits of my Social Security Number are 4933
..... (Last four digits of Social Security Number). 4934

 In lieu of providing a driver's license number or the 4935
last four digits of my Social Security Number, I am enclosing a 4936
copy of one of the following in the return envelope in which this 4937
identification envelope will be mailed: a current and valid photo 4938
identification, a military identification, or a current utility 4939
bill, bank statement, government check, paycheck, or other 4940
government document, other than ~~a notice of an election mailed by~~ 4941
~~a board of elections under section 3501.19 of the Revised Code or~~ 4942
a notice of voter registration mailed by a board of elections, 4943
that shows my name and address. 4944

 I hereby declare, under penalty of election falsification, 4945
that the statements above are true, as I verily believe. 4946
..... 4947

(Signature of Voter) 4948

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 4949
THE FIFTH DEGREE." 4950

The ~~director~~ board of elections shall mail with the ballots 4951
and the unsealed identification envelope an unsealed return 4952
envelope upon the face of which shall be printed the official 4953
title and post-office address of the ~~director~~ board. In the upper 4954
left corner on the face of the return envelope, several blank 4955
lines shall be printed upon which the voter may write the voter's 4956
name and return address. The return envelope shall be of such size 4957
that the identification envelope can be conveniently placed within 4958
it for returning the identification envelope to the ~~director~~ 4959
board. 4960

Sec. 3509.05. (A) When an elector receives an absent voter's 4961
ballot pursuant to the elector's application or request, the 4962
elector shall, before placing any marks on the ballot, note 4963
whether there are any voting marks on it. If there are any voting 4964
marks, the ballot shall be returned immediately to the board of 4965
elections; otherwise, the elector shall cause the ballot to be 4966
marked, folded in a manner that the stub on it and the 4967
indorsements and facsimile signatures of the members of the board 4968
of elections on the back of it are visible, and placed and sealed 4969
within the identification envelope received from the ~~director~~ 4970
board of elections for that purpose. Then, the elector shall cause 4971
the statement of voter on the outside of the identification 4972
envelope to be completed and signed, under penalty of election 4973
falsification. 4974

If the elector does not provide the elector's driver's 4975
license number or the last four digits of the elector's social 4976
security number on the statement of voter on the identification 4977
envelope, the elector also shall include in the return envelope 4978

with the identification envelope a copy of the elector's current 4979
valid photo identification, a copy of a military identification, 4980
or a copy of a current utility bill, bank statement, government 4981
check, paycheck, or other government document, other than a ~~notice~~ 4982
~~of an election mailed by a board of elections under section~~ 4983
~~3501.19 of the Revised Code~~ or a notice of voter registration 4984
mailed by a board of elections under section 3503.19 of the 4985
Revised Code, that shows the name and address of the elector. 4986

The elector shall mail the identification envelope to the 4987
~~director~~ board of elections from ~~whom~~ which it was received in the 4988
return envelope, postage prepaid, or the elector may personally 4989
deliver it to the ~~director~~ office of the board, or the spouse of 4990
the elector, the father, mother, father-in-law, mother-in-law, 4991
grandfather, grandmother, brother, or sister of the whole or half 4992
blood, or the son, daughter, adopting parent, adopted child, 4993
stepparent, stepchild, uncle, aunt, nephew, or niece of the 4994
elector may deliver it to the ~~director~~ board. The return envelope 4995
shall be transmitted to the ~~director~~ board in no other manner, 4996
except as provided in section 3509.08 of the Revised Code. 4997

When absent voter's ballots are delivered to an elector at 4998
the office of the board, the elector may retire to a voting 4999
compartment provided by the board and there mark the ballots. 5000
Thereupon, the elector shall fold them, place them in the 5001
identification envelope provided, seal the envelope, fill in and 5002
sign the statement on the envelope under penalty of election 5003
falsification, and deliver the envelope to the ~~director of the~~ 5004
board. 5005

Except as otherwise provided in division (B) of this section, 5006
all other envelopes containing marked absent voter's ballots shall 5007
be delivered to the ~~director~~ board not later than the close of the 5008
polls on the day of an election. Absent voter's ballots delivered 5009
to the ~~director~~ board later than the times specified shall not be 5010

counted, but shall be kept by the board in the sealed 5011
identification envelopes in which they are delivered to the 5012
~~director~~ board, until the time provided by section 3505.31 of the 5013
Revised Code for the destruction of all other ballots used at the 5014
election for which ballots were provided, at which time they shall 5015
be destroyed. 5016

(B)(1) Except as otherwise provided in division (B)(2) of 5017
this section, any return envelope that is postmarked prior to the 5018
day of the election shall be delivered to the ~~director~~ board prior 5019
to the eleventh day after the election. Ballots delivered in 5020
envelopes postmarked prior to the day of the election that are 5021
received after the close of the polls on election day through the 5022
tenth day thereafter shall be counted on the eleventh day at the 5023
board of elections in the manner provided in divisions (C) and (D) 5024
of section 3509.06 of the Revised Code. Any such ballots that are 5025
received by the ~~director~~ board later than the tenth day following 5026
the election shall not be counted, but shall be kept by the board 5027
in the sealed identification envelopes as provided in division (A) 5028
of this section. 5029

(2) Division (B)(1) of this section shall not apply to any 5030
mail that is postmarked using a postage evidencing system, 5031
including a postage meter, as defined in 39 C.F.R. 501.1. 5032

(C) Upon receipt of any return envelope prior to the eleventh 5033
day after the day of any election, the board of elections shall 5034
open it but shall not open the identification envelope contained 5035
in it. If, upon so opening the return envelope, the board finds 5036
ballots in it that are not enclosed in and properly sealed in the 5037
identification envelope, the board shall not look at the markings 5038
upon the ballots and shall promptly place them in the 5039
identification envelope and promptly seal it. If, upon so opening 5040
the return envelope, the board finds that ballots are enclosed in 5041
the identification envelope but that it is not properly sealed, 5042

the board shall not look at the markings upon the ballots and 5043
shall promptly seal the identification envelope. 5044

Sec. 3509.06. (A) The board of elections shall determine 5045
whether absent voter's ballots shall be counted in each precinct, 5046
at the office of the board, or at some other location designated 5047
by the board, and shall proceed accordingly under division (B) or 5048
(C) of this section. 5049

(B) When the board of elections determines that absent 5050
voter's ballots shall be counted in each precinct, the ~~director~~ 5051
board shall deliver to the ~~presiding judge~~ voting location manager 5052
of each precinct on election day identification envelopes 5053
purporting to contain absent voter's ballots of electors whose 5054
voting residence appears from the statement of voter on the 5055
outside of each of those envelopes, to be located in ~~such~~ 5056
~~presiding judge's~~ that manager's precinct, and which were received 5057
by the ~~director~~ board not later than the close of the polls on 5058
election day. The ~~director~~ board shall deliver to ~~such presiding~~ 5059
~~judge~~ the voting location manager a list containing the name and 5060
voting residence of each person whose voting residence is in such 5061
precinct to whom absent voter's ballots were mailed. 5062

(C) When the board of elections determines that absent 5063
voter's ballots shall be counted at the office of the board of 5064
elections or at another location designated by the board, special 5065
election ~~judges~~ officials shall be appointed by the board for that 5066
purpose having the same authority as is exercised by precinct 5067
~~judges~~ election officials. The votes so cast shall be added to the 5068
vote totals ~~by the board~~ for the precincts in which the applicable 5069
absent voters reside, and the absent voter's ballots shall be 5070
preserved separately by the board, in the same manner and for the 5071
same length of time as provided by section 3505.31 of the Revised 5072
Code. 5073

(D) Each of the identification envelopes purporting to 5074
contain absent voter's ballots delivered to the ~~presiding judge~~ 5075
voting location manager of the precinct or the special ~~judge~~ 5076
election official appointed by the board of elections shall be 5077
handled as follows: The election officials shall compare the 5078
signature of the elector on the outside of the identification 5079
envelope with the signature of that elector on the elector's 5080
registration form and verify that the absent voter's ballot is 5081
eligible to be counted under section 3509.07 of the Revised Code. 5082
Any of the precinct officials may challenge the right of the 5083
elector named on the identification envelope to vote the absent 5084
voter's ballots upon the ground that the signature on the envelope 5085
is not the same as the signature on the registration form, that 5086
the identification envelope statement of voter has not been 5087
completed, unless the ballot is a uniformed services or overseas 5088
absent voter's ballot, or upon any other of the grounds upon which 5089
the right of persons to vote may be lawfully challenged. If no 5090
such challenge is made, ~~or~~ if such a challenge is made and not 5091
sustained, or if a uniformed services or overseas absent voter 5092
signed the identification envelope statement of voter, is 5093
registered to vote, and is eligible to vote in the election, the 5094
~~presiding judge~~ voting location manager shall open the envelope 5095
without defacing the statement of voter and without mutilating the 5096
ballots in it, and shall remove the ballots contained in it and 5097
proceed to count them. 5098

The name of each person voting who is entitled to vote only 5099
an absent voter's presidential ballot shall be entered in a 5100
pollbook or poll list or signature pollbook followed by the words 5101
"Absentee Presidential Ballot." The name of each person voting an 5102
absent voter's ballot, other than such persons entitled to vote 5103
only a presidential ballot, shall be entered in the pollbook or 5104
poll list or signature pollbook and the person's registration card 5105
marked to indicate that the person has voted. 5106

The date of such election shall also be entered on the 5107
elector's registration form. If any such challenge is made and 5108
sustained, the identification envelope of such elector shall not 5109
be opened, shall be endorsed "Not Counted" with the reasons the 5110
ballots were not counted, and shall be delivered to the board. 5111

(E) Special election ~~judges~~ officials, employees or members 5112
of the board of elections, or observers shall not disclose the 5113
count or any portion of the count of absent voter's ballots prior 5114
to the time of the closing of the polling places. No person shall 5115
recklessly disclose the count or any portion of the count of 5116
absent voter's ballots in such a manner as to jeopardize the 5117
secrecy of any individual ballot. 5118

(F) Observers may be appointed under section 3505.21 of the 5119
Revised Code to witness the examination and opening of 5120
identification envelopes and the counting of absent voters' 5121
ballots under this section. 5122

Sec. 3509.07. If election officials find that the statement 5123
accompanying an absent voter's ballot or absent voter's 5124
presidential ballot is insufficient, that the signatures do not 5125
correspond with the person's registration signature, that the 5126
applicant is not a qualified elector in the precinct, that the 5127
ballot envelope contains more than one ballot of any one kind, or 5128
any voted ballot that the elector is not entitled to vote, that 5129
Stub A is ~~detached from~~ not included in the envelope with the 5130
absent voter's ballot or absent voter's presidential ballot, or 5131
that the elector has not included with the elector's ballot any 5132
identification required under section 3509.05 or 3511.09 of the 5133
Revised Code, the vote shall not be accepted or counted. The vote 5134
of any absent voter may be challenged for cause in the same manner 5135
as other votes are challenged, and the election officials shall 5136
determine the legality of that ballot. Every ballot not counted 5137

shall be endorsed on its back "Not Counted" with the reasons the 5138
ballot was not counted, and shall be enclosed and returned to or 5139
retained by the board of elections along with the contested 5140
ballots. 5141

Sec. 3509.08. (A) Any qualified elector, who, on account of 5142
the elector's own personal illness, physical disability, or 5143
infirmity, or on account of the elector's confinement in a jail or 5144
workhouse under sentence for a misdemeanor or awaiting trial on a 5145
felony or misdemeanor, will be unable to travel from the elector's 5146
home or place of confinement to the voting booth in the elector's 5147
precinct on the day of any general, special, or primary election 5148
may make application in writing for an absent voter's ballot to 5149
~~the director of~~ the board of elections of the elector's county. 5150
The application shall include all of the information required 5151
under section 3509.03 of the Revised Code and shall state the 5152
nature of the elector's illness, physical disability, or 5153
infirmity, or the fact that the elector is confined in a jail or 5154
workhouse and the elector's resultant inability to travel to the 5155
election booth in the elector's precinct on election day. The 5156
application shall not be valid if it is delivered to the ~~director~~ 5157
board before the ninetieth day or after twelve noon of the third 5158
day before the day of the election at which the ballot is to be 5159
voted. 5160

The absent voter's ballot may be mailed directly to the 5161
applicant at the applicant's voting residence or place of 5162
confinement as stated in the applicant's application, or the board 5163
may designate two board employees belonging to the two major 5164
political parties for the purpose of delivering the ballot to the 5165
disabled or confined elector and returning it to the board, unless 5166
the applicant is confined to a public or private institution 5167
within the county, in which case the board shall designate two 5168
board employees belonging to the two major political parties for 5169

the purpose of delivering the ballot to the disabled or confined 5170
elector and returning it to the board. In all other instances, the 5171
ballot shall be returned to the office of the board in the manner 5172
prescribed in section 3509.05 of the Revised Code. 5173

Any disabled or confined elector who declares to the two 5174
board employees belonging to the two major political parties that 5175
the elector is unable to mark the elector's ballot by reason of 5176
physical infirmity that is apparent to the employees to be 5177
sufficient to incapacitate the voter from marking the elector's 5178
ballot properly, may receive, upon request, the assistance of the 5179
employees in marking the elector's ballot, and they shall 5180
thereafter give no information in regard to this matter. Such 5181
assistance shall not be rendered for any other cause. 5182

When two board employees belonging to the two major political 5183
parties deliver a ballot to a disabled or confined elector, each 5184
of the employees shall be present when the ballot is delivered, 5185
when assistance is given, and when the ballot is returned to the 5186
office of the board, and shall subscribe to the declaration on the 5187
identification envelope. 5188

The secretary of state shall prescribe the form of 5189
application for absent voter's ballots under this division. 5190

This chapter applies to disabled and confined absent voter's 5191
ballots except as otherwise provided in this section. 5192

(B)(1) Any qualified elector who is unable to travel to the 5193
voting booth in the elector's precinct on the day of any general, 5194
special, or primary election may apply to ~~the director of the~~ 5195
board of elections of the county where the elector is a qualified 5196
elector to vote in the election by absent voter's ballot if either 5197
of the following apply: 5198

(a) The elector is confined in a hospital as a result of an 5199
accident or unforeseeable medical emergency occurring before the 5200

election; 5201

(b) The elector's minor child is confined in a hospital as a 5202
result of an accident or unforeseeable medical emergency occurring 5203
before the election. 5204

(2) The application authorized under division (B)(1) of this 5205
section shall be made in writing, shall include all of the 5206
information required under section 3509.03 of the Revised Code, 5207
and shall be delivered to the ~~director~~ board not later than three 5208
p.m. on the day of the election. The application shall indicate 5209
the hospital where the applicant or the applicant's child is 5210
confined, the date of the applicant's or the applicant's child's 5211
admission to the hospital, and the offices for which the applicant 5212
is qualified to vote. The applicant may also request that a member 5213
of the applicant's family, as listed in section 3509.05 of the 5214
Revised Code, deliver the absent voter's ballot to the applicant. 5215
The ~~director~~ board, after establishing to the ~~director's~~ board's 5216
satisfaction the validity of the circumstances claimed by the 5217
applicant, shall supply an absent voter's ballot to be delivered 5218
to the applicant. When the applicant or the applicant's child is 5219
in a hospital in the county where the applicant is a qualified 5220
elector and no request is made for a member of the family to 5221
deliver the ballot, the ~~director~~ board shall arrange for the 5222
delivery of an absent voter's ballot to the applicant, and for its 5223
return to the office of the board, by two board employees 5224
belonging to the two major political parties according to the 5225
procedures prescribed in division (A) of this section. When the 5226
applicant or the applicant's child is in a hospital outside the 5227
county where the applicant is a qualified elector and no request 5228
is made for a member of the family to deliver the ballot, the 5229
~~director~~ board shall arrange for the delivery of an absent voter's 5230
ballot to the applicant by mail, and the ballot shall be returned 5231
to the office of the board in the manner prescribed in section 5232

3509.05 of the Revised Code. 5233

(3) Any qualified elector who is eligible to vote under 5234
division (B) or (C) of section 3503.16 of the Revised Code but is 5235
unable to do so because of the circumstances described in division 5236
(B)(2) of this section may vote in accordance with division (B)(1) 5237
of this section if that qualified elector states in the 5238
application for absent voter's ballots that that qualified elector 5239
moved or had a change of name under the circumstances described in 5240
division (B) or (C) of section 3503.16 of the Revised Code and if 5241
that qualified elector complies with divisions (G)(1) to (4) of 5242
section 3503.16 of the Revised Code. 5243

(C) Any qualified elector described in division (A) or (B)(1) 5244
of this section who needs no assistance to vote or to return 5245
absent voter's ballots to the board of elections may apply for 5246
absent voter's ballots under section 3509.03 of the Revised Code 5247
instead of applying for them under this section. 5248

Sec. 3509.09. (A) The poll list or signature pollbook for 5249
each precinct shall identify each registered elector in that 5250
precinct who has requested an absent voter's ballot for that 5251
election. 5252

(B)(1) If a registered elector appears to vote in that 5253
precinct and that elector has requested an absent voter's ballot 5254
for that election but the ~~director~~ board of elections has not 5255
received a sealed identification envelope purporting to contain 5256
that elector's voted absent voter's ballots for that election, the 5257
elector shall be permitted to cast a provisional ballot under 5258
section 3505.181 of the Revised Code in that precinct on the day 5259
of that election. 5260

(2) If a registered elector appears to vote in that precinct 5261
and that elector has requested an absent voter's ballot for that 5262
election and the ~~director~~ board has received a sealed 5263

identification envelope purporting to contain that elector's voted 5264
absent voter's ballots for that election, the elector shall be 5265
permitted to cast a provisional ballot under section 3505.181 of 5266
the Revised Code in that precinct on the day of that election. 5267

(C)(1) In counting absent voter's ballots under section 5268
3509.06 of the Revised Code, the board of elections shall compare 5269
the signature of each elector from whom the ~~director~~ board has 5270
received a sealed identification envelope purporting to contain 5271
that elector's voted absent voter's ballots for that election to 5272
the signature on that elector's registration form. Except as 5273
otherwise provided in division (C)(3) of this section, if the 5274
board of elections determines that the absent voter's ballot in 5275
the sealed identification envelope is valid, it shall be counted. 5276
If the board of elections determines that the signature on the 5277
sealed identification envelope purporting to contain the elector's 5278
voted absent voter's ballot does not match the signature on the 5279
elector's registration form, the ballot shall be set aside and the 5280
board shall examine, during the time prior to the beginning of the 5281
official canvass, the poll list or signature pollbook from the 5282
precinct in which the elector is registered to vote to determine 5283
if the elector also cast a provisional ballot under section 5284
3505.181 of the Revised Code in that precinct on the day of the 5285
election. 5286

(2) The board of elections shall count the provisional 5287
ballot, instead of the absent voter's ballot, if both of the 5288
following apply: 5289

(a) The board of elections determines that the signature of 5290
the elector on the outside of the identification envelope in which 5291
the absent voter's ballots are enclosed does not match the 5292
signature of the elector on the elector's registration form; 5293

(b) The elector cast a provisional ballot in the precinct on 5294
the day of the election. 5295

(3) If the board of elections does not receive the sealed 5296
identification envelope purporting to contain the elector's voted 5297
absent voter's ballot by the applicable deadline established under 5298
section 3509.05 of the Revised Code, the provisional ballot cast 5299
under section 3505.181 of the Revised Code in that precinct on the 5300
day of the election shall be counted as valid, if that provisional 5301
ballot is otherwise determined to be valid pursuant to section 5302
3505.183 of the Revised Code. 5303

(D) If the board of elections counts a provisional ballot 5304
under division (C)(2) or (3) of this section, the returned 5305
identification envelope of that elector shall not be opened, and 5306
the ballot within that envelope shall not be counted. The 5307
identification envelope shall be endorsed "Not Counted" with the 5308
reason the ballot was not counted. 5309

Sec. 3511.02. Notwithstanding any section of the Revised Code 5310
to the contrary, whenever any person applies for registration as a 5311
voter on a form adopted in accordance with federal regulations 5312
relating to the "Uniformed and Overseas Citizens Absentee Voting 5313
Act," 100 Stat. 924, 42 U.S.C.A. 1973ff (1986), this application 5314
shall be sufficient for voter registration and as a request for an 5315
absent voter's ballot. Uniformed services or overseas absent 5316
voter's ballots may be obtained by any person meeting the 5317
requirements of section 3511.01 of the Revised Code by applying 5318
electronically to the secretary of state or to the board of 5319
elections of the county in which the person's voting residence is 5320
located in accordance with section 3511.021 of the Revised Code or 5321
by applying to ~~the director of~~ the board of elections of the 5322
county in which the person's voting residence is located, in one 5323
of the following ways: 5324

(A) That person may make written application for those 5325
ballots. The person may personally deliver the application to the 5326

~~director board~~ or may mail it, send it by facsimile machine, or 5327
otherwise send it to the ~~director board~~. The application need not 5328
be in any particular form but shall contain all of the following 5329
information: 5330

- (1) The elector's name; 5331
- (2) The elector's signature; 5332
- (3) The address at which the elector is registered to vote; 5333
- (4) The elector's date of birth; 5334
- (5) One of the following: 5335
 - (a) The elector's driver's license number; 5336
 - (b) The last four digits of the elector's social security 5337
number; 5338
 - (c) A copy of the elector's current and valid photo 5339
identification, a copy of a military identification, or a copy of 5340
a current utility bill, bank statement, government check, 5341
paycheck, or other government document, other than ~~a notice of an~~ 5342
~~election mailed by a board of elections under section 3501.19 of~~ 5343
~~the Revised Code or~~ a notice of voter registration mailed by a 5344
board of elections under section 3503.19 of the Revised Code, that 5345
shows the name and address of the elector. 5346
- (6) A statement identifying the election for which absent 5347
voter's ballots are requested; 5348
- (7) A statement that the person requesting the ballots is a 5349
qualified elector; 5350
- (8) A statement that the elector is an absent uniformed 5351
services voter or overseas voter as defined in 42 U.S.C. 1973ff-6; 5352
- (9) A statement of the elector's length of residence in the 5353
state immediately preceding the commencement of service, 5354
immediately preceding the date of leaving to be with or near the 5355

service member, or immediately preceding leaving the United States, whichever is applicable;

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

(11) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed;

(12) If the elector desires ballots to be sent to the elector by facsimile machine, the telephone number to which they shall be so sent.

(B) A voter or any relative of a voter listed in division (C) of this section may use a single federal post card application to apply for uniformed services or overseas absent voter's ballots for use at the primary and general elections in a given year and any special election to be held on the day in that year specified by division (E) of section 3501.01 of the Revised Code for the holding of a primary election, designated by the general assembly for the purpose of submitting constitutional amendments proposed by the general assembly to the voters of the state. A single federal postcard application shall be processed by the board of elections pursuant to section 3511.04 of the Revised Code the same as if the voter had applied separately for uniformed services or overseas absent voter's ballots for each election.

(C) Application to have uniformed services or overseas absent voter's ballots mailed or sent by facsimile machine to such a person may be made by the spouse, 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 such a person. The application shall be in writing upon a blank form furnished only by the ~~director~~ board of elections or on a single federal post card as provided in division (B) of this

section. The form of the application shall be prescribed by the 5387
secretary of state. The ~~director~~ board shall furnish that blank 5388
form to any of the relatives specified in this division desiring 5389
to make the application, only upon the request of such a relative 5390
made in person at the office of the board or upon the written 5391
request of such a relative mailed to the office of the board. The 5392
application, subscribed and sworn to by the applicant, shall 5393
contain all of the following: 5394

(1) The full name of the elector for whom ballots are 5395
requested; 5396

(2) A statement that the elector is an absent uniformed 5397
services voter or overseas voter as defined in 42 U.S.C. 1973ff-6; 5398

(3) The address at which the elector is registered to vote; 5399

(4) A statement identifying the elector's length of residence 5400
in the state immediately preceding the commencement of service, 5401
immediately preceding the date of leaving to be with or near a 5402
service member, or immediately preceding leaving the United 5403
States, as the case may be; 5404

(5) The elector's date of birth; 5405

(6) One of the following: 5406

(a) The elector's driver's license number; 5407

(b) The last four digits of the elector's social security 5408
number; 5409

(c) A copy of the elector's current and valid photo 5410
identification, a copy of a military identification, or a copy of 5411
a current utility bill, bank statement, government check, 5412
paycheck, or other government document, other than ~~a notice of an~~ 5413
~~election mailed by a board of elections under section 3501.19 of~~ 5414
~~the Revised Code or~~ a notice of voter registration mailed by a 5415
board of elections under section 3503.19 of the Revised Code, that 5416

shows the name and address of the elector. 5417

(7) A statement identifying the election for which absent voter's ballots are requested; 5418
5419

(8) A statement that the person requesting the ballots is a qualified elector; 5420
5421

(9) If the request is for primary election ballots, the elector's party affiliation; 5422
5423

(10) A statement that the applicant bears a relationship to the elector as specified in division (C) of this section; 5424
5425

(11) The address to which ballots shall be mailed or the telephone number to which ballots shall be sent by facsimile machine; 5426
5427
5428

(12) The signature and address of the person making the application. 5429
5430

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. 5431
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(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 5442
5443
5444
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presidential and vice-presidential electors and for no other 5447
offices. 5448

Sec. 3511.04. (A) If a ~~director~~ of a board of elections 5449
receives an application for uniformed services or overseas absent 5450
voter's ballots that does not contain all of the required 5451
information, the ~~director~~ board promptly shall notify the 5452
applicant of the additional information required to be provided by 5453
the applicant to complete that application. 5454

(B) Not later than the forty-fifth day before the day of each 5455
general or primary election, and at the earliest possible time 5456
before the day of a special election held on a day other than the 5457
day on which a general or primary election is held, ~~the director~~ 5458
~~of~~ the board of elections shall mail, send by facsimile machine, 5459
or otherwise send uniformed services or overseas absent voter's 5460
ballots then ready for use as provided for in section 3511.03 of 5461
the Revised Code and for which the ~~director~~ board has received 5462
valid applications prior to that time. Thereafter, and until 5463
twelve noon of the third day preceding the day of election, the 5464
~~director~~ board shall promptly, upon receipt of valid applications 5465
for them, mail, send by facsimile machine, or otherwise send to 5466
the proper persons all uniformed services or overseas absent 5467
voter's ballots then ready for use. 5468

If, after the seventieth day before the day of a general or 5469
primary election, any other question, issue, or candidacy is 5470
lawfully ordered submitted to the electors voting at the general 5471
or primary election, the board shall promptly provide a separate 5472
official issue, special election, or other election ballot for 5473
submitting the question, issue, or candidacy to those electors, 5474
and ~~the director~~ shall promptly mail or send by facsimile machine 5475
each such separate ballot to each person to whom the ~~director~~ 5476
board has previously mailed or sent by facsimile machine other 5477

uniformed services or overseas absent voter's ballots. 5478

In mailing uniformed services or overseas absent voter's 5479
ballots, the ~~director~~ board shall use the fastest mail service 5480
available, but the ~~director~~ board shall not mail them by certified 5481
mail. 5482

Sec. 3511.05. (A) The ~~director of the~~ board of elections 5483
shall place uniformed services or overseas absent voter's ballots 5484
sent by mail in an unsealed identification envelope, gummed ready 5485
for sealing. The ~~director~~ board shall include with uniformed 5486
services or overseas absent voter's ballots sent electronically, 5487
including by facsimile machine, an instruction sheet for preparing 5488
a gummed envelope in which the ballots shall be returned. The 5489
envelope for returning ballots sent by either means shall have 5490
printed or written on its face a form substantially as follows: 5491

"Identification Envelope Statement of Voter 5492

I,(Name of voter), declare under 5493
penalty of election falsification that the within ballot or 5494
ballots contained no voting marks of any kind when I received 5495
them, and I caused the ballot or ballots to be marked, enclosed in 5496
the identification envelope, and sealed in that envelope. 5497

My voting residence in Ohio is 5498

..... 5499

(Street and Number, if any, or Rural Route and Number) 5500

of (City, Village, or Township) 5501

Ohio, which is in Ward Precinct 5502

in that city, village, or township. 5503

The primary election ballots, if any, within this envelope 5504
are primary election ballots of the Party. 5505

Ballots contained within this envelope are to be voted at the 5506

..... (general, special, or primary) election to be held on 5507

the day of, 5508

My date of birth is (Month and Day), 5509
..... (Year). 5510

(Voter must provide one of the following:) 5511

My driver's license number is (Driver's 5512
license number). 5513

The last four digits of my Social Security Number are 5514
..... (Last four digits of Social Security Number). 5515

..... In lieu of providing a driver's license number or the 5516
last four digits of my Social Security Number, I am enclosing a 5517
copy of one of the following in the return envelope in which this 5518
identification envelope will be mailed: a current and valid photo 5519
identification, a military identification, or a current utility 5520
bill, bank statement, government check, paycheck, or other 5521
government document, other than ~~a notice of an election mailed by~~ 5522
~~a board of elections under section 3501.19 of the Revised Code or~~ 5523
a notice of voter registration mailed by a board of elections, 5524
that shows my name and address. 5525

I hereby declare, under penalty of election falsification, 5526
that the statements above are true, as I verily believe. 5527

..... 5528
(Signature of Voter) 5529

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 5530
THE FIFTH DEGREE." 5531

(B) The ~~director~~ board shall also mail with the ballots and 5532
the unsealed identification envelope sent by mail an unsealed 5533
return envelope, gummed, ready for sealing, for use by the voter 5534
in returning the voter's marked ballots to the ~~director~~ board. The 5535
~~director~~ board shall send with the ballots and the instruction 5536
sheet for preparing a gummed envelope sent electronically, 5537

including by facsimile machine, an instruction sheet for preparing 5538
a second gummed envelope as described in this division, for use by 5539
the voter in returning that voter's marked ballots to the ~~director~~ 5540
board. The return envelope shall have two parallel lines, each one 5541
quarter of an inch in width, printed across its face paralleling 5542
the top, with an intervening space of one quarter of an inch 5543
between such lines. The top line shall be one and one-quarter 5544
inches from the top of the envelope. Between the parallel lines 5545
shall be printed: "OFFICIAL ELECTION UNIFORMED SERVICES OR 5546
OVERSEAS ABSENT VOTER'S BALLOTS -- VIA AIR MAIL." Three blank 5547
lines shall be printed in the upper left corner on the face of the 5548
envelope for the use by the voter in placing the voter's complete 5549
military, naval, or mailing address on these lines, and beneath 5550
these lines there shall be printed a box beside the words "check 5551
if out-of-country." The voter shall check this box if the voter 5552
will be outside the United States on the day of the election. The 5553
official title and the post-office address of the ~~director~~ board 5554
to ~~whom~~ which the envelope shall be returned shall be printed on 5555
the face of such envelope in the lower right portion below the 5556
bottom parallel line. 5557

(C) On the back of each identification envelope and each 5558
return envelope shall be printed the following: 5559

"Instructions to voter: 5560

If the flap on this envelope is so firmly stuck to the back 5561
of the envelope when received by you as to require forcible 5562
opening in order to use it, open the envelope in the manner least 5563
injurious to it, and, after marking your ballots and enclosing 5564
same in the envelope for mailing them to ~~the director~~ of the board 5565
of elections, reclose the envelope in the most practicable way, by 5566
sealing or otherwise, and sign the blank form printed below. 5567

The flap on this envelope was firmly stuck to the back of the 5568
envelope when received, and required forced opening before sealing 5569

and mailing. 5570

..... 5571

(Signature of voter)" 5572

(D) Division (C) of this section does not apply when absent 5573

voter's ballots are sent electronically, including by facsimile 5574

machine. 5575

Sec. 3511.06. The return envelope provided for in section 5576

3511.05 of the Revised Code shall be of such size that the 5577

identification envelope can be conveniently placed within it for 5578

returning the identification envelope to the ~~director~~ board of 5579

elections. The envelope in which the two envelopes and the 5580

uniformed services or overseas absent voter's ballots are mailed 5581

to the elector shall have two parallel lines, each one quarter of 5582

an inch in width, printed across its face, paralleling the top, 5583

with an intervening space of one-quarter of an inch between such 5584

lines. The top line shall be one and one-quarter inches from the 5585

top of the envelope. Between the parallel lines shall be printed: 5586

"official uniformed services or overseas absent voter's balloting 5587

material--via air mail." The appropriate return address of ~~the~~ 5588

~~director~~ of the board of elections shall be printed in the upper 5589

left corner on the face of such envelope. Several blank lines 5590

shall be printed on the face of such envelope in the lower right 5591

portion, below the bottom parallel line, for writing in the name 5592

and address of the elector to whom such envelope is mailed. 5593

Sec. 3511.07. When mailing unsealed identification envelopes 5594

and unsealed return envelopes to persons, the ~~director of the~~ 5595

board of elections shall insert a sheet of waxed paper or other 5596

appropriate insert between the gummed flap and the back of each of 5597

such envelopes to minimize the possibility that the flap may 5598

become firmly stuck to the back of the envelope by reason of 5599

moisture, humid atmosphere, or other conditions to which they may 5600

be subjected. If the flap on either of such envelopes should be so 5601
firmly stuck to the back of the envelope when it is received by 5602
the voter as to require forcible opening of the envelope in order 5603
to use it, the voter shall open such envelope in the manner least 5604
injurious to it, and, after marking ~~his~~ the voter's ballots and 5605
enclosing them in the envelope for mailing to the ~~director~~ board, 5606
~~he~~ the voter shall reclose such envelope in the most practicable 5607
way, by sealing it or otherwise, and shall sign the blank form 5608
printed on the back of such envelope. 5609

Sec. 3511.08. The ~~director of the~~ board of elections shall 5610
keep a record of the name and address of each person to whom the 5611
~~director~~ board mails or delivers uniformed services or overseas 5612
absent voter's ballots, the kinds of ballots so mailed or 5613
delivered, and the name and address of the person who made the 5614
application for such ballots. After the ~~director~~ board has mailed 5615
or delivered such ballots, the ~~director~~ board shall not mail or 5616
deliver additional ballots of the same kind to such person 5617
pursuant to a subsequent request unless such subsequent request 5618
contains the statement that an earlier request had been sent to 5619
the ~~director~~ board prior to the thirtieth day before the election 5620
and that the uniformed services or overseas absent voter's ballots 5621
so requested had not been received by such person prior to the 5622
fifteenth day before the election, and provided that the ~~director~~ 5623
board has not received an identification envelope purporting to 5624
contain marked uniformed services or overseas absent voter's 5625
ballots from such person. 5626

Sec. 3511.09. Upon receiving uniformed services or overseas 5627
absent voter's ballots, the elector shall cause the questions on 5628
the face of the identification envelope to be answered, and, by 5629
writing the elector's usual signature in the proper place on the 5630
identification envelope, the elector shall declare under penalty 5631

of election falsification that the answers to those questions are 5632
true and correct to the best of the elector's knowledge and 5633
belief. Then, the elector shall note whether there are any voting 5634
marks on the ballot. If there are any voting marks, the ballot 5635
shall be returned immediately to the board of elections; 5636
otherwise, the elector shall cause the ballot to be marked, folded 5637
separately so as to conceal the markings on it, deposited in the 5638
identification envelope, and securely sealed in the identification 5639
envelope. The elector then shall cause the identification envelope 5640
to be placed within the return envelope, sealed in the return 5641
envelope, and mailed to ~~the director of~~ the board of elections to 5642
whom it is addressed, postage prepaid. If the elector does not 5643
provide the elector's driver's license number or the last four 5644
digits of the elector's social security number on the statement of 5645
voter on the identification envelope, the elector also shall 5646
include in the return envelope with the identification envelope a 5647
copy of the elector's current valid photo identification, a copy 5648
of a military identification, or a copy of a current utility bill, 5649
bank statement, government check, paycheck, or other government 5650
document, other than ~~a notice of an election mailed by a board of~~ 5651
~~elections under section 3501.19 of the Revised Code or a notice of~~ 5652
voter registration mailed by a board of elections under section 5653
3503.19 of the Revised Code, that shows the name and address of 5654
the elector. Each elector who will be outside the United States on 5655
the day of the election shall check the box on the return envelope 5656
indicating this fact and shall mail the return envelope to the 5657
~~director~~ board prior to the close of the polls on election day. 5658

Every uniformed services or overseas absent voter's ballot 5659
identification envelope shall be accompanied by the following 5660
statement in boldface capital letters: WHOEVER COMMITS ELECTION 5661
FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. 5662

Sec. 3511.10. If, ~~after the thirty fifth day and~~ during the 5663

~~time that absent voter's ballots may be cast in person before the~~ 5664
~~close of the polls on the day of a general or primary an~~ election, 5665
a valid application for uniformed services or overseas absent 5666
voter's ballots is delivered to ~~the director of the~~ office of the 5667
board of elections ~~at the office of the board~~ by a person making 5668
the application on the person's own behalf, the ~~director~~ board 5669
shall forthwith deliver to the person all uniformed services or 5670
overseas absent voter's ballots then ready for use, together with 5671
an identification envelope. The person shall then immediately 5672
retire to a voting booth in the office of the board, and mark the 5673
ballots. The person shall then fold each ballot separately so as 5674
to conceal the person's markings thereon, and deposit all of the 5675
ballots in the identification envelope and securely seal it. 5676
Thereupon the person shall fill in answers to the questions on the 5677
face of the identification envelope, and by writing the person's 5678
usual signature in the proper place thereon, the person shall 5679
declare under penalty of election falsification that the answers 5680
to those questions are true and correct to the best of that 5681
person's knowledge and belief. The person shall then deliver the 5682
identification envelope to the ~~director~~ board. If thereafter, and 5683
before the third day preceding such election, the board provides 5684
additional separate official issue or special election ballots, as 5685
provided for in section 3511.04 of the Revised Code, the ~~director~~ 5686
board shall promptly, and not later than twelve noon of the third 5687
day preceding the day of election, mail such additional ballots to 5688
such person at the address specified by that person for that 5689
purpose. 5690

In the event any person serving in the armed forces of the 5691
United States is discharged after the closing date of 5692
registration, and that person or that person's spouse, or both, 5693
meets all the other qualifications set forth in section 3511.01 of 5694
the Revised Code, the person or spouse shall be permitted to vote 5695
prior to the date of the election in the office of the board in 5696

the person's or spouse's county, as set forth in this section. 5697

Sec. 3511.11. (A) Upon receipt of any return envelope bearing 5698
the designation "Official Election Uniformed Services or Overseas 5699
Absent Voter's Ballot" prior to the eleventh day after the day of 5700
any election, ~~the director of~~ the board of elections shall open it 5701
but shall not open the identification envelope contained in it. 5702
If, upon so opening the return envelope, the ~~director~~ board finds 5703
ballots in it that are not enclosed in and properly sealed in the 5704
identification envelope, the ~~director~~ board shall not look at the 5705
markings upon the ballots and shall promptly place them in the 5706
identification envelope and promptly seal it. If, upon so opening 5707
the return envelope, the ~~director~~ board finds that ballots are 5708
enclosed in the identification envelope but that it is not 5709
properly sealed, the ~~director~~ board shall not look at the markings 5710
upon the ballots and shall promptly seal the identification 5711
envelope. 5712

(B) Uniformed services or overseas absent voter's ballots 5713
delivered to the ~~director~~ board not later than the close of the 5714
polls on election day shall be counted in the manner provided in 5715
section 3509.06 of the Revised Code. 5716

(C) A return envelope that indicates that the voter will be 5717
outside of the United States on the day of an election is not 5718
required to be postmarked in order for a uniformed services or 5719
overseas absent voter's ballot contained in it to be valid. Except 5720
as otherwise provided in this division, whether or not the return 5721
envelope containing the ballot is postmarked or contains an 5722
illegible postmark, a uniformed services or overseas absent 5723
voter's ballot that is received after the close of the polls on 5724
election day through the tenth day after the election day and that 5725
is delivered in a return envelope that indicates that the voter 5726
will be outside the United States on the day of the election shall 5727

be counted on the eleventh day after the election day at the 5728
office of the board of elections in the manner provided in 5729
divisions (C) and (D) of section 3509.06 of the Revised Code. 5730
However, if a return envelope containing a uniformed services or 5731
overseas absent voter's ballot is so received and so indicates, 5732
but it is postmarked, or the identification envelope in it is 5733
signed, after the close of the polls on election day, the 5734
uniformed services or overseas absent voter's ballot shall not be 5735
counted. 5736

(D)(1) Except as otherwise provided in division (D)(2) of 5737
this section, any return envelope containing a uniformed services 5738
or overseas absent voter's ballot that is postmarked within the 5739
United States prior to the day of the election shall be delivered 5740
to the ~~director~~ board prior to the eleventh day after the 5741
election. Uniformed services or overseas absent voter's ballots 5742
delivered in envelopes postmarked prior to the day of the election 5743
that are received after the close of the polls on election day 5744
through the tenth day thereafter shall be counted on the eleventh 5745
day at the board of elections in the manner provided in divisions 5746
(C) and (D) of section 3509.06 of the Revised Code. Any such 5747
ballots that are received by the ~~director~~ board later than the 5748
tenth day following the election shall not be counted, but shall 5749
be kept by the board in the sealed identification envelopes as 5750
provided in division (A) of this section. 5751

(2) Division (D)(1) of this section shall not apply to any 5752
mail that is postmarked using a postage evidencing system, 5753
including a postage meter, as defined in 39 C.F.R. 501.1. 5754

(E) The following types of uniformed services or overseas 5755
absent voter's ballots shall not be counted: 5756

(1) Uniformed services or overseas absent voter's ballots 5757
contained in return envelopes that bear the designation "Official 5758
Election Uniformed Services or Overseas Absent Voter's Ballots," 5759

that are received by the ~~director~~ board after the close of the 5760
polls on the day of the election, and that either are postmarked, 5761
or contain an identification envelope that is signed, on or after 5762
election day; 5763

(2) Uniformed services or overseas absent voter's ballots 5764
contained in return envelopes that bear that designation, that do 5765
not indicate they are from voters who will be outside the United 5766
States on the day of the election, and that are received after the 5767
tenth day following the election; 5768

(3) Uniformed services or overseas absent voter's ballots 5769
contained in return envelopes that bear that designation, that are 5770
received by the ~~director~~ board within ten days after the day of 5771
the election, and that were postmarked before the day of the 5772
election using a postage evidencing system, including a postage 5773
meter, as defined in 39 C.F.R. 501.1. 5774

The uncounted ballots shall be preserved in their 5775
identification envelopes unopened until the time provided by 5776
section 3505.31 of the Revised Code for the destruction of all 5777
other ballots used at the election for which ballots were 5778
provided, at which time they shall be destroyed. 5779

Sec. 3511.13. (A) The poll list or signature pollbook for 5780
each precinct shall identify each registered elector in that 5781
precinct who has requested a uniformed services or overseas absent 5782
voter's ballot for that election. 5783

(B)(1) If a registered elector appears to vote in that 5784
precinct and that elector has requested a uniformed services or 5785
overseas absent voter's ballot for that election but the ~~director~~ 5786
board of elections has not received a sealed identification 5787
envelope purporting to contain that elector's voted uniformed 5788
services or overseas absent voter's ballots for that election, the 5789
elector shall be permitted to cast a provisional ballot under 5790

section 3505.181 of the Revised Code in that precinct on the day 5791
of that election. 5792

(2) If a registered elector appears to vote in that precinct 5793
and that elector has requested a uniformed services or overseas 5794
absent voter's ballot for that election and the ~~director~~ board has 5795
received a sealed identification envelope purporting to contain 5796
that elector's voted uniformed services or overseas absent voter's 5797
ballots for that election, the elector shall be permitted to cast 5798
a provisional ballot under section 3505.181 of the Revised Code in 5799
that precinct on the day of that election. 5800

(C)(1) In counting uniformed services or overseas absent 5801
voter's ballots under section 3511.11 of the Revised Code, the 5802
board of elections shall compare the signature of each elector 5803
from whom the ~~director~~ board has received a sealed identification 5804
envelope purporting to contain that elector's voted uniformed 5805
services or overseas absent voter's ballots for that election to 5806
the signature on the elector's registration form. Except as 5807
otherwise provided in division (C)(3) of this section, if the 5808
board of elections determines that the uniformed services or 5809
overseas absent voter's ballot in the sealed identification 5810
envelope is valid, it shall be counted. If the board of elections 5811
determines that the signature on the sealed identification 5812
envelope purporting to contain the elector's voted uniformed 5813
services or overseas absent voter's ballot does not match the 5814
signature on the elector's registration form, the ballot shall be 5815
set aside and the board shall examine, during the time prior to 5816
the beginning of the official canvass, the poll list or signature 5817
pollbook from the precinct in which the elector is registered to 5818
vote to determine if the elector also cast a provisional ballot 5819
under section 3505.181 of the Revised Code in that precinct on the 5820
day of the election. 5821

(2) The board of elections shall count the provisional 5822

ballot, instead of the uniformed services or overseas absent voter's ballot, of an elector from whom the ~~director~~ board has received an identification envelope purporting to contain that elector's voted uniformed services or overseas absent voter's ballots, if both of the following apply:

(a) The board of elections determines that the signature of the elector on the outside of the identification envelope in which the uniformed services or overseas absent voter's ballots are enclosed does not match the signature of the elector on the elector's registration form;

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

(3) If the board of elections does not receive the sealed identification envelope purporting to contain the elector's voted uniformed services or overseas absent voter's ballot by the applicable deadline established under section 3511.11 of the Revised Code, the provisional ballot cast under section 3505.181 of the Revised Code in that precinct on the day of the election shall be counted as valid, if that provisional ballot is otherwise determined to be valid pursuant to section 3505.183 of the Revised Code.

(D) If the board of elections counts a provisional ballot under division (C)(2) or (3) of this section, the returned identification envelope of that elector shall not be opened, and the ballot within that envelope shall not be counted. The identification envelope shall be endorsed "Not Counted" with the reason the ballot was not counted.

Sec. 3511.14. A board of elections shall accept and process federal write-in ballots for all federal, state, and local elections conducted in any year as required under "The Uniformed and Overseas Citizens Absentee Voting Act," Pub. L. No. 99-410,

100 Stat. 924, 42 U.S.C. 1973ff, et seq., as amended. 5854

Sec. 3513.02. If, in any odd-numbered year, no ~~valid~~ 5855
~~declaration of candidacy is filed~~ candidate is certified to appear 5856
on the ballot for nomination as a candidate of a political party 5857
for election to any of the offices to be voted for at the general 5858
election to be held in such year, or if the number of persons 5859
~~filing such declarations of candidacy~~ certified as candidates to 5860
appear on the ballot for ~~nominations~~ nomination as candidates of 5861
one political party for election to such offices does not exceed, 5862
as to any such office, the number of candidates which such 5863
political party is entitled to nominate as its candidates for 5864
election to such office, then no primary election shall be held 5865
for the purpose of nominating party candidates of such party for 5866
election to offices to be voted for at such general election and 5867
no primary ballots shall be provided for such party. If, however, 5868
the only office for which there are more ~~valid declarations of~~ 5869
~~candidacy filed~~ candidates certified to appear on the ballot than 5870
the number to be nominated by a political party, is the office of 5871
councilperson in a ward, a primary election shall be held for such 5872
party only in the ward or wards in which there is a contest, and 5873
only the names of the candidates for the office of councilperson 5874
in such ward shall appear on the primary ballot of such political 5875
party. 5876

The election officials whose duty it would have been to 5877
provide for and conduct the holding of such primary election, 5878
declare the results thereof, and issue certificates of nomination 5879
to the persons entitled thereto if such primary election had been 5880
held shall declare each of such persons to be nominated as of the 5881
date of the ninetieth day before the primary election, issue 5882
appropriate certificates of nomination to each of them, and 5883
certify their names to the proper election officials, in order 5884
that their names may be printed on the official ballots provided 5885

for use in the succeeding general election in the same manner as 5886
though such primary election had been held and such persons had 5887
been nominated at such election. 5888

Sec. 3513.12. At a presidential primary election, ~~which shall~~ 5889
~~be held on the first Tuesday after the first Monday in March in~~ 5890
~~the year 2000, and similarly in every fourth year thereafter,~~ 5891
delegates and alternates to the national conventions of the 5892
different major political parties shall be chosen by direct vote 5893
of the electors as provided in this chapter. Candidates for 5894
delegate and alternate shall be qualified and the election shall 5895
be conducted in the manner prescribed in this chapter for the 5896
nomination of candidates for state and district offices, except as 5897
provided in section 3513.151 of the Revised Code and except that 5898
whenever any group of candidates for delegate at large or 5899
alternate at large, or any group of candidates for delegates or 5900
alternates from districts, file with the secretary of state 5901
statements as provided by this section, designating the same 5902
persons as their first and second choices for president of the 5903
United States, such a group of candidates may submit a group 5904
petition containing a declaration of candidacy for each of such 5905
candidates. The group petition need be signed only by the number 5906
of electors required for the petition of a single candidate. No 5907
group petition shall be submitted except by a group of candidates 5908
equal in number to the whole number of delegates at large or 5909
alternates at large to be elected or equal in number to the whole 5910
number of delegates or alternates from a district to be elected. 5911

Each person seeking to be elected as delegate or alternate to 5912
the national convention of the person's political party shall file 5913
with the person's declaration of candidacy and certificate a 5914
statement in writing signed by the person in which the person 5915
shall state the person's first and second choices for nomination 5916
as the candidate of the person's party for the presidency of the 5917

United States. The secretary of state shall not permit any 5918
declaration of candidacy and certificate of a candidate for 5919
election as such delegate or alternate to be filed unless 5920
accompanied by such statement in writing. The name of a candidate 5921
for the presidency shall not be so used without the candidate's 5922
written consent. 5923

A person who is a first choice for president of candidates 5924
seeking election as delegates and alternates shall file with the 5925
secretary of state, prior to the day of the election, a list 5926
indicating the order in which certificates of election are to be 5927
issued to delegate or alternate candidates to whose candidacy the 5928
person has consented, if fewer than all of such candidates are 5929
entitled under party rules to be certified as elected. Each 5930
candidate for election as such delegate or alternate may also file 5931
along with the candidate's declaration of candidacy and 5932
certificate a statement in writing signed by the candidate in the 5933
following form: 5934

"Statement of Candidate 5935

For Election as (Delegate) (Alternate) to the 5936
..... (name of political party) National Convention 5937

I hereby declare to the voters of my political party in the 5938
State of Ohio that, if elected as (delegate) 5939
(alternate) to their national party convention, I shall, to the 5940
best of my judgment and ability, support that candidate for 5941
President of the United States who shall have been selected at 5942
this primary by the voters of my party in the manner provided in 5943
Chapter 3513. of the Ohio Revised Code, as their candidate for 5944
such office. 5945

..... (name) 5946

Candidate for 5947

(Delegate) (Alternate)" 5948

The procedures for the selection of candidates for delegate 5949

and alternate to the national convention of a political party set 5950
forth in this section and in section 3513.121 of the Revised Code 5951
are alternative procedures, and if the procedures of this section 5952
are followed, the procedures of section 3513.121 of the Revised 5953
Code need not be followed. 5954

Sec. 3513.131. In the event two or more persons with 5955
identical surnames run for the same office in a primary election 5956
on the same ballot, the names of the candidates shall be 5957
differentiated on the ballot by varying combinations of first and 5958
middle names and initials. Within twenty-four hours after the 5959
final date for filing declarations of candidacy or petitions for 5960
candidacy, the director of the board of elections for local, 5961
municipal, county, general, or special elections, or the director 5962
of the board of elections of the most populous county for 5963
district, general, or special elections, or the secretary of state 5964
for state-wide general and special elections shall notify the 5965
persons with identical given names and surnames that the names of 5966
such persons will be differentiated on the ballot. If one of the 5967
candidates is an incumbent who is a candidate to succeed ~~himself~~ 5968
self for the office ~~he~~ the incumbent occupies, ~~he~~ the incumbent 5969
shall have first choice of the name by which ~~he~~ the incumbent is 5970
designated on the ballot. If an incumbent does not make a choice 5971
within two days after notification or if none of the candidates is 5972
an incumbent, the board of elections within three days after 5973
notification shall designate the names by which the candidates are 5974
identified on the ballot. In case of a district candidate the 5975
board of elections in the most populous county shall make the 5976
determination. In case of state-wide candidates, or in the case 5977
any board of elections fails to make a designation within three 5978
days after notification, the secretary of state shall immediately 5979
make the determination. 5980

"Notification" as required by this section shall be by the 5981

director of the board of elections or secretary of state by 5982
~~special delivery or telegram~~ certified mail at the candidate's 5983
address listed in ~~his~~ the candidate's declaration or petition of 5984
candidacy. 5985

Sec. 3513.18. Party primaries shall be held at the same place 5986
and time, but there shall be separate pollbooks, and tally sheets, 5987
~~and ballot boxes~~ provided at each polling place for each party 5988
participating in the election, ~~and the ballot of each voter shall~~ 5989
~~be placed in the ballot box of the party with which he is~~ 5990
affiliated. ~~Each ballot box shall be plainly marked with the name~~ 5991
~~of the political party whose ballots are to be placed therein, by~~ 5992
~~letters pasted or printed thereon or by a card attached thereto,~~ 5993
~~or both, and so placed that the designation may be easily seen and~~ 5994
~~read by the voter.~~ 5995

If a special election on a question or issue is held on the 5996
day of a primary election, there shall be provided in the 5997
pollbooks pages on which shall be recorded the names of all 5998
electors voting on said question or issue and not voting in such 5999
primary. It shall not be necessary for electors desiring to vote 6000
only on the question or issue to declare their political 6001
affiliation. 6002

Sec. 3513.19. (A) It is the duty of any ~~judge of elections~~ 6003
precinct election official, whenever any ~~judge of elections~~ such 6004
official doubts that a person attempting to vote at a primary 6005
election is legally entitled to vote at that election, to 6006
challenge the right of that person to vote. The right of a person 6007
to vote at a primary election may be challenged upon the following 6008
grounds: 6009

(1) That the person whose right to vote is challenged is not 6010
a legally qualified elector; 6011

(2) That the person has received or has been promised some 6012
valuable reward or consideration for the person's vote; 6013

(3) That the person is not affiliated with or is not a member 6014
of the political party whose ballot the person desires to vote. 6015
Such party affiliation shall be determined by examining the 6016
elector's voting record for the current year and the immediately 6017
preceding two calendar years as shown on the voter's registration 6018
card, using the standards of affiliation specified in the seventh 6019
paragraph of section 3513.05 of the Revised Code. Division (A)(3) 6020
of this section and the seventh paragraph of section 3513.05 of 6021
the Revised Code do not prohibit a person who holds an elective 6022
office for which candidates are nominated at a party primary 6023
election from doing any of the following: 6024

(a) If the person voted as a member of a different political 6025
party at any primary election within the current year and the 6026
immediately preceding two calendar years, being a candidate for 6027
nomination at a party primary held during the times specified in 6028
division (C)(2) of section 3513.191 of the Revised Code provided 6029
that the person complies with the requirements of that section; 6030

(b) Circulating the person's own petition of candidacy for 6031
party nomination in the primary election. 6032

(B) When the right of a person to vote is challenged upon the 6033
ground set forth in division (A)(3) of this section, membership in 6034
or political affiliation with a political party shall be 6035
determined by the person's statement, made under penalty of 6036
election falsification, that the person desires to be affiliated 6037
with and supports the principles of the political party whose 6038
primary ballot the person desires to vote. 6039

Sec. 3513.21. At the close of the polls in a primary 6040
election, the ~~judges of~~ precinct election officials shall proceed 6041
without delay to canvass the vote, sign and seal it, and make 6042

returns thereof to the board of elections forthwith on the forms 6043
to be provided by the board. The provisions of Title XXXV of the 6044
Revised Code relating to the accounting for and return of all 6045
ballots at general elections apply to primary ballots. 6046

If there is any disagreement as to how a ballot should be 6047
counted it shall be submitted to all of the ~~judges~~ precinct 6048
election officials. If three of the ~~judges~~ precinct election 6049
officials do not agree as to how any part of the ballot shall be 6050
counted, that part of such ballot which three of the ~~judges~~ 6051
officials do agree shall be counted and a notation made upon the 6052
ballot indicating what part has not been counted, and shall be 6053
placed in an envelope provided for that purpose, marked "Disputed 6054
Ballots" and returned to the board. 6055

The board shall, on the day when the vote is canvassed, open 6056
such sealed envelopes, determine what ballots and for whom they 6057
should be counted, and proceed to count and tally the votes on 6058
such ballots. 6059

Sec. 3513.262. The nominating petitions of all candidates 6060
required to be filed before four p.m. of the day before the day of 6061
the primary election immediately preceding the general election 6062
shall be processed as follows: 6063

If such petition is filed with the secretary of state, ~~he~~ the 6064
secretary of state shall, not later than the fifteenth day of June 6065
following the filing of such petition, ~~or if the primary election~~ 6066
~~was a presidential primary election, not later than the end of the~~ 6067
~~sixth week after the day of that election,~~ transmit to each board 6068
such separate petition papers as purport to contain signatures of 6069
electors of the county of such board. If such petition is filed 6070
with the board of the most populous county of a district or of a 6071
county in which the major portion of the population of a 6072
subdivision is located, such board shall, not later than the 6073

fifteenth day of June, ~~or if the primary election was a~~ 6074
~~presidential primary election, not later than the end of the sixth~~ 6075
~~week after the day of that election,~~ transmit to each board within 6076
such district such separate petition papers of the petition as 6077
purport to contain signatures of electors of the county of such 6078
board. 6079

All petition papers so transmitted to a board and all 6080
nominating petitions filed with a board shall, under proper 6081
regulations, be open to public inspection from the fifteenth day 6082
of June until four p.m. of the thirtieth day of that month, ~~or if~~ 6083
~~the primary election was a presidential primary election, from the~~ 6084
~~end of the sixth week after the election until four p.m. of the~~ 6085
~~end of the seventh week after the election.~~ Each board shall, not 6086
later than the next fifteenth day of July, ~~or if the primary~~ 6087
~~election was a presidential primary election, not later than the~~ 6088
~~end of the tenth week after the day of that election,~~ examine and 6089
determine the sufficiency of the signatures on the petition papers 6090
transmitted to or filed with it, and the validity of the petitions 6091
filed with it, and shall return to the secretary of state all 6092
petition papers transmitted to it by ~~him~~ the secretary of state, 6093
together with its certification of its determination as to the 6094
validity or invalidity of signatures thereon, and shall return to 6095
each other board all petition papers transmitted to it by such 6096
other board, as provided in this section, together with its 6097
certification of its determination as to the validity or 6098
invalidity of signatures thereon. All other matters affecting the 6099
validity or invalidity of such petition papers shall be determined 6100
by the secretary of state or the board with whom such petition 6101
papers were filed. 6102

Written protests against nominating petitions may be filed by 6103
any qualified elector eligible to vote for the candidate whose 6104
nominating petition ~~he~~ the elector objects to, not later than four 6105

p.m. of the thirtieth day of July, ~~or if the primary election was~~ 6106
~~a presidential primary election, not later than the end of the~~ 6107
~~twelfth week after the day of that election.~~ Such protests shall 6108
be filed with the election officials with whom the nominating 6109
petition was filed. Upon the filing of such protest, the election 6110
officials with whom it is filed shall promptly fix the time and 6111
place for hearing it, and shall forthwith mail notice of the 6112
filing of such protest and the time and place for hearing it to 6113
the person whose nomination is protested. They shall also 6114
forthwith mail notice of the time and place fixed for the hearing 6115
to the person who filed the protest. At the time fixed, such 6116
election officials shall hear the protest and determine the 6117
validity or invalidity of the petition. Such determination shall 6118
be final. 6119

A protest against the nominating petition filed by joint 6120
candidates for the offices of governor and lieutenant governor 6121
shall be filed, heard, and determined in the same manner as a 6122
protest against the nominating petition of a candidate who files 6123
~~by himself~~ individually. 6124

Sec. 3513.30. (A)(1) If only one valid declaration of 6125
candidacy is filed for nomination as a candidate of a political 6126
party for an office and that candidate dies prior to the tenth day 6127
before the primary election, both of the following may occur: 6128

(a) The political party whose candidate died may fill the 6129
vacancy so created as provided in division (A)(2) of this section. 6130

(b) Any major political party other than the one whose 6131
candidate died may select a candidate as provided in division 6132
(A)(2) of this section under either of the following 6133
circumstances: 6134

(i) No person has filed a valid declaration of candidacy for 6135
nomination as that party's candidate at the primary election. 6136

(ii) Only one person has filed a valid declaration of 6137
candidacy for nomination as that party's candidate at the primary 6138
election, that person has withdrawn, died, or been disqualified 6139
under section 3513.052 of the Revised Code, and the vacancy so 6140
created has not been filled. 6141

(2) A vacancy may be filled under division (A)(1)(a) and a 6142
selection may be made under division (A)(1)(b) of this section by 6143
the appropriate committee of the political party in the same 6144
manner as provided in divisions (A) to (E) of section 3513.31 of 6145
the Revised Code for the filling of similar vacancies created by 6146
withdrawals or disqualifications under section 3513.052 of the 6147
Revised Code after the primary election, except that the 6148
certification required under that section may not be filed with 6149
the secretary of state, or with a board of the most populous 6150
county of a district, or with the board of a county in which the 6151
major portion of the population of a subdivision is located, later 6152
than four p.m. of the tenth day before the day of such primary 6153
election, or with any other board later than four p.m. of the 6154
fifth day before the day of such primary election. 6155

(3) If only one valid declaration of candidacy is filed for 6156
nomination as a candidate of a political party for an office and 6157
that candidate dies on or after the tenth day before the day of 6158
the primary election, that candidate is considered to have 6159
received the nomination of that candidate's political party at 6160
that primary election, and, for purposes of filling the vacancy so 6161
created, that candidate's death shall be treated as if that 6162
candidate died on the day after the day of the primary election. 6163

(B) Any person filing a declaration of candidacy may withdraw 6164
as such candidate at any time prior to the primary election. The 6165
withdrawal shall be effected and the statement of withdrawal shall 6166
be filed in accordance with the procedures prescribed in division 6167
(D) of this section for the withdrawal of persons nominated in a 6168

primary election or by nominating petition. 6169

(C) A person who is named the first choice for president of 6170
the United States by a candidate for delegate or alternate to a 6171
national convention of a political party may withdraw consent for 6172
the selection of the person as such first choice no later than 6173
four p.m. of the fortieth day before the day of the presidential 6174
primary election. Withdrawal of consent shall be for the entire 6175
slate of candidates for delegates and alternates who named such 6176
person as their presidential first choice and shall constitute 6177
withdrawal from the primary election by such delegates and 6178
alternates. The withdrawal shall be made in writing and delivered 6179
to the secretary of state. If the withdrawal is delivered to the 6180
secretary of state on or before the seventieth day before the day 6181
of the primary election, the boards of elections shall remove both 6182
the name of the withdrawn first choice and the names of such 6183
withdrawn candidates from the ballots according to the directions 6184
of the secretary of state. If the withdrawal is delivered to the 6185
secretary of state after the seventieth day before the day of the 6186
primary election, the board of elections shall not remove the name 6187
of the withdrawn first choice and the names of the withdrawn 6188
candidates from the ballots. The board of elections shall post a 6189
notice at each polling location on the day of the primary 6190
election, and shall enclose with each absent voter's ballot given 6191
or mailed after the candidate withdraws, a notice that votes for 6192
the withdrawn first choice or the withdrawn candidates will be 6193
void and will not be counted. If such names are not removed from 6194
all ballots before the day of the election, the votes for the 6195
withdrawn first choice or the withdrawn candidates are void and 6196
shall not be counted. 6197

(D) Any person nominated in a primary election or by 6198
nominating petition as a candidate for election at the next 6199
general election may withdraw as such candidate at any time prior 6200

to the general election. Such withdrawal may be effected by the 6201
filing of a written statement by such candidate announcing the 6202
candidate's withdrawal and requesting that the candidate's name 6203
not be printed on the ballots. If such candidate's declaration of 6204
candidacy or nominating petition was filed with the secretary of 6205
state, the candidate's statement of withdrawal shall be addressed 6206
to and filed with the secretary of state. If such candidate's 6207
declaration of candidacy or nominating petition was filed with a 6208
board of elections, the candidate's statement of withdrawal shall 6209
be addressed to and filed with such board. 6210

(E) When a person withdraws under division (B) or (D) of this 6211
section on or before the seventieth day before the day of the 6212
~~primary~~ election at which the person's candidacy is to appear on 6213
the ballot, the board of elections shall remove the name of the 6214
withdrawn candidate from the ballots according to the directions 6215
of the secretary of state. When a person withdraws under division 6216
(B) or (D) of this section after the seventieth day before the day 6217
of the ~~primary~~ election at which the person's candidacy is to 6218
appear on the ballot, the board of elections shall not remove the 6219
name of the withdrawn candidate from the ballots. The board of 6220
elections shall post a notice at each polling place on the day of 6221
the ~~primary~~ election, and shall enclose with each absent voter's 6222
ballot given or mailed after the candidate withdraws, a notice 6223
that votes for the withdrawn candidate will be void and will not 6224
be counted. If the name is not removed from all ballots before the 6225
day of the election, the votes for the withdrawn candidate are 6226
void and shall not be counted. 6227

Sec. 3515.04. At the time and place fixed for making a 6228
recount, the board of elections, in the presence of all observers 6229
who may be in attendance, shall open the sealed containers 6230
containing the ballots to be recounted, and shall recount them. ~~If~~ 6231
~~a county used punch card ballots and if a chad is attached to a~~ 6232

~~punch card ballot by three or four corners, the voter shall be~~ 6233
~~deemed by the board not to have recorded a candidate, question, or~~ 6234
~~issue choice at the particular position on the ballot, and a vote~~ 6235
~~shall not be counted at that particular position on the ballot in~~ 6236
~~the recount.~~ Ballots shall be handled only by the members of the 6237
board or by the director or other employees of the board. 6238
Observers shall be permitted to see the ballots, but they shall 6239
not be permitted to touch them, and the board shall not permit the 6240
counting or tabulation of votes shown on the ballots for any 6241
nomination, or for election to any office or position, or upon any 6242
question or issue, other than the votes shown on such ballots for 6243
the nomination, election, question, or issue concerning which a 6244
recount of ballots was applied for. 6245

At any time before the ballots from all of the precincts 6246
listed in an application for the recount or involved in a recount 6247
pursuant to section 3515.011 of the Revised Code have been 6248
recounted, the applicant or declared losing candidate or nominee 6249
or each of the declared losing candidates or nominees entitled to 6250
file a request prior to the commencement of a recount, as provided 6251
in section 3515.03 of the Revised Code, may file with the board a 6252
written request to stop the recount and not recount the ballots 6253
from the precincts so listed that have not been recounted prior to 6254
the time of the request. If, upon the request, the board finds 6255
that results of the votes in the precincts recounted, if 6256
substituted for the results of the votes in those precincts as 6257
shown in the abstract of the votes in those precincts, would not 6258
cause the applicant, if a person for whom votes were cast for 6259
nomination or election, to be declared nominated or elected or if 6260
an election upon a question or issue would not cause a result 6261
contrary to the result as declared prior to such recount, it shall 6262
grant the request and shall not recount the ballots of the 6263
precincts listed in the application for recount that have not been 6264
recounted prior to that time. If the board finds otherwise, it 6265

shall deny the request and shall continue to recount ballots until 6266
the ballots from all of the precincts listed in the application 6267
for recount have been recounted; provided that, if the request is 6268
denied, it may be renewed from time to time. Upon any such 6269
renewal, the board shall consider and act upon the request in the 6270
same manner as provided in this section in connection with an 6271
original request. 6272

~~As used in this section, "chad" and "punch card ballot" have 6273
the same meanings as in section 3506.16 of the Revised Code. 6274~~

Sec. 3517.01. (A)(1) A political party within the meaning of 6275
Title XXXV of the Revised Code is any group of voters that, at the 6276
most recent regular state election, polled for its candidate for 6277
governor in the state or nominees for presidential electors at 6278
least five per cent of the entire vote cast for that office or 6279
that filed with the secretary of state, subsequent to any election 6280
in which it received less than five per cent of that vote, a 6281
petition signed by qualified electors equal in number to at least 6282
one per cent of the total vote for governor or nominees for 6283
presidential electors at the most recent election, declaring their 6284
intention of organizing a political party, the name of which shall 6285
be stated in the declaration, and of participating in the 6286
succeeding primary election, held in even-numbered years, that 6287
occurs more than ~~one hundred twenty~~ ninety days after the date of 6288
filing. No such group of electors shall assume a name or 6289
designation that is similar, in the opinion of the secretary of 6290
state, to that of an existing political party as to confuse or 6291
mislead the voters at an election. If any political party fails to 6292
cast five per cent of the total vote cast at an election for the 6293
office of governor or president, it shall cease to be a political 6294
party. 6295

(2) A campaign committee shall be legally liable for any 6296

debts, contracts, or expenditures incurred or executed in its 6297
name. 6298

(B) Notwithstanding the definitions found in section 3501.01 6299
of the Revised Code, as used in this section and sections 3517.08 6300
to 3517.14, 3517.99, and 3517.992 of the Revised Code: 6301

(1) "Campaign committee" means a candidate or a combination 6302
of two or more persons authorized by a candidate under section 6303
3517.081 of the Revised Code to receive contributions and make 6304
expenditures. 6305

(2) "Campaign treasurer" means an individual appointed by a 6306
candidate under section 3517.081 of the Revised Code. 6307

(3) "Candidate" has the same meaning as in division (H) of 6308
section 3501.01 of the Revised Code and also includes any person 6309
who, at any time before or after an election, receives 6310
contributions or makes expenditures or other use of contributions, 6311
has given consent for another to receive contributions or make 6312
expenditures or other use of contributions, or appoints a campaign 6313
treasurer, for the purpose of bringing about the person's 6314
nomination or election to public office. When two persons jointly 6315
seek the offices of governor and lieutenant governor, "candidate" 6316
means the pair of candidates jointly. "Candidate" does not include 6317
candidates for election to the offices of member of a county or 6318
state central committee, presidential elector, and delegate to a 6319
national convention or conference of a political party. 6320

(4) "Continuing association" means an association, other than 6321
a campaign committee, political party, legislative campaign fund, 6322
political contributing entity, or labor organization, that is 6323
intended to be a permanent organization that has a primary purpose 6324
other than supporting or opposing specific candidates, political 6325
parties, or ballot issues, and that functions on a regular basis 6326
throughout the year. "Continuing association" includes 6327

organizations that are determined to be not organized for profit 6328
under subsection 501 and that are described in subsection 6329
501(c)(3), 501(c)(4), or 501(c)(6) of the Internal Revenue Code. 6330

(5) "Contribution" means a loan, gift, deposit, forgiveness 6331
of indebtedness, donation, advance, payment, or transfer of funds 6332
or anything of value, including a transfer of funds from an inter 6333
vivos or testamentary trust or decedent's estate, and the payment 6334
by any person other than the person to whom the services are 6335
rendered for the personal services of another person, which 6336
contribution is made, received, or used for the purpose of 6337
influencing the results of an election. Any loan, gift, deposit, 6338
forgiveness of indebtedness, donation, advance, payment, or 6339
transfer of funds or of anything of value, including a transfer of 6340
funds from an inter vivos or testamentary trust or decedent's 6341
estate, and the payment by any campaign committee, political 6342
action committee, legislative campaign fund, political party, 6343
political contributing entity, or person other than the person to 6344
whom the services are rendered for the personal services of 6345
another person, that is made, received, or used by a state or 6346
county political party, other than moneys a state or county 6347
political party receives from the Ohio political party fund 6348
pursuant to section 3517.17 of the Revised Code and the moneys a 6349
state or county political party may receive under sections 6350
3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be 6351
considered to be a "contribution" for the purpose of section 6352
3517.10 of the Revised Code and shall be included on a statement 6353
of contributions filed under that section. 6354

"Contribution" does not include any of the following: 6355

(a) Services provided without compensation by individuals 6356
volunteering a portion or all of their time on behalf of a person; 6357

(b) Ordinary home hospitality; 6358

(c) The personal expenses of a volunteer paid for by that 6359
volunteer campaign worker; 6360

(d) Any gift given to a state or county political party 6361
pursuant to section 3517.101 of the Revised Code. As used in 6362
division (B)(5)(d) of this section, "political party" means only a 6363
major political party; 6364

(e) Any contribution as defined in section 3517.1011 of the 6365
Revised Code that is made, received, or used to pay the direct 6366
costs of producing or airing an electioneering communication; 6367

(f) Any gift given to a state or county political party for 6368
the party's restricted fund under division (A)(2) of section 6369
3517.1012 of the Revised Code; 6370

(g) Any gift given to a state political party for deposit in 6371
a Levin account pursuant to section 3517.1013 of the Revised Code. 6372
As used in this division, "Levin account" has the same meaning as 6373
in that section. 6374

(h) Any donation given to a transition fund under section 6375
3517.1014 of the Revised Code. 6376

(6) "Expenditure" means the disbursement or use of a 6377
contribution for the purpose of influencing the results of an 6378
election or of making a charitable donation under division (G) of 6379
section 3517.08 of the Revised Code. Any disbursement or use of a 6380
contribution by a state or county political party is an 6381
expenditure and shall be considered either to be made for the 6382
purpose of influencing the results of an election or to be made as 6383
a charitable donation under division (G) of section 3517.08 of the 6384
Revised Code and shall be reported on a statement of expenditures 6385
filed under section 3517.10 of the Revised Code. During the thirty 6386
days preceding a primary or general election, any disbursement to 6387
pay the direct costs of producing or airing a broadcast, cable, or 6388
satellite communication that refers to a clearly identified 6389

candidate shall be considered to be made for the purpose of 6390
influencing the results of that election and shall be reported as 6391
an expenditure or as an independent expenditure under section 6392
3517.10 or 3517.105 of the Revised Code, as applicable, except 6393
that the information required to be reported regarding 6394
contributors for those expenditures or independent expenditures 6395
shall be the same as the information required to be reported under 6396
divisions (D)(1) and (2) of section 3517.1011 of the Revised Code. 6397

As used in this division, "broadcast, cable, or satellite 6398
communication" and "refers to a clearly identified candidate" have 6399
the same meanings as in section 3517.1011 of the Revised Code. 6400

(7) "Personal expenses" includes, but is not limited to, 6401
ordinary expenses for accommodations, clothing, food, personal 6402
motor vehicle or airplane, and home telephone. 6403

(8) "Political action committee" means a combination of two 6404
or more persons, the primary or major purpose of which is to 6405
support or oppose any candidate, political party, or issue, or to 6406
influence the result of any election through express advocacy, and 6407
that is not a political party, a campaign committee, a political 6408
contributing entity, or a legislative campaign fund. "Political 6409
action committee" does not include either of the following: 6410

(a) A continuing association that makes disbursements for the 6411
direct costs of producing or airing electioneering communications 6412
and that does not engage in express advocacy; 6413

(b) A political club that is formed primarily for social 6414
purposes and that consists of one hundred members or less, has 6415
officers and periodic meetings, has less than two thousand five 6416
hundred dollars in its treasury at all times, and makes an 6417
aggregate total contribution of one thousand dollars or less per 6418
calendar year. 6419

(9) "Public office" means any state, county, municipal, 6420

township, or district office, except an office of a political 6421
party, that is filled by an election and the offices of United 6422
States senator and representative. 6423

(10) "Anything of value" has the same meaning as in section 6424
1.03 of the Revised Code. 6425

(11) "Beneficiary of a campaign fund" means a candidate, a 6426
public official or employee for whose benefit a campaign fund 6427
exists, and any other person who has ever been a candidate or 6428
public official or employee and for whose benefit a campaign fund 6429
exists. 6430

(12) "Campaign fund" means money or other property, including 6431
contributions. 6432

(13) "Public official or employee" has the same meaning as in 6433
section 102.01 of the Revised Code. 6434

(14) "Caucus" means all of the members of the house of 6435
representatives or all of the members of the senate of the general 6436
assembly who are members of the same political party. 6437

(15) "Legislative campaign fund" means a fund that is 6438
established as an auxiliary of a state political party and 6439
associated with one of the houses of the general assembly. 6440

(16) "In-kind contribution" means anything of value other 6441
than money that is used to influence the results of an election or 6442
is transferred to or used in support of or in opposition to a 6443
candidate, campaign committee, legislative campaign fund, 6444
political party, political action committee, or political 6445
contributing entity and that is made with the consent of, in 6446
coordination, cooperation, or consultation with, or at the request 6447
or suggestion of the benefited candidate, committee, fund, party, 6448
or entity. The financing of the dissemination, distribution, or 6449
republication, in whole or part, of any broadcast or of any 6450
written, graphic, or other form of campaign materials prepared by 6451

the candidate, the candidate's campaign committee, or their 6452
authorized agents is an in-kind contribution to the candidate and 6453
an expenditure by the candidate. 6454

(17) "Independent expenditure" means an expenditure by a 6455
person advocating the election or defeat of an identified 6456
candidate or candidates, that is not made with the consent of, in 6457
coordination, cooperation, or consultation with, or at the request 6458
or suggestion of any candidate or candidates or of the campaign 6459
committee or agent of the candidate or candidates. As used in 6460
division (B)(17) of this section: 6461

(a) "Person" means an individual, partnership, unincorporated 6462
business organization or association, political action committee, 6463
political contributing entity, separate segregated fund, 6464
association, or other organization or group of persons, but not a 6465
labor organization or a corporation unless the labor organization 6466
or corporation is a political contributing entity. 6467

(b) "Advocating" means any communication containing a message 6468
advocating election or defeat. 6469

(c) "Identified candidate" means that the name of the 6470
candidate appears, a photograph or drawing of the candidate 6471
appears, or the identity of the candidate is otherwise apparent by 6472
unambiguous reference. 6473

(d) "Made in coordination, cooperation, or consultation with, 6474
or at the request or suggestion of, any candidate or the campaign 6475
committee or agent of the candidate" means made pursuant to any 6476
arrangement, coordination, or direction by the candidate, the 6477
candidate's campaign committee, or the candidate's agent prior to 6478
the publication, distribution, display, or broadcast of the 6479
communication. An expenditure is presumed to be so made when it is 6480
any of the following: 6481

(i) Based on information about the candidate's plans, 6482

projects, or needs provided to the person making the expenditure 6483
by the candidate, or by the candidate's campaign committee or 6484
agent, with a view toward having an expenditure made; 6485

(ii) Made by or through any person who is, or has been, 6486
authorized to raise or expend funds, who is, or has been, an 6487
officer of the candidate's campaign committee, or who is, or has 6488
been, receiving any form of compensation or reimbursement from the 6489
candidate or the candidate's campaign committee or agent; 6490

(iii) Except as otherwise provided in division (D) of section 6491
3517.105 of the Revised Code, made by a political party in support 6492
of a candidate, unless the expenditure is made by a political 6493
party to conduct voter registration or voter education efforts. 6494

(e) "Agent" means any person who has actual oral or written 6495
authority, either express or implied, to make or to authorize the 6496
making of expenditures on behalf of a candidate, or means any 6497
person who has been placed in a position with the candidate's 6498
campaign committee or organization such that it would reasonably 6499
appear that in the ordinary course of campaign-related activities 6500
the person may authorize expenditures. 6501

(18) "Labor organization" means a labor union; an employee 6502
organization; a federation of labor unions, groups, locals, or 6503
other employee organizations; an auxiliary of a labor union, 6504
employee organization, or federation of labor unions, groups, 6505
locals, or other employee organizations; or any other bona fide 6506
organization in which employees participate and that exists for 6507
the purpose, in whole or in part, of dealing with employers 6508
concerning grievances, labor disputes, wages, hours, and other 6509
terms and conditions of employment. 6510

(19) "Separate segregated fund" means a separate segregated 6511
fund established pursuant to the Federal Election Campaign Act. 6512

(20) "Federal Election Campaign Act" means the "Federal 6513

Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et seq., as amended. 6514
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(21) "Restricted fund" means the fund a state or county political party must establish under division (A)(1) of section 3517.1012 of the Revised Code. 6516
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(22) "Electioneering communication" has the same meaning as in section 3517.1011 of the Revised Code. 6519
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(23) "Express advocacy" means a communication that contains express words advocating the nomination, election, or defeat of a candidate or that contains express words advocating the adoption or defeat of a question or issue, as determined by a final judgment of a court of competent jurisdiction. 6521
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(24) "Political committee" has the same meaning as in section 3517.1011 of the Revised Code. 6526
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(25) "Political contributing entity" means any entity, ~~including a corporation or labor organization,~~ that may lawfully make contributions and expenditures and that is not an individual or a political action committee, continuing association, campaign committee, political party, legislative campaign fund, designated state campaign committee, or state candidate fund. Subject to the restrictions on the use of corporate and labor organization funds under section 3599.03 of the Revised Code, "political contributing entity" shall include a corporation or labor organization. For purposes of this division, "lawfully" means not prohibited by any section of the Revised Code, or authorized by a final judgment of a court of competent jurisdiction. 6528
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Sec. 3517.012. When a petition meeting the requirements of section 3517.01 of the Revised Code declaring the intention to organize a political party is filed with the secretary of state, the new party comes into legal existence on the date of filing and 6540
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is entitled to hold a primary election as set out in section 6544
3513.01 of the Revised Code, at the primary election, held in 6545
even-numbered years that occurs more than ~~one hundred twenty~~ 6546
ninety days after the date of filing. 6547

Sec. 3517.10. (A) Except as otherwise provided in this 6548
division, every campaign committee, political action committee, 6549
legislative campaign fund, political party, and political 6550
contributing entity that made or received a contribution or made 6551
an expenditure in connection with the nomination or election of 6552
any candidate or in connection with any ballot issue or question 6553
at any election held or to be held in this state shall file, on a 6554
form prescribed under this section or by electronic means of 6555
transmission as provided in this section and section 3517.106 of 6556
the Revised Code, a full, true, and itemized statement, made under 6557
penalty of election falsification, setting forth in detail the 6558
contributions and expenditures, not later than four p.m. of the 6559
following dates: 6560

(1) The twelfth day before the election to reflect 6561
contributions received and expenditures made from the close of 6562
business on the last day reflected in the last previously filed 6563
statement, if any, to the close of business on the twentieth day 6564
before the election; 6565

(2) The thirty-eighth day after the election to reflect the 6566
contributions received and expenditures made from the close of 6567
business on the last day reflected in the last previously filed 6568
statement, if any, to the close of business on the seventh day 6569
before the filing of the statement; 6570

(3) The last business day of January of every year to reflect 6571
the contributions received and expenditures made from the close of 6572
business on the last day reflected in the last previously filed 6573
statement, if any, to the close of business on the last day of 6574

December of the previous year; 6575

(4) The last business day of July of every year to reflect 6576
the contributions received and expenditures made from the close of 6577
business on the last day reflected in the last previously filed 6578
statement, if any, to the close of business on the last day of 6579
June of that year. 6580

A campaign committee shall only be required to file the 6581
statements prescribed under divisions (A)(1) and (2) of this 6582
section in connection with the nomination or election of the 6583
committee's candidate. 6584

The statement required under division (A)(1) of this section 6585
shall not be required of any campaign committee, political action 6586
committee, legislative campaign fund, political party, or 6587
political contributing entity that has received contributions of 6588
less than one thousand dollars and has made expenditures of less 6589
than one thousand dollars at the close of business on the 6590
twentieth day before the election. Those contributions and 6591
expenditures shall be reported in the statement required under 6592
division (A)(2) of this section. 6593

If an election to select candidates to appear on the general 6594
election ballot is held within sixty days before a general 6595
election, the campaign committee of a successful candidate in the 6596
earlier election may file the statement required by division 6597
(A)(1) of this section for the general election instead of the 6598
statement required by division (A)(2) of this section for the 6599
earlier election if the pregeneral election statement reflects the 6600
status of contributions and expenditures for the period twenty 6601
days before the earlier election to twenty days before the general 6602
election. 6603

If a person becomes a candidate less than twenty days before 6604
an election, the candidate's campaign committee is not required to 6605

file the statement required by division (A)(1) of this section. 6606

No statement under division (A)(3) of this section shall be 6607
required for any year in which a campaign committee, political 6608
action committee, legislative campaign fund, political party, or 6609
political contributing entity is required to file a postgeneral 6610
election statement under division (A)(2) of this section. However, 6611
a statement under division (A)(3) of this section may be filed, at 6612
the option of the campaign committee, political action committee, 6613
legislative campaign fund, political party, or political 6614
contributing entity. 6615

No campaign committee of a candidate for the office of chief 6616
justice or justice of the supreme court, and no campaign committee 6617
of a candidate for the office of judge of any court in this state, 6618
shall be required to file a statement under division (A)(4) of 6619
this section. 6620

Except as otherwise provided in this paragraph and in the 6621
next paragraph of this section, the only campaign committees 6622
required to file a statement under division (A)(4) of this section 6623
are the campaign committee of a statewide candidate and the 6624
campaign committee of a candidate for county office. The campaign 6625
committee of a candidate for any other nonjudicial office is 6626
required to file a statement under division (A)(4) of this section 6627
if that campaign committee receives, during that period, 6628
contributions exceeding ten thousand dollars. 6629

No statement under division (A)(4) of this section shall be 6630
required of a campaign committee, a political action committee, a 6631
legislative campaign fund, a political party, or a political 6632
contributing entity for any year in which the campaign committee, 6633
political action committee, legislative campaign fund, political 6634
party, or political contributing entity is required to file a 6635
postprimary election statement under division (A)(2) of this 6636
section. However, a statement under division (A)(4) of this 6637

section may be filed at the option of the campaign committee, 6638
political action committee, legislative campaign fund, political 6639
party, or political contributing entity. 6640

No statement under division (A)(3) or (4) of this section 6641
shall be required if the campaign committee, political action 6642
committee, legislative campaign fund, political party, or 6643
political contributing entity has no contributions that it has 6644
received and no expenditures that it has made since the last date 6645
reflected in its last previously filed statement. However, the 6646
campaign committee, political action committee, legislative 6647
campaign fund, political party, or political contributing entity 6648
shall file a statement to that effect, on a form prescribed under 6649
this section and made under penalty of election falsification, on 6650
the date required in division (A)(3) or (4) of this section, as 6651
applicable. 6652

The campaign committee of a statewide candidate shall file a 6653
monthly statement of contributions received during each of the 6654
months of July, August, and September in the year of the general 6655
election in which the candidate seeks office. The campaign 6656
committee of a statewide candidate shall file the monthly 6657
statement not later than three business days after the last day of 6658
the month covered by the statement. During the period beginning on 6659
the nineteenth day before the general election in which a 6660
statewide candidate seeks election to office and extending through 6661
the day of that general election, each time the campaign committee 6662
of the joint candidates for the offices of governor and lieutenant 6663
governor or of a candidate for the office of secretary of state, 6664
auditor of state, treasurer of state, or attorney general receives 6665
a contribution from a contributor that causes the aggregate amount 6666
of contributions received from that contributor during that period 6667
to equal or exceed ten thousand dollars and each time the campaign 6668
committee of a candidate for the office of chief justice or 6669

justice of the supreme court receives a contribution from a 6670
contributor that causes the aggregate amount of contributions 6671
received from that contributor during that period to exceed ten 6672
thousand dollars, the campaign committee shall file a 6673
two-business-day statement reflecting that contribution. ~~During~~ 6674
~~the period beginning on the nineteenth day before a primary~~ 6675
~~election in which a candidate for statewide office seeks~~ 6676
~~nomination to office and extending through the day of that primary~~ 6677
~~election, each time either the campaign committee of a statewide~~ 6678
~~candidate in that primary election that files a notice under~~ 6679
~~division (C)(1) of section 3517.103 of the Revised Code or the~~ 6680
~~campaign committee of a statewide candidate in that primary~~ 6681
~~election to which, in accordance with division (D) of section~~ 6682
~~3517.103 of the Revised Code, the contribution limitations~~ 6683
~~prescribed in section 3517.102 of the Revised Code no longer apply~~ 6684
~~receives a contribution from a contributor that causes the~~ 6685
~~aggregate amount of contributions received from that contributor~~ 6686
~~during that period to exceed ten thousand dollars, the campaign~~ 6687
~~committee shall file a two business day statement reflecting that~~ 6688
~~contribution.~~ Contributions reported on a two-business-day 6689
statement required to be filed by a campaign committee of a 6690
statewide candidate in a primary election shall also be included 6691
in the postprimary election statement required to be filed by that 6692
campaign committee under division (A)(2) of this section. A 6693
two-business-day statement required by this paragraph shall be 6694
filed not later than two business days after receipt of the 6695
contribution. The statements required by this paragraph shall be 6696
filed in addition to any other statements required by this 6697
section. 6698

Subject to the secretary of state having implemented, tested, 6699
and verified the successful operation of any system the secretary 6700
of state prescribes pursuant to divisions (C)(6)(b) and (D)(6) of 6701
this section and division (H)(1) of section 3517.106 of the 6702

Revised Code for the filing of campaign finance statements by 6703
electronic means of transmission, a campaign committee of a 6704
statewide candidate shall file a two-business-day statement under 6705
the preceding paragraph by electronic means of transmission if the 6706
campaign committee is required to file a pre-election, 6707
postelection, or monthly statement of contributions and 6708
expenditures by electronic means of transmission under this 6709
section or section 3517.106 of the Revised Code. 6710

If a campaign committee or political action committee has no 6711
balance on hand and no outstanding obligations and desires to 6712
terminate itself, it shall file a statement to that effect, on a 6713
form prescribed under this section and made under penalty of 6714
election falsification, with the official with whom it files a 6715
statement under division (A) of this section after filing a final 6716
statement of contributions and a final statement of expenditures, 6717
if contributions have been received or expenditures made since the 6718
period reflected in its last previously filed statement. 6719

(B) Except as otherwise provided in division (C)(7) of this 6720
section, each statement required by division (A) of this section 6721
shall contain the following information: 6722

(1) The full name and address of each campaign committee, 6723
political action committee, legislative campaign fund, political 6724
party, or political contributing entity, including any treasurer 6725
of the committee, fund, party, or entity, filing a contribution 6726
and expenditure statement; 6727

(2)(a) In the case of a campaign committee, the candidate's 6728
full name and address; 6729

(b) In the case of a political action committee, the 6730
registration number assigned to the committee under division 6731
(D)(1) of this section. 6732

(3) The date of the election and whether it was or will be a 6733

general, primary, or special election; 6734

(4) A statement of contributions received, which shall 6735
include the following information: 6736

(a) The month, day, and year of the contribution; 6737

(b)(i) The full name and address of each person, political 6738
party, campaign committee, legislative campaign fund, political 6739
action committee, or political contributing entity from whom 6740
contributions are received and the registration number assigned to 6741
the political action committee under division (D)(1) of this 6742
section. The requirement of filing the full address does not apply 6743
to any statement filed by a state or local committee of a 6744
political party, to a finance committee of such committee, or to a 6745
committee recognized by a state or local committee as its 6746
fund-raising auxiliary. Notwithstanding division (F) of this 6747
section, the requirement of filing the full address shall be 6748
considered as being met if the address filed is the same address 6749
the contributor provided under division (E)(1) of this section. 6750

(ii) If a political action committee, political contributing 6751
entity, legislative campaign fund, or political party that is 6752
required to file campaign finance statements by electronic means 6753
of transmission under section 3517.106 of the Revised Code or a 6754
campaign committee of a statewide candidate or candidate for the 6755
office of member of the general assembly receives a contribution 6756
from an individual that exceeds one hundred dollars, the name of 6757
the individual's current employer, if any, or, if the individual 6758
is self-employed, the individual's occupation and the name of the 6759
individual's business, if any; 6760

(iii) If a campaign committee of a statewide candidate or 6761
candidate for the office of member of the general assembly 6762
receives a contribution transmitted pursuant to section 3599.031 6763
of the Revised Code from amounts deducted from the wages and 6764

salaries of two or more employees that exceeds in the aggregate 6765
one hundred dollars during any one filing period under division 6766
(A)(1), (2), (3), or (4) of this section, the full name of the 6767
employees' employer and the full name of the labor organization of 6768
which the employees are members, if any. 6769

(c) A description of the contribution received, if other than 6770
money; 6771

(d) The value in dollars and cents of the contribution; 6772

(e) A separately itemized account of all contributions and 6773
expenditures regardless of the amount, except a receipt of a 6774
contribution from a person in the sum of twenty-five dollars or 6775
less at one social or fund-raising activity and a receipt of a 6776
contribution transmitted pursuant to section 3599.031 of the 6777
Revised Code from amounts deducted from the wages and salaries of 6778
employees if the contribution from the amount deducted from the 6779
wages and salary of any one employee is twenty-five dollars or 6780
less aggregated in a calendar year. An account of the total 6781
contributions from each social or fund-raising activity shall 6782
include a description of and the value of each in-kind 6783
contribution received at that activity from any person who made 6784
one or more such contributions whose aggregate value exceeded two 6785
hundred fifty dollars and shall be listed separately, together 6786
with the expenses incurred and paid in connection with that 6787
activity. A campaign committee, political action committee, 6788
legislative campaign fund, political party, or political 6789
contributing entity shall keep records of contributions from each 6790
person in the amount of twenty-five dollars or less at one social 6791
or fund-raising activity and contributions from amounts deducted 6792
under section 3599.031 of the Revised Code from the wages and 6793
salary of each employee in the amount of twenty-five dollars or 6794
less aggregated in a calendar year. No continuing association that 6795
is recognized by a state or local committee of a political party 6796

as an auxiliary of the party and that makes a contribution from 6797
funds derived solely from regular dues paid by members of the 6798
auxiliary shall be required to list the name or address of any 6799
members who paid those dues. 6800

Contributions that are other income shall be itemized 6801
separately from all other contributions. The information required 6802
under division (B)(4) of this section shall be provided for all 6803
other income itemized. As used in this paragraph, "other income" 6804
means a loan, investment income, or interest income. 6805

(f) In the case of a campaign committee of a state elected 6806
officer, if a person doing business with the state elected officer 6807
in the officer's official capacity makes a contribution to the 6808
campaign committee of that officer, the information required under 6809
division (B)(4) of this section in regard to that contribution, 6810
which shall be filed together with and considered a part of the 6811
committee's statement of contributions as required under division 6812
(A) of this section but shall be filed on a separate form provided 6813
by the secretary of state. As used in this division: 6814

(i) "State elected officer" has the same meaning as in 6815
section 3517.092 of the Revised Code. 6816

(ii) "Person doing business" means a person or an officer of 6817
an entity who enters into one or more contracts with a state 6818
elected officer or anyone authorized to enter into contracts on 6819
behalf of that officer to receive payments for goods or services, 6820
if the payments total, in the aggregate, more than five thousand 6821
dollars during a calendar year. 6822

(5) A statement of expenditures which shall include the 6823
following information: 6824

(a) The month, day, and year of the expenditure; 6825

(b) The full name and address of each person, political 6826
party, campaign committee, legislative campaign fund, political 6827

action committee, or political contributing entity to whom the 6828
expenditure was made and the registration number assigned to the 6829
political action committee under division (D)(1) of this section; 6830

(c) The object or purpose for which the expenditure was made; 6831

(d) The amount of each expenditure. 6832

(C)(1) The statement of contributions and expenditures shall 6833
be signed by the person completing the form. If a statement of 6834
contributions and expenditures is filed by electronic means of 6835
transmission pursuant to this section or section 3517.106 of the 6836
Revised Code, the electronic signature of the person who executes 6837
the statement and transmits the statement by electronic means of 6838
transmission, as provided in division (H) of section 3517.106 of 6839
the Revised Code, shall be attached to or associated with the 6840
statement and shall be binding on all persons and for all purposes 6841
under the campaign finance reporting law as if the signature had 6842
been handwritten in ink on a printed form. 6843

(2) The person filing the statement, under penalty of 6844
election falsification, shall include with it a list of each 6845
anonymous contribution, the circumstances under which it was 6846
received, and the reason it cannot be attributed to a specific 6847
donor. 6848

(3) Each statement of a campaign committee of a candidate who 6849
holds public office shall contain a designation of each 6850
contributor who is an employee in any unit or department under the 6851
candidate's direct supervision and control. In a space provided in 6852
the statement, the person filing the statement shall affirm that 6853
each such contribution was voluntarily made. 6854

(4) A campaign committee that did not receive contributions 6855
or make expenditures in connection with the nomination or election 6856
of its candidate shall file a statement to that effect, on a form 6857
prescribed under this section and made under penalty of election 6858

falsification, on the date required in division (A)(2) of this 6859
section. 6860

(5) The campaign committee of any person who attempts to 6861
become a candidate and who, for any reason, does not become 6862
certified in accordance with Title XXXV of the Revised Code for 6863
placement on the official ballot of a primary, general, or special 6864
election to be held in this state, and who, at any time prior to 6865
or after an election, receives contributions or makes 6866
expenditures, or has given consent for another to receive 6867
contributions or make expenditures, for the purpose of bringing 6868
about the person's nomination or election to public office, shall 6869
file the statement or statements prescribed by this section and a 6870
termination statement, if applicable. Division (C)(5) of this 6871
section does not apply to any person with respect to an election 6872
to the offices of member of a county or state central committee, 6873
presidential elector, or delegate to a national convention or 6874
conference of a political party. 6875

(6)(a) The statements required to be filed under this section 6876
shall specify the balance in the hands of the campaign committee, 6877
political action committee, legislative campaign fund, political 6878
party, or political contributing entity and the disposition 6879
intended to be made of that balance. 6880

(b) The secretary of state shall prescribe the form for all 6881
statements required to be filed under this section and shall 6882
furnish the forms to the boards of elections in the several 6883
counties. The boards of elections shall supply printed copies of 6884
those forms without charge. The secretary of state shall prescribe 6885
the appropriate methodology, protocol, and data file structure for 6886
statements required or permitted to be filed by electronic means 6887
of transmission under division (A) of this section, divisions (E), 6888
(F), and (G) of section 3517.106, division (D) of section 6889
3517.1011, division (B) of section 3517.1012, division (C) of 6890

section 3517.1013, and divisions (D) and (I) of section 3517.1014 6891
of the Revised Code. Subject to division (A) of this section, 6892
divisions (E), (F), and (G) of section 3517.106, division (D) of 6893
section 3517.1011, division (B) of section 3517.1012, division (C) 6894
of section 3517.1013, and divisions (D) and (I) of section 6895
3517.1014 of the Revised Code, the statements required to be 6896
stored on computer by the secretary of state under division (B) of 6897
section 3517.106 of the Revised Code shall be filed in whatever 6898
format the secretary of state considers necessary to enable the 6899
secretary of state to store the information contained in the 6900
statements on computer. Any such format shall be of a type and 6901
nature that is readily available to whoever is required to file 6902
the statements in that format. 6903

(c) The secretary of state shall assess the need for training 6904
regarding the filing of campaign finance statements by electronic 6905
means of transmission and regarding associated technologies for 6906
candidates, campaign committees, political action committees, 6907
legislative campaign funds, political parties, or political 6908
contributing entities, for individuals, partnerships, or other 6909
entities, for persons making disbursements to pay the direct costs 6910
of producing or airing electioneering communications, or for 6911
treasurers of transition funds, required or permitted to file 6912
statements by electronic means of transmission under this section 6913
or section 3517.105, 3517.106, 3517.1011, 3517.1012, 3517.1013, or 6914
3517.1014 of the Revised Code. If, in the opinion of the secretary 6915
of state, training in these areas is necessary, the secretary of 6916
state shall arrange for the provision of voluntary training 6917
programs for candidates, campaign committees, political action 6918
committees, legislative campaign funds, political parties, or 6919
political contributing entities, for individuals, partnerships, 6920
and other entities, for persons making disbursements to pay the 6921
direct costs of producing or airing electioneering communications, 6922
or for treasurers of transition funds, as appropriate. 6923

(7) Each monthly statement and each two-business-day statement required by division (A) of this section shall contain the information required by divisions (B)(1) to (4), (C)(2), and, if appropriate, (C)(3) of this section. Each statement shall be signed as required by division (C)(1) of this section.

(D)(1) Prior to receiving a contribution or making an expenditure, every campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity shall appoint a treasurer and shall file, on a form prescribed by the secretary of state, a designation of that appointment, including the full name and address of the treasurer and of the campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity. That designation shall be filed with the official with whom the campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity is required to file statements under section 3517.11 of the Revised Code. The name of a campaign committee shall include at least the last name of the campaign committee's candidate. If two or more candidates are the beneficiaries of a single campaign committee under division (B) of section 3517.081 of the Revised Code, the name of the campaign committee shall include at least the last name of each candidate who is a beneficiary of that campaign committee. The secretary of state shall assign a registration number to each political action committee that files a designation of the appointment of a treasurer under this division if the political action committee is required by division (A)(1) of section 3517.11 of the Revised Code to file the statements prescribed by this section with the secretary of state.

(2) The treasurer appointed under division (D)(1) of this section shall keep a strict account of all contributions, from

whom received and the purpose for which they were disbursed. 6956

(3)(a) Except as otherwise provided in section 3517.108 of 6957
the Revised Code, a campaign committee shall deposit all monetary 6958
contributions received by the committee into an account separate 6959
from a personal or business account of the candidate or campaign 6960
committee. 6961

(b) A political action committee shall deposit all monetary 6962
contributions received by the committee into an account separate 6963
from all other funds. 6964

(c) A state or county political party may establish a state 6965
candidate fund that is separate from an account that contains the 6966
public moneys received from the Ohio political party fund under 6967
section 3517.17 of the Revised Code and from all other funds. A 6968
state or county political party may deposit into its state 6969
candidate fund any amounts of monetary contributions that are made 6970
to or accepted by the political party subject to the applicable 6971
limitations, if any, prescribed in section 3517.102 of the Revised 6972
Code. A state or county political party shall deposit all other 6973
monetary contributions received by the party into one or more 6974
accounts that are separate from its state candidate fund and from 6975
its account that contains the public moneys received from the Ohio 6976
political party fund under section 3517.17 of the Revised Code. 6977

(d) Each state political party shall have only one 6978
legislative campaign fund for each house of the general assembly. 6979
Each such fund shall be separate from any other funds or accounts 6980
of that state party. A legislative campaign fund is authorized to 6981
receive contributions and make expenditures for the primary 6982
purpose of furthering the election of candidates who are members 6983
of that political party to the house of the general assembly with 6984
which that legislative campaign fund is associated. Each 6985
legislative campaign fund shall be administered and controlled in 6986
a manner designated by the caucus. As used in this division, 6987

"caucus" has the same meaning as in section 3517.01 of the Revised Code and includes, as an ex officio member, the chairperson of the state political party with which the caucus is associated or that chairperson's designee.

(4) Every expenditure in excess of twenty-five dollars shall be vouched for by a receipted bill, stating the purpose of the expenditure, that shall be filed with the statement of expenditures. A canceled check with a notation of the purpose of the expenditure is a receipted bill for purposes of division (D)(4) of this section.

(5) The secretary of state or the board of elections, as the case may be, shall issue a receipt for each statement filed under this section and shall preserve a copy of the receipt for a period of at least six years. All statements filed under this section shall be open to public inspection in the office where they are filed and shall be carefully preserved for a period of at least six years after the year in which they are filed.

(6) The secretary of state, by rule adopted pursuant to section 3517.23 of the Revised Code, shall prescribe both of the following:

(a) The manner of immediately acknowledging, with date and time received, and preserving the receipt of statements that are transmitted by electronic means of transmission to the secretary of state pursuant to this section or section 3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 of the Revised Code;

(b) The manner of preserving the contribution and expenditure, contribution and disbursement, deposit and disbursement, gift and disbursement, or donation and disbursement information in the statements described in division (D)(6)(a) of this section. The secretary of state shall preserve the contribution and expenditure, contribution and disbursement,

deposit and disbursement, gift and disbursement, or donation and 7019
disbursement information in those statements for at least ten 7020
years after the year in which they are filed by electronic means 7021
of transmission. 7022

(7) The secretary of state, pursuant to division (I) of 7023
section 3517.106 of the Revised Code, shall make available online 7024
to the public through the internet the contribution and 7025
expenditure, contribution and disbursement, deposit and 7026
disbursement, gift and disbursement, or donation and disbursement 7027
information in all statements, all addenda, amendments, or other 7028
corrections to statements, and all amended statements filed with 7029
the secretary of state by electronic or other means of 7030
transmission under this section, division (B)(2)(b) or (C)(2)(b) 7031
of section 3517.105, or section 3517.106, 3517.1011, 3517.1012, 7032
3517.1013, 3517.1014, or 3517.11 of the Revised Code. The 7033
secretary of state may remove the information from the internet 7034
after a reasonable period of time. 7035

(E)(1) Any person, political party, campaign committee, 7036
legislative campaign fund, political action committee, or 7037
political contributing entity that makes a contribution in 7038
connection with the nomination or election of any candidate or in 7039
connection with any ballot issue or question at any election held 7040
or to be held in this state shall provide its full name and 7041
address to the recipient of the contribution at the time the 7042
contribution is made. The political action committee also shall 7043
provide the registration number assigned to the committee under 7044
division (D)(1) of this section to the recipient of the 7045
contribution at the time the contribution is made. 7046

(2) Any individual who makes a contribution that exceeds one 7047
hundred dollars to a political action committee, political 7048
contributing entity, legislative campaign fund, or political party 7049
or to a campaign committee of a statewide candidate or candidate 7050

for the office of member of the general assembly shall provide the 7051
name of the individual's current employer, if any, or, if the 7052
individual is self-employed, the individual's occupation and the 7053
name of the individual's business, if any, to the recipient of the 7054
contribution at the time the contribution is made. Sections 7055
3599.39 and 3599.40 of the Revised Code do not apply to division 7056
(E)(2) of this section. 7057

(3) If a campaign committee shows that it has exercised its 7058
best efforts to obtain, maintain, and submit the information 7059
required under divisions (B)(4)(b)(ii) and (iii) of this section, 7060
that committee is considered to have met the requirements of those 7061
divisions. A campaign committee shall not be considered to have 7062
exercised its best efforts unless, in connection with written 7063
solicitations, it regularly includes a written request for the 7064
information required under division (B)(4)(b)(ii) of this section 7065
from the contributor or the information required under division 7066
(B)(4)(b)(iii) of this section from whoever transmits the 7067
contribution. 7068

(4) Any check that a political action committee uses to make 7069
a contribution or an expenditure shall contain the full name and 7070
address of the committee and the registration number assigned to 7071
the committee under division (D)(1) of this section. 7072

(F) As used in this section: 7073

(1)(a) Except as otherwise provided in division (F)(1) of 7074
this section, "address" means all of the following if they exist: 7075
apartment number, street, road, or highway name and number, rural 7076
delivery route number, city or village, state, and zip code as 7077
used in a person's post-office address, but not post-office box. 7078

(b) Except as otherwise provided in division (F)(1) of this 7079
section, if an address is required in this section, a post-office 7080
box and office, room, or suite number may be included in addition 7081

to, but not in lieu of, an apartment, street, road, or highway 7082
name and number. 7083

(c) If an address is required in this section, a campaign 7084
committee, political action committee, legislative campaign fund, 7085
political party, or political contributing entity may use the 7086
business or residence address of its treasurer or deputy 7087
treasurer. The post-office box number of the campaign committee, 7088
political action committee, legislative campaign fund, political 7089
party, or political contributing entity may be used in addition to 7090
that address. 7091

(d) For the sole purpose of a campaign committee's reporting 7092
of contributions on a statement of contributions received under 7093
division (B)(4) of this section, "address" has one of the 7094
following meanings at the option of the campaign committee: 7095

(i) The same meaning as in division (F)(1)(a) of this 7096
section; 7097

(ii) All of the following, if they exist: the contributor's 7098
post-office box number and city or village, state, and zip code as 7099
used in the contributor's post-office address. 7100

(e) As used with regard to the reporting under this section 7101
of any expenditure, "address" means all of the following if they 7102
exist: apartment number, street, road, or highway name and number, 7103
rural delivery route number, city or village, state, and zip code 7104
as used in a person's post-office address, or post-office box. If 7105
an address concerning any expenditure is required in this section, 7106
a campaign committee, political action committee, legislative 7107
campaign fund, political party, or political contributing entity 7108
may use the business or residence address of its treasurer or 7109
deputy treasurer or its post-office box number. 7110

(2) "Statewide candidate" means the joint candidates for the 7111
offices of governor and lieutenant governor or a candidate for the 7112

office of secretary of state, auditor of state, treasurer of 7113
state, attorney general, member of the state board of education, 7114
chief justice of the supreme court, or justice of the supreme 7115
court. 7116

(3) "Candidate for county office" means a candidate for the 7117
office of county auditor, county treasurer, clerk of the court of 7118
common pleas, judge of the court of common pleas, sheriff, county 7119
recorder, county engineer, county commissioner, prosecuting 7120
attorney, or coroner. 7121

(G) An independent expenditure shall be reported whenever and 7122
in the same manner that an expenditure is required to be reported 7123
under this section and shall be reported pursuant to division 7124
(B)(2)(a) or (C)(2)(a) of section 3517.105 of the Revised Code. 7125

(H)(1) Except as otherwise provided in division (H)(2) of 7126
this section, if, during the combined pre-election and 7127
postelection reporting periods for an election, a campaign 7128
committee has received contributions of five hundred dollars or 7129
less and has made expenditures in the total amount of five hundred 7130
dollars or less, it may file a statement to that effect, under 7131
penalty of election falsification, in lieu of the statement 7132
required by division (A)(2) of this section. The statement shall 7133
indicate the total amount of contributions received and the total 7134
amount of expenditures made during those combined reporting 7135
periods. 7136

(2) In the case of a successful candidate at a primary 7137
election, if either the total contributions received by or the 7138
total expenditures made by the candidate's campaign committee 7139
during the preprimary, postprimary, pregeneral, and postgeneral 7140
election periods combined equal more than five hundred dollars, 7141
the campaign committee may file the statement under division 7142
(H)(1) of this section only for the primary election. The first 7143
statement that the campaign committee files in regard to the 7144

general election shall reflect all contributions received and all 7145
expenditures made during the preprimary and postprimary election 7146
periods. 7147

(3) Divisions (H)(1) and (2) of this section do not apply if 7148
a campaign committee receives contributions or makes expenditures 7149
prior to the first day of January of the year of the election at 7150
which the candidate seeks nomination or election to office or if 7151
the campaign committee does not file a termination statement with 7152
its postprimary election statement in the case of an unsuccessful 7153
primary election candidate or with its postgeneral election 7154
statement in the case of other candidates. 7155

(I) In the case of a contribution made by a partner of a 7156
partnership or an owner or a member of another unincorporated 7157
business from any funds of the partnership or other unincorporated 7158
business, all of the following apply: 7159

(1) The recipient of the contribution shall report the 7160
contribution by listing both the partnership or other 7161
unincorporated business and the name of the partner, owner, or 7162
member making the contribution. 7163

(2) In reporting the contribution, the recipient of the 7164
contribution shall be entitled to conclusively rely upon the 7165
information provided by the partnership or other unincorporated 7166
business, provided that the information includes one of the 7167
following: 7168

(a) The name of each partner, owner, or member as of the date 7169
of the contribution or contributions, and a statement that the 7170
total contributions are to be allocated equally among all of the 7171
partners, owners, or members; or 7172

(b) The name of each partner, owner, or member as of the date 7173
of the contribution or contributions who is participating in the 7174
contribution or contributions, and a statement that the 7175

contribution or contributions are to be allocated to those 7176
individuals in accordance with the information provided by the 7177
partnership or other unincorporated business to the recipient of 7178
the contribution. 7179

(3) For purposes of section 3517.102 of the Revised Code, the 7180
contribution shall be considered to have been made by the partner, 7181
owner, or member reported under division (I)(1) of this section. 7182

(4) No contribution from a partner of a partnership or an 7183
owner or a member of another unincorporated business shall be 7184
accepted from any funds of the partnership or other unincorporated 7185
business unless the recipient reports the contribution under 7186
division (I)(1) of this section together with the information 7187
provided under division (I)(2) of this section. 7188

(5) No partnership or other unincorporated business shall 7189
make a contribution or contributions solely in the name of the 7190
partnership or other unincorporated business. 7191

(6) As used in division (I) of this section, "partnership or 7192
other unincorporated business" includes, but is not limited to, a 7193
cooperative, a sole proprietorship, a general partnership, a 7194
limited partnership, a limited partnership association, a limited 7195
liability partnership, and a limited liability company. 7196

(J) A candidate shall have only one campaign committee at any 7197
given time for all of the offices for which the person is a 7198
candidate or holds office. 7199

(K)(1) In addition to filing a designation of appointment of 7200
a treasurer under division (D)(1) of this section, the campaign 7201
committee of any candidate for an elected municipal office that 7202
pays an annual amount of compensation of five thousand dollars or 7203
less, the campaign committee of any candidate for member of a 7204
board of education except member of the state board of education, 7205
or the campaign committee of any candidate for township trustee or 7206

township fiscal officer may sign, under penalty of election 7207
falsification, a certificate attesting that the committee will not 7208
accept contributions during an election period that exceed in the 7209
aggregate two thousand dollars from all contributors and one 7210
hundred dollars from any one individual, and that the campaign 7211
committee will not make expenditures during an election period 7212
that exceed in the aggregate two thousand dollars. 7213

The certificate shall be on a form prescribed by the 7214
secretary of state and shall be filed not later than ten days 7215
after the candidate files a declaration of candidacy and petition, 7216
a nominating petition, or a declaration of intent to be a write-in 7217
candidate. 7218

(2) Except as otherwise provided in division (K)(3) of this 7219
section, a campaign committee that files a certificate under 7220
division (K)(1) of this section is not required to file the 7221
statements required by division (A) of this section. 7222

(3) If, after filing a certificate under division (K)(1) of 7223
this section, a campaign committee exceeds any of the limitations 7224
described in that division during an election period, the 7225
certificate is void and thereafter the campaign committee shall 7226
file the statements required by division (A) of this section. If 7227
the campaign committee has not previously filed a statement, then 7228
on the first statement the campaign committee is required to file 7229
under division (A) of this section after the committee's 7230
certificate is void, the committee shall report all contributions 7231
received and expenditures made from the time the candidate filed 7232
the candidate's declaration of candidacy and petition, nominating 7233
petition, or declaration of intent to be a write-in candidate. 7234

(4) As used in division (K) of this section, "election 7235
period" means the period of time beginning on the day a person 7236
files a declaration of candidacy and petition, nominating 7237
petition, or declaration of intent to be a write-in candidate 7238

through the day of the election at which the person seeks 7239
nomination to office if the person is not elected to office, or, 7240
if the candidate was nominated in a primary election, the day of 7241
the election at which the candidate seeks office. 7242

(L) A political contributing entity that receives 7243
contributions from the dues, membership fees, or other assessments 7244
of its members or from its officers, shareholders, and employees 7245
may report the aggregate amount of contributions received from 7246
those contributors and the number of individuals making those 7247
contributions, for each filing period under divisions (A)(1), (2), 7248
(3), and (4) of this section, rather than reporting information as 7249
required under division (B)(4) of this section, including, when 7250
applicable, the name of the current employer, if any, of a 7251
contributor whose contribution exceeds one hundred dollars or, if 7252
such a contributor is self-employed, the contributor's occupation 7253
and the name of the contributor's business, if any. Division 7254
(B)(4) of this section applies to a political contributing entity 7255
with regard to contributions it receives from all other 7256
contributors. 7257

Sec. 3517.102. (A) Except as otherwise provided in section 7258
3517.103 of the Revised Code, as used in this section and sections 7259
3517.103 and 3517.104 of the Revised Code: 7260

(1) "Candidate" has the same meaning as in section 3517.01 of 7261
the Revised Code but includes only candidates for the offices of 7262
governor, lieutenant governor, secretary of state, auditor of 7263
state, treasurer of state, attorney general, member of the state 7264
board of education, member of the general assembly, chief justice 7265
of the supreme court, and justice of the supreme court. 7266

(2) "Statewide candidate" or "any one statewide candidate" 7267
means the joint candidates for the offices of governor and 7268
lieutenant governor or a candidate for the office of secretary of 7269

state, auditor of state, treasurer of state, attorney general, 7270
member of the state board of education, chief justice of the 7271
supreme court, or justice of the supreme court. 7272

(3) "Senate candidate" means a candidate for the office of 7273
state senator. 7274

(4) "House candidate" means a candidate for the office of 7275
state representative. 7276

(5)(a) "Primary election period" for a candidate begins on 7277
the beginning date of the candidate's pre-filing period specified 7278
in division (A)(9) of section 3517.109 of the Revised Code and 7279
ends on the day of the primary election. 7280

(b) In regard to any candidate, the "general election period" 7281
begins on the day after the primary election immediately preceding 7282
the general election at which the candidate seeks an office 7283
specified in division (A)(1) of this section and ends on the 7284
thirty-first day of December following that general election. 7285

(6) "State candidate fund" means the state candidate fund 7286
established by a state or county political party under division 7287
(D)(3)(c) of section 3517.10 of the Revised Code. 7288

(7) "Postgeneral election statement" means the statement 7289
filed under division (A)(2) of section 3517.10 of the Revised Code 7290
by the campaign committee of a candidate after the general 7291
election in which the candidate ran for office or filed by 7292
legislative campaign fund after the general election in an 7293
even-numbered year. 7294

(8) "Contribution" means any contribution that is required to 7295
be reported in the statement of contributions under section 7296
3517.10 of the Revised Code. 7297

(9)(a) Except as otherwise provided in division (A)(9)(b) of 7298
this section ~~and in division (F) of section 3517.103 and division~~ 7299

~~(B)(3)(b) of section 3517.1010 of the Revised Code, "designated~~ 7300
state campaign committee" means: 7301

(i) In the case of contributions to or from a state political 7302
party, a campaign committee of a statewide candidate, statewide 7303
officeholder, senate candidate, house candidate, or member of the 7304
general assembly. 7305

(ii) In the case of contributions to or from a county 7306
political party, a campaign committee of a senate candidate or 7307
house candidate whose candidacy is to be submitted to some or all 7308
of the electors in that county, or member of the general assembly 7309
whose district contains all or part of that county. 7310

(iii) In the case of contributions to or from a legislative 7311
campaign fund, a campaign committee of any of the following: 7312

(I) A senate or house candidate who, if elected, will be a 7313
member of the same party that established the legislative campaign 7314
fund and the same house with which the legislative campaign fund 7315
is associated; 7316

(II) A state senator or state representative who is a member 7317
of the same party that established the legislative campaign fund 7318
and the same house with which the legislative campaign fund is 7319
associated. 7320

(b) A campaign committee is no longer a "designated state 7321
campaign committee" after the campaign committee's candidate 7322
changes the designation of treasurer required to be filed under 7323
division (D)(1) of section 3517.10 of the Revised Code to indicate 7324
that the person intends to be a candidate for, or becomes a 7325
candidate for nomination or election to, any office that, if 7326
elected, would not qualify that candidate's campaign committee as 7327
a "designated state campaign committee" under division (A)(9)(a) 7328
of this section. 7329

(B)(1)(a) No individual who is seven years of age or older 7330

shall make a contribution or contributions aggregating more than: 7331

(i) Ten thousand dollars to the campaign committee of any one 7332
statewide candidate in a primary election period or in a general 7333
election period; 7334

(ii) Ten thousand dollars to the campaign committee of any 7335
one senate candidate in a primary election period or in a general 7336
election period; 7337

(iii) Ten thousand dollars to the campaign committee of any 7338
one house candidate in a primary election period or in a general 7339
election period; 7340

(iv) Ten thousand dollars to a county political party of the 7341
county in which the individual's designated Ohio residence is 7342
located for the party's state candidate fund in a calendar year; 7343

(v) Fifteen thousand dollars to any one legislative campaign 7344
fund in a calendar year; 7345

(vi) Thirty thousand dollars to any one state political party 7346
for the party's state candidate fund in a calendar year; 7347

(vii) Ten thousand dollars to any one political action 7348
committee in a calendar year; 7349

(viii) Ten thousand dollars to any one political contributing 7350
entity in a calendar year. 7351

(b) No individual shall make a contribution or contributions 7352
to the state candidate fund of a county political party of any 7353
county other than the county in which the individual's designated 7354
Ohio residence is located. 7355

(c) No individual who is under seven years of age shall make 7356
any contribution. 7357

(2)(a) Subject to division (D)(1) of this section, no 7358
political action committee shall make a contribution or 7359
contributions aggregating more than: 7360

(i) Ten thousand dollars to the campaign committee of any one statewide candidate in a primary election period or in a general election period;

(ii) Ten thousand dollars to the campaign committee of any one senate candidate in a primary election period or in a general election period;

(iii) Ten thousand dollars to the campaign committee of any one house candidate in a primary election period or in a general election period;

(iv) Fifteen thousand dollars to any one legislative campaign fund in a calendar year;

(v) Thirty thousand dollars to any one state political party for the party's state candidate fund in a calendar year;

(vi) Ten thousand dollars to another political action committee or to a political contributing entity in a calendar year. This division does not apply to a political action committee that makes a contribution to a political action committee or a political contributing entity affiliated with it. For purposes of this division, a political action committee is affiliated with another political action committee or with a political contributing entity if they are both established, financed, maintained, or controlled by, or if they are, the same corporation, organization, labor organization, continuing association, or other person, including any parent, subsidiary, division, or department of that corporation, organization, labor organization, continuing association, or other person.

(b) No political action committee shall make a contribution or contributions to a county political party for the party's state candidate fund.

(3) No campaign committee shall make a contribution or contributions aggregating more than:

(a) Ten thousand dollars to the campaign committee of any one statewide candidate in a primary election period or in a general election period;	7392 7393 7394
(b) Ten thousand dollars to the campaign committee of any one senate candidate in a primary election period or in a general election period;	7395 7396 7397
(c) Ten thousand dollars to the campaign committee of any one house candidate in a primary election period or in a general election period;	7398 7399 7400
(d) Ten thousand dollars to any one political action committee in a calendar year;	7401 7402
(e) Ten thousand dollars to any one political contributing entity in a calendar year.	7403 7404
(4)(a) Subject to division (D)(3) of this section, no political party shall make a contribution or contributions aggregating more than ten thousand dollars to any one political action committee or to any one political contributing entity in a calendar year.	7405 7406 7407 7408 7409
(b) No county political party shall make a contribution or contributions to another county political party.	7410 7411
(5)(a) Subject to division (B)(5)(b) of this section, no campaign committee, other than a designated state campaign committee, shall make a contribution or contributions aggregating in a calendar year more than:	7412 7413 7414 7415
(i) Thirty thousand dollars to any one state political party for the party's state candidate fund;	7416 7417
(ii) Fifteen thousand dollars to any one legislative campaign fund;	7418 7419
(iii) Ten thousand dollars to any one county political party for the party's state candidate fund.	7420 7421

(b) No campaign committee shall make a contribution or	7422
contributions to a county political party for the party's state	7423
candidate fund unless one of the following applies:	7424
(i) The campaign committee's candidate will appear on a	7425
ballot in that county.	7426
(ii) The campaign committee's candidate is the holder of an	7427
elected public office that represents all or part of the	7428
population of that county at the time the contribution is made.	7429
(6)(a) No state candidate fund of a county political party	7430
shall make a contribution or contributions, except a contribution	7431
or contributions to a designated state campaign committee, in a	7432
primary election period or a general election period, aggregating	7433
more than:	7434
(i) Two hundred fifty thousand dollars to the campaign	7435
committee of any one statewide candidate;	7436
(ii) Ten thousand dollars to the campaign committee of any	7437
one senate candidate;	7438
(iii) Ten thousand dollars to the campaign committee of any	7439
one house candidate.	7440
(b)(i) No state candidate fund of a state or county political	7441
party shall make a transfer or a contribution or transfers or	7442
contributions of cash or cash equivalents to a designated state	7443
campaign committee in a primary election period or in a general	7444
election period aggregating more than:	7445
(I) Five hundred thousand dollars to the campaign committee	7446
of any one statewide candidate;	7447
(II) One hundred thousand dollars to the campaign committee	7448
of any one senate candidate;	7449
(III) Fifty thousand dollars to the campaign committee of any	7450
one house candidate.	7451

(ii) No legislative campaign fund shall make a transfer or a contribution or transfers or contributions of cash or cash equivalents to a designated state campaign committee aggregating more than:

(I) Fifty thousand dollars in a primary election period or one hundred thousand dollars in a general election period to the campaign committee of any one senate candidate;

(II) Twenty-five thousand dollars in a primary election period or fifty thousand dollars in a general election period to the campaign committee of any one house candidate.

(iii) As used in divisions (B)(6)(b) and (C)(6) of this section, "transfer or contribution of cash or cash equivalents" does not include any in-kind contributions.

(c) 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 may make one or more contributions from other accounts to any one statewide candidate or to any one designated state campaign committee that do not exceed, in the aggregate, two thousand five hundred dollars in any primary election period or general election period. As used in this division, "other accounts" does not include an account that contains the public moneys received from the Ohio political party fund under section 3517.17 of the Revised Code.

(d) No legislative campaign fund shall make a contribution, other than to a designated state campaign committee or to the state candidate fund of a political party.

(7)(a) Subject to division (D)(1) of this section, no political contributing entity shall make a contribution or contributions aggregating more than:

(i) Ten thousand dollars to the campaign committee of any one statewide candidate in a primary election period or in a general

election period; 7483

(ii) Ten thousand dollars to the campaign committee of any 7484
one senate candidate in a primary election period or in a general 7485
election period; 7486

(iii) Ten thousand dollars to the campaign committee of any 7487
one house candidate in a primary election period or in a general 7488
election period; 7489

(iv) Fifteen thousand dollars to any one legislative campaign 7490
fund in a calendar year; 7491

(v) Thirty thousand dollars to any one state political party 7492
for the party's state candidate fund in a calendar year; 7493

(vi) Ten thousand dollars to another political contributing 7494
entity or to a political action committee in a calendar year. This 7495
division does not apply to a political contributing entity that 7496
makes a contribution to a political contributing entity or a 7497
political action committee affiliated with it. For purposes of 7498
this division, a political contributing entity is affiliated with 7499
another political contributing entity or with a political action 7500
committee if they are both established, financed, maintained, or 7501
controlled by, or if they are, the same corporation, organization, 7502
labor organization, continuing association, or other person, 7503
including any parent, subsidiary, division, or department of that 7504
corporation, organization, labor organization, continuing 7505
association, or other person. 7506

(b) No political contributing entity shall make a 7507
contribution or contributions to a county political party for the 7508
party's state candidate fund. 7509

(C)(1)(a) Subject to division (D)(1) of this section, no 7510
campaign committee of a statewide candidate shall do any of the 7511
following: 7512

(i) Knowingly accept a contribution or contributions from any individual who is under seven years of age; 7513
7514

(ii) Accept a contribution or contributions aggregating more than ten thousand dollars from any one individual who is seven years of age or older, from any one political action committee, from any one political contributing entity, or from any one other campaign committee in a primary election period or in a general election period; 7515
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(iii) Accept a contribution or contributions aggregating more than two hundred fifty thousand dollars from any one or combination of state candidate funds of county political parties in a primary election period or in a general election period. 7521
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(b) No campaign committee of a statewide candidate shall accept a contribution or contributions aggregating more than two thousand five hundred dollars in a primary election period or in a general election period from a county political party that has no state candidate fund and that is located in a county having a population of less than one hundred fifty thousand. 7525
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(2)(a) Subject to division (D)(1) of this section and except for a designated state campaign committee, no campaign committee of a senate candidate shall do either of the following: 7531
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(i) Knowingly accept a contribution or contributions from any individual who is under seven years of age; 7534
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(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. 7536
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(b) No campaign committee of a senate candidate shall accept 7543

a contribution or contributions aggregating more than two thousand 7544
five hundred dollars in a primary election period or in a general 7545
election period from a county political party that has no state 7546
candidate fund and that is located in a county having a population 7547
of less than one hundred fifty thousand. 7548

(3)(a) Subject to division (D)(1) of this section and except 7549
for a designated state campaign committee, no campaign committee 7550
of a house candidate shall do either of the following: 7551

(i) Knowingly accept a contribution or contributions from any 7552
individual who is under seven years of age; 7553

(ii) Accept a contribution or contributions aggregating more 7554
than ten thousand dollars from any one individual who is seven 7555
years of age or older, from any one political action committee, 7556
from any one political contributing entity, from any one state 7557
candidate fund of a county political party, or from any one other 7558
campaign committee in a primary election period or in a general 7559
election period. 7560

(b) No campaign committee of a house candidate shall accept a 7561
contribution or contributions aggregating more than two thousand 7562
five hundred dollars in a primary election period or in a general 7563
election period from a county political party that has no state 7564
candidate fund and that is located in a county having a population 7565
of less than one hundred fifty thousand. 7566

(4)(a)(i) Subject to division (C)(4)(a)(ii) of this section 7567
and except for a designated state campaign committee, no county 7568
political party shall knowingly accept a contribution or 7569
contributions from any individual who is under seven years of age, 7570
or accept a contribution or contributions for the party's state 7571
candidate fund aggregating more than ten thousand dollars from any 7572
one individual whose designated Ohio residence is located within 7573
that county and who is seven years of age or older or from any one 7574

campaign committee in a calendar year. 7575

(ii) Subject to division (D)(1) of this section, no county 7576
political party shall accept a contribution or contributions for 7577
the party's state candidate fund from any individual whose 7578
designated Ohio residence is located outside of that county and 7579
who is seven years of age or older, from any campaign committee 7580
unless the campaign committee's candidate will appear on a ballot 7581
in that county or unless the campaign committee's candidate is the 7582
holder of an elected public office that represents all or part of 7583
the population of that county at the time the contribution is 7584
accepted, or from any political action committee or any political 7585
contributing entity. 7586

(iii) No county political party shall accept a contribution 7587
or contributions from any other county political party. 7588

(b) Subject to division (D)(1) of this section, no state 7589
political party shall do either of the following: 7590

(i) Knowingly accept a contribution or contributions from any 7591
individual who is under seven years of age; 7592

(ii) Accept a contribution or contributions for the party's 7593
state candidate fund aggregating more than thirty thousand dollars 7594
from any one individual who is seven years of age or older, from 7595
any one political action committee, from any one political 7596
contributing entity, or from any one campaign committee, other 7597
than a designated state campaign committee, in a calendar year. 7598

(5) Subject to division (D)(1) of this section, no 7599
legislative campaign fund shall do either of the following: 7600

(a) Knowingly accept a contribution or contributions from any 7601
individual who is under seven years of age; 7602

(b) Accept a contribution or contributions aggregating more 7603
than fifteen thousand dollars from any one individual who is seven 7604

years of age or older, from any one political action committee, 7605
from any one political contributing entity, or from any one 7606
campaign committee, other than a designated state campaign 7607
committee, in a calendar year. 7608

(6)(a) No designated state campaign committee shall accept a 7609
transfer or contribution of cash or cash equivalents from a state 7610
candidate fund of a state political party aggregating in a primary 7611
election period or a general election period more than: 7612

(i) Five hundred thousand dollars, in the case of a campaign 7613
committee of a statewide candidate; 7614

(ii) One hundred thousand dollars, in the case of a campaign 7615
committee of a senate candidate; 7616

(iii) Fifty thousand dollars, in the case of a campaign 7617
committee of a house candidate. 7618

(b) No designated state campaign committee shall accept a 7619
transfer or contribution of cash or cash equivalents from a 7620
legislative campaign fund aggregating more than: 7621

(i) Fifty thousand dollars in a primary election period or 7622
one hundred thousand dollars in a general election period, in the 7623
case of a campaign committee of a senate candidate; 7624

(ii) Twenty-five thousand dollars in a primary election 7625
period or fifty thousand dollars in a general election period, in 7626
the case of a campaign committee of a house candidate. 7627

(c) No campaign committee of a candidate for the office of 7628
member of the general assembly, including a designated state 7629
campaign committee, shall accept a transfer or contribution of 7630
cash or cash equivalents from any one or combination of state 7631
candidate funds of county political parties aggregating in a 7632
primary election period or a general election period more than: 7633

(i) One hundred thousand dollars, in the case of a campaign 7634

committee of a senate candidate; 7635

(ii) Fifty thousand dollars, in the case of a campaign 7636
committee of a house candidate. 7637

(7)(a) Subject to division (D)(3) of this section, no 7638
political action committee and no political contributing entity 7639
shall do either of the following: 7640

(i) Knowingly accept a contribution or contributions from any 7641
individual who is under seven years of age; 7642

(ii) Accept a contribution or contributions aggregating more 7643
than ten thousand dollars from any one individual who is seven 7644
years of age or older, from any one campaign committee, or from 7645
any one political party in a calendar year. 7646

(b) Subject to division (D)(1) of this section, no political 7647
action committee shall accept a contribution or contributions 7648
aggregating more than ten thousand dollars from another political 7649
action committee or from a political contributing entity in a 7650
calendar year. Subject to division (D)(1) of this section, no 7651
political contributing entity shall accept a contribution or 7652
contributions aggregating more than ten thousand dollars from 7653
another political contributing entity or from a political action 7654
committee in a calendar year. This division does not apply to a 7655
political action committee or political contributing entity that 7656
accepts a contribution from a political action committee or 7657
political contributing entity affiliated with it. For purposes of 7658
this division, a political action committee is affiliated with 7659
another political action committee or with a political 7660
contributing entity if they are both established, financed, 7661
maintained, or controlled by the same corporation, organization, 7662
labor organization, continuing association, or other person, 7663
including any parent, subsidiary, division, or department of that 7664
corporation, organization, labor organization, continuing 7665

association, or other person. 7666

(D)(1)(a) For purposes of the limitations prescribed in 7667
division (B)(2) of this section and the limitations prescribed in 7668
divisions (C)(1), (2), (3), (4), (5), and (7)(b) of this section, 7669
whichever is applicable, all contributions made by and all 7670
contributions accepted from political action committees that are 7671
established, financed, maintained, or controlled by, or that are, 7672
the same corporation, organization, labor organization, continuing 7673
association, or other person, including any parent, subsidiary, 7674
division, or department of that corporation, organization, labor 7675
organization, continuing association, or other person, are 7676
considered to have been made by or accepted from a single 7677
political action committee. 7678

(b) For purposes of the limitations prescribed in division 7679
(B)(7) of this section and the limitations prescribed in divisions 7680
(C)(1), (2), (3), (4), (5), and (7)(b) of this section, whichever 7681
is applicable, all contributions made by and all contributions 7682
accepted from political contributing entities that are 7683
established, financed, maintained, or controlled by, or that are, 7684
the same corporation, organization, labor organization, continuing 7685
association, or other person, including any parent, subsidiary, 7686
division, or department of that corporation, organization, labor 7687
organization, continuing association, or other person, are 7688
considered to have been made by or accepted from a single 7689
political contributing entity. 7690

(2) As used in divisions (B)(1)(a)(vii), (B)(3)(d), 7691
(B)(4)(a), and (C)(7) of this section, "political action 7692
committee" does not include a political action committee that is 7693
organized to support or oppose a ballot issue or question and that 7694
makes no contributions to or expenditures on behalf of a political 7695
party, campaign committee, legislative campaign fund, political 7696
action committee, or political contributing entity. As used in 7697

divisions (B)(1)(a)(viii), (B)(3)(e), (B)(4)(a), and (C)(7) of 7698
this section, "political contributing entity" does not include a 7699
political contributing entity that is organized to support or 7700
oppose a ballot issue or question and that makes no contributions 7701
to or expenditures on behalf of a political party, campaign 7702
committee, legislative campaign fund, political action committee, 7703
or political contributing entity. 7704

(3) For purposes of the limitations prescribed in divisions 7705
(B)(4) and (C)(7)(a) of this section, all contributions made by 7706
and all contributions accepted from a national political party, a 7707
state political party, and a county political party are considered 7708
to have been made by or accepted from a single political party and 7709
shall be combined with each other to determine whether the 7710
limitations have been exceeded. 7711

(E)(1) If a legislative campaign fund has kept a total amount 7712
of contributions exceeding one hundred fifty thousand dollars at 7713
the close of business on the seventh day before the postgeneral 7714
election statement is required to be filed under section 3517.10 7715
of the Revised Code, the legislative campaign fund shall comply 7716
with division (E)(2) of this section. 7717

(2)(a) Any legislative campaign fund that has kept a total 7718
amount of contributions in excess of the amount specified in 7719
division (E)(1) of this section at the close of business on the 7720
seventh day before the postgeneral election statement is required 7721
to be filed under section 3517.10 of the Revised Code shall 7722
dispose of the excess amount in the manner prescribed in division 7723
(E)(2)(b)(i), (ii), or (iii) of this section not later than ninety 7724
days after the day the postgeneral election statement is required 7725
to be filed under section 3517.10 of the Revised Code. Any 7726
legislative campaign fund that is required to dispose of an excess 7727
amount of contributions under this division shall file a statement 7728
on the ninetieth day after the postgeneral election statement is 7729

required to be filed under section 3517.10 of the Revised Code 7730
indicating the total amount of contributions the fund has at the 7731
close of business on the seventh day before the postgeneral 7732
election statement is required to be filed under section 3517.10 7733
of the Revised Code and that the excess contributions were 7734
disposed of pursuant to this division and division (E)(2)(b) of 7735
this section. The statement shall be on a form prescribed by the 7736
secretary of state and shall contain any additional information 7737
the secretary of state considers necessary. 7738

(b) Any legislative campaign fund that is required to dispose 7739
of an excess amount of contributions under division (E)(2) of this 7740
section shall dispose of that excess amount by doing any of the 7741
following: 7742

(i) Giving the amount to the treasurer of state for deposit 7743
into the state treasury to the credit of the Ohio elections 7744
commission fund created by division (I) of section 3517.152 of the 7745
Revised Code; 7746

(ii) Giving the amount to individuals who made contributions 7747
to that legislative campaign fund as a refund of all or part of 7748
their contributions; 7749

(iii) Giving the amount to a corporation that is exempt from 7750
federal income taxation under subsection 501(a) and described in 7751
subsection 501(c) of the Internal Revenue Code. 7752

(F)(1) No legislative campaign fund shall fail to file a 7753
statement required by division (E) of this section. 7754

(2) No legislative campaign fund shall fail to dispose of 7755
excess contributions as required by division (E) of this section. 7756

(G) Nothing in this section shall affect, be used in 7757
determining, or supersede a limitation on campaign contributions 7758
as provided for in the Federal Election Campaign Act. 7759

Sec. 3517.103. (A)~~(1)~~ For purposes of this section: 7760

~~(a)~~(1) "Statewide candidate" means the joint candidates for 7761
the offices of governor and lieutenant governor or a candidate for 7762
the office of secretary of state, auditor of state, treasurer of 7763
state, attorney general, or member of the state board of 7764
education. 7765

~~(b)(i)~~(2)(a) "Personal funds" means contributions to the 7766
campaign committee of a candidate by the candidate ~~or by the~~ 7767
~~candidate's spouse, parents, children, sons in law,~~ 7768
~~daughters in law, brothers, sisters, grandparents, mother in law,~~ 7769
~~father in law, brothers in law, sisters in law, or grandparents by~~ 7770
marriage. 7771

~~(ii)~~(b) A loan obtained by, guaranteed by, or for the benefit 7772
of a statewide candidate, senate candidate, or house candidate 7773
shall be considered "personal funds" subject to the provisions of 7774
this section ~~and section 3517.1010 of the Revised Code to the~~ 7775
extent that the loan is obtained or guaranteed by the candidate ~~or~~ 7776
~~is for the benefit of the candidate and is obtained or guaranteed~~ 7777
~~by the candidate's spouse, parents, children, sons in law,~~ 7778
~~daughters in law, brothers, sisters, grandparents, mother in law,~~ 7779
~~father in law, brothers in law, sisters in law, or grandparents by~~ 7780
marriage. A loan that is obtained or guaranteed and that is for 7781
the benefit of a statewide candidate, senate candidate, or house 7782
candidate shall not be considered "personal funds" for the 7783
purposes of this section ~~and section 3517.1010 of the Revised Code~~ 7784
but shall be considered to be a "contribution" for the purposes of 7785
this chapter if the loan is obtained or guaranteed by anyone other 7786
than the candidate ~~or the candidate's spouse, parents, children,~~ 7787
~~sons in law, daughters in law, brothers, sisters, grandparents,~~ 7788
~~mother in law, father in law, brothers in law, sisters in law, or~~ 7789
grandparents by marriage. 7790

~~(iii)(c)~~ When a debt or other obligation incurred by a 7791
committee or by a candidate on behalf of the candidate's committee 7792
~~described in division (C)(1) or (2) of this section~~ is to be paid 7793
from "personal funds," those funds are considered to be expended 7794
when the debt or other obligation is incurred, regardless of when 7795
it is paid. 7796

~~(2) For purposes of this chapter, a candidate is an 7797
"opponent" when the candidate has indicated on the candidate's 7798
most recently filed designation of treasurer that the candidate 7799
seeks the same office at the same primary or general election as 7800
another candidate whose campaign committee has filed a personal 7801
funds notice required by division (C)(1) or (2) of this section. 7802~~

(B)(1) Except as otherwise provided in division (B)(2) of 7803
this section, no statewide candidate or candidate for the office 7804
of member of the general assembly shall make an expenditure of 7805
personal funds to influence the results of an election for that 7806
candidate's nomination or election to office unless the personal 7807
funds are first deposited into the campaign fund of that 7808
candidate's campaign committee. 7809

(2) A statewide candidate or candidate for the office of 7810
member of the general assembly may make an expenditure of personal 7811
funds without first depositing those funds into the campaign 7812
committee's funds as long as the aggregate total of those 7813
expenditures does not exceed five hundred dollars at any time 7814
during an election period. After the candidate's campaign 7815
committee reimburses the candidate for any direct expenditure of 7816
personal funds, the amount that was reimbursed is no longer 7817
included in the aggregate total of expenditures of personal funds 7818
subject to the five-hundred-dollar limit. 7819

~~(C)(1) If the campaign committee of any statewide candidate 7820
has received or expended or expects to expend more than one 7821
hundred thousand dollars of personal funds during a primary 7822~~

~~election period or one hundred fifty thousand dollars of personal 7823
funds during a general election period, the campaign committee 7824
shall file a personal funds notice in the manner provided in 7825
division (C)(3) of this section indicating that the committee has 7826
received or expended or expects to expend more than that amount. 7827
For the purpose of this division, a joint team of candidates for 7828
governor and lieutenant governor shall be considered a single 7829
candidate and their personal funds shall be combined. 7830~~

~~(2) If the campaign committee of any senate candidate or 7831
house candidate has received or expended or expects to expend more 7832
than twenty five thousand dollars of personal funds during a 7833
primary election period or twenty five thousand dollars of 7834
personal funds during a general election period, the campaign 7835
committee shall file a personal funds notice in the manner 7836
provided in division (C)(3) of this section indicating that the 7837
committee has received or expended or expects to expend more than 7838
that amount. 7839~~

~~(3) The personal funds notice required in divisions (C)(1) 7840
and (2) of this section and the declaration of no limits required 7841
under division (D)(2) of this section shall be on a form 7842
prescribed by the secretary of state. The personal funds notice 7843
required in divisions (C)(1) and (2) of this section shall be 7844
filed not later than the earlier of the following times: 7845~~

~~(a) One hundred twenty days before a primary election, in the 7846
case of personal funds received, expended, or expected to be 7847
expended during a primary election period, or not later than one 7848
hundred twenty days before a general election, in the case of 7849
personal funds received, expended, or expected to be expended 7850
during a general election period; 7851~~

~~(b) Two business days after the candidate's campaign 7852
committee receives or makes an expenditure of personal funds or 7853
the candidate makes an expenditure of personal funds on behalf of 7854~~

~~the candidate's campaign committee during that election period 7855
that exceed, in the aggregate, the amount specified in division 7856
(C)(1) or (2) of this section. 7857~~

~~The personal funds notice required under divisions (C)(1) and 7858
(2) of this section and the declaration of no limits required 7859
under division (D)(2) of this section shall be filed wherever the 7860
campaign committee files statements of contributions and 7861
expenditures under section 3517.11 of the Revised Code. The board 7862
of elections shall send to the secretary of state a copy of any 7863
personal funds notice or declaration of no limits filed by the 7864
campaign committee of a senate candidate or house candidate under 7865
division (C)(3) or (D)(2) of this section. 7866~~

~~(D)(1) Whenever a campaign committee files a notice under 7867
division (C)(1) or (2) of this section, and the campaign committee 7868
of an opponent files a declaration of no limits pursuant to 7869
division (D)(2) of this section within thirty days of the filing 7870
of the personal funds notice under division (C)(1) or (2) of this 7871
section, the contribution limitations prescribed in section 7872
3517.102 of the Revised Code no longer apply to the campaign 7873
committee of the candidate's opponent. 7874~~

~~(2) No campaign committee of a candidate described in 7875
division (D)(1) of this section shall accept any contribution or 7876
contributions from a contributor that exceed the limitations 7877
prescribed in section 3517.102 of the Revised Code until the 7878
committee files a declaration that the committee will accept 7879
contributions that exceed those limitations. This declaration 7880
shall be filed not later than thirty days after a candidate's 7881
opponent has filed a personal funds notice pursuant to division 7882
(C)(1) or (2) of section 3517.103 of the Revised Code, shall be 7883
referred to as the "declaration of no limits," and shall list all 7884
of the following: 7885~~

~~(a) The amount of cash on hand in the candidate's campaign 7886~~

~~fund at the end of the day immediately preceding the day on which 7887
the candidate's campaign committee files the declaration of no 7888
limits; 7889~~

~~(b) The value and description of all campaign assets worth 7890
five hundred dollars or more available to the candidate at the end 7891
of the day immediately preceding the day on which the candidate's 7892
campaign committee files the declaration of no limits. 7893~~

~~(3) A candidate who was not an opponent of a candidate who 7894
filed the personal funds notice required under division (C)(3) of 7895
this section on the date the personal funds notice was filed may 7896
file the declaration of no limits pursuant to division (D)(2) of 7897
this section within thirty days after becoming an opponent of the 7898
candidate who filed the personal funds notice. 7899~~

~~(4) If the candidate whose campaign committee filed a 7900
personal funds notice under division (C)(1) or (2) of this section 7901
fails to file a declaration of candidacy for the office listed on 7902
the designation of treasurer filed under division (D) of section 7903
3517.10 of the Revised Code or files a declaration of candidacy or 7904
nominating petition for that office and dies or withdraws, both of 7905
the following apply to the campaign committee of that candidate's 7906
opponent if the opponent has filed a declaration of no limits 7907
pursuant to division (D) of this section: 7908~~

~~(a) No contribution from a contributor may thereafter be 7909
accepted that, when added to the aggregate total of all 7910
contributions received by that committee from that contributor 7911
during the primary election period or general election period, 7912
whichever is applicable, would cause that committee to exceed the 7913
contribution limitations prescribed in section 3517.102 of the 7914
Revised Code for the applicable election period. 7915~~

~~(b) The statement of primary day finances or the year end 7916
statement required to be filed under division (E) of section 7917~~

~~3517.1010 of the Revised Code shall be filed not later than 7918
fourteen days after the date the candidate's opponent fails to 7919
file a declaration of candidacy or nominating petition by the 7920
appropriate filing deadline, or dies or withdraws. For purposes of 7921
calculating permitted funds under division (A)(4) of section 7922
3517.1010 of the Revised Code, the primary or general election 7923
period, whichever is applicable, shall be considered to have ended 7924
on the filing deadline, in the case of an opponent who fails to 7925
file a declaration of candidacy or nominating petition, or on the 7926
date of the opponent's death or withdrawal. In such an event, the 7927
filing of a statement of primary day finances or year end finances 7928
and the disposing of any excess funds as required under division 7929
(B) of section 3517.1010 of the Revised Code satisfies the 7930
candidate's obligation to file such a statement for that election 7931
period. 7932~~

~~(E)(1) No campaign committee shall fail to file a personal 7933
funds notice as required under division (C)(1) or (2) of this 7934
section. 7935~~

~~(2) No campaign committee shall accept any contribution in 7936
excess of the contribution limitations prescribed in section 7937
3517.102 of the Revised Code. 7938~~

~~(a) Unless a declaration of no limits has been filed under 7939
division (D)(2) of this section; 7940~~

~~(b) In violation of division (D)(4) of this section once the 7941
candidate who filed a personal funds notice under division (C)(3) 7942
of this section fails to file a declaration of candidacy or 7943
nominating petition or that candidate dies or withdraws. 7944~~

~~(3) No campaign committee that violates division (E)(1) of 7945
this section shall expend any personal funds in excess of the 7946
amount specified in division (C)(1) or (2) of this section, 7947
whichever is appropriate to the committee. 7948~~

~~(4) The candidate of any campaign committee that violates
division (E) of this section shall forfeit the candidate's
nomination, if the candidate was nominated, or the office to which
the candidate was elected, if the candidate was elected to office.~~

~~(F)(1) Whenever a campaign committee files a notice under
division (C)(1) or (2) of this section or whenever the
contribution limitations prescribed in section 3517.102 of the
Revised Code do not apply to a campaign committee under division
(D)(1) of this section, that committee is not a designated state
campaign committee for the purpose of the limitations prescribed
in section 3517.102 of the Revised Code with regard to
contributions made by that campaign committee to a legislative
campaign fund or to a state candidate fund of a state or county
political party.~~

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

~~(a) The primary or general election period during which the
contribution limitations prescribed in section 3517.102 of the
Revised Code did not apply after being removed pursuant to
division (D) of this section has expired;~~

~~(b) When the campaign committee has disposed of all excess
funds and excess aggregate contributions as required under section
3517.1010 of the Revised Code.~~

Sec. 3517.106. (A) As used in this section: 7972

(1) "Statewide office" means any of the offices of governor,
lieutenant governor, secretary of state, auditor of state,
treasurer of state, attorney general, chief justice of the supreme
court, and justice of the supreme court.

(2) "Addendum to a statement" includes an amendment or other
correction to that statement.

(B)(1) The secretary of state shall store on computer the 7979
information contained in statements of contributions and 7980
expenditures and monthly statements required to be filed under 7981
section 3517.10 of the Revised Code and in statements of 7982
independent expenditures required to be filed under section 7983
3517.105 of the Revised Code by any of the following: 7984

(a) The campaign committees of candidates for statewide 7985
office; 7986

(b) The political action committees and political 7987
contributing entities described in division (A)(1) of section 7988
3517.11 of the Revised Code; 7989

(c) Legislative campaign funds; 7990

(d) State political parties; 7991

(e) Individuals, partnerships, corporations, labor 7992
organizations, or other entities that make independent 7993
expenditures in support of or opposition to a statewide candidate 7994
or a statewide ballot issue or question; 7995

(f) The campaign committees of candidates for the office of 7996
member of the general assembly; 7997

(g) County political parties, with respect to their state 7998
candidate funds. 7999

(2) The secretary of state shall store on computer the 8000
information contained in disclosure of electioneering 8001
communications statements required to be filed under section 8002
3517.1011 of the Revised Code. 8003

(3) The secretary of state shall store on computer the 8004
information contained in deposit and disbursement statements 8005
required to be filed with the office of the secretary of state 8006
under section 3517.1012 of the Revised Code. 8007

(4) The secretary of state shall store on computer the gift 8008

and disbursement information contained in statements required to 8009
be filed with the office of the secretary of state under section 8010
3517.1013 of the Revised Code. 8011

(5) The secretary of state shall store on computer the 8012
information contained in donation and disbursement statements 8013
required to be filed with the office of the secretary of state 8014
under section 3517.1014 of the Revised Code. 8015

(C)(1) The secretary of state shall make available to the 8016
campaign committees, political action committees, political 8017
contributing entities, legislative campaign funds, political 8018
parties, individuals, partnerships, corporations, labor 8019
organizations, treasurers of transition funds, and other entities 8020
described in division (B) of this section, and to members of the 8021
news media and other interested persons, for a reasonable fee, 8022
computer programs that are compatible with the secretary of 8023
state's method of storing the information contained in the 8024
statements. 8025

(2) The secretary of state shall make the information 8026
required to be stored under division (B) of this section available 8027
on computer at the secretary of state's office so that, to the 8028
maximum extent feasible, individuals may obtain at the secretary 8029
of state's office any part or all of that information for any 8030
given year, subject to the limitation expressed in division (D) of 8031
this section. 8032

(D) The secretary of state shall keep the information stored 8033
on computer under division (B) of this section for at least six 8034
years. 8035

(E)(1) Subject to division (L) of this section and subject to 8036
the secretary of state having implemented, tested, and verified 8037
the successful operation of any system the secretary of state 8038
prescribes pursuant to division (H)(1) of this section and 8039

divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 8040
Code for the filing of campaign finance statements by electronic 8041
means of transmission, the campaign committee of each candidate 8042
for statewide office may file the statements prescribed by section 8043
3517.10 of the Revised Code by electronic means of transmission 8044
or, if the total amount of the contributions received or the total 8045
amount of the expenditures made by the campaign committee for the 8046
applicable reporting period as specified in division (A) of 8047
section 3517.10 of the Revised Code exceeds ten thousand dollars, 8048
shall file those statements by electronic means of transmission. 8049

Except as otherwise provided in this division, within five 8050
business days after a statement filed by a campaign committee of a 8051
candidate for statewide office is received by the secretary of 8052
state by electronic or other means of transmission, the secretary 8053
of state shall make available online to the public through the 8054
internet, as provided in division (I) of this section, the 8055
contribution and expenditure information in that statement. The 8056
secretary of state shall not make available online to the public 8057
through the internet any contribution or expenditure information 8058
contained in a statement for any candidate until the secretary of 8059
state is able to make available online to the public through the 8060
internet the contribution and expenditure information for all 8061
candidates for a particular office, or until the applicable filing 8062
deadline for that statement has passed, whichever is sooner. As 8063
soon as the secretary of state has available all of the 8064
contribution and expenditure information for all candidates for a 8065
particular office, or as soon as the applicable filing deadline 8066
for a statement has passed, whichever is sooner, the secretary of 8067
state shall simultaneously make available online to the public 8068
through the internet the information for all candidates for that 8069
office. 8070

If a statement filed by electronic means of transmission is 8071

found to be incomplete or inaccurate after the examination of the 8072
statement for completeness and accuracy pursuant to division 8073
(B)(3)(a) of section 3517.11 of the Revised Code, the campaign 8074
committee shall file by electronic means of transmission any 8075
addendum to the statement that provides the information necessary 8076
to complete or correct the statement or, if required by the 8077
secretary of state under that division, an amended statement. 8078

Within five business days after the secretary of state 8079
receives from a campaign committee of a candidate for statewide 8080
office an addendum to the statement or an amended statement by 8081
electronic or other means of transmission under this division or 8082
division (B)(3)(a) of section 3517.11 of the Revised Code, the 8083
secretary of state shall make the contribution and expenditure 8084
information in the addendum or amended statement available online 8085
to the public through the internet as provided in division (I) of 8086
this section. 8087

(2) Subject to the secretary of state having implemented, 8088
tested, and verified the successful operation of any system the 8089
secretary of state prescribes pursuant to division (H)(1) of this 8090
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 8091
the Revised Code for the filing of campaign finance statements by 8092
electronic means of transmission, a political action committee and 8093
a political contributing entity described in division (B)(1)(b) of 8094
this section, a legislative campaign fund, and a state political 8095
party may file the statements prescribed by section 3517.10 of the 8096
Revised Code by electronic means of transmission or, if the total 8097
amount of the contributions received or the total amount of the 8098
expenditures made by the political action committee, political 8099
contributing entity, legislative campaign fund, or state political 8100
party for the applicable reporting period as specified in division 8101
(A) of section 3517.10 of the Revised Code exceeds ten thousand 8102
dollars, shall file those statements by electronic means of 8103

transmission. 8104

Within five business days after a statement filed by a 8105
political action committee or a political contributing entity 8106
described in division (B)(1)(b) of this section, a legislative 8107
campaign fund, or a state political party is received by the 8108
secretary of state by electronic or other means of transmission, 8109
the secretary of state shall make available online to the public 8110
through the internet, as provided in division (I) of this section, 8111
the contribution and expenditure information in that statement. 8112

If a statement filed by electronic means of transmission is 8113
found to be incomplete or inaccurate after the examination of the 8114
statement for completeness and accuracy pursuant to division 8115
(B)(3)(a) of section 3517.11 of the Revised Code, the political 8116
action committee, political contributing entity, legislative 8117
campaign fund, or state political party shall file by electronic 8118
means of transmission any addendum to the statement that provides 8119
the information necessary to complete or correct the statement or, 8120
if required by the secretary of state under that division, an 8121
amended statement. 8122

Within five business days after the secretary of state 8123
receives from a political action committee or a political 8124
contributing entity described in division (B)(1)(b) of this 8125
section, a legislative campaign fund, or a state political party 8126
an addendum to the statement or an amended statement by electronic 8127
or other means of transmission under this division or division 8128
(B)(3)(a) of section 3517.11 of the Revised Code, the secretary of 8129
state shall make the contribution and expenditure information in 8130
the addendum or amended statement available online to the public 8131
through the internet as provided in division (I) of this section. 8132

(3) Subject to the secretary of state having implemented, 8133
tested, and verified the successful operation of any system the 8134
secretary of state prescribes pursuant to division (H)(1) of this 8135

section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 8136
the Revised Code for the filing of campaign finance statements by 8137
electronic means of transmission, a county political party shall 8138
file the statements prescribed by section 3517.10 of the Revised 8139
Code with respect to its state candidate fund by electronic means 8140
of transmission to the office of the secretary of state. 8141

Within five business days after a statement filed by a county 8142
political party with respect to its state candidate fund is 8143
received by the secretary of state by electronic means of 8144
transmission, the secretary of state shall make available online 8145
to the public through the internet, as provided in division (I) of 8146
this section, the contribution and expenditure information in that 8147
statement. 8148

If a statement is found to be incomplete or inaccurate after 8149
the examination of the statement for completeness and accuracy 8150
pursuant to division (B)(3)(a) of section 3517.11 of the Revised 8151
Code, a county political party shall file by electronic means of 8152
transmission any addendum to the statement that provides the 8153
information necessary to complete or correct the statement or, if 8154
required by the secretary of state under that division, an amended 8155
statement. 8156

Within five business days after the secretary of state 8157
receives from a county political party an addendum to the 8158
statement or an amended statement by electronic means of 8159
transmission under this division or division (B)(3)(a) of section 8160
3517.11 of the Revised Code, the secretary of state shall make the 8161
contribution and expenditure information in the addendum or 8162
amended statement available online to the public through the 8163
internet as provided in division (I) of this section. 8164

(F)(1) Subject to division (L) of this section and subject to 8165
the secretary of state having implemented, tested, and verified 8166
the successful operation of any system the secretary of state 8167

prescribes pursuant to division (H)(1) of this section and 8168
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 8169
Code for the filing of campaign finance statements by electronic 8170
means of transmission, a campaign committee of a candidate for the 8171
office of member of the general assembly or a campaign committee 8172
of a candidate for the office of judge of a court of appeals may 8173
file the statements prescribed by section 3517.10 of the Revised 8174
Code in accordance with division (A)(2) of section 3517.11 of the 8175
Revised Code or by electronic means of transmission to the office 8176
of the secretary of state or, if the total amount of the 8177
contributions received by the campaign committee for the 8178
applicable reporting period as specified in division (A) of 8179
section 3517.10 of the Revised Code exceeds ten thousand dollars, 8180
shall file those statements by electronic means of transmission to 8181
the office of the secretary of state. 8182

Except as otherwise provided in this division, within five 8183
business days after a statement filed by a campaign committee of a 8184
candidate for the office of member of the general assembly or a 8185
campaign committee of a candidate for the office of judge of a 8186
court of appeals is received by the secretary of state by 8187
electronic or other means of transmission, the secretary of state 8188
shall make available online to the public through the internet, as 8189
provided in division (I) of this section, the contribution and 8190
expenditure information in that statement. The secretary of state 8191
shall not make available online to the public through the internet 8192
any contribution or expenditure information contained in a 8193
statement for any candidate until the secretary of state is able 8194
to make available online to the public through the internet the 8195
contribution and expenditure information for all candidates for a 8196
particular office, or until the applicable filing deadline for 8197
that statement has passed, whichever is sooner. As soon as the 8198
secretary of state has available all of the contribution and 8199
expenditure information for all candidates for a particular 8200

office, or as soon as the applicable filing deadline for a 8201
statement has passed, whichever is sooner, the secretary of state 8202
shall simultaneously make available online to the public through 8203
the internet the information for all candidates for that office. 8204

If a statement filed by electronic means of transmission is 8205
found to be incomplete or inaccurate after the examination of the 8206
statement for completeness and accuracy pursuant to division 8207
(B)(3)(a) of section 3517.11 of the Revised Code, the campaign 8208
committee shall file by electronic means of transmission to the 8209
office of the secretary of state any addendum to the statement 8210
that provides the information necessary to complete or correct the 8211
statement or, if required by the secretary of state under that 8212
division, an amended statement. 8213

Within five business days after the secretary of state 8214
receives from a campaign committee of a candidate for the office 8215
of member of the general assembly or a campaign committee of a 8216
candidate for the office of judge of a court of appeals an 8217
addendum to the statement or an amended statement by electronic or 8218
other means of transmission under this division or division 8219
(B)(3)(a) of section 3517.11 of the Revised Code, the secretary of 8220
state shall make the contribution and expenditure information in 8221
the addendum or amended statement available online to the public 8222
through the internet as provided in division (I) of this section. 8223

(2) If a statement, addendum, or amended statement is not 8224
filed by electronic means of transmission to the office of the 8225
secretary of state but is filed by printed version only under 8226
division (A)(2) of section 3517.11 of the Revised Code with the 8227
appropriate board of elections, the campaign committee of a 8228
candidate for the office of member of the general assembly or a 8229
campaign committee of a candidate for the office of judge of a 8230
court of appeals shall file two copies of the printed version of 8231
the statement, addendum, or amended statement with the board of 8232

elections. The board of elections shall send one of those copies 8233
by ~~certified~~ mail or an electronic copy to the secretary of state 8234
before the close of business on the day the board of elections 8235
receives the statement, addendum, or amended statement. 8236

(G) Subject to the secretary of state having implemented, 8237
tested, and verified the successful operation of any system the 8238
secretary of state prescribes pursuant to division (H)(1) of this 8239
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 8240
the Revised Code for the filing of campaign finance statements by 8241
electronic means of transmission, any individual, partnership, or 8242
other entity that makes independent expenditures in support of or 8243
opposition to a statewide candidate or a statewide ballot issue or 8244
question as provided in division (B)(2)(b) or (C)(2)(b) of section 8245
3517.105 of the Revised Code may file the statement specified in 8246
that division by electronic means of transmission or, if the total 8247
amount of independent expenditures made during the reporting 8248
period under that division exceeds ten thousand dollars, shall 8249
file the statement specified in that division by electronic means 8250
of transmission. 8251

Within five business days after a statement filed by an 8252
individual, partnership, or other entity is received by the 8253
secretary of state by electronic or other means of transmission, 8254
the secretary of state shall make available online to the public 8255
through the internet, as provided in division (I) of this section, 8256
the expenditure information in that statement. 8257

If a statement filed by electronic means of transmission is 8258
found to be incomplete or inaccurate after the examination of the 8259
statement for completeness and accuracy pursuant to division 8260
(B)(3)(a) of section 3517.11 of the Revised Code, the individual, 8261
partnership, or other entity shall file by electronic means of 8262
transmission any addendum to the statement that provides the 8263
information necessary to complete or correct the statement or, if 8264

required by the secretary of state under that division, an amended statement. 8265
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Within five business days after the secretary of state receives from an individual, partnership, or other entity described in division (B)(2)(b) or (C)(2)(b) of section 3517.105 of the Revised Code an addendum to the statement or an amended statement by electronic or other means of transmission under this division or division (B)(3)(a) of section 3517.11 of the Revised Code, the secretary of state shall make the expenditure information in the addendum or amended statement available online to the public through the internet as provided in division (I) of this section. 8267
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(H)(1) The secretary of state, by rule adopted pursuant to section 3517.23 of the Revised Code, shall prescribe one or more techniques by which a person who executes and transmits by electronic means a statement of contributions and expenditures, a statement of independent expenditures, a disclosure of electioneering communications statement, a deposit and disbursement statement, a gift and disbursement statement, or a donation and disbursement statement, an addendum to any of those statements, an amended statement of contributions and expenditures, an amended statement of independent expenditures, an amended disclosure of electioneering communications statement, an amended deposit and disbursement statement, an amended gift and disbursement statement, or an amended donation and disbursement statement, under this section or section 3517.10, 3517.105, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 of the Revised Code shall electronically sign the statement, addendum, or amended statement. Any technique prescribed by the secretary of state pursuant to this division shall create an electronic signature that satisfies all of the following: 8277
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(a) It is unique to the signer. 8296

(b) It objectively identifies the signer. 8297

(c) It involves the use of a signature device or other means 8298
or method that is under the sole control of the signer and that 8299
cannot be readily duplicated or compromised. 8300

(d) It is created and linked to the electronic record to 8301
which it relates in a manner that, if the record or signature is 8302
intentionally or unintentionally changed after signing, the 8303
electronic signature is invalidated. 8304

(2) An electronic signature prescribed by the secretary of 8305
state under division (H)(1) of this section shall be attached to 8306
or associated with the statement of contributions and 8307
expenditures, the statement of independent expenditures, the 8308
disclosure of electioneering communications statement, the deposit 8309
and disbursement statement, the gift and disbursement statement, 8310
or the donation and disbursement statement, the addendum to any of 8311
those statements, the amended statement of contributions and 8312
expenditures, the amended statement of independent expenditures, 8313
the amended disclosure of electioneering communications statement, 8314
the amended deposit and disbursement statement, the amended gift 8315
and disbursement statement, or the amended donation and 8316
disbursement statement that is executed and transmitted by 8317
electronic means by the person to whom the electronic signature is 8318
attributed. The electronic signature that is attached to or 8319
associated with the statement, addendum, or amended statement 8320
under this division shall be binding on all persons and for all 8321
purposes under the campaign finance reporting law as if the 8322
signature had been handwritten in ink on a printed form. 8323

(I) The secretary of state shall make the contribution and 8324
expenditure, the contribution and disbursement, the deposit and 8325
disbursement, the gift and disbursement, or the donation and 8326
disbursement information in all statements, all addenda to the 8327
statements, and all amended statements that are filed with the 8328

secretary of state by electronic or other means of transmission 8329
under this section or section 3517.10, 3517.105, 3517.1011, 8330
3517.1012, 3517.1013, 3517.1014, or 3517.11 of the Revised Code 8331
available online to the public by any means that are searchable, 8332
viewable, and accessible through the internet. 8333

(J)(1) As used in this division, "library" means a library 8334
that is open to the public and that is one of the following: 8335

(a) A library that is maintained and regulated under section 8336
715.13 of the Revised Code; 8337

(b) A library that is created, maintained, and regulated 8338
under Chapter 3375. of the Revised Code. 8339

(2) The secretary of state shall notify all libraries of the 8340
location on the internet at which the contribution and 8341
expenditure, contribution and disbursement, deposit and 8342
disbursement, gift and disbursement, or donation and disbursement 8343
information in campaign finance statements required to be made 8344
available online to the public through the internet pursuant to 8345
division (I) of this section may be accessed. 8346

If that location is part of the world wide web and if the 8347
secretary of state has notified a library of that world wide web 8348
location as required by this division, the library shall include a 8349
link to that world wide web location on each internet-connected 8350
computer it maintains that is accessible to the public. 8351

(3) If the system the secretary of state prescribes for the 8352
filing of campaign finance statements by electronic means of 8353
transmission pursuant to division (H)(1) of this section and 8354
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 8355
Code includes filing those statements through the internet via the 8356
world wide web, the secretary of state shall notify all libraries 8357
of the world wide web location at which those statements may be 8358
filed. 8359

If those statements may be filed through the internet via the world wide web and if the secretary of state has notified a library of that world wide web location as required by this division, the library shall include a link to that world wide web location on each internet-connected computer it maintains that is accessible to the public.

(K) It is an affirmative defense to a complaint or charge brought against any campaign committee, political action committee, political contributing entity, legislative campaign fund, or political party, any individual, partnership, or other entity, any person making disbursements to pay the direct costs of producing or airing electioneering communications, or any treasurer of a transition fund, for the failure to file by electronic means of transmission a campaign finance statement as required by this section or section 3517.10, 3517.105, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 of the Revised Code that all of the following apply to the campaign committee, political action committee, political contributing entity, legislative campaign fund, or political party, the individual, partnership, or other entity, the person making disbursements to pay the direct costs of producing or airing electioneering communications, or the treasurer of a transition fund that failed to so file:

(1) The campaign committee, political action committee, political contributing entity, legislative campaign fund, or political party, the individual, partnership, or other entity, the person making disbursements to pay the direct costs of producing or airing electioneering communications, or the treasurer of a transition fund attempted to file by electronic means of transmission the required statement prior to the deadline set forth in the applicable section.

(2) The campaign committee, political action committee, political contributing entity, legislative campaign fund, or

political party, the individual, partnership, or other entity, the 8392
person making disbursements to pay the direct costs of producing 8393
or airing electioneering communications, or the treasurer of a 8394
transition fund was unable to file by electronic means of 8395
transmission due to an expected or unexpected shutdown of the 8396
whole or part of the electronic campaign finance statement-filing 8397
system, such as for maintenance or because of hardware, software, 8398
or network connection failure. 8399

(3) The campaign committee, political action committee, 8400
political contributing entity, legislative campaign fund, or 8401
political party, the individual, partnership, or other entity, the 8402
person making disbursements to pay the direct costs of producing 8403
or airing electioneering communications, or the treasurer of a 8404
transition fund filed by electronic means of transmission the 8405
required statement within a reasonable period of time after being 8406
unable to so file it under the circumstance described in division 8407
(K)(2) of this section. 8408

(L)(1) The secretary of state shall adopt rules pursuant to 8409
Chapter 119. of the Revised Code to permit a campaign committee of 8410
a candidate for statewide office that makes expenditures of less 8411
than twenty-five thousand dollars during the filing period or a 8412
campaign committee for the office of member of the general 8413
assembly or the office of judge of a court of appeals that would 8414
otherwise be required to file campaign finance statements by 8415
electronic means of transmission under division (E) or (F) of this 8416
section to file those statements by paper with the office of the 8417
secretary of state. Those rules shall provide for all of the 8418
following: 8419

(a) An eligible campaign committee that wishes to file a 8420
campaign finance statement by paper instead of by electronic means 8421
of transmission shall file the statement on paper with the office 8422
of the secretary of state not sooner than twenty-four hours after 8423

the end of the filing period set forth in section 3517.10 of the Revised Code that is covered by the applicable statement.

(b) The statement shall be accompanied by a fee, the amount of which the secretary of state shall determine by rule. The amount of the fee established under this division shall not exceed the data entry and data verification costs the secretary of state will incur to convert the information on the statement to an electronic format as required under division (I) of this section.

(c) The secretary of state shall arrange for the information in campaign finance statements filed pursuant to division (L) of this section to be made available online to the public through the internet in the same manner, and at the same times, as information is made available under divisions (E), (F), and (I) of this section for candidates whose campaign committees file those statements by electronic means of transmission.

(d) The candidate of an eligible campaign committee that intends to file a campaign finance statement pursuant to division (L) of this section shall file a notice indicating that the candidate's campaign committee intends to so file and stating that filing the statement by electronic means of transmission would constitute a hardship for the candidate or for the eligible campaign committee.

(e) An eligible campaign committee that files a campaign finance statement on paper pursuant to division (L) of this section shall review the contribution and information made available online by the secretary of state with respect to that paper filing and shall notify the secretary of state of any errors with respect to that filing that appear in the data made available on that web site.

(f) If an eligible campaign committee whose candidate has filed a notice in accordance with rules adopted under division

(L)(1)(d) of this section subsequently fails to file that 8455
statement on paper by the applicable deadline established in rules 8456
adopted under division (L)(1)(a) of this section, penalties for 8457
the late filing of the campaign finance statement shall apply to 8458
that campaign committee for each day after that paper filing 8459
deadline, as if the campaign committee had filed the statement 8460
after the applicable deadline set forth in division (A) of section 8461
3517.10 of the Revised Code. 8462

(2) The process for permitting campaign committees that would 8463
otherwise be required to file campaign finance statements by 8464
electronic means of transmission to file those statements on paper 8465
with the office of the secretary of state that is required to be 8466
developed under division (L)(1) of this section shall be in effect 8467
and available for use by eligible campaign committees for all 8468
campaign finance statements that are required to be filed on or 8469
after June 30, 2005. Notwithstanding any provision of the Revised 8470
Code to the contrary, if the process the secretary of state is 8471
required to develop under division (L)(1) of this section is not 8472
in effect and available for use on and after June 30, 2005, all 8473
penalties for the failure of campaign committees to file campaign 8474
finance statements by electronic means of transmission shall be 8475
suspended until such time as that process is in effect and 8476
available for use. 8477

(3) Notwithstanding any provision of the Revised Code to the 8478
contrary, any eligible campaign committee that files campaign 8479
finance statements on paper with the office of the secretary of 8480
state pursuant to division (L)(1) of this section shall be deemed 8481
to have filed those campaign finance statements by electronic 8482
means of transmission to the office of the secretary of state. 8483

Sec. 3517.1011. (A) As used in this section: 8484

(1) "Address" has the same meaning as in section 3517.10 of 8485

the Revised Code. 8486

(2) "Broadcast, cable, or satellite communication" means a 8487
communication that is publicly distributed by a television 8488
station, radio station, cable television system, or satellite 8489
system. 8490

(3) "Candidate" has the same meaning as in section 3501.01 of 8491
the Revised Code. 8492

(4) "Contribution" means any loan, gift, deposit, forgiveness 8493
of indebtedness, donation, advance, payment, or transfer of funds 8494
or of anything of value, including a transfer of funds from an 8495
inter vivos or testamentary trust or decedent's estate, and the 8496
payment by any person other than the person to whom the services 8497
are rendered for the personal services of another person, that is 8498
made, received, or used to pay the direct costs of producing or 8499
airing electioneering communications. 8500

(5)(a) "Coordinated electioneering communication" means any 8501
electioneering communication that is made pursuant to any 8502
arrangement, coordination, or direction by a candidate or a 8503
candidate's campaign committee, by an officer, agent, employee, or 8504
consultant of a candidate or a candidate's campaign committee, or 8505
by a former officer, former agent, former employee, or former 8506
consultant of a candidate or a candidate's campaign committee 8507
prior to the airing, broadcasting, or cablecasting of the 8508
communication. An electioneering communication is presumed to be a 8509
"coordinated electioneering communication" when it is either of 8510
the following: 8511

(i) Based on information about a candidate's plans, projects, 8512
or needs provided to the person making the disbursement by the 8513
candidate or the candidate's campaign committee, by an officer, 8514
agent, employee, or consultant of the candidate or the candidate's 8515
campaign committee, or by a former officer, former agent, former 8516

employee, or former consultant of the candidate or the candidate's 8517
campaign committee, with a view toward having the communication 8518
made; 8519

(ii) Made by or through any person who is, or has been, 8520
authorized to raise or expend funds on behalf of a candidate or 8521
the candidate's campaign committee, who is, or has been, an 8522
officer, agent, employee, or consultant of the candidate or of the 8523
candidate's campaign committee, or who is, or has been, receiving 8524
any form of compensation or reimbursement from the candidate or 8525
the candidate's campaign committee or from an officer, agent, 8526
employee, or consultant of the candidate or of the candidate's 8527
campaign committee. 8528

(b) An electioneering communication shall not be presumed to 8529
be a "coordinated electioneering communication" under division 8530
(A)(5)(a)(ii) of this section if the communication is made through 8531
any person who provides a service that does not affect the content 8532
of the communication, such as communications placed through the 8533
efforts of a media buyer, unless that person also affects the 8534
content of the communication. 8535

(6) "Disclosure date" means both of the following: 8536

(a) The first date during any calendar year by which a person 8537
makes disbursements for the direct costs of producing or airing 8538
electioneering communications aggregating in excess of ten 8539
thousand dollars; 8540

(b) The same day of the week of each remaining week in the 8541
same calendar year as the day of the week of the initial 8542
disclosure date established under division (A)(6)(a) of this 8543
section, if, during that remaining week, the person makes 8544
disbursements for the direct costs of producing or airing 8545
electioneering communications aggregating in excess of one dollar. 8546

(7)(a) "Electioneering communication" means any broadcast, 8547

cable, or satellite communication that refers to a clearly 8548
identified candidate and that is made during either of the 8549
following periods of time: 8550

(i) If the person becomes a candidate before the day of the 8551
primary election at which candidates will be nominated for 8552
election to that office, between the date that the person becomes 8553
a candidate and the thirtieth day prior to that primary election, 8554
and between the date of the primary election and the thirtieth day 8555
prior to the general election at which a candidate will be elected 8556
to that office; 8557

(ii) If the person becomes a candidate after the day of the 8558
primary election at which candidates were nominated for election 8559
to that office, between the date of the primary election and the 8560
thirtieth day prior to the general election at which a candidate 8561
will be elected to that office. 8562

(b) "Electioneering communication" does not include any of 8563
the following: 8564

(i) A communication that is publicly disseminated through a 8565
means of communication other than a broadcast, cable, or satellite 8566
television or radio station. For example, "electioneering 8567
communication" does not include communications appearing in print 8568
media, including a newspaper or magazine, handbill, brochure, 8569
bumper sticker, yard sign, poster, billboard, and other written 8570
materials, including mailings; communications over the internet, 8571
including electronic mail; or telephone communications. 8572

(ii) A communication that appears in a news story, 8573
commentary, public service announcement, bona fide news 8574
programming, or editorial distributed through the facilities of 8575
any broadcast, cable, or satellite television or radio station, 8576
unless those facilities are owned or controlled by any political 8577
party, political committee, or candidate; 8578

(iii) A communication that constitutes an expenditure or an independent expenditure under section 3517.01 of the Revised Code;	8579 8580
(iv) A communication that constitutes a candidate debate or forum or that solely promotes a candidate debate or forum and is made by or on behalf of the person sponsoring the debate or forum.	8581 8582 8583
(8) "Filing date" has the same meaning as in section 3517.109 of the Revised Code.	8584 8585
(9) "Immigration and Nationality Act" means the Immigration and Nationality Act, 110 Stat. 309 (1996), 8 U.S.C. 1101 et seq., as amended.	8586 8587 8588
(10) "Person" has the same meaning as in section 1.59 of the Revised Code and includes any political organization considered exempt from income taxation under section 527 of the Internal Revenue Code.	8589 8590 8591 8592
(11) "Political committee" means any of the following:	8593
(a) Any committee, club, association, or other group of persons that receives contributions aggregating in excess of one thousand dollars during a calendar year or that makes expenditures aggregating in excess of one thousand dollars during a calendar year;	8594 8595 8596 8597 8598
(b) Any separate segregated fund;	8599
(c) Any state, county, or local committee of a political party that does any of the following:	8600 8601
(i) Receives contributions aggregating in excess of five thousand dollars during a calendar year;	8602 8603
(ii) Makes payments that do not constitute contributions or expenditures aggregating in excess of five thousand dollars during a calendar year;	8604 8605 8606
(iii) Makes contributions or expenditures aggregating in excess of one thousand dollars during a calendar year.	8607 8608

(12) "Publicly distributed" means aired, broadcast, 8609
cablecast, or otherwise disseminated for a fee. 8610

(13) "Refers to a clearly identified candidate" means that 8611
the candidate's name, nickname, photograph, or drawing appears, or 8612
the identity of the candidate is otherwise apparent through an 8613
unambiguous reference to the person such as "the chief justice," 8614
"the governor," "member of the Ohio senate," "member of the Ohio 8615
house of representatives," "county auditor," "mayor," or "township 8616
trustee" or through an unambiguous reference to the person's 8617
status as a candidate. 8618

(B) For the purposes of this section, a person shall be 8619
considered to have made a disbursement if the person has entered 8620
into a contract to make the disbursement. 8621

(C) Any person intending to make a disbursement or 8622
disbursements for the direct costs of producing or airing 8623
electioneering communications, prior to making the first 8624
disbursement for the direct costs of producing or airing an 8625
electioneering communication, shall file a notice with the office 8626
of the secretary of state that the person is intending to make 8627
such disbursements. 8628

(D)(1) Every person that makes a disbursement or 8629
disbursements for the direct costs of producing and airing 8630
electioneering communications aggregating in excess of ten 8631
thousand dollars during any calendar year shall file, within 8632
twenty-four hours of each disclosure date, a disclosure of 8633
electioneering communications statement containing the following 8634
information: 8635

(a) The full name and address of the person making the 8636
disbursement, of any person sharing or exercising direction or 8637
control over the activities of the person making the disbursement, 8638
and of the custodian of the books and accounts of the person 8639

making the disbursement; 8640

(b) The principal place of business of the person making the 8641
disbursement, if not an individual; 8642

(c) The amount of each disbursement of more than one dollar 8643
during the period covered by the statement and the identity of the 8644
person to whom the disbursement was made; 8645

(d) The nominations or elections to which the electioneering 8646
communications pertain and the names, if known, of the candidates 8647
identified or to be identified; 8648

(e) If the disbursements were paid out of a segregated bank 8649
account that consists of funds contributed solely by individuals 8650
who are United States citizens or nationals or lawfully admitted 8651
for permanent residence as defined in section 101(a)(20) of the 8652
Immigration and Nationality Act directly to the account for 8653
electioneering communications, the information specified in 8654
division (D)(2) of this section for all contributors who 8655
contributed an aggregate amount of two hundred dollars or more to 8656
the segregated bank account and whose contributions were used for 8657
making the disbursement or disbursements required to be reported 8658
under division (D) of this section during the period covered by 8659
the statement. Nothing in this division prohibits or shall be 8660
construed to prohibit the use of funds in such a segregated bank 8661
account for a purpose other than electioneering communications. 8662

(f) If the disbursements were paid out of funds not described 8663
in division (D)(1)(e) of this section, the information specified 8664
in division (D)(2) of this section for all contributors who 8665
contributed an aggregate amount of two hundred dollars or more to 8666
the person making the disbursement and whose contributions were 8667
used for making the disbursement or disbursements required to be 8668
reported under division (D) of this section during the period 8669
covered by the statement. 8670

(2) For each contributor for which information is required to be reported under division (D)(1)(e) or (f) of this section, all of the following shall be reported:

(a) The month, day, and year that the contributor made the contribution or contributions aggregating two hundred dollars or more;

(b)(i) The full name and address of the contributor, and, if the contributor is a political action committee, the registration number assigned to the political action committee under division (D)(1) of section 3517.10 of the Revised Code;

(ii) If the contributor is an individual, the name of the individual's current employer, if any, or, if the individual is self-employed, the individual's occupation and the name of the individual's business, if any;

(iii) If the contribution is transmitted pursuant to section 3599.031 of the Revised Code from amounts deducted from the wages and salaries of two or more employees that exceed in the aggregate one hundred dollars during the period specified in division (D)(1)(e) or (f) of this section, as applicable, the full name of the employees' employer and the full name of the labor organization of which the employees are members, if any.

(c) A description of the contribution, if other than money;

(d) The value in dollars and cents of the contribution.

(3) Subject to the secretary of state having implemented, tested, and verified the successful operation of any system the secretary of state prescribes pursuant to divisions (C)(6)(b) and (D)(6) of section 3517.10 and division (H)(1) of section 3517.106 of the Revised Code for the filing of campaign finance statements by electronic means of transmission, a person shall file the disclosure of electioneering communications statement prescribed under divisions (D)(1) and (2) of this section by electronic means

of transmission to the office of the secretary of state. 8702

Within five business days after the secretary of state 8703
receives a disclosure of electioneering communications statement 8704
under this division, the secretary of state shall make available 8705
online to the public through the internet, as provided in division 8706
(I) of section 3517.106 of the Revised Code, the contribution and 8707
disbursement information in that statement. 8708

If a filed disclosure of electioneering communications 8709
statement is found to be incomplete or inaccurate after its 8710
examination for completeness and accuracy pursuant to division 8711
(B)(3)(a) of section 3517.11 of the Revised Code, the person shall 8712
file by electronic means of transmission to the office of the 8713
secretary of state any addendum, amendment, or other correction to 8714
the statement that provides the information necessary to complete 8715
or correct the statement or, if required by the secretary of state 8716
under that division, an amended statement. 8717

Within five business days after the secretary of state 8718
receives an addendum, amendment, or other correction to a 8719
disclosure of electioneering communications statement or an 8720
amended statement by electronic means of transmission under this 8721
division or division (B)(3)(a) of section 3517.11 of the Revised 8722
Code, the secretary of state shall make the contribution and 8723
disbursement information in the addendum, amendment, or other 8724
correction to the statement or amended statement available online 8725
to the public through the internet as provided in division (I) of 8726
section 3517.106 of the Revised Code. 8727

(E)(1) Any person who makes a contribution for the purpose of 8728
funding the direct costs of producing or airing an electioneering 8729
communication under this section shall provide the person's full 8730
name and address to the recipient of the contribution at the time 8731
the contribution is made. 8732

(2) Any individual who makes a contribution or contributions aggregating two hundred dollars or more for the purpose of funding the direct costs of producing or airing an electioneering communication under this section shall provide the name of the individual's current employer, if any, or, if the individual is self-employed, the individual's occupation and the name of the individual's business, if any, to the recipient of the contribution at the time the contribution is made.

(F) In each electioneering communication, a statement shall appear or be presented in a clear and conspicuous manner that does both of the following:

(1) Clearly indicates that the electioneering communication is not authorized by the candidate or the candidate's campaign committee;

(2) Clearly identifies the person making the disbursement for the electioneering communication in accordance with section 3517.20 of the Revised Code.

(G) Any coordinated electioneering communication is an in-kind contribution, subject to the applicable contribution limits prescribed in section 3517.102 of the Revised Code, to the candidate by the person making disbursements to pay the direct costs of producing or airing the communication.

~~(H) No person shall make, during the thirty days preceding a primary election or during the thirty days preceding a general election, any broadcast, cable, or satellite communication that refers to a clearly identified candidate using any contributions received from a corporation or labor organization.~~

Sec. 3517.11. (A)(1) Campaign committees of candidates for statewide office or the state board of education, political action committees or political contributing entities that make

contributions to campaign committees of candidates that are 8763
required to file the statements prescribed by section 3517.10 of 8764
the Revised Code with the secretary of state, political action 8765
committees or political contributing entities that make 8766
contributions to campaign committees of candidates for member of 8767
the general assembly, political action committees or political 8768
contributing entities that make contributions to state and 8769
national political parties and to legislative campaign funds, 8770
political action committees or political contributing entities 8771
that receive contributions or make expenditures in connection with 8772
a statewide ballot issue, political action committees or political 8773
contributing entities that make contributions to other political 8774
action committees or political contributing entities, political 8775
parties, and campaign committees, except as set forth in division 8776
(A)(3) of this section, legislative campaign funds, and state and 8777
national political parties shall file the statements prescribed by 8778
section 3517.10 of the Revised Code with the secretary of state. 8779

(2)(a) Except as otherwise provided in division (F) of 8780
section 3517.106 of the Revised Code, campaign committees of 8781
candidates for all other offices shall file the statements 8782
prescribed by section 3517.10 of the Revised Code with the board 8783
of elections where their candidates are required to file their 8784
petitions or other papers for nomination or election. 8785

(b) A campaign committee of a candidate for office of member 8786
of the general assembly or a campaign committee of a candidate for 8787
the office of judge of a court of appeals shall file two copies of 8788
the printed version of any statement, addendum, or amended 8789
statement if the committee does not file pursuant to division 8790
(F)(1) or (L) of section 3517.106 of the Revised Code but files by 8791
printed version only with the appropriate board of elections. The 8792
board of elections shall send one of those copies by ~~certified~~ 8793
mail or an electronic copy to the secretary of state before the 8794

close of business on the day the board of elections receives the 8795
statement, addendum, or amended statement. 8796

(3) Political action committees or political contributing 8797
entities that only contribute to a county political party, 8798
contribute to campaign committees of candidates whose nomination 8799
or election is to be submitted only to electors within a county, 8800
subdivision, or district, excluding candidates for member of the 8801
general assembly, and receive contributions or make expenditures 8802
in connection with ballot questions or issues to be submitted only 8803
to electors within a county, subdivision, or district shall file 8804
the statements prescribed by section 3517.10 of the Revised Code 8805
with the board of elections in that county or in the county 8806
contained in whole or part within the subdivision or district 8807
having a population greater than that of any other county 8808
contained in whole or part within that subdivision or district, as 8809
the case may be. 8810

(4) Except as otherwise provided in division (E)(3) of 8811
section 3517.106 of the Revised Code with respect to state 8812
candidate funds, county political parties shall file the 8813
statements prescribed by section 3517.10 of the Revised Code with 8814
the board of elections of their respective counties. 8815

(B)(1) The official with whom petitions and other papers for 8816
nomination or election to public office are filed shall furnish 8817
each candidate at the time of that filing a copy of sections 8818
3517.01, 3517.08 to 3517.11, 3517.13 to 3517.993, 3599.03, and 8819
3599.031 of the Revised Code and any other materials that the 8820
secretary of state may require. Each candidate receiving the 8821
materials shall acknowledge their receipt in writing. 8822

(2) On or before the tenth day before the dates on which 8823
statements are required to be filed by section 3517.10 of the 8824
Revised Code, every candidate subject to the provisions of this 8825
section and sections 3517.10 and 3517.106 of the Revised Code 8826

shall be notified of the requirements and applicable penalties of 8827
those sections. The secretary of state, by certified mail, return 8828
receipt requested, shall notify all candidates required to file 8829
those statements with the secretary of state's office. The board 8830
of elections of every county shall notify by first class mail any 8831
candidate who has personally appeared at the office of the board 8832
on or before the tenth day before the statements are required to 8833
be filed and signed a form, to be provided by the secretary of 8834
state, attesting that the candidate has been notified of the 8835
candidate's obligations under the campaign finance law. The board 8836
shall forward the completed form to the secretary of state. The 8837
board shall use certified mail, return receipt requested, to 8838
notify all other candidates required to file those statements with 8839
it. 8840

(3)(a) Any statement required to be filed under sections 8841
3517.081 to 3517.17 of the Revised Code that is found to be 8842
incomplete or inaccurate by the officer to whom it is submitted 8843
shall be accepted on a conditional basis, and the person who filed 8844
it shall be notified by certified mail as to the incomplete or 8845
inaccurate nature of the statement. The secretary of state may 8846
examine statements filed for candidates for the office of member 8847
of the general assembly and candidates for the office of judge of 8848
a court of appeals for completeness and accuracy. The secretary of 8849
state shall examine for completeness and accuracy statements that 8850
campaign committees of candidates for the office of member of the 8851
general assembly and campaign committees of candidates for the 8852
office of judge of a court of appeals file pursuant to division 8853
(F) or (L) of section 3517.106 of the Revised Code. If an officer 8854
at the board of elections where a statement filed for a candidate 8855
for the office of member of the general assembly or for a 8856
candidate for the office of judge of a court of appeals was 8857
submitted finds the statement to be incomplete or inaccurate, the 8858
officer shall immediately notify the secretary of state of its 8859

incomplete or inaccurate nature. If either an officer at the board 8860
of elections or the secretary of state finds a statement filed for 8861
a candidate for the office of member of the general assembly or 8862
for a candidate for the office of judge of a court of appeals to 8863
be incomplete or inaccurate, only the secretary of state shall 8864
send the notification as to the incomplete or inaccurate nature of 8865
the statement. 8866

Within twenty-one days after receipt of the notice, in the 8867
case of a pre-election statement, a postelection statement, a 8868
monthly statement, an annual statement, or a semiannual statement 8869
prescribed by section 3517.10, an annual statement prescribed by 8870
section 3517.101, or a statement prescribed by division (B)(2)(b) 8871
or (C)(2)(b) of section 3517.105 or section 3517.107 of the 8872
Revised Code, the recipient shall file an addendum, amendment, or 8873
other correction to the statement providing the information 8874
necessary to complete or correct the statement. The secretary of 8875
state may require that, in lieu of filing an addendum, amendment, 8876
or other correction to a statement that is filed by electronic 8877
means of transmission to the office of the secretary of state 8878
pursuant to section 3517.106 of the Revised Code, the recipient of 8879
the notice described in this division file by electronic means of 8880
transmission an amended statement that incorporates the 8881
information necessary to complete or correct the statement. 8882

The secretary of state shall determine by rule when an 8883
addendum, amendment, or other correction to any of the following 8884
or when an amended statement of any of the following shall be 8885
filed: 8886

(i) A two-business-day statement prescribed by section 8887
3517.10 of the Revised Code; 8888

(ii) A disclosure of electioneering communications statement 8889
prescribed by division (D) of section 3517.1011 of the Revised 8890
Code; 8891

(iii) A deposit and disbursement statement prescribed under 8892
division (B) of section 3517.1012 of the Revised Code; 8893

(iv) A gift and disbursement statement prescribed under 8894
section 3517.1013 of the Revised Code; 8895

(v) A donation and disbursement statement prescribed under 8896
section 3517.1014 of the Revised Code. 8897

An addendum, amendment, or other correction to a statement 8898
that is filed by electronic means of transmission pursuant to 8899
section 3517.106 of the Revised Code shall be filed in the same 8900
manner as the statement. 8901

The provisions of sections 3517.10, 3517.106, 3517.1011, 8902
3517.1012, 3517.1013, and 3517.1014 of the Revised Code pertaining 8903
to the filing of statements of contributions and expenditures, 8904
statements of independent expenditures, disclosure of 8905
electioneering communications statements, deposit and disbursement 8906
statements, gift and disbursement statements, and donation and 8907
disbursement statements by electronic means of transmission apply 8908
to the filing of addenda, amendments, or other corrections to 8909
those statements by electronic means of transmission and the 8910
filing of amended statements by electronic means of transmission. 8911

(b) Within five business days after the secretary of state 8912
receives, by electronic or other means of transmission, an 8913
addendum, amendment, or other correction to a statement or an 8914
amended statement under division (B)(3)(a) of this section, the 8915
secretary of state, pursuant to divisions (E), (F), (G), and (I) 8916
of section 3517.106 or division (D) of section 3517.1011 of the 8917
Revised Code, shall make the contribution and expenditure, 8918
contribution and disbursement, deposit and disbursement, gift and 8919
disbursement, or donation and disbursement information in that 8920
addendum, amendment, correction, or amended statement available 8921
online to the public through the internet. 8922

(4)(a) The secretary of state or the board of elections shall 8923
examine all statements for compliance with sections 3517.08 to 8924
3517.17 of the Revised Code. 8925

(b) The secretary of state may contract with an individual or 8926
entity not associated with the secretary of state and experienced 8927
in interpreting the campaign finance law of this state to conduct 8928
examinations of statements filed by any statewide candidate, as 8929
defined in section 3517.103 of the Revised Code. 8930

(c) The examination shall be conducted by a person or entity 8931
qualified to conduct it. The results of the examination shall be 8932
available to the public, and, when the examination is conducted by 8933
an individual or entity not associated with the secretary of 8934
state, the results of the examination shall be reported to the 8935
secretary of state. 8936

(C)(1) In the event of a failure to file or a late filing of 8937
a statement required to be filed under sections 3517.081 to 8938
3517.17 of the Revised Code, or if a filed statement or any 8939
addendum, amendment, or other correction to a statement or any 8940
amended statement, if an addendum, amendment, or other correction 8941
or an amended statement is required to be filed, is incomplete or 8942
inaccurate or appears to disclose a failure to comply with or a 8943
violation of law, the official whose duty it is to examine the 8944
statement shall promptly file a complaint with the Ohio elections 8945
commission under section 3517.153 of the Revised Code if the law 8946
is one over which the commission has jurisdiction to hear 8947
complaints, or the official shall promptly report the failure or 8948
violation to the board of elections and the board shall promptly 8949
report it to the prosecuting attorney in accordance with division 8950
(J) of section 3501.11 of the Revised Code. If the official files 8951
a complaint with the commission, the commission shall proceed in 8952
accordance with sections 3517.154 to 3517.157 of the Revised Code. 8953

(2) For purposes of division (C)(1) of this section, a 8954

statement or an addendum, amendment, or other correction to a 8955
statement or an amended statement required to be filed under 8956
sections 3517.081 to 3517.17 of the Revised Code is incomplete or 8957
inaccurate under this section if the statement, addendum, 8958
amendment, other correction, or amended statement fails to 8959
disclose substantially all contributions, gifts, or donations that 8960
are received or deposits that are made that are required to be 8961
reported under sections 3517.10, 3517.107, 3517.108, 3517.1011, 8962
3517.1012, 3517.1013, and 3517.1014 of the Revised Code or if the 8963
statement, addendum, amendment, other correction, or amended 8964
statement fails to disclose at least ninety per cent of the total 8965
contributions, gifts, or donations received or deposits made or of 8966
the total expenditures or disbursements made during the reporting 8967
period. 8968

(D) No certificate of nomination or election shall be issued 8969
to a person, and no person elected to an office shall enter upon 8970
the performance of the duties of that office, until that person or 8971
that person's campaign committee, as appropriate, has fully 8972
complied with this section and sections 3517.08, 3517.081, 8973
3517.10, and 3517.13 of the Revised Code. 8974

Sec. 3517.153. (A) Upon the filing of a complaint with the 8975
Ohio elections commission, which shall be made by affidavit of any 8976
person, on personal knowledge, and subject to the penalties for 8977
perjury, or upon the filing of a complaint made by the secretary 8978
of state or an official at the board of elections, setting forth a 8979
failure to comply with or a violation of any provision in sections 8980
3517.08 to 3517.13, 3517.17, 3517.18, 3517.20 to 3517.22, 3599.03, 8981
or 3599.031 of the Revised Code, the commission shall proceed in 8982
accordance with sections 3517.154 to 3517.157 of the Revised Code. 8983

(B) The commission shall prescribe the form for complaints 8984
made under division (A) of this section. The secretary of state 8985

and boards of elections shall furnish the information that the 8986
commission requests. The commission or a member of the commission 8987
may administer oaths, and the commission may issue subpoenas to 8988
any person in the state compelling the attendance of witnesses and 8989
the production of relevant papers, books, accounts, and reports. 8990
Section 101.42 of the Revised Code governs the issuance of 8991
subpoenas insofar as applicable. Upon the refusal of any person to 8992
obey a subpoena or to be sworn or to answer as a witness, the 8993
commission may apply to the court of common pleas of Franklin 8994
county under section 2705.03 of the Revised Code. The court shall 8995
hold proceedings in accordance with Chapter 2705. of the Revised 8996
Code. 8997

(C) No prosecution shall commence for a violation of a 8998
provision in sections 3517.08 to 3517.13, 3517.17, 3517.18, 8999
3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised Code 9000
unless a complaint has been filed with the commission under this 9001
section and all proceedings of the commission or a panel of the 9002
commission, as appropriate, under sections 3517.154 to 3517.157 of 9003
the Revised Code are completed. 9004

(D) The commission may recommend legislation and render 9005
advisory opinions concerning sections 3517.08, 3517.082, 3517.092, 9006
3517.102, ~~3517.103~~, 3517.105, 3517.1014, 3517.13, 3517.18, 3517.20 9007
to 3517.22, 3599.03, and 3599.031 of the Revised Code for persons 9008
over whose acts it has or may have jurisdiction. When the 9009
commission renders an advisory opinion relating to a specific set 9010
of circumstances involving any of those sections stating that 9011
there is no violation of a provision in those sections, the person 9012
to whom the opinion is directed or a person who is similarly 9013
situated may reasonably rely on the opinion and is immune from 9014
criminal prosecution and a civil action, including, without 9015
limitation, a civil action for removal from public office or 9016
employment, based on facts and circumstances covered by the 9017

opinion. 9018

(E) The commission shall establish a web site on which it 9019
shall post, at a minimum, all decisions and advisory opinions 9020
issued by the commission and copies of each election law as it is 9021
amended by the general assembly. The commission shall update the 9022
web site regularly to reflect any changes to those decisions and 9023
advisory opinions and any new decisions and advisory opinions. 9024

Sec. 3517.154. (A)(1) The full-time attorney for the Ohio 9025
elections commission shall review each complaint filed with the 9026
commission under section 3517.153 of the Revised Code, shall 9027
determine the nature of the complaint, and, unless division 9028
(A)(2)(a) of this section requires that the complaint receive an 9029
automatic expedited hearing, shall make a recommendation to the 9030
commission for its disposition, in accordance with this section. 9031
The attorney shall make the determination and the recommendation, 9032
if required, not later than one business day after the complaint 9033
is filed. 9034

(2)(a) If the attorney determines that the complaint sets 9035
forth a violation of division (B) of section 3517.21 or division 9036
(B) of section 3517.22 of the Revised Code and that the complaint 9037
is filed during one of the periods of time specified in division 9038
(B)(1) of section 3517.156 of the Revised Code, ~~or that the~~ 9039
~~complaint sets forth a violation of section 3517.103 of the~~ 9040
~~Revised Code or a violation described in division (D) of section~~ 9041
~~3517.1010 of the Revised Code,~~ the complaint shall receive an 9042
automatic expedited hearing under section 3517.156 of the Revised 9043
Code. 9044

(b) If the attorney determines that the complaint sets forth 9045
a failure to comply with or a violation of division (G), (I), (J), 9046
(O), (P), or (Q) of section 3517.13, division (A) of section 9047
3517.21, or division (A) of section 3517.22 of the Revised Code 9048

and that the complaint is filed during one of the periods of time 9049
specified in division (B)(1) of section 3517.156 of the Revised 9050
Code, the attorney shall recommend to the commission that the 9051
complaint receive an expedited hearing under section 3517.156 of 9052
the Revised Code, and the complaint shall receive such a hearing. 9053

(c) If the attorney determines that the complaint sets forth 9054
a failure to comply with or a violation of a section of the 9055
Revised Code over which the commission has jurisdiction to hear 9056
complaints other than the sections described in divisions 9057
(A)(2)(a) and (b) of this section, and unless the attorney makes a 9058
determination as provided for in division (A)(3) of this section, 9059
the attorney shall recommend to the commission that the complaint 9060
be submitted to the commission under section 3517.155 of the 9061
Revised Code. After the attorney makes that recommendation, the 9062
attorney shall notify all parties to the complaint of the 9063
attorney's recommendation. 9064

(3)(a) If a complaint sets forth a failure to comply with or 9065
a violation of a section of the Revised Code over which the 9066
commission has jurisdiction to hear complaints other than the 9067
sections described in divisions (A)(2)(a) and (b) of this section 9068
and if the complaint is filed during one of the periods of time 9069
specified in division (B)(1) of section 3517.156 of the Revised 9070
Code, the attorney may determine that the complaint should receive 9071
an expedited hearing under that section. The attorney shall make 9072
that determination by considering one or more of the following: 9073

(i) The number of prior failures to comply with or violations 9074
of Title XXXV of the Revised Code that the person or entity 9075
against whom the complaint has been brought has committed and any 9076
prior penalties the commission has imposed on the person or 9077
entity; 9078

(ii) If the complaint involves a statement required to be 9079
filed under section 3517.10, division (E) of section 3517.102, or 9080

section ~~3517.103~~, 3517.105, 3517.107, 3517.108, 3517.109, 9081
3517.1011, 3517.1012, or 3517.1014 of the Revised Code or an 9082
addendum required to be filed under section 3517.11 of the Revised 9083
Code that is filed late, how late the filing is and how much time 9084
has elapsed between the deadline for filing the statement or 9085
addendum and the filing of the complaint; 9086

(iii) If the complaint involves contributions and 9087
expenditures, contributions and disbursements, deposits and 9088
disbursements, gifts and disbursements, or donations and 9089
disbursements required to be reported under section 3517.10, 9090
division (E) of section 3517.102, or section 3517.105, 3517.107, 9091
3517.108, 3517.109, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 9092
of the Revised Code that are either not reported or reported late, 9093
the number of contributions and expenditures, contributions and 9094
disbursements, deposits and disbursements, gifts and 9095
disbursements, or donations and disbursements not reported or how 9096
late they were reported; 9097

(iv) If the complaint involves contributions required to be 9098
reported by a campaign committee under section 3517.10, division 9099
(E) of section 3517.102, or section 3517.105, 3517.107, 3517.108, 9100
or 3517.109 of the Revised Code that are not reported, whether any 9101
of the contributors of the contributions not reported have a 9102
personal or professional relationship with the campaign 9103
committee's candidate; 9104

(v) If the complaint involves a statement required to be 9105
filed under section 3517.10, division (E) of section 3517.102, or 9106
section ~~3517.103~~, 3517.105, 3517.107, 3517.108, 3517.109, 9107
3517.1011, 3517.1012, 3517.1013, or 3517.1014 of the Revised Code 9108
that is incomplete, the degree to which it is incomplete; 9109

(vi) If the complaint involves the receipt of contributions 9110
in violation of section 3599.03 of the Revised Code, the dollar 9111
amount and number of contributions received in violation of that 9112

section; 9113

(vii) If the complaint involves a failure to make the 9114
identification or a misstatement of the identification required 9115
under section 3517.105 or 3517.20 of the Revised Code, whether the 9116
failure or misstatement was purposely made; 9117

(viii) If the complaint sets forth a failure to comply with 9118
or a violation of a section of the Revised Code described in 9119
division (A)(2)(c) of this section, whether the person or entity 9120
against whom the complaint has been made has committed more than 9121
one such failure or violation within a reasonable amount of time, 9122
or whether the cumulative nature of the failures or violations 9123
indicates a systematic disregard for the law. 9124

(b) Prior to making a determination under division (A)(3)(a) 9125
of this section that the complaint should receive an expedited 9126
hearing under section 3517.156 of the Revised Code, the attorney 9127
shall take into consideration the number of panels of the 9128
commission that have cases pending before them and the number of 9129
cases pending before the panels and shall not make a determination 9130
that will place an undue burden on a panel of the commission. 9131

(c) If the attorney determines that the complaint should 9132
receive an expedited hearing under section 3517.156 of the Revised 9133
Code, the attorney shall recommend to the commission that the 9134
complaint receive an expedited hearing, and, if a majority of the 9135
members of the commission agrees with the recommendation, the 9136
complaint shall receive an expedited hearing under that section. 9137

(4) The attorney may join two or more complaints if the 9138
attorney determines that the allegations in each complaint are of 9139
the same or similar character, are based on the same act or 9140
failure to act, or are based on two or more acts or failures to 9141
act constituting parts of a common scheme or plan. If one 9142
complaint contains two or more allegations, the attorney may 9143

separate the allegations if they are not of the same or similar 9144
character, if they are not based on the same act or failure to 9145
act, or if they are not based on two or more acts or failures to 9146
act constituting parts of a common scheme or plan. If the attorney 9147
separates the allegations in a complaint, the attorney may make 9148
separate recommendations under division (A)(2) or (3) of this 9149
section for each allegation. 9150

(B) Whenever a person or other entity files a complaint with 9151
the commission setting forth a failure to comply with or a 9152
violation of a section of the Revised Code as described in 9153
division (A)(2)(c) of this section and the complaint is filed 9154
during one of the periods of time specified in division (B)(1) of 9155
section 3517.156 of the Revised Code, the person or entity may 9156
request an expedited hearing under that section at the time the 9157
complaint is filed. The attorney for the commission shall inform 9158
the members of the commission of that request at the time the 9159
attorney makes a recommendation under division (A) of this 9160
section. The commission may grant the request for an expedited 9161
hearing under this division if it determines that an expedited 9162
hearing is practicable. 9163

Sec. 3517.155. (A)(1) Except as otherwise provided in 9164
division (B) of this section, the Ohio elections commission shall 9165
hold its first hearing on a complaint filed with it, other than a 9166
complaint that receives an expedited hearing under section 9167
3517.156 of the Revised Code, not later than ninety business days 9168
after the complaint is filed unless the commission has good cause 9169
to hold the hearing after that time, in which case it shall hold 9170
the hearing not later than one hundred eighty business days after 9171
the complaint is filed. At the hearing, the commission shall 9172
determine whether or not the failure to act or the violation 9173
alleged in the complaint has occurred and shall do only one of the 9174
following, except as otherwise provided in division (B) of this 9175

section or in division (B) of section 3517.151 of the Revised Code: 9176
9177

(a) Enter a finding that good cause has been shown not to impose a fine or not to refer the matter to the appropriate prosecutor; 9178
9179
9180

(b) Impose a fine under section 3517.993 of the Revised Code; 9181

(c) Refer the matter to the appropriate prosecutor; 9182

~~(d) Direct the secretary of state or appropriate board of elections with the authority to certify a candidate to the ballot to remove a candidate's name from the ballot if the candidate is barred from the ballot under division (D) of section 3517.1010 of the Revised Code.~~ 9183
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9185
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(2) As used in division (A) of this section, "appropriate prosecutor" means a prosecutor as defined in section 2935.01 of the Revised Code and either of the following: 9188
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9190

(a) In the case of a failure to comply with or a violation of law involving a campaign committee or the committee's candidate, a political party, a legislative campaign fund, a political action committee, or a political contributing entity, that is required to file a statement of contributions and expenditures with the secretary of state under division (A) of section 3517.11 of the Revised Code, the prosecutor of Franklin county; 9191
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(b) In the case of a failure to comply with or a violation of law involving any other campaign committee or committee's candidate, or any other political party, political action committee, or political contributing entity either of the following as determined by the commission: 9198
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9200
9201
9202

(i) The prosecutor of Franklin county; 9203

(ii) The prosecutor of the county in which the candidacy or ballot question or issue is submitted to the electors or, if it is 9204
9205

submitted in more than one county, the most populous of those 9206
counties. 9207

(B) If the commission decides that the evidence is 9208
insufficient for it to determine whether or not the failure to act 9209
or the violation alleged in the complaint has occurred, the 9210
commission, by the affirmative vote of five members, may request 9211
that an investigatory attorney investigate the complaint. Upon 9212
that request, an investigatory attorney shall make an 9213
investigation in order to produce sufficient evidence for the 9214
commission to decide the matter. If the commission requests an 9215
investigation under this division, for good cause shown by the 9216
investigatory attorney, the commission may extend by sixty days 9217
the deadline for holding its first hearing on the complaint as 9218
required in division (A) of this section. 9219

(C) The commission shall take one of the actions required 9220
under division (A) of this section not later than thirty days 9221
after the close of all the evidence presented. 9222

(D)(1) The commission shall make any finding of a failure to 9223
comply with or a violation of law in regard to a complaint that 9224
alleges a violation of ~~division (D) of section 3517.1010,~~ division 9225
(A) or (B) of section 3517.21, or division (A) or (B) of section 9226
3517.22 of the Revised Code by clear and convincing evidence. The 9227
commission shall make any finding of a failure to comply with or a 9228
violation of law in regard to any other complaint by a 9229
preponderance of the evidence. 9230

(2) If the commission finds a violation of division (B) of 9231
section 3517.21 or division (B) of section 3517.22 of the Revised 9232
Code, it shall refer the matter to the appropriate prosecutor 9233
under division (A)(1)(c) of this section and shall not impose a 9234
fine under division (A)(1)(b) of this section or section 3517.993 9235
of the Revised Code. 9236

(E) In an action before the commission or a panel of the 9237
commission, if the allegations of the complainant are not proved, 9238
and the commission takes the action described in division 9239
(A)(1)(a) of this section or a panel of the commission takes the 9240
action described in division (C)(1) of section 3517.156 of the 9241
Revised Code, the commission or a panel of the commission may find 9242
that the complaint is frivolous, and, if the commission or panel 9243
so finds, the commission shall order the complainant to pay 9244
reasonable attorney's fees and to pay the costs of the commission 9245
or panel as determined by a majority of the members of the 9246
commission. The costs paid to the commission or panel under this 9247
division shall be deposited into the Ohio elections commission 9248
fund. 9249

Sec. 3517.992. This section establishes penalties only with 9250
respect to acts or failures to act that occur on and after August 9251
24, 1995. 9252

(A)(1) A candidate whose campaign committee violates division 9253
(A), (B), (C), (D), or (V) of section 3517.13 of the Revised Code, 9254
or a treasurer of a campaign committee who violates any of those 9255
divisions, shall be fined not more than one hundred dollars for 9256
each day of violation. 9257

(2) Whoever violates division (E) or (X)(5) of section 9258
3517.13 or division (E)(1) of section 3517.1014 of the Revised 9259
Code shall be fined not more than one hundred dollars for each day 9260
of violation. 9261

(B) A political party that violates division (F)(1) of 9262
section 3517.101 of the Revised Code shall be fined not more than 9263
one hundred dollars for each day of violation. 9264

(C) Whoever violates division (F)(2) of section 3517.101, 9265
division (G) of section 3517.13, or division (E)(2) or (3) of 9266
section 3517.1014 of the Revised Code shall be fined not more than 9267

ten thousand dollars or, if the offender is a person who was 9268
nominated or elected to public office, shall forfeit the 9269
nomination or the office to which the offender was elected, or 9270
both. 9271

(D) Whoever violates division (F) of section 3517.13 of the 9272
Revised Code shall be fined not more than three times the amount 9273
contributed. 9274

(E) Whoever violates division (H) of section 3517.13 of the 9275
Revised Code shall be fined not more than one hundred dollars. 9276

(F) Whoever violates division (O), (P), or (Q) of section 9277
3517.13 of the Revised Code is guilty of a misdemeanor of the 9278
first degree. 9279

(G) A state or county committee of a political party that 9280
violates division (B)(1) of section 3517.18 of the Revised Code 9281
shall be fined not more than twice the amount of the improper 9282
expenditure. 9283

(H) A state or county political party that violates division 9284
(G) of section 3517.101 of the Revised Code shall be fined not 9285
more than twice the amount of the improper expenditure or use. 9286

(I)(1) Any individual who violates division (B)(1) of section 9287
3517.102 of the Revised Code and knows that the contribution the 9288
individual makes violates that division shall be fined an amount 9289
equal to three times the amount contributed in excess of the 9290
amount permitted by that division. 9291

(2) Any political action committee that violates division 9292
(B)(2) of section 3517.102 of the Revised Code shall be fined an 9293
amount equal to three times the amount contributed in excess of 9294
the amount permitted by that division. 9295

(3) Any campaign committee that violates division (B)(3) or 9296
(5) of section 3517.102 of the Revised Code shall be fined an 9297

amount equal to three times the amount contributed in excess of 9298
the amount permitted by that division. 9299

(4)(a) Any legislative campaign fund that violates division 9300
(B)(6) of section 3517.102 of the Revised Code shall be fined an 9301
amount equal to three times the amount transferred or contributed 9302
in excess of the amount permitted by that division, as applicable. 9303

(b) Any state political party, county political party, or 9304
state candidate fund of a state political party or county 9305
political party that violates division (B)(6) of section 3517.102 9306
of the Revised Code shall be fined an amount equal to three times 9307
the amount transferred or contributed in excess of the amount 9308
permitted by that division, as applicable. 9309

(c) Any political contributing entity that violates division 9310
(B)(7) of section 3517.102 of the Revised Code shall be fined an 9311
amount equal to three times the amount contributed in excess of 9312
the amount permitted by that division. 9313

(5) Any political party that violates division (B)(4) of 9314
section 3517.102 of the Revised Code shall be fined an amount 9315
equal to three times the amount contributed in excess of the 9316
amount permitted by that division. 9317

(6) Notwithstanding divisions (I)(1), (2), (3), (4), and (5) 9318
of this section, no violation of division (B) of section 3517.102 9319
of the Revised Code occurs, and the secretary of state shall not 9320
refer parties to the Ohio elections commission, if the amount 9321
transferred or contributed in excess of the amount permitted by 9322
that division meets either of the following conditions: 9323

(a) It is completely refunded within five business days after 9324
it is accepted. 9325

(b) It is completely refunded on or before the tenth business 9326
day after notification to the recipient of the excess transfer or 9327
contribution by the board of elections or the secretary of state 9328

that a transfer or contribution in excess of the permitted amount 9329
has been received. 9330

(J)(1) Any campaign committee that violates division (C)(1), 9331
(2), (3), or (6) of section 3517.102 of the Revised Code shall be 9332
fined an amount equal to three times the amount accepted in excess 9333
of the amount permitted by that division. 9334

(2)(a) Any county political party that violates division 9335
(C)(4)(a)(ii) or (iii) of section 3517.102 of the Revised Code 9336
shall be fined an amount equal to three times the amount accepted. 9337

(b) Any county political party that violates division 9338
(C)(4)(a)(i) of section 3517.102 of the Revised Code shall be 9339
fined an amount from its state candidate fund equal to three times 9340
the amount accepted in excess of the amount permitted by that 9341
division. 9342

(c) Any state political party that violates division 9343
(C)(4)(b) of section 3517.102 of the Revised Code shall be fined 9344
an amount from its state candidate fund equal to three times the 9345
amount accepted in excess of the amount permitted by that 9346
division. 9347

(3) Any legislative campaign fund that violates division 9348
(C)(5) of section 3517.102 of the Revised Code shall be fined an 9349
amount equal to three times the amount accepted in excess of the 9350
amount permitted by that division. 9351

(4) Any political action committee or political contributing 9352
entity that violates division (C)(7) of section 3517.102 of the 9353
Revised Code shall be fined an amount equal to three times the 9354
amount accepted in excess of the amount permitted by that 9355
division. 9356

(5) Notwithstanding divisions (J)(1), (2), (3), and (4) of 9357
this section, no violation of division (C) of section 3517.102 of 9358
the Revised Code occurs, and the secretary of state shall not 9359

refer parties to the Ohio elections commission, if the amount 9360
transferred or contributed in excess of the amount permitted to be 9361
accepted by that division meets either of the following 9362
conditions: 9363

(a) It is completely refunded within five business days after 9364
its acceptance. 9365

(b) It is completely refunded on or before the tenth business 9366
day after notification to the recipient of the excess transfer or 9367
contribution by the board of elections or the secretary of state 9368
that a transfer or contribution in excess of the permitted amount 9369
has been received. 9370

(K)(1) Any legislative campaign fund that violates division 9371
(F)(1) of section 3517.102 of the Revised Code shall be fined 9372
twenty-five dollars for each day of violation. 9373

(2) Any legislative campaign fund that violates division 9374
(F)(2) of section 3517.102 of the Revised Code shall give to the 9375
treasurer of state for deposit into the state treasury to the 9376
credit of the Ohio elections commission fund all excess 9377
contributions not disposed of as required by division (E) of 9378
section 3517.102 of the Revised Code. 9379

(L) Whoever violates section 3517.105 of the Revised Code 9380
shall be fined one thousand dollars. 9381

(M)(1) Whoever solicits a contribution in violation of 9382
section 3517.092 or violates division (B) of section 3517.09 of 9383
the Revised Code is guilty of a misdemeanor of the first degree. 9384

(2) Whoever knowingly accepts a contribution in violation of 9385
division (B) or (C) of section 3517.092 of the Revised Code shall 9386
be fined an amount equal to three times the amount accepted in 9387
violation of either of those divisions and shall return to the 9388
contributor any amount so accepted. Whoever unknowingly accepts a 9389
contribution in violation of division (B) or (C) of section 9390

3517.092 of the Revised Code shall return to the contributor any amount so accepted.

(N) Whoever violates division (S) of section 3517.13 of the Revised Code shall be fined an amount equal to three times the amount of funds transferred or three times the value of the assets transferred in violation of that division.

(O) Any campaign committee that accepts a contribution or contributions in violation of section 3517.108 of the Revised Code, uses a contribution in violation of that section, or fails to dispose of excess contributions in violation of that section shall be fined an amount equal to three times the amount accepted, used, or kept in violation of that section.

(P) Any political party, state candidate fund, legislative candidate fund, or campaign committee that violates division (T) of section 3517.13 of the Revised Code shall be fined an amount equal to three times the amount contributed or accepted in violation of that section.

(Q) A treasurer of a committee or another person who violates division (U) of section 3517.13 of the Revised Code shall be fined not more than two hundred fifty dollars.

(R) Whoever violates division (I) or (J) of section 3517.13 of the Revised Code shall be fined not more than one thousand dollars. Whenever a person is found guilty of violating division (I) or (J) of section 3517.13 of the Revised Code, the contract awarded in violation of either of those divisions shall be rescinded if its terms have not yet been performed.

(S) A candidate whose campaign committee violates or a treasurer of a campaign committee who violates section 3517.081 of the Revised Code, and a candidate whose campaign committee violates or a treasurer of a campaign committee or another person who violates division (C) of section 3517.10 of the Revised Code,

shall be fined not more than five hundred dollars. 9422

(T) A candidate whose campaign committee violates or a 9423
treasurer of a committee who violates division (B) of section 9424
3517.09 of the Revised Code, or a candidate whose campaign 9425
committee violates or a treasurer of a campaign committee or 9426
another person who violates division (C) of section 3517.09 of the 9427
Revised Code shall be fined not more than one thousand dollars. 9428

(U) Whoever violates section 3517.20 of the Revised Code 9429
shall be fined not more than five hundred dollars. 9430

(V) Whoever violates section 3517.21 or section 3517.22 of 9431
the Revised Code shall be imprisoned for not more than six months 9432
or fined not more than five thousand dollars, or both. 9433

(W) A campaign committee that is required to file a 9434
declaration of no limits under division (D)(2) of section 3517.103 9435
of the Revised Code that, before filing that declaration, accepts 9436
a contribution or contributions that exceed the limitations 9437
prescribed in section 3517.102 of the Revised Code, shall return 9438
that contribution or those contributions to the contributor. 9439

(X) Any campaign committee that fails to file the declaration 9440
of filing-day finances required by division (F) of section 9441
3517.109 ~~or the declaration of primary day finances or declaration~~ 9442
~~of year end finances required by division (E) of section 3517.1010~~ 9443
of the Revised Code shall be fined twenty-five dollars for each 9444
day of violation. 9445

(Y)(1) Any campaign committee that fails to dispose of excess 9446
funds or excess aggregate contributions under division (B) of 9447
section 3517.109 of the Revised Code in the manner required by 9448
division (C) of that section ~~or under division (B) of section~~ 9449
~~3517.1010 of the Revised Code in the manner required by division~~ 9450
~~(C) of that section~~ shall give to the treasurer of state for 9451
deposit into the Ohio elections commission fund created under 9452

division (I) of section 3517.152 of the Revised Code all funds not 9453
disposed of pursuant to ~~those divisions~~ that division. 9454

(2) Any treasurer of a transition fund that fails to dispose 9455
of assets remaining in the transition fund as required under 9456
division (H)(1) or (2) of section 3517.1014 of the Revised Code 9457
shall give to the treasurer of state for deposit into the Ohio 9458
elections commission fund all assets not disposed of pursuant to 9459
that division. 9460

(Z) Any individual, campaign committee, political action 9461
committee, political contributing entity, legislative campaign 9462
fund, political party, treasurer of a transition fund, or other 9463
entity that violates any provision of sections 3517.09 to 3517.12 9464
of the Revised Code for which no penalty is provided for under any 9465
other division of this section shall be fined not more than one 9466
thousand dollars. 9467

(AA)(1) Whoever knowingly violates division (W)(1) of section 9468
3517.13 of the Revised Code shall be fined an amount equal to 9469
three times the amount contributed, expended, or promised in 9470
violation of that division or ten thousand dollars, whichever 9471
amount is greater. 9472

(2) Whoever knowingly violates division (W)(2) of section 9473
3517.13 of the Revised Code shall be fined an amount equal to 9474
three times the amount solicited or accepted in violation of that 9475
division or ten thousand dollars, whichever amount is greater. 9476

(BB) Whoever knowingly violates division (C) or (D) of 9477
section 3517.1011 of the Revised Code shall be fined not more than 9478
ten thousand dollars plus not more than one thousand dollars for 9479
each day of violation. 9480

~~(CC)(1) Subject to division (CC)(2) of this section, whoever 9481
violates division (H) of section 3517.1011 of the Revised Code 9482
shall be fined an amount up to three times the amount disbursed 9483~~

~~for the direct costs of airing the communication made in violation of that division.~~ 9484
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~~(2) Whoever has been ordered by the Ohio elections commission or by a court of competent jurisdiction to cease making communications in violation of division (H) of section 3517.1011 of the Revised Code who again violates that division shall be fined an amount equal to three times the amount disbursed for the direct costs of airing the communication made in violation of that division.~~ 9486
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~~(DD)~~(1) Any corporation or labor organization that violates division (X)(3)(a) of section 3517.13 of the Revised Code shall be fined an amount equal to three times the amount given in excess of the amount permitted by that division. 9493
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(2) Any state or county political party that violates division (X)(3)(b) of section 3517.13 of the Revised Code shall be fined an amount equal to three times the amount accepted in excess of the amount permitted by that division. 9497
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~~(EE)~~(DD)(1) Any campaign committee or person who violates division (C)(1)(b) or (c) of section 3517.1014 of the Revised Code shall be fined an amount equal to three times the amount donated in excess of the amount permitted by that division. 9501
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(2) Any officeholder or treasurer of a transition fund who violates division (C)(3)(a) or (b) of section 3517.1014 of the Revised Code shall be fined an amount equal to three times the amount accepted in excess of the amount permitted by that division. 9505
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Sec. 3519.01. (A) Only one proposal of law or constitutional amendment to be proposed by initiative petition shall be contained in an initiative petition to enable the voters to vote on that proposal separately. A petition shall include the text of any 9510
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existing statute or constitutional provision that would be amended 9514
or repealed if the proposed law or constitutional amendment is 9515
adopted. 9516

Whoever seeks to propose a law or constitutional amendment by 9517
initiative petition shall, by a written petition signed by one 9518
thousand qualified electors, submit the proposed law or 9519
constitutional amendment and a summary of it to the attorney 9520
general for examination. Within ten days after the receipt of the 9521
written petition and the summary of it, the attorney general shall 9522
conduct an examination of the summary. If, in the opinion of the 9523
attorney general, the summary is a fair and truthful statement of 9524
the proposed law or constitutional amendment, the attorney general 9525
shall so certify and then forward the submitted petition to the 9526
Ohio ballot board for its approval under division (A) of section 9527
3505.062 of the Revised Code. If the Ohio ballot board returns the 9528
submitted petition to the attorney general with its certification 9529
as described in that division, the attorney general shall then 9530
file with the secretary of state a verified copy of the proposed 9531
law or constitutional amendment together with its summary and the 9532
attorney general's certification. 9533

Whenever the Ohio ballot board divides an initiative petition 9534
into individual petitions containing only one proposed law or 9535
constitutional amendment under division (A) of section 3505.062 of 9536
the Revised Code resulting in the need for the petitioners to 9537
resubmit to the attorney general appropriate summaries for each of 9538
the individual petitions arising from the board's division of the 9539
initiative petition, the attorney general shall review the 9540
resubmitted summaries, within ten days after their receipt, to 9541
determine if they are a fair and truthful statement of the 9542
respective proposed laws or constitutional amendments and, if so, 9543
certify them. These resubmissions shall contain no new 9544
explanations or arguments. Then, the attorney general shall file 9545

with the secretary of state a verified copy of each of the 9546
proposed laws or constitutional amendments together with their 9547
respective summaries and the attorney general's certification of 9548
each. 9549

(B)(1) Whoever seeks to file a referendum petition against 9550
any law, section, or item in any law shall, by a written petition 9551
signed by one thousand qualified electors, submit the measure to 9552
be referred and a summary of it to the secretary of state and, on 9553
the same day or within one business day before or after that day, 9554
submit a copy of the petition, measure, and summary to the 9555
attorney general. 9556

(2) Not later than ten business days after receiving the 9557
petition, measure, and summary, the secretary of state shall do 9558
both of the following: 9559

(a) Have the validity of the signatures on the petition 9560
verified; 9561

(b) After comparing the text of the measure to be referred 9562
with the copy of the enrolled act on file in the secretary of 9563
state's office containing the law, section, or item of law, 9564
determine whether the text is correct and, if it is, so certify. 9565

(3) Not later than ten business days after receiving a copy 9566
of the petition, measure, and summary, the attorney general shall 9567
examine the summary and, if in the attorney general's opinion, the 9568
summary is a fair and truthful statement of the measure to be 9569
referred, so certify. 9570

(C) Any person who is aggrieved by a certification decision 9571
under division (A) or (B) of this section may challenge the 9572
certification or failure to certify of the attorney general in the 9573
supreme court, which shall have exclusive, original jurisdiction 9574
in all challenges of those certification decisions. 9575

~~Sec. 3519.16. The circulator of any part petition, the committee interested in the petition, or any elector may file with the board of elections a protest against the board's findings made pursuant to section 3519.15 of the Revised Code. Protests shall be in writing and shall specify reasons for the protest. Protests for all initiative and referendum petitions other than those to be voted on by electors throughout the entire state shall be filed not later than four p.m. of the seventy fourth day before the day of the election. Once a protest is filed, the board shall proceed to establish the sufficiency or insufficiency of the signatures and of the verification of those signatures in an action before the court of common pleas in the county. The action shall be brought within three days after the protest is filed, and it shall be heard forthwith by a judge of that court, whose decision shall be certified to the board. The signatures that are adjudged sufficient or the part petitions that are adjudged properly verified shall be included with the others by the board, and those found insufficient and all those part petitions that are adjudged not properly verified shall not be included. (A) Pursuant to Section 1g of Article II, Ohio Constitution, the supreme court of Ohio shall have original, exclusive jurisdiction in all challenges to initiative and referendum petitions.~~

(B) The circulator of any petition shall include upon each part-petition filed with the secretary of state a designation of the county in which the part-petition was circulated and a number for each part-petition. In any county where part-petitions are circulated, each part-petition shall be numbered sequentially. Upon the filing of the petition with the secretary of state, the circulator of any petition shall also file the following:

(1) An electronic copy of the petition filed along with a verification that the electronic copy is a true representation of the original paper petition filed with the secretary of state;

(2) A summary of the number of part-petitions filed per 9608
county and the number of signatures on each part-petition; 9609

(3) An index of the electronic copy. 9610

(C) For a request made under Chapter 149. of the Revised Code 9611
for the inspection or copying of the original petition filed with 9612
the secretary of state, the request is fulfilled when the 9613
secretary of state provides inspection of or copies of the 9614
electronic copy filed by the circulator of the petition. This 9615
section applies from the time of the initial filing of the 9616
petition with the secretary of state and remains applicable until 9617
the part-petitions are returned to the secretary of state from the 9618
local board of elections after a determination of sufficiency of 9619
the petition pursuant to section 3519.15 of the Revised Code. 9620

(D) Discrepancies between the electronic copy filed under 9621
division (B)(1) of this section and the original paper petitions 9622
as filed with the secretary of state shall not render the petition 9623
invalid. Discrepancies between a filed electronic copy and the 9624
original paper petition, if the product of fraud, shall be subject 9625
to criminal penalties under section 3599.36 of the Revised Code. 9626

(E) The properly verified part-petitions, together with the 9627
report of the board, shall be returned to the secretary of state 9628
not less than sixty days before the election, provided that, in 9629
the case of an initiated law to be presented to the general 9630
assembly, the boards shall promptly check and return the petitions 9631
together with their report. The secretary of state shall notify, 9632
by certified mail, the chairperson each member of the committee in 9633
charge of the circulation as to the sufficiency or insufficiency 9634
of the petition and the extent of the insufficiency. 9635

If the petition is found insufficient because of an 9636
insufficient number of valid signatures, the committee shall be 9637
allowed ten additional days after the notification by first member 9638

of the committee receives notice of the petition's insufficiency 9639
by certified mail from the secretary of state for the filing of 9640
additional signatures to the petition. No additional signatures 9641
may be collected by the circulator of the petition until the 9642
secretary of state determines the sufficiency of the signatures 9643
that the circulator originally filed with the secretary of state 9644
The part-petitions of the supplementary petition that appear to 9645
the secretary of state to be properly verified, upon their receipt 9646
by the secretary of state, shall forthwith be forwarded to the 9647
boards of the several counties together with the part-petitions of 9648
the original petition that have been properly verified. They shall 9649
be immediately examined and passed upon as to the validity and 9650
sufficiency of the signatures on them by each of the boards and 9651
returned within five days to the secretary of state with the 9652
report of each board. No signature on a supplementary 9653
part-petition that is the same as a signature on an original 9654
part-petition shall be counted. The number of signatures in both 9655
the original and supplementary petitions, properly verified, shall 9656
be used by the secretary of state in determining the total number 9657
of signatures to the petition that the secretary of state shall 9658
record and announce. If they are sufficient, the amendment, 9659
proposed law, or law shall be placed on the ballot as required by 9660
law. If the petition is found insufficient, the secretary of state 9661
shall notify the committee in charge of the circulation of the 9662
petition. 9663

Sec. 3599.03. (A)(1) ~~Except to carry on activities specified~~ 9664
~~in sections 3517.082 and 3517.1011, division (A)(2) of section~~ 9665
~~3517.1012, division (B) of section 3517.1013, division (C)(1) of~~ 9666
~~section 3517.1014, and section 3599.031 of the Revised Code and~~ 9667
~~except as provided in divisions (D), (E), and (F) of this section,~~ 9668
~~no~~ No corporation, no nonprofit corporation, and no labor 9669
organization, directly or indirectly, shall pay or use, or offer, 9670

advise, consent, or agree to pay or use, the corporation's money 9671
or property, or the labor organization's money, including dues, 9672
initiation fees, or other assessments paid by members, or 9673
property, ~~for or in aid of or opposition~~ to make a contribution to 9674
a political party, a candidate for election or nomination to 9675
public office, a political action committee including a political 9676
action committee of the corporation or labor organization, a 9677
legislative campaign fund, or any organization that supports or 9678
opposes any such candidate, ~~or for any partisan political purpose,~~ 9679
shall violate any law requiring the filing of an affidavit or 9680
statement respecting such use of those funds, or shall pay or use 9681
the corporation's or labor organization's money for the expenses 9682
of a social fund-raising event for its political action committee 9683
if an employee's or labor organization member's right to attend 9684
such an event is predicated on the employee's or member's 9685
contribution to the corporation's or labor organization's 9686
political action committee. 9687

(2) Whoever violates division (A)(1) of this section shall be 9688
fined not less than five hundred nor more than five thousand 9689
dollars. 9690

(B)(1) No officer, stockholder, attorney, or agent of a 9691
corporation or nonprofit corporation, no member, including an 9692
officer, attorney, or agent, of a labor organization, and no 9693
candidate, political party official, or other individual shall 9694
knowingly aid, advise, solicit, or receive money or other property 9695
in violation of division (A)(1) of this section. 9696

(2) Whoever violates division (B)(1) of this section shall be 9697
fined not more than one thousand dollars, or imprisoned not more 9698
than one year, or both. 9699

(C) A corporation, a nonprofit corporation, or a labor 9700
organization may use its funds or property for or in aid of or 9701
opposition to a proposed or certified ballot issue. Such use of 9702

funds or property shall be reported on a form prescribed by the 9703
secretary of state. Reports of contributions in connection with 9704
statewide ballot issues shall be filed with the secretary of 9705
state. Reports of contributions in connection with local issues 9706
shall be filed with the board of elections of the most populous 9707
county of the district in which the issue is submitted or to be 9708
submitted to the electors. Reports made pursuant to this division 9709
shall be filed by the times specified in divisions (A)(1) and (2) 9710
of section 3517.10 of the Revised Code. 9711

(D)(1) Any gift made pursuant to section 3517.101 of the 9712
Revised Code does not constitute a violation of this section or of 9713
any other section of the Revised Code. 9714

(2) Any gift made pursuant to division (A)(2) of section 9715
3517.1012 of the Revised Code does not constitute a violation of 9716
this section. 9717

(3) Any gift made pursuant to division (B) of section 9718
3517.1013 of the Revised Code does not constitute a violation of 9719
this section. 9720

(4) Any donation made pursuant to division (C)(1) of section 9721
3517.1014 of the Revised Code does not constitute a violation of 9722
this section. 9723

(E) Any compensation or fees paid by a financial institution 9724
to a state political party for services rendered pursuant to 9725
division (B) of section 3517.19 of the Revised Code do not 9726
constitute a violation of this section or of any other section of 9727
the Revised Code. 9728

(F)(1) The use by a nonprofit corporation of its money or 9729
property for communicating information for a purpose specified in 9730
division (A) of this section is not a violation of that division 9731
if the stockholders, members, donors, trustees, or officers of the 9732
nonprofit corporation are the predominant recipients of the 9733

communication. 9734

(2) The placement of a campaign sign on the property of a 9735
corporation, nonprofit corporation, or labor organization is not a 9736
use of property in violation of division (A) of this section by 9737
that corporation, nonprofit corporation, or labor organization. 9738

(3) The use by a corporation or labor organization of its 9739
money or property for communicating information for a purpose 9740
specified in division (A) of this section is not a violation of 9741
that division if it is not a communication made by mass broadcast 9742
such as radio or television or made by advertising in a newspaper 9743
of general circulation but is a communication sent exclusively to 9744
members, employees, officers, or trustees of that labor 9745
organization or shareholders, employees, officers, or directors of 9746
that corporation or to members of the immediate families of any 9747
such individuals or if the communication intended to be so sent 9748
exclusively is unintentionally sent as well to a de minimis number 9749
of other individuals. 9750

(G) In addition to the laws listed in division (A) of section 9751
4117.10 of the Revised Code that prevail over conflicting 9752
agreements between employee organizations and public employers, 9753
this section prevails over any conflicting provisions of 9754
agreements between labor organizations and public employers that 9755
are entered into on or after March 31, 2005, pursuant to Chapter 9756
4117. of the Revised Code. 9757

(H) As used in this section, "labor organization" has the 9758
same meaning as in section 3517.01 of the Revised Code. 9759

Sec. 3599.07. No ~~judge of elections~~ precinct election 9760
official, observer, or police officer admitted into the polling 9761
rooms at the election, at any time while the polls are open, shall 9762
have in the individual's possession, distribute, or give out any 9763
ballot or ticket to any person on any pretense during the 9764

receiving, counting, or certifying of the votes, or have any 9765
ballot or ticket in the individual's possession or control, except 9766
in the proper discharge of the individual's official duty in 9767
receiving, counting, or canvassing the votes. This section does 9768
not prevent the lawful exercise by a ~~judge of elections~~ precinct
election official or observer of the individual right to vote at 9769
such election. 9770
9771

Sec. 3599.17. (A) No elections official serving as a 9772
registrar or ~~judge of elections~~ precinct election official shall 9773
do any of the following: 9774

(1) Fail to appear before the board of elections, or its 9775
representative, after notice has been served personally upon the 9776
official or left at the official's usual place of residence, for 9777
examination as to the official's qualifications; 9778

(2) Fail to appear at the polling place to which the official 9779
is assigned at the hour and during the hours set for the 9780
registration or election; 9781

(3) Fail to take the oath prescribed by section 3501.31 of 9782
the Revised Code, unless excused by such board; 9783

(4) Refuse or sanction the refusal of another registrar or 9784
~~judge of elections~~ precinct election official to administer an 9785
oath required by law; 9786

(5) Fail to send notice to the board of the appointment of a 9787
~~judge~~ precinct election official to fill a vacancy; 9788

(6) Act as registrar or ~~judge~~ precinct election official 9789
without having been appointed and having received a certificate of 9790
appointment, except a ~~judge~~ precinct election official appointed 9791
to fill a vacancy caused by absence or removal; 9792

(7) Fail in any other way to perform any duty imposed by law. 9793

(B) Whoever violates division (A) of this section is guilty 9794

of a misdemeanor of the first degree. 9795

Sec. 3599.19. (A) No ~~judge of elections~~ precinct election
official shall knowingly do any of the following: 9796
9797

(1) Unlawfully open or permit to be opened the sealed package 9798
containing registration lists, ballots, blanks, pollbooks, and 9799
other papers and material to be used in an election; 9800

(2) Unlawfully misplace, carry away, negligently lose or 9801
permit to be taken from the ~~judge~~ precinct election official, fail 9802
to deliver, or destroy any such packages, papers, or material; 9803

(3) Receive or sanction the reception of a ballot from a 9804
person not a qualified elector or from a person who refused to 9805
answer a question in accordance with the election law; 9806

(4) Refuse to receive or sanction the rejection of a ballot 9807
from a person, knowing that person to be a qualified elector; 9808

(5) Permit a fraudulent ballot to be placed in the ballot 9809
box; 9810

(6) Place or permit to be placed in any ballot box any ballot 9811
known by the ~~judge~~ precinct election official to be improperly or 9812
falsely marked; 9813

(7) Count or permit to be counted any illegal or fraudulent 9814
ballot; 9815

(8) Mislead an elector who is physically unable to prepare 9816
the elector's ballot, mark a ballot for such elector otherwise 9817
than as directed by that elector, or disclose to any person, 9818
except when legally required to do so, how such elector voted; 9819

(9) Alter or mark or permit any alteration or marking on any 9820
ballot when counting the ballots; 9821

(10) Unlawfully count or tally or sanction the wrongful 9822
counting or tallying of votes; 9823

(11) After the counting of votes commences, as required by 9824
law, postpone or sanction the postponement of the counting of 9825
votes, adjourn at any time or to any place, or remove the ballot 9826
box from the place of voting, or from the custody or presence of 9827
all the ~~judges of such elections~~ precinct election officials; 9828

(12) Permit any ballot to remain or to be in the ballot box 9829
at the opening of the polls, or to be put in the box during the 9830
counting of the ballots, or to be left in the box without being 9831
counted; 9832

(13) Admit or sanction the admission to the polling room at 9833
an election during the receiving, counting, and certifying of 9834
votes of any person not qualified by law to be so admitted; 9835

(14) Refuse to admit or sanction the refusal to admit any 9836
person, upon lawful request for admission, who is legally 9837
qualified to be present; 9838

(15) Permit or sanction the counting of the ballots contrary 9839
to the manner prescribed by law; 9840

(16) Neglect or unlawfully execute any duty enjoined upon the 9841
~~judge~~ precinct election official by law. 9842

(B) Whoever violates division (A) of this section is guilty 9843
of a misdemeanor of the first degree. 9844

Sec. 3599.30. No school operated by a school district, no 9845
community school established under Chapter 3314. of the Revised 9846
Code, no STEM school established under Chapter 3326. of the 9847
Revised Code, and no chartered nonpublic school shall, during the 9848
regular school day, transport one or more students to a polling 9849
place or board of elections for the purpose of casting a ballot. 9850

Sec. 3599.31. No officer of the law shall fail to obey 9851
forthwith an order of the ~~presiding judge~~ voting location manager 9852

and aid in enforcing a lawful order of the ~~presiding judges~~ voting 9853
location manager at an election, against persons unlawfully 9854
congregating or loitering within one hundred feet of a polling 9855
place, hindering or delaying an elector from reaching or leaving 9856
the polling place, soliciting or attempting, within one hundred 9857
feet of the polling place, to influence an elector in casting the 9858
elector's vote, or interfering with the registration of voters or 9859
casting and counting of the ballots. 9860

Whoever violates this section is guilty of a misdemeanor of 9861
the first degree. 9862

Section 2. That existing sections 511.27, 1545.21, 2101.44, 9863
3501.01, 3501.05, 3501.051, 3501.10, 3501.11, 3501.13, 3501.17, 9864
3501.18, 3501.20, 3501.22, 3501.26, 3501.27, 3501.28, 3501.29, 9865
3501.30, 3501.301, 3501.31, 3501.32, 3501.33, 3501.35, 3501.37, 9866
3501.38, 3503.02, 3503.06, 3503.14, 3503.15, 3503.16, 3503.18, 9867
3503.19, 3503.21, 3503.26, 3503.28, 3504.02, 3504.04, 3504.05, 9868
3505.07, 3505.08, 3505.11, 3505.13, 3505.16, 3505.17, 3505.18, 9869
3505.181, 3505.182, 3505.183, 3505.20, 3505.21, 3505.23, 3505.24, 9870
3505.26, 3505.28, 3505.29, 3505.30, 3505.31, 3506.05, 3506.12, 9871
3506.15, 3509.01, 3509.02, 3509.03, 3509.031, 3509.04, 3509.05, 9872
3509.06, 3509.07, 3509.08, 3509.09, 3511.02, 3511.04, 3511.05, 9873
3511.06, 3511.07, 3511.08, 3511.09, 3511.10, 3511.11, 3511.13, 9874
3511.14, 3513.02, 3513.12, 3513.131, 3513.18, 3513.19, 3513.21, 9875
3513.262, 3513.30, 3515.04, 3517.01, 3517.012, 3517.10, 3517.102, 9876
3517.103, 3517.106, 3517.1011, 3517.11, 3517.153, 3517.154, 9877
3517.155, 3517.992, 3519.01, 3519.16, 3599.03, 3599.07, 3599.17, 9878
3599.19, and 3599.31 and sections 3503.29, 3504.01, 3506.16, and 9879
3517.1010 of the Revised Code are hereby repealed. 9880

Section 3. That sections 3.02, 302.09, 305.02, 503.24, 9881
733.31, 1901.10, 2301.02, 3501.02, and 3513.31 of the Revised Code 9882
be amended to read as follows, to make those sections consistent 9883

with the requirements of the Ohio Constitution: 9884

Sec. 3.02. (A) When an elective office becomes vacant and is 9885
filled by appointment, such appointee shall hold the office until 9886
the appointee's successor is elected and qualified; and such 9887
successor shall be elected for the unexpired term, at the first 9888
general election for the office which is vacant that occurs more 9889
than ~~fifty-six~~ forty days after the vacancy has occurred; provided 9890
that when the unexpired term ends within one year immediately 9891
following the date of such general election, an election to fill 9892
such unexpired term shall not be held and the appointment shall be 9893
for such unexpired term. 9894

(B) When an elective office becomes vacant and is filled by 9895
appointment, the appointing authority shall, immediately but no 9896
later than seven days after making the appointment, certify it to 9897
the board of elections and to the secretary of state. The board of 9898
elections or, in the case of an appointment to a statewide office, 9899
the secretary of state shall issue a certificate of appointment to 9900
the appointee. Certificates of appointment shall be in such form 9901
as the secretary of state shall prescribe. 9902

(C) When an elected candidate fails to qualify for the office 9903
to which the candidate has been elected, the office shall be 9904
filled as in the case of a vacancy. Until so filled, the incumbent 9905
officer shall continue to hold office. This section does not 9906
postpone the time for such election beyond that at which it would 9907
have been held had no such vacancy occurred, or affect the 9908
official term, or the time for the commencement thereof, of any 9909
person elected to such office before the occurrence of such 9910
vacancy. 9911

Sec. 302.09. When a vacancy occurs in the board of county 9912
commissioners or in the office of county auditor, county 9913

treasurer, prosecuting attorney, clerk of the court of common 9914
pleas, sheriff, county recorder, county engineer, or coroner more 9915
than ~~fifty-six~~ forty days before the next general election for 9916
state and county officers, the vacancy shall be filled as provided 9917
for in divisions (A) and (B) of section 305.02 of the Revised 9918
Code. 9919

Sec. 305.02. (A) If a vacancy in the office of county 9920
commissioner, prosecuting attorney, county auditor, county 9921
treasurer, clerk of the court of common pleas, sheriff, county 9922
recorder, county engineer, or coroner occurs more than ~~fifty-six~~ 9923
forty days before the next general election for state and county 9924
officers, a successor shall be elected at such election for the 9925
unexpired term unless such term expires within one year 9926
immediately following the date of such general election. 9927

In either event, the vacancy shall be filled as provided in 9928
this section, and the appointee shall hold office until a 9929
successor is elected and qualified. 9930

(B) If a vacancy occurs from any cause in any of the offices 9931
named in division (A) of this section, the county central 9932
committee of the political party with which the last occupant of 9933
the office was affiliated shall appoint a person to hold the 9934
office and to perform the duties thereof until a successor is 9935
elected and has qualified, except that if such vacancy occurs 9936
because of the death, resignation, or inability to take the office 9937
of an officer-elect whose term has not yet begun, an appointment 9938
to take such office at the beginning of the term shall be made by 9939
the central committee of the political party with which such 9940
officer-elect was affiliated. 9941

(C) Not less than five nor more than forty-five days after a 9942
vacancy occurs, the county central committee shall meet for the 9943
purpose of making an appointment under this section. Not less than 9944

four days before the date of such meeting the chairperson or 9945
secretary of such central committee shall send by first class mail 9946
to every member of such central committee a written notice which 9947
shall state the time and place of such meeting and the purpose 9948
thereof. A majority of the members of the central committee 9949
present at such meeting may make the appointment. 9950

(D) If the last occupant of the office or the officer-elect 9951
was elected as an independent candidate, the board of county 9952
commissioners shall make such appointment at the time when the 9953
vacancy occurs, except where the vacancy is in the office of 9954
county commissioner, in which case the prosecuting attorney and 9955
the remaining commissioners or a majority of them shall make the 9956
appointment. 9957

(E) Appointments made under this section shall be certified 9958
by the appointing county central committee or by the board of 9959
county commissioners to the county board of elections and to the 9960
secretary of state, and the persons so appointed and certified 9961
shall be entitled to all remuneration provided by law for the 9962
offices to which they are appointed. 9963

(F) The board of county commissioners may appoint a person to 9964
hold any of the offices named in division (A) of this section as 9965
an acting officer and to perform the duties thereof between the 9966
occurrence of the vacancy and the time when the officer appointed 9967
by the central committee qualifies and takes the office. 9968

(G) A person appointed prosecuting attorney or assistant 9969
prosecuting attorney shall give bond and take the oath of office 9970
prescribed by section 309.03 of the Revised Code for the 9971
prosecuting attorney. 9972

Sec. 503.24. If there is a vacancy by reason of the 9973
nonacceptance, death, or removal of a person chosen to an office 9974
in any township at the regular election, or if there is a vacancy 9975

from any other cause, the board of township trustees shall appoint 9976
a person having the qualifications of an elector to fill such 9977
vacancy for the unexpired term or until a successor is elected. 9978

If a township is without a board or if no appointment is made 9979
within thirty days after the occurrence of a vacancy, a majority 9980
of the persons designated as the committee of five on the 9981
last-filed nominating petition of the township officer whose 9982
vacancy is to be filled who are residents of the township shall 9983
appoint a person having the qualifications of an elector to fill 9984
the vacancy for the unexpired term or until a successor is 9985
elected. If at least three of the committee members who are 9986
residents of the township cannot be found, or if that number of 9987
such members fails to make an appointment within ten days after 9988
the thirty-day period in which the board of township trustees is 9989
authorized to make an appointment, then the presiding probate 9990
judge of the county shall appoint a suitable person having the 9991
qualifications of an elector in the township to fill the vacancy 9992
for the unexpired term or until a successor is elected. 9993

If a vacancy occurs in a township elective office more than 9994
~~fifty-six~~ forty days before the next general election for 9995
municipal and township officers a successor shall be chosen at 9996
that election to fill the unexpired term, provided the term does 9997
not expire within one year from the day of the election. If the 9998
term expires within one year from the day of the next general 9999
election for municipal and township officers, a successor 10000
appointed pursuant to this section shall serve out the unexpired 10001
term. 10002

Sec. 733.31. (A) Unless otherwise provided by law, vacancies 10003
arising in appointive and elective offices of villages shall be 10004
filled by appointment by the mayor for the remainder of the 10005
unexpired term, provided that: 10006

(1) Vacancies in the office of mayor shall be filled in the manner provided by section 733.25 of the Revised Code; 10007
10008

(2) Vacancies in the membership of the legislative authority shall be filled in the manner provided by section 731.43 of the Revised Code; 10009
10010
10011

(3) Vacancies in the office of president pro tempore of a village legislative authority shall be filled in the manner provided by section 731.11 of the Revised Code. 10012
10013
10014

In the event of a vacancy in the office of village clerk or treasurer, the mayor may appoint a person to serve as an acting officer to perform the duties of the office until a permanent officer is appointed to fill the vacancy. 10015
10016
10017
10018

(B) Unless otherwise provided by law, vacancies arising in appointive offices of cities shall be filled by appointment by the mayor for the remainder of the unexpired term. 10019
10020
10021

(C) A vacancy in the office of president of the legislative authority of a city shall be filled in the same manner as provided in division (D) of this section. Vacancies in the office of mayor of a city shall be filled in the manner provided in section 733.08 of the Revised Code. Vacancies in the membership of the legislative authority of a city shall be filled in the manner provided in section 731.43 of the Revised Code. 10022
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(D) In case of the death, resignation, removal, or disability of the director of law, auditor, or treasurer of a city and such vacancy occurs more than ~~fifty-six~~ forty days before the next general election for such office, a successor shall be elected at such election for the unexpired term unless such term expires within one year immediately following the date of such general election. In either event, the vacancy shall be filled as provided in this section and the appointee shall hold office until a successor is elected and qualified. 10029
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(1) The county central committee of the political party with 10038
which the last occupant of the office was affiliated, acting 10039
through its members who reside in the city where the vacancy 10040
occurs, shall appoint a person to hold the office and to perform 10041
the duties thereof until a successor is elected and has qualified, 10042
except that if such vacancy occurs because of the death, 10043
resignation, or inability to take the office of an officer-elect 10044
whose term has not yet begun, an appointment to take such office 10045
at the beginning of the term shall be made by the members of the 10046
central committee who reside in the city where the vacancy occurs. 10047

(2) Not less than five nor more than forty-five days after a 10048
vacancy occurs, the county central committee, acting through its 10049
members who reside in the city where the vacancy occurs, shall 10050
meet for the purpose of making an appointment. Not less than four 10051
days before the date of the meeting the chairperson or secretary 10052
of the central committee shall send by first class mail to every 10053
member of such central committee who resides in the city where the 10054
vacancy occurs a written notice which shall state the time and 10055
place of such meeting and the purpose thereof. A majority of the 10056
members of the central committee present at such meeting may make 10057
the appointment. 10058

(E) If the last occupant of the office or the officer-elect, 10059
as provided in division (D) of this section, was elected as an 10060
independent candidate, the mayor of the city shall make the 10061
appointment at the time the vacancy occurs. 10062

(F) Appointments made under this section shall be certified 10063
by the appointing county central committee or by the mayor of the 10064
municipal corporation to the county board of elections and to the 10065
secretary of state. The persons so appointed and certified shall 10066
be entitled to all remuneration provided by law for the offices to 10067
which they are appointed. 10068

(G) The mayor of the city may appoint a person to hold the 10069

city office of director of law, auditor, or treasurer as an acting 10070
officer and to perform the duties thereof between the occurrence 10071
of the vacancy and the time when the person appointed by the 10072
central committee qualifies and takes the office. 10073

Sec. 1901.10. (A)(1)(a) The judges of the municipal court and 10074
officers of the court shall take an oath of office as provided in 10075
section 3.23 of the Revised Code. The office of judge of the 10076
municipal court is subject to forfeiture, and the judge may be 10077
removed from office, for the causes and by the procedure provided 10078
in sections 3.07 to 3.10 of the Revised Code. A vacancy in the 10079
office of judge exists upon the death, resignation, forfeiture, 10080
removal from office, or absence from official duties for a period 10081
of six consecutive months, as determined under this section, of 10082
the judge and also by reason of the expiration of the term of an 10083
incumbent when no successor has been elected or qualified. The 10084
chief justice of the supreme court may designate a judge of 10085
another municipal court to act until that vacancy is filled in 10086
accordance with section 107.08 of the Revised Code. A vacancy 10087
resulting from the absence of a judge from official duties for a 10088
period of six consecutive months shall be determined and declared 10089
by the legislative authority. 10090

(b) If a vacancy occurs in the office of judge or clerk of 10091
the municipal court after the one-hundredth day before the first 10092
Tuesday after the first Monday in May and prior to the ~~fifty-sixth~~ 10093
fortieth day before the day of the general election, all 10094
candidates for election to the unexpired term of the judge or 10095
clerk shall file nominating petitions with the board of elections 10096
not later than four p.m. on the tenth day following the day on 10097
which the vacancy occurs, except that, when the vacancy occurs 10098
fewer than ~~four~~ six days before the ~~fifty-sixth~~ fortieth day 10099
before the general election, the deadline for filing shall be four 10100
p.m. on the ~~fiftieth~~ thirty-sixth day before the day of the 10101

general election. 10102

(c) Each nominating petition referred to in division 10103
(A)(1)(b) of this section shall be in the form prescribed in 10104
section 3513.261 of the Revised Code and shall be signed by at 10105
least fifty qualified electors of the territory of the municipal 10106
court. No nominating petition shall be accepted for filing or 10107
filed if it appears on its face to contain signatures aggregating 10108
in number more than twice the minimum aggregate number of 10109
signatures required by this section. 10110

(2) If a judge of a municipal court that has only one judge 10111
is temporarily absent, incapacitated, or otherwise unavailable, 10112
the judge may appoint a substitute who has the qualifications 10113
required by section 1901.06 of the Revised Code or a retired judge 10114
of a court of record who is a qualified elector and a resident of 10115
the territory of the court. If the judge is unable to make the 10116
appointment, the chief justice of the supreme court shall appoint 10117
a substitute. The appointee shall serve during the absence, 10118
incapacity, or unavailability of the incumbent, shall have the 10119
jurisdiction and powers conferred upon the judge of the municipal 10120
court, and shall be styled "acting judge." During that time of 10121
service, the acting judge shall sign all process and records and 10122
shall perform all acts pertaining to the office, except that of 10123
removal and appointment of officers of the court. All courts shall 10124
take judicial notice of the selection and powers of the acting 10125
judge. The incumbent judge shall establish the amount of 10126
compensation of an acting judge upon either a per diem, hourly, or 10127
other basis, but the rate of pay shall not exceed the per diem 10128
amount received by the incumbent judge. 10129

(B) When the volume of cases pending in any municipal court 10130
necessitates an additional judge, the chief justice of the supreme 10131
court, upon the written request of the judge or presiding judge of 10132
that municipal court, may designate a judge of another municipal 10133

court or county court to serve for any period of time that the 10134
chief justice may prescribe. The compensation of a judge so 10135
designated shall be paid from the city treasury or, in the case of 10136
a county-operated municipal court, from the county treasury. In 10137
addition to the annual salary provided for in section 1901.11 of 10138
the Revised Code and in addition to any compensation under 10139
division (A)(5) or (6) of section 141.04 of the Revised Code to 10140
which the judge is entitled in connection with the judge's own 10141
court, a full-time or part-time judge while holding court outside 10142
the judge's territory on the designation of the chief justice 10143
shall receive actual and necessary expenses and compensation as 10144
follows: 10145

(1) A full-time judge shall receive thirty dollars for each 10146
day of the assignment. 10147

(2) A part-time judge shall receive for each day of the 10148
assignment the per diem compensation of the judges of the court to 10149
which the judge is assigned, less the per diem amount paid to 10150
those judges pursuant to section 141.04 of the Revised Code, 10151
calculated on the basis of two hundred fifty working days per 10152
year. 10153

If a request is made by a judge or the presiding judge of a 10154
municipal court to designate a judge of another municipal court 10155
because of the volume of cases in the court for which the request 10156
is made and the chief justice reports, in writing, that no 10157
municipal or county court judge is available to serve by 10158
designation, the judges of the court requesting the designation 10159
may appoint a substitute as provided in division (A)(2) of this 10160
section, who may serve for any period of time that is prescribed 10161
by the chief justice. The substitute judge shall be paid in the 10162
same manner and at the same rate as the incumbent judges, except 10163
that, if the substitute judge is entitled to compensation under 10164
division (A)(5) or (6) of section 141.04 of the Revised Code, then 10165

section 1901.121 of the Revised Code shall govern its payment. 10166

Sec. 2301.02. The number of judges of the court of common 10167
pleas for each county, the time for the next election of the 10168
judges in the several counties, and the beginning of their terms 10169
shall be as follows: 10170

(A) In Adams, Ashland, Fayette, and Pike counties, one judge, 10171
elected in 1956, term to begin February 9, 1957; 10172

In Brown, Crawford, Defiance, Highland, Holmes, Morgan, 10173
Ottawa, and Union counties, one judge, to be elected in 1954, term 10174
to begin February 9, 1955; 10175

In Auglaize county, one judge, to be elected in 1956, term to 10176
begin January 9, 1957; 10177

In Coshocton, Darke, Fulton, Gallia, Guernsey, Hardin, 10178
Jackson, Knox, Madison, Mercer, Monroe, Paulding, Vinton, and 10179
Wyandot counties, one judge, to be elected in 1956, term to begin 10180
January 1, 1957; 10181

In Morrow county, two judges, one to be elected in 1956, term 10182
to begin January 1, 1957, and one to be elected in 2006, term to 10183
begin January 1, 2007; 10184

In Logan county, two judges, one to be elected in 1956, term 10185
to begin January 1, 1957, and one to be elected in 2004, term to 10186
begin January 2, 2005; 10187

In Carroll, Clinton, Hocking, Meigs, Pickaway, Preble, 10188
Shelby, Van Wert, and Williams counties, one judge, to be elected 10189
in 1952, term to begin January 1, 1953; 10190

In Champaign county, two judges, one to be elected in 1952, 10191
term to begin January 1, 1953, and one to be elected in 2008, term 10192
to begin February 10, 2009. 10193

In Harrison and Noble counties, one judge, to be elected in 10194

1954, term to begin April 18, 1955;	10195
In Henry county, two judges, one to be elected in 1956, term to begin May 9, 1957, and one to be elected in 2004, term to begin January 1, 2005;	10196 10197 10198
In Putnam county, one judge, to be elected in 1956, term to begin May 9, 1957;	10199 10200
In Huron county, one judge, to be elected in 1952, term to begin May 14, 1953;	10201 10202
In Perry county, one judge, to be elected in 1954, term to begin July 6, 1956;	10203 10204
In Sandusky county, two judges, one to be elected in 1954, term to begin February 10, 1955, and one to be elected in 1978, term to begin January 1, 1979;	10205 10206 10207
(B) In Allen county, three judges, one to be elected in 1956, term to begin February 9, 1957, the second to be elected in 1958, term to begin January 1, 1959, and the third to be elected in 1992, term to begin January 1, 1993;	10208 10209 10210 10211
In Ashtabula county, three judges, one to be elected in 1954, term to begin February 9, 1955, one to be elected in 1960, term to begin January 1, 1961, and one to be elected in 1978, term to begin January 2, 1979;	10212 10213 10214 10215
In Athens county, two judges, one to be elected in 1954, term to begin February 9, 1955, and one to be elected in 1990, term to begin July 1, 1991;	10216 10217 10218
In Erie county, four judges, one to be elected in 1956, term to begin January 1, 1957, the second to be elected in 1970, term to begin January 2, 1971, the third to be elected in 2004, term to begin January 2, 2005, and the fourth to be elected in 2008, term to begin February 9, 2009;	10219 10220 10221 10222 10223
In Fairfield county, three judges, one to be elected in 1954,	10224

term to begin February 9, 1955, the second to be elected in 1970, 10225
term to begin January 1, 1971, and the third to be elected in 10226
1994, term to begin January 2, 1995; 10227

In Geauga county, two judges, one to be elected in 1956, term 10228
to begin January 1, 1957, and the second to be elected in 1976, 10229
term to begin January 6, 1977; 10230

In Greene county, four judges, one to be elected in 1956, 10231
term to begin February 9, 1957, the second to be elected in 1960, 10232
term to begin January 1, 1961, the third to be elected in 1978, 10233
term to begin January 2, 1979, and the fourth to be elected in 10234
1994, term to begin January 1, 1995; 10235

In Hancock county, two judges, one to be elected in 1952, 10236
term to begin January 1, 1953, and the second to be elected in 10237
1978, term to begin January 1, 1979; 10238

In Lawrence county, two judges, one to be elected in 1954, 10239
term to begin February 9, 1955, and the second to be elected in 10240
1976, term to begin January 1, 1977; 10241

In Marion county, three judges, one to be elected in 1952, 10242
term to begin January 1, 1953, the second to be elected in 1976, 10243
term to begin January 2, 1977, and the third to be elected in 10244
1998, term to begin February 9, 1999; 10245

In Medina county, three judges, one to be elected in 1956, 10246
term to begin January 1, 1957, the second to be elected in 1966, 10247
term to begin January 1, 1967, and the third to be elected in 10248
1994, term to begin January 1, 1995; 10249

In Miami county, two judges, one to be elected in 1954, term 10250
to begin February 9, 1955, and one to be elected in 1970, term to 10251
begin on January 1, 1971; 10252

In Muskingum county, three judges, one to be elected in 1968, 10253
term to begin August 9, 1969, one to be elected in 1978, term to 10254

begin January 1, 1979, and one to be elected in 2002, term to 10255
begin January 2, 2003; 10256

In Portage county, three judges, one to be elected in 1956, 10257
term to begin January 1, 1957, the second to be elected in 1960, 10258
term to begin January 1, 1961, and the third to be elected in 10259
1986, term to begin January 2, 1987; 10260

In Ross county, two judges, one to be elected in 1956, term 10261
to begin February 9, 1957, and the second to be elected in 1976, 10262
term to begin January 1, 1977; 10263

In Scioto county, three judges, one to be elected in 1954, 10264
term to begin February 10, 1955, the second to be elected in 1960, 10265
term to begin January 1, 1961, and the third to be elected in 10266
1994, term to begin January 2, 1995; 10267

In Seneca county, two judges, one to be elected in 1956, term 10268
to begin January 1, 1957, and the second to be elected in 1986, 10269
term to begin January 2, 1987; 10270

In Warren county, four judges, one to be elected in 1954, 10271
term to begin February 9, 1955, the second to be elected in 1970, 10272
term to begin January 1, 1971, the third to be elected in 1986, 10273
term to begin January 1, 1987, and the fourth to be elected in 10274
2004, term to begin January 2, 2005; 10275

In Washington county, two judges, one to be elected in 1952, 10276
term to begin January 1, 1953, and one to be elected in 1986, term 10277
to begin January 1, 1987; 10278

In Wood county, three judges, one to be elected in 1968, term 10279
beginning January 1, 1969, the second to be elected in 1970, term 10280
to begin January 2, 1971, and the third to be elected in 1990, 10281
term to begin January 1, 1991; 10282

In Belmont and Jefferson counties, two judges, to be elected 10283
in 1954, terms to begin January 1, 1955, and February 9, 1955, 10284

respectively; 10285

In Clark county, four judges, one to be elected in 1952, term 10286
to begin January 1, 1953, the second to be elected in 1956, term 10287
to begin January 2, 1957, the third to be elected in 1986, term to 10288
begin January 3, 1987, and the fourth to be elected in 1994, term 10289
to begin January 2, 1995. 10290

In Clermont county, five judges, one to be elected in 1956, 10291
term to begin January 1, 1957, the second to be elected in 1964, 10292
term to begin January 1, 1965, the third to be elected in 1982, 10293
term to begin January 2, 1983, the fourth to be elected in 1986, 10294
term to begin January 2, 1987; and the fifth to be elected in 10295
2006, term to begin January 3, 2007; 10296

In Columbiana county, two judges, one to be elected in 1952, 10297
term to begin January 1, 1953, and the second to be elected in 10298
1956, term to begin January 1, 1957; 10299

In Delaware county, two judges, one to be elected in 1990, 10300
term to begin February 9, 1991, the second to be elected in 1994, 10301
term to begin January 1, 1995; 10302

In Lake county, six judges, one to be elected in 1958, term 10303
to begin January 1, 1959, the second to be elected in 1960, term 10304
to begin January 2, 1961, the third to be elected in 1964, term to 10305
begin January 3, 1965, the fourth and fifth to be elected in 1978, 10306
terms to begin January 4, 1979, and January 5, 1979, respectively, 10307
and the sixth to be elected in 2000, term to begin January 6, 10308
2001; 10309

In Licking county, four judges, one to be elected in 1954, 10310
term to begin February 9, 1955, one to be elected in 1964, term to 10311
begin January 1, 1965, one to be elected in 1990, term to begin 10312
January 1, 1991, and one to be elected in 2004, term to begin 10313
January 1, 2005; 10314

In Lorain county, nine judges, two to be elected in 1952, 10315

terms to begin January 1, 1953, and January 2, 1953, respectively, 10316
one to be elected in 1958, term to begin January 3, 1959, one to 10317
be elected in 1968, term to begin January 1, 1969, two to be 10318
elected in 1988, terms to begin January 4, 1989, and January 5, 10319
1989, respectively, two to be elected in 1998, terms to begin 10320
January 2, 1999, and January 3, 1999, respectively; and one to be 10321
elected in 2006, term to begin January 6, 2007; 10322

In Butler county, eleven judges, one to be elected in 1956, 10323
term to begin January 1, 1957; two to be elected in 1954, terms to 10324
begin January 1, 1955, and February 9, 1955, respectively; one to 10325
be elected in 1968, term to begin January 2, 1969; one to be 10326
elected in 1986, term to begin January 3, 1987; two to be elected 10327
in 1988, terms to begin January 1, 1989, and January 2, 1989, 10328
respectively; one to be elected in 1992, term to begin January 4, 10329
1993; two to be elected in 2002, terms to begin January 2, 2003, 10330
and January 3, 2003, respectively; and one to be elected in 2006, 10331
term to begin January 3, 2007; 10332

In Richland county, four judges, one to be elected in 1956, 10333
term to begin January 1, 1957, the second to be elected in 1960, 10334
term to begin February 9, 1961, the third to be elected in 1968, 10335
term to begin January 2, 1969, and the fourth to be elected in 10336
2004, term to begin January 3, 2005; 10337

In Tuscarawas county, two judges, one to be elected in 1956, 10338
term to begin January 1, 1957, and the second to be elected in 10339
1960, term to begin January 2, 1961; 10340

In Wayne county, two judges, one to be elected in 1956, term 10341
beginning January 1, 1957, and one to be elected in 1968, term to 10342
begin January 2, 1969; 10343

In Trumbull county, six judges, one to be elected in 1952, 10344
term to begin January 1, 1953, the second to be elected in 1954, 10345
term to begin January 1, 1955, the third to be elected in 1956, 10346

term to begin January 1, 1957, the fourth to be elected in 1964, 10347
term to begin January 1, 1965, the fifth to be elected in 1976, 10348
term to begin January 2, 1977, and the sixth to be elected in 10349
1994, term to begin January 3, 1995; 10350

(C) In Cuyahoga county, thirty-nine judges; eight to be 10351
elected in 1954, terms to begin on successive days beginning from 10352
January 1, 1955, to January 7, 1955, and February 9, 1955, 10353
respectively; eight to be elected in 1956, terms to begin on 10354
successive days beginning from January 1, 1957, to January 8, 10355
1957; three to be elected in 1952, terms to begin from January 1, 10356
1953, to January 3, 1953; two to be elected in 1960, terms to 10357
begin on January 8, 1961, and January 9, 1961, respectively; two 10358
to be elected in 1964, terms to begin January 4, 1965, and January 10359
5, 1965, respectively; one to be elected in 1966, term to begin on 10360
January 10, 1967; four to be elected in 1968, terms to begin on 10361
successive days beginning from January 9, 1969, to January 12, 10362
1969; two to be elected in 1974, terms to begin on January 18, 10363
1975, and January 19, 1975, respectively; five to be elected in 10364
1976, terms to begin on successive days beginning January 6, 1977, 10365
to January 10, 1977; two to be elected in 1982, terms to begin 10366
January 11, 1983, and January 12, 1983, respectively; and two to 10367
be elected in 1986, terms to begin January 13, 1987, and January 10368
14, 1987, respectively; 10369

In Franklin county, twenty-two judges; two to be elected in 10370
1954, terms to begin January 1, 1955, and February 9, 1955, 10371
respectively; four to be elected in 1956, terms to begin January 10372
1, 1957, to January 4, 1957; four to be elected in 1958, terms to 10373
begin January 1, 1959, to January 4, 1959; three to be elected in 10374
1968, terms to begin January 5, 1969, to January 7, 1969; three to 10375
be elected in 1976, terms to begin on successive days beginning 10376
January 5, 1977, to January 7, 1977; one to be elected in 1982, 10377
term to begin January 8, 1983; one to be elected in 1986, term to 10378

begin January 9, 1987; two to be elected in 1990, terms to begin 10379
July 1, 1991, and July 2, 1991, respectively; one to be elected in 10380
1996, term to begin January 2, 1997; and one to be elected in 10381
2004, term to begin July 1, 2005; 10382

In Hamilton county, twenty-one judges; eight to be elected in 10383
1966, terms to begin January 1, 1967, January 2, 1967, and from 10384
February 9, 1967, to February 14, 1967, respectively; five to be 10385
elected in 1956, terms to begin from January 1, 1957, to January 10386
5, 1957; one to be elected in 1964, term to begin January 1, 1965; 10387
one to be elected in 1974, term to begin January 15, 1975; one to 10388
be elected in 1980, term to begin January 16, 1981; two to be 10389
elected at large in the general election in 1982, terms to begin 10390
April 1, 1983; one to be elected in 1990, term to begin July 1, 10391
1991; and two to be elected in 1996, terms to begin January 3, 10392
1997, and January 4, 1997, respectively; 10393

In Lucas county, fourteen judges; two to be elected in 1954, 10394
terms to begin January 1, 1955, and February 9, 1955, 10395
respectively; two to be elected in 1956, terms to begin January 1, 10396
1957, and October 29, 1957, respectively; two to be elected in 10397
1952, terms to begin January 1, 1953, and January 2, 1953, 10398
respectively; one to be elected in 1964, term to begin January 3, 10399
1965; one to be elected in 1968, term to begin January 4, 1969; 10400
two to be elected in 1976, terms to begin January 4, 1977, and 10401
January 5, 1977, respectively; one to be elected in 1982, term to 10402
begin January 6, 1983; one to be elected in 1988, term to begin 10403
January 7, 1989; one to be elected in 1990, term to begin January 10404
2, 1991; and one to be elected in 1992, term to begin January 2, 10405
1993; 10406

In Mahoning county, seven judges; three to be elected in 10407
1954, terms to begin January 1, 1955, January 2, 1955, and 10408
February 9, 1955, respectively; one to be elected in 1956, term to 10409
begin January 1, 1957; one to be elected in 1952, term to begin 10410

January 1, 1953; one to be elected in 1968, term to begin January 10411
2, 1969; and one to be elected in 1990, term to begin July 1, 10412
1991; 10413

In Montgomery county, fifteen judges; three to be elected in 10414
1954, terms to begin January 1, 1955, January 2, 1955, and January 10415
3, 1955, respectively; four to be elected in 1952, terms to begin 10416
January 1, 1953, January 2, 1953, July 1, 1953, and July 2, 1953, 10417
respectively; one to be elected in 1964, term to begin January 3, 10418
1965; one to be elected in 1968, term to begin January 3, 1969; 10419
three to be elected in 1976, terms to begin on successive days 10420
beginning January 4, 1977, to January 6, 1977; two to be elected 10421
in 1990, terms to begin July 1, 1991, and July 2, 1991, 10422
respectively; and one to be elected in 1992, term to begin January 10423
1, 1993. 10424

In Stark county, eight judges; one to be elected in 1958, 10425
term to begin on January 2, 1959; two to be elected in 1954, terms 10426
to begin on January 1, 1955, and February 9, 1955, respectively; 10427
two to be elected in 1952, terms to begin January 1, 1953, and 10428
April 16, 1953, respectively; one to be elected in 1966, term to 10429
begin on January 4, 1967; and two to be elected in 1992, terms to 10430
begin January 1, 1993, and January 2, 1993, respectively; 10431

In Summit county, thirteen judges; four to be elected in 10432
1954, terms to begin January 1, 1955, January 2, 1955, January 3, 10433
1955, and February 9, 1955, respectively; three to be elected in 10434
1958, terms to begin January 1, 1959, January 2, 1959, and May 17, 10435
1959, respectively; one to be elected in 1966, term to begin 10436
January 4, 1967; one to be elected in 1968, term to begin January 10437
5, 1969; one to be elected in 1990, term to begin May 1, 1991; one 10438
to be elected in 1992, term to begin January 6, 1993; and two to 10439
be elected in 2008, terms to begin January 5, 2009, and January 6, 10440
2009, respectively. 10441

Notwithstanding the foregoing provisions, in any county 10442

having two or more judges of the court of common pleas, in which 10443
more than one-third of the judges plus one were previously elected 10444
at the same election, if the office of one of those judges so 10445
elected becomes vacant more than ~~fifty-six~~ forty days prior to the 10446
second general election preceding the expiration of that judge's 10447
term, the office that that judge had filled shall be abolished as 10448
of the date of the next general election, and a new office of 10449
judge of the court of common pleas shall be created. The judge who 10450
is to fill that new office shall be elected for a six-year term at 10451
the next general election, and the term of that judge shall 10452
commence on the first day of the year following that general 10453
election, on which day no other judge's term begins, so that the 10454
number of judges that the county shall elect shall not be reduced. 10455

Judges of the probate division of the court of common pleas 10456
are judges of the court of common pleas but shall be elected 10457
pursuant to sections 2101.02 and 2101.021 of the Revised Code, 10458
except in Adams, Harrison, Henry, Morgan, Noble, and Wyandot 10459
counties in which the judge of the court of common pleas elected 10460
pursuant to this section also shall serve as judge of the probate 10461
division, except in Lorain county in which the judges of the 10462
domestic relations division of the Lorain county court of common 10463
pleas elected pursuant to this section also shall perform the 10464
duties and functions of the judge of the probate division from 10465
February 9, 2009, through September 28, 2009, and except in Morrow 10466
county in which the judges of the court of common pleas elected 10467
pursuant to this section also shall perform the duties and 10468
functions of the judge of the probate division. 10469

Sec. 3501.02. General elections in the state and its 10470
political subdivisions shall be held as follows: 10471

(A) For the election of electors of president and 10472
vice-president of the United States, in the year of 1932 and every 10473

four years thereafter; 10474

(B) For the election of a member of the senate of the United 10475
States, in the years 1932 and 1934, and every six years after each 10476
of such years; except as otherwise provided for filling vacancies; 10477

(C) For the election of representatives in the congress of 10478
the United States and of elective state and county officers 10479
including elected members of the state board of education, in the 10480
even-numbered years; except as otherwise provided for filling 10481
vacancies; 10482

(D) For municipal and township officers, members of boards of 10483
education, judges and clerks of municipal courts, in the 10484
odd-numbered years; 10485

(E)(1) Proposed constitutional amendments or proposed 10486
measures submitted ~~by the general assembly or~~ by initiative or 10487
referendum petitions to the voters of the state at large may be 10488
submitted to the general election in any year occurring at least 10489
~~sixty days, in case of a referendum, and ninety one hundred~~ 10490
~~twenty-five days, in the case of an initiated measure,~~ subsequent 10491
to the filing of the petitions therefor. ~~Proposed~~ 10492

(2) Proposed constitutional amendments submitted by the 10493
general assembly to the voters of the state at large may be 10494
submitted at a special election or general election in any year 10495
occurring at least ninety days after the resolution is filed with 10496
the secretary of state. The proposed constitutional amendment may 10497
be submitted to the voters at a special election occurring on the 10498
day in any year specified by division (E) of section 3501.01 of 10499
the Revised Code for the holding of a primary election, ~~when~~ if a 10500
special election on that date is designated by the general 10501
assembly in the resolution adopting the proposed constitutional 10502
amendment. 10503

No special election shall be held on a day other than the day 10504

of a general election, unless a law or charter provides otherwise, 10505
regarding the submission of a question or issue to the voters of a 10506
county, township, city, village, or school district. 10507

(F)(1) Notwithstanding any provision of the Revised Code to 10508
the contrary, any question or issue, except a candidacy, to be 10509
voted upon at an election shall be certified, for placement upon 10510
the ballot, to the board of elections not later than four p.m. of 10511
the ninetieth day before the day of the election. 10512

(2) Any question or issue that is certified for placement on 10513
a ballot on or after ~~the effective date of this amendment~~ July 2, 10514
2010, shall be certified not later than the ninetieth day before 10515
the day of the applicable election, notwithstanding any deadlines 10516
appearing in any section of the Revised Code governing the 10517
placement of that question or issue on the ballot. 10518

Sec. 3513.31. (A) If a person nominated in a primary election 10519
as a candidate for election at the next general election, whose 10520
candidacy is to be submitted to the electors of the entire state, 10521
withdraws as that candidate or is disqualified as that candidate 10522
under section 3513.052 of the Revised Code, the vacancy in the 10523
party nomination so created may be filled by the state central 10524
committee of the major political party that made the nomination at 10525
the primary election, if the committee's chairperson and secretary 10526
certify the name of the person selected to fill the vacancy by the 10527
time specified in this division, at a meeting called for that 10528
purpose. The meeting shall be called by the chairperson of that 10529
committee, who shall give each member of the committee at least 10530
two days' notice of the time, place, and purpose of the meeting. 10531
If a majority of the members of the committee are present at the 10532
meeting, a majority of those present may select a person to fill 10533
the vacancy. The chairperson and secretary of the meeting shall 10534
certify in writing and under oath to the secretary of state, not 10535

later than the eighty-sixth day before the day of the general 10536
election, the name of the person selected to fill the vacancy. The 10537
certification must be accompanied by the written acceptance of the 10538
nomination by the person whose name is certified. A vacancy that 10539
may be filled by an intermediate or minor political party shall be 10540
filled in accordance with the party's rules by authorized 10541
officials of the party. Certification must be made as in the 10542
manner provided for a major political party. 10543

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(B) If a person nominated in a primary election as a party 10545
candidate for election at the next general election, whose 10546
candidacy is to be submitted to the electors of a district 10547
comprised of more than one county but less than all of the 10548
counties of the state, withdraws as that candidate or is 10549
disqualified as that candidate under section 3513.052 of the 10550
Revised Code, the vacancy in the party nomination so created may 10551
be filled by a district committee of the major political party 10552
that made the nomination at the primary election, if the 10553
committee's chairperson and secretary certify the name of the 10554
person selected to fill the vacancy by the time specified in this 10555
division, at a meeting called for that purpose. The district 10556
committee shall consist of the chairperson and secretary of the 10557
county central committee of such political party in each county in 10558
the district. The district committee shall be called by the 10559
chairperson of the county central committee of such political 10560
party of the most populous county in the district, who shall give 10561
each member of the district committee at least two days' notice of 10562
the time, place, and purpose of the meeting. If a majority of the 10563
members of the district committee are present at the district 10564
committee meeting, a majority of those present may select a person 10565
to fill the vacancy. The chairperson and secretary of the meeting 10566
shall certify in writing and under oath to the board of elections 10567
of the most populous county in the district, not later than four 10568

p.m. of the eighty-sixth day before the day of the general 10569
election, the name of the person selected to fill the vacancy. The 10570
certification must be accompanied by the written acceptance of the 10571
nomination by the person whose name is certified. A vacancy that 10572
may be filled by an intermediate or minor political party shall be 10573
filled in accordance with the party's rules by authorized 10574
officials of the party. Certification must be made as in the 10575
manner provided for a major political party. 10576

(C) If a person nominated in a primary election as a party 10577
candidate for election at the next general election, whose 10578
candidacy is to be submitted to the electors of a county, 10579
withdraws as that candidate or is disqualified as that candidate 10580
under section 3513.052 of the Revised Code, the vacancy in the 10581
party nomination so created may be filled by the county central 10582
committee of the major political party that made the nomination at 10583
the primary election, or by the county executive committee if so 10584
authorized, if the committee's chairperson and secretary certify 10585
the name of the person selected to fill the vacancy by the time 10586
specified in this division, at a meeting called for that purpose. 10587
The meeting shall be called by the chairperson of that committee, 10588
who shall give each member of the committee at least two days' 10589
notice of the time, place, and purpose of the meeting. If a 10590
majority of the members of the committee are present at the 10591
meeting, a majority of those present may select a person to fill 10592
the vacancy. The chairperson and secretary of the meeting shall 10593
certify in writing and under oath to the board of that county, not 10594
later than four p.m. of the eighty-sixth day before the day of the 10595
general election, the name of the person selected to fill the 10596
vacancy. The certification must be accompanied by the written 10597
acceptance of the nomination by the person whose name is 10598
certified. A vacancy that may be filled by an intermediate or 10599
minor political party shall be filled in accordance with the 10600
party's rules by authorized officials of the party. Certification 10601

must be made as in the manner provided for a major political party. 10602
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(D) If a person nominated in a primary election as a party candidate for election at the next general election, whose candidacy is to be submitted to the electors of a district within a county, withdraws as that candidate or is disqualified as that candidate under section 3513.052 of the Revised Code, the vacancy in the party nomination so created may be filled by a district committee consisting of those members of the county central committee or, if so authorized, those members of the county executive committee in that county of the major political party that made the nomination at the primary election who represent the precincts or the wards and townships within the district, if the committee's chairperson and secretary certify the name of the person selected to fill the vacancy by the time specified in this division, at a meeting called for that purpose. The district committee meeting shall be called by the chairperson of the county central committee or executive committee, as appropriate, who shall give each member of the district committee at least two days' notice of the time, place, and purpose of the meeting. If a majority of the members of the district committee are present at the district committee meeting, a majority of those present may select a person to fill the vacancy. The chairperson and secretary of the district committee meeting shall certify in writing and under oath to the board of the county, not later than four p.m. of the eighty-sixth day before the day of the general election, the name of the person selected to fill the vacancy. The certification must be accompanied by the written acceptance of the nomination by the person whose name is certified. A vacancy that may be filled by an intermediate or minor political party shall be filled in accordance with the party's rules by authorized officials of the party. Certification must be made as in the manner provided for a major political party. 10604
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(E) If a person nominated in a primary election as a party candidate for election at the next general election, whose candidacy is to be submitted to the electors of a subdivision within a county, withdraws as that candidate or is disqualified as that candidate under section 3513.052 of the Revised Code, the vacancy in the party nomination so created may be filled by a subdivision committee consisting of those members of the county central committee or, if so authorized, those members of the county executive committee in that county of the major political party that made the nomination at that primary election who represent the precincts or the wards and townships within that subdivision, if the committee's chairperson and secretary certify the name of the person selected to fill the vacancy by the time specified in this division, at a meeting called for that purpose.

The subdivision committee meeting shall be called by the chairperson of the county central committee or executive committee, as appropriate, who shall give each member of the subdivision committee at least two days' notice of the time, place, and purpose of the meeting. If a majority of the members of the subdivision committee are present at the subdivision committee meeting, a majority of those present may select a person to fill the vacancy. The chairperson and secretary of the subdivision committee meeting shall certify in writing and under oath to the board of the county, not later than four p.m. of the eighty-sixth day before the day of the general election, the name of the person selected to fill the vacancy. The certification must be accompanied by the written acceptance of the nomination by the person whose name is certified. A vacancy that may be filled by an intermediate or minor political party shall be filled in accordance with the party's rules by authorized officials of the party. Certification must be made in the manner provided for a major political party.

(F) If a person nominated by petition as an independent or nonpartisan candidate for election at the next general election withdraws as that candidate or is disqualified as that candidate under section 3513.052 of the Revised Code, the vacancy so created may be filled by a majority of the committee of five, as designated on the candidate's nominating petition, if a member of that committee certifies in writing and under oath to the election officials with whom the candidate filed the candidate's nominating petition, not later than the eighty-sixth day before the day of the general election, the name of the person selected to fill the vacancy. The certification shall be accompanied by the written acceptance of the nomination by the person whose name is certified and shall be made in the manner provided for a major political party.

(G) If a person nominated in a primary election as a party candidate for election at the next general election dies, the vacancy so created may be filled by the same committee in the same manner as provided in this section for the filling of similar vacancies created by withdrawals or disqualifications under section 3513.052 of the Revised Code, except that the certification, when filling a vacancy created by death, may not be filed with the secretary of state, or with a board of the most populous county of a district, or with the board of a county in which the major portion of the population of a subdivision is located, later than four p.m. of the tenth day before the day of such general election, or with any other board later than four p.m. of the fifth day before the day of such general election.

(H) If a person nominated by petition as an independent or nonpartisan candidate for election at the next general election dies prior to the tenth day before the day of that general election, the vacancy so created may be filled by a majority of the committee of five designated in the nominating petition to

represent the candidate named in it. To fill the vacancy a member 10699
of the committee shall, not later than four p.m. of the fifth day 10700
before the day of the general election, file with the election 10701
officials with whom the petition nominating the person was filed, 10702
a certificate signed and sworn to under oath by a majority of the 10703
members, designating the person they select to fill the vacancy. 10704
The certification must be accompanied by the written acceptance of 10705
the nomination by the person whose name is so certified. 10706

(I) If a person holding an elective office dies or resigns 10707
subsequent to the one hundred fifteenth day before the day of a 10708
primary election and prior to the eighty-sixth day before the day 10709
of the next general election, and if, under the laws of this 10710
state, a person may be elected at that general election to fill 10711
the unexpired term of the person who has died or resigned, the 10712
appropriate committee of each political party, acting as in the 10713
case of a vacancy in a party nomination, as provided in divisions 10714
(A) to (D) of this section, may select a person as the party 10715
candidate for election for such unexpired term at that general 10716
election, and certify the person's name to the appropriate 10717
election official not later than four p.m. on the eighty-sixth day 10718
before the day of that general election, or on the tenth day 10719
following the day on which the vacancy occurs, whichever is later. 10720
When the vacancy occurs on or subsequent to the eighty-sixth day 10721
and six or more days prior to the ~~fifty-sixth~~ fortieth day before 10722
the general election, the appropriate committee may select a 10723
person as the party candidate and certify the person's name, as 10724
provided in the preceding sentence, not later than four p.m. on 10725
the fiftieth tenth day following the day on which the vacancy 10726
occurs. When the vacancy occurs fewer than six days before the 10727
fortieth day before the general election, the deadline for filing 10728
shall be four p.m. on the thirty-sixth day before the general 10729
election. Thereupon the name shall be printed as the party 10730
candidate under proper titles and in the proper place on the 10731

proper ballots for use at the election. If a person has been 10732
nominated in a primary election, the authorized committee of that 10733
political party shall not select and certify a person as the party 10734
candidate. 10735

(J) Each person desiring to become an independent candidate 10736
to fill the unexpired term shall file a statement of candidacy and 10737
nominating petition, as provided in section 3513.261 of the 10738
Revised Code, with the appropriate election official not later 10739
than four p.m. on the tenth day following the day on which the 10740
vacancy occurs, provided that when the vacancy occurs fewer than 10741
six days before the fifty-sixth day before the general election, 10742
the deadline for filing shall be four p.m. on the fiftieth day 10743
before the general election. The nominating petition shall contain 10744
at least seven hundred fifty signatures and no more than one 10745
thousand five hundred signatures of qualified electors of the 10746
district, political subdivision, or portion of a political 10747
subdivision in which the office is to be voted upon, or the amount 10748
provided for in section 3513.257 of the Revised Code, whichever is 10749
less. 10750

(K) When a person nominated as a candidate by a political 10751
party in a primary election or by nominating petition for an 10752
elective office for which candidates are nominated at a party 10753
primary election withdraws, dies, or is disqualified under section 10754
3513.052 of the Revised Code prior to the general election, the 10755
appropriate committee of any other major political party or 10756
committee of five that has not nominated a candidate for that 10757
office, or whose nominee as a candidate for that office has 10758
withdrawn, died, or been disqualified without the vacancy so 10759
created having been filled, may, acting as in the case of a 10760
vacancy in a party nomination or nomination by petition as 10761
provided in divisions (A) to (F) of this section, whichever is 10762
appropriate, select a person as a candidate of that party or of 10763

that committee of five for election to the office. 10764

Section 4. That existing sections 3.02, 302.09, 305.02, 10765
503.24, 733.31, 1901.10, 2301.02, 3501.02, and 3513.31 of the 10766
Revised Code are hereby repealed. 10767

Section 5. Directives 2011-01 and 2009-21 issued by the 10768
secretary of state are hereafter void and shall not be enforced or 10769
have effect on or after the effective date of sections 3517.01 and 10770
3517.012 of the Revised Code, as amended by this act. 10771

Section 6. A board of elections shall rearrange and combine 10772
precincts within the applicable county as necessary to comply with 10773
the minimum precinct size requirements established in section 10774
3501.18 of the Revised Code, as amended by this act, not later 10775
than December 31, 2011. 10776

Section 7. The amendment of section 3517.01 of the Revised 10777
Code by Sections 1 and 2 of this act shall supersede the 10778
provisions of rule 111-3-05 of the Administrative Code. On and 10779
after the effective date of section 3517.01 of the Revised Code, 10780
as amended by this act, rule 111-3-05 of the Administrative Code 10781
shall be void and have no further effect. 10782