

**As Reported by the Senate Government Oversight and Reform
Committee**

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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**

Senator Faber

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A B I L L

To amend sections 3.02, 7.101, 302.09, 305.02, 1
503.24, 511.27, 733.31, 1545.21, 1901.10, 2101.44, 2
2301.02, 3501.01, 3501.02, 3501.05, 3501.051, 3
3501.053, 3501.10, 3501.11, 3501.13, 3501.14, 4
3501.17, 3501.18, 3501.20, 3501.22, 3501.26, 5
3501.27, 3501.28, 3501.29, 3501.30, 3501.301, 6
3501.31, 3501.32, 3501.33, 3501.35, 3501.37, 7
3501.38, 3503.02, 3503.06, 3503.14, 3503.15, 8
3503.16, 3503.18, 3503.19, 3503.21, 3503.24, 9
3503.26, 3503.28, 3504.02, 3504.04, 3504.05, 10
3505.07, 3505.08, 3505.11, 3505.13, 3505.16, 11
3505.17, 3505.18, 3505.181, 3505.182, 3505.183, 12
3505.20, 3505.21, 3505.23, 3505.24, 3505.26, 13
3505.28, 3505.29, 3505.30, 3505.31, 3506.05, 14
3506.12, 3506.15, 3509.01, 3509.02, 3509.03, 15
3509.031, 3509.04, 3509.05, 3509.06, 3509.07, 16
3509.08, 3509.09, 3511.02, 3511.04, 3511.05, 17
3511.06, 3511.07, 3511.08, 3511.09, 3511.10, 18
3511.11, 3511.13, 3511.14, 3513.02, 3513.05, 19

3513.12, 3513.131, 3513.18, 3513.19, 3513.21, 20
3513.262, 3513.30, 3513.31, 3515.04, 3517.01, 21
3517.012, 3517.014, 3517.015, 3517.10, 3517.102, 22
3517.103, 3517.106, 3717.107, 3517.1011, 3517.11, 23
3517.153, 3517.154, 3517.155, 3517.992, 3519.01, 24
3519.16, 3599.03, 3599.07, 3599.17, 3599.19, and 25
3599.31, to enact new section 3504.01 and sections 26
3501.111, 3501.302, 3501.40, 3501.50, 3503.05, 27
3503.20, 3503.22, 3505.05, 3506.021, 3509.051, 28
3517.211, and 3599.30, and to repeal sections 29
3503.29, 3504.01, 3506.16, 3517.016, and 3517.1010 30
of the Revised Code to revise the Election Law. 31

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

Section 1. That sections 7.101, 511.27, 1545.21, 2101.44, 32
3501.01, 3501.05, 3501.051, 3501.053, 3501.10, 3501.11, 3501.13, 33
3501.14, 3501.17, 3501.18, 3501.20, 3501.22, 3501.26, 3501.27, 34
3501.28, 3501.29, 3501.30, 3501.301, 3501.31, 3501.32, 3501.33, 35
3501.35, 3501.37, 3501.38, 3503.02, 3503.06, 3503.14, 3503.15, 36
3503.16, 3503.18, 3503.19, 3503.21, 3503.24, 3503.26, 3503.28, 37
3504.02, 3504.04, 3504.05, 3505.07, 3505.08, 3505.11, 3505.13, 38
3505.16, 3505.17, 3505.18, 3505.181, 3505.182, 3505.183, 3505.20, 39
3505.21, 3505.23, 3505.24, 3505.26, 3505.28, 3505.29, 3505.30, 40
3505.31, 3506.05, 3506.12, 3506.15, 3509.01, 3509.02, 3509.03, 41
3509.031, 3509.04, 3509.05, 3509.06, 3509.07, 3509.08, 3509.09, 42
3511.02, 3511.04, 3511.05, 3511.06, 3511.07, 3511.08, 3511.09, 43
3511.10, 3511.11, 3511.13, 3511.14, 3513.02, 3513.05, 3513.12, 44
3513.131, 3513.18, 3513.19, 3513.21, 3513.262, 3513.30, 3515.04, 45
3517.01, 3517.012, 3517.014, 3517.015, 3517.10, 3517.102, 46
3517.103, 3517.106, 3517.107, 3517.1011, 3517.11, 3517.153, 47
3517.154, 3517.155, 3517.992, 3519.01, 3519.16, 3599.03, 3599.07, 48
3599.17, 3599.19, and 3599.31 be amended and new section 3504.01 49

and sections 3501.111, 3501.302, 3501.40, 3501.50, 3503.05, 50
3503.20, 3503.22, 3505.05, 3506.021, 3509.051, 3517.211, and 51
3599.30 of the Revised Code be enacted to read as follows: 52

Sec. 7.101. For publication of proposed amendments to the 53
Ohio ~~constitution~~ Constitution, ballot language, and explanations 54
and arguments both for and against proposed amendments, referenda, 55
or laws proposed by initiative petitions, publishers of newspapers 56
may charge and receive rates charged on annual contracts by them 57
for a like amount of space to other advertisers who advertise in 58
its general display advertising columns. 59

Legal advertising of proposed amendments to the constitution 60
shall be printed in display form and shall meet the following 61
specifications. The advertisements shall contain a headline 62
entitled "proposed amendment to the Ohio ~~constitution~~ 63
Constitution" printed in not smaller than thirty-point type. The 64
ballot language, and explanations and arguments both for and 65
against the proposed amendments, shall be printed in type not 66
smaller than ~~ten-point~~ eight-point type. For referenda and laws 67
proposed by initiative petitions, the advertisement shall contain 68
a headline entitled "referendum" or, when appropriate, "proposed 69
law" printed in not smaller than thirty-point type. All 70
advertisements shall contain such normal spaces and blanks as 71
contribute to clarity and understanding and the entire section of 72
each publication shall be enclosed by a black border line of the 73
same point type size as corresponds to the type size of the ballot 74
language. The notice shall be printed in two or more columns if 75
necessary to contribute to clarity or understanding or if 76
necessary to accommodate the black border outline. 77

All legal advertisements or notices under this section shall 78
be printed in newspapers published in the English language only. 79

Sec. 511.27. (A) To defray the expenses of the township park 80
district and for purchasing, appropriating, operating, 81
maintaining, and improving lands for parks or recreational 82
purposes, the board of park commissioners may levy a sufficient 83
tax within the ten-mill limitation, not to exceed one mill on each 84
dollar of valuation on all real and personal property within the 85
township, and on all real and personal property within any 86
municipal corporation that is within the township, that was within 87
the township at the time that the park district was established, 88
or the boundaries of which are coterminous with or include the 89
township. The levy shall be over and above all other taxes and 90
limitations on such property authorized by law. 91

(B) Except as otherwise provided in division (C) of this 92
section, the board of park commissioners, not less than ninety 93
days before the day of the election, may declare by resolution 94
that the amount of taxes that may be raised within the ten-mill 95
limitation will be insufficient to provide an adequate amount for 96
the necessary requirements of the district and that it is 97
necessary to levy a tax in excess of that limitation for the use 98
of the district. The resolution shall specify the purpose for 99
which the taxes shall be used, the annual rate proposed, and the 100
number of consecutive years the levy will be in effect. Upon the 101
adoption of the resolution, the question of levying the taxes 102
shall be submitted to the electors of the township and the 103
electors of any municipal corporation that is within the township, 104
that was within the township at the time that the park district 105
was established, or the boundaries of which are coterminous with 106
or include the township, at a special election to be held on 107
whichever of the following occurs first: 108

(1) The day of the next ensuing general election; 109

(2) ~~The first Tuesday after the first Monday in May of any~~ 110

~~calendar year, except that, if a presidential day of the next
ensuing primary election is held in that calendar year, then the
day of that election.~~ 111
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The rate submitted to the electors at any one election shall 114
not exceed two mills annually upon each dollar of valuation. If a 115
majority of the electors voting upon the question of the levy vote 116
in favor of the levy, the tax shall be levied on all real and 117
personal property within the township and on all real and personal 118
property within any municipal corporation that is within the 119
township, that was within the township at the time that the park 120
district was established, or the boundaries of which are 121
coterminous with or include the township, and the levy shall be 122
over and above all other taxes and limitations on such property 123
authorized by law. 124

(C) In any township park district that contains only 125
unincorporated territory, if the township board of park 126
commissioners is appointed by the board of township trustees, 127
before a tax can be levied and certified to the county auditor 128
pursuant to section 5705.34 of the Revised Code or before a 129
resolution for a tax levy can be certified to the board of 130
elections pursuant to section 511.28 of the Revised Code, the 131
board of park commissioners shall receive approval for its levy 132
request from the board of township trustees. The board of park 133
commissioners shall adopt a resolution requesting the board of 134
township trustees to approve the levy request, stating the annual 135
rate of the proposed levy and the reason for the levy request. On 136
receiving this request, the board of township trustees shall vote 137
on whether to approve the request and, if a majority votes to 138
approve it, shall issue a resolution approving the levy at the 139
requested rate. 140

Sec. 1545.21. The board of park commissioners, by resolution, 141

may submit to the electors of the park district the question of 142
levying taxes for the use of the district. The resolution shall 143
declare the necessity of levying such taxes, shall specify the 144
purpose for which such taxes shall be used, the annual rate 145
proposed, and the number of consecutive years the rate shall be 146
levied. Such resolution shall be forthwith certified to the board 147
of elections in each county in which any part of such district is 148
located, not later than the ninetieth day before the day of the 149
election, and the question of the levy of taxes as provided in 150
such resolution shall be submitted to the electors of the district 151
at a special election to be held on whichever of the following 152
occurs first: 153

(A) The day of the next general election; 154

(B) ~~The first Tuesday after the first Monday in May in any 155
calendar year, except that if a presidential day of the next 156
primary election is held in that calendar year, then the day of 157
that election. The 158~~

The ballot shall set forth the purpose for which the taxes 159
shall be levied, the annual rate of levy, and the number of years 160
of such levy. If the tax is to be placed on the current tax list, 161
the form of the ballot shall state that the tax will be levied in 162
the current tax year and shall indicate the first calendar year 163
the tax will be due. If the resolution of the board of park 164
commissioners provides that an existing levy will be canceled upon 165
the passage of the new levy, the ballot may include a statement 166
that: "an existing levy of ... mills (stating the original levy 167
millage), having ... years remaining, will be canceled and 168
replaced upon the passage of this levy." In such case, the ballot 169
may refer to the new levy as a "replacement levy" if the new 170
millage does not exceed the original millage of the levy being 171
canceled or as a "replacement and additional levy" if the new 172
millage exceeds the original millage of the levy being canceled. 173

If a majority of the electors voting upon the question of such 174
levy vote in favor thereof, such taxes shall be levied and shall 175
be in addition to the taxes authorized by section 1545.20 of the 176
Revised Code, and all other taxes authorized by law. The rate 177
submitted to the electors at any one time shall not exceed two 178
mills annually upon each dollar of valuation. When a tax levy has 179
been authorized as provided in this section or in section 1545.041 180
of the Revised Code, the board of park commissioners may issue 181
bonds pursuant to section 133.24 of the Revised Code in 182
anticipation of the collection of such levy, provided that such 183
bonds shall be issued only for the purpose of acquiring and 184
improving lands. Such levy, when collected, shall be applied in 185
payment of the bonds so issued and the interest thereon. The 186
amount of bonds so issued and outstanding at any time shall not 187
exceed one per cent of the total tax valuation in such district. 188
Such bonds shall bear interest at a rate not to exceed the rate 189
determined as provided in section 9.95 of the Revised Code. 190

Sec. 2101.44. The election upon the question of combining the 191
probate court and the court of common pleas shall be conducted as 192
provided for the election of county officers. 193

The board of ~~election~~ elections shall provide separate 194
ballots, ~~ballot boxes~~, tally sheets, blanks, stationery, and all 195
such other supplies as may be necessary in the conduct of such 196
election. 197

Ballots shall be printed with an affirmative and negative 198
statement thereon, as follows: 199

	The probate court and the court of common pleas shall be combined.
	The probate court and the

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	court of common pleas shall not be combined.
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Returns of said election shall be made and canvassed at the 204
same time and in the same manner as an election for county 205
officers. The board shall certify the result of said election to 206
the secretary of state, to the probate judge of said county, and 207
to the judge of the court of common pleas, and such result shall 208
be spread upon the journal of the probate court and of the court 209
of common pleas. 210

If a majority of the votes cast at such an election are in 211
favor of combining said courts, such courts shall stand combined 212
upon determination of the fact that a majority of the persons 213
voting upon the question of the combination of such courts voted 214
in favor of such combination. 215

Sec. 3501.01. As used in the sections of the Revised Code 216
relating to elections and political communications: 217

(A) "General election" means the election held on the first 218
Tuesday after the first Monday in each November. 219

(B) "Regular municipal election" means the election held on 220
the first Tuesday after the first Monday in November in each 221
odd-numbered year. 222

(C) "Regular state election" means the election held on the 223
first Tuesday after the first Monday in November in each 224
even-numbered year. 225

(D) "Special election" means any election other than those 226
elections defined in other divisions of this section. A special 227
election may be held only on the first Tuesday after the first 228
Monday in February, May, August, or November, or on the day 229
authorized by a particular municipal or county charter for the 230

holding of a primary election, ~~except that in any year in which a~~ 231
~~presidential primary election is held, no special election shall~~ 232
~~be held in February or May, except as authorized by a municipal or~~ 233
~~county charter, but may be held on the first Tuesday after the~~ 234
~~first Monday in March.~~ 235

(E)(1) "Primary" or "primary election" means an election held 236
for the purpose of nominating persons as candidates of political 237
parties for election to offices, and for the purpose of electing 238
persons as members of the controlling committees of political 239
parties and as delegates and alternates to the conventions of 240
political parties. Primary elections shall be held on the first 241
Tuesday after the first Monday in May of each year ~~except in years~~ 242
~~in which a presidential primary election is held.~~ 243

(2) "Presidential primary election" means a primary election 244
as defined by division (E)(1) of this section at which an election 245
is held for the purpose of choosing delegates and alternates to 246
the national conventions of the major political parties pursuant 247
to section 3513.12 of the Revised Code. Unless otherwise 248
specified, presidential primary elections are included in 249
references to primary elections. ~~In years in which a presidential~~ 250
~~primary election is held, all primary elections shall be held on~~ 251
~~the first Tuesday after the first Monday in March except as~~ 252
~~otherwise authorized by a municipal or county charter.~~ 253

(F) "Political party" means any group of voters meeting the 254
requirements set forth in section 3517.01 of the Revised Code for 255
the formation and existence of a political party. 256

(1) "Major political party" means any political party 257
organized under the laws of this state whose candidate for 258
governor or nominees for presidential electors received no less 259
than twenty per cent of the total vote cast for such office at the 260
most recent regular state election. 261

(2) "Intermediate political party" means any political party 262
organized under the laws of this state whose candidate for 263
governor or nominees for presidential electors received less than 264
twenty per cent but not less than ten per cent of the total vote 265
cast for such office at the most recent regular state election. 266

(3) "Minor political party" means any political party 267
organized under the laws of this state whose candidate for 268
governor or nominees for presidential electors received less than 269
ten per cent but not less than five per cent of the total vote 270
cast for such office at the most recent regular state election or 271
which has filed with the secretary of state, subsequent to any 272
election in which it received less than five per cent of such 273
vote, a petition signed by qualified electors equal in number to 274
at least one per cent of the total vote cast for such office in 275
the last preceding regular state election, except that a newly 276
formed political party shall be known as a minor political party 277
until the time of the first election for governor or president 278
which occurs not less than twelve months subsequent to the 279
formation of such party, after which election the status of such 280
party shall be determined by the vote for the office of governor 281
or president. 282

(G) "Dominant party in a precinct" or "dominant political 283
party in a precinct" means that political party whose candidate 284
for election to the office of governor at the most recent regular 285
state election at which a governor was elected received more votes 286
than any other person received for election to that office in such 287
precinct at such election. 288

(H) "Candidate" means any qualified person certified in 289
accordance with the provisions of the Revised Code for placement 290
on the official ballot of a primary, general, or special election 291
to be held in this state, or any qualified person who claims to be 292
a write-in candidate, or who knowingly assents to being 293

represented as a write-in candidate by another at either a 294
primary, general, or special election to be held in this state. 295

(I) "Independent candidate" means any candidate who claims 296
not to be affiliated with a political party, and whose name has 297
been certified on the office-type ballot at a general or special 298
election through the filing of a statement of candidacy and 299
nominating petition, as prescribed in section 3513.257 of the 300
Revised Code. 301

(J) "Nonpartisan candidate" means any candidate whose name is 302
required, pursuant to section 3505.04 of the Revised Code, to be 303
listed on the nonpartisan ballot, including all candidates for 304
judicial office, for member of any board of education, for 305
municipal or township offices in which primary elections are not 306
held for nominating candidates by political parties, and for 307
offices of municipal corporations having charters that provide for 308
separate ballots for elections for these offices. 309

(K) "Party candidate" means any candidate who claims to be a 310
member of a political party, whose name has been certified on the 311
office-type ballot at a general or special election through the 312
filing of a declaration of candidacy and petition of candidate, 313
and who has won the primary election of the candidate's party for 314
the public office the candidate seeks or is selected by party 315
committee in accordance with section 3513.31 of the Revised Code. 316

(L) "Officer of a political party" includes, but is not 317
limited to, any member, elected or appointed, of a controlling 318
committee, whether representing the territory of the state, a 319
district therein, a county, township, a city, a ward, a precinct, 320
or other territory, of a major, intermediate, or minor political 321
party. 322

(M) "Question or issue" means any question or issue certified 323
in accordance with the Revised Code for placement on an official 324

ballot at a general or special election to be held in this state.	325
(N) "Elector" or "qualified elector" means a person having the qualifications provided by law to be entitled to vote.	326 327
(O) "Voter" means an elector who votes at an election.	328
(P) "Voting residence" means that place of residence of an elector which shall determine the precinct in which the elector may vote.	329 330 331
(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.	332 333 334 335
(R) "Polling place" means that place provided for each precinct at which the electors having a voting residence in such precinct may vote.	336 337 338
(S) "Board" or "board of elections" means the board of elections appointed in a county pursuant to section 3501.06 of the Revised Code.	339 340 341
(T) "Political subdivision" means a county, township, city, village, or school district.	342 343
(U) "Election officer" or "election official" means any of the following:	344 345
(1) Secretary of state;	346
(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;	347 348 349 350
(3) Director of a board of elections;	351
(4) Deputy director of a board of elections;	352
(5) Member of a board of elections;	353

(6) Employees of a board of elections;	354
(7) Precinct polling place judges <u>election officials</u> ;	355
(8) Employees appointed by the boards of elections on a temporary or part-time basis.	356 357
(V) "Acknowledgment notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, informing a voter registration applicant or an applicant who wishes to change the applicant's residence or name of the status of the application; the information necessary to complete or update the application, if any; and if the application is complete, the precinct in which the applicant is to vote.	358 359 360 361 362 363 364
(W) "Confirmation notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, to a registered elector to confirm the registered elector's current address.	365 366 367 368
(X) "Designated agency" means an office or agency in the state that provides public assistance or that provides state-funded programs primarily engaged in providing services to persons with disabilities and that is required by the National Voter Registration Act of 1993 to implement a program designed and administered by the secretary of state for registering voters, or any other public or government office or agency that implements a program designed and administered by the secretary of state for registering voters, including the department of job and family services, the program administered under section 3701.132 of the Revised Code by the department of health, the department of mental health, the department of developmental disabilities, the rehabilitation services commission, and any other agency the secretary of state designates. "Designated agency" does not include public high schools and vocational schools, public libraries, or the office of a county treasurer.	369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384

(Y) "National Voter Registration Act of 1993" means the 385
"National Voter Registration Act of 1993," 107 Stat. 77, 42 386
U.S.C.A. 1973gg. 387

(Z) "Voting Rights Act of 1965" means the "Voting Rights Act 388
of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. 389

(AA) "Photo identification" means a document that meets each 390
of the following requirements: 391

(1) It shows the name of the individual to whom it was 392
issued, which shall conform to the name in the poll list or 393
signature pollbook. 394

(2) It shows the current address of the individual to whom it 395
was issued, which shall conform to the address in the poll list or 396
signature pollbook, except for a driver's license or a state 397
identification card issued under section 4507.50 of the Revised 398
Code, which may show either the current or former address of the 399
individual to whom it was issued, regardless of whether that 400
address conforms to the address in the poll list or signature 401
pollbook. 402

(3) It shows a photograph of the individual to whom it was 403
issued. 404

(4) It ~~includes~~ shall have on it an expiration date that has 405
not passed. 406

(5) It was issued by the government of the United States or 407
this state. 408

Sec. 3501.05. The secretary of state shall do all of the 409
following: 410

(A) Appoint all members of boards of elections; 411

(B) Issue instructions by directives and advisories in 412
accordance with section 3501.053 of the Revised Code to members of 413

the boards as to the proper methods of conducting elections.	414
(C) Prepare rules and instructions for the conduct of elections;	415 416
(D) Publish and furnish to the boards from time to time a sufficient number of indexed copies of all election laws then in force;	417 418 419
(E) Edit and issue all pamphlets concerning proposed laws or amendments required by law to be submitted to the voters;	420 421
(F) Prescribe the form of registration cards, blanks, and records;	422 423
(G) Determine and prescribe the forms of ballots and the forms of all blanks, cards of instructions, pollbooks, tally sheets, certificates of election, and forms and blanks required by law for use by candidates, committees, and boards;	424 425 426 427
(H) Prepare the ballot title or statement to be placed on the ballot for any proposed law or amendment to the constitution to be submitted to the voters of the state;	428 429 430
(I) Except as otherwise provided in section 3519.08 of the Revised Code, certify to the several boards the forms of ballots and names of candidates for state offices, and the form and wording of state referendum questions and issues, as they shall appear on the ballot;	431 432 433 434 435
(J) Except as otherwise provided in division (I)(2)(b) of section 3501.38 of the Revised Code, give final approval to ballot language for any local question or issue approved and transmitted by boards of elections under section 3501.11 of the Revised Code;	436 437 438 439
(K) Receive all initiative and referendum petitions on state questions and issues and determine and certify to the sufficiency of those petitions;	440 441 442
(L) Require such reports from the several boards as are	443

provided by law, or as the secretary of state considers necessary; 444

(M) Compel the observance by election officers in the several 445
counties of the requirements of the election laws; 446

(N)(1) Except as otherwise provided in division (N)(2) of 447
this section, investigate the administration of election laws, 448
frauds, and irregularities in elections in any county, and report 449
violations of election laws to the attorney general or prosecuting 450
attorney, or both, for prosecution; 451

(2) On and after August 24, 1995, report a failure to comply 452
with or a violation of a provision in sections 3517.08 to 3517.13, 453
3517.17, 3517.18, 3517.20 to 3517.22, 3599.03, or 3599.031 of the 454
Revised Code, whenever the secretary of state has or should have 455
knowledge of a failure to comply with or a violation of a 456
provision in one of those sections, by filing a complaint with the 457
Ohio elections commission under section 3517.153 of the Revised 458
Code; 459

(O) Make an annual report to the governor containing the 460
results of elections, the cost of elections in the various 461
counties, a tabulation of the votes in the several political 462
subdivisions, and other information and recommendations relative 463
to elections the secretary of state considers desirable; 464

(P) Prescribe and distribute to boards of elections a list of 465
instructions indicating all legal steps necessary to petition 466
successfully for local option elections under sections 4301.32 to 467
4301.41, 4303.29, 4305.14, and 4305.15 of the Revised Code; 468

(Q) Adopt rules pursuant to Chapter 119. of the Revised Code 469
for the removal ~~by boards of elections~~ of ineligible voters from 470
the statewide voter registration database and, if applicable, from 471
the poll list or signature pollbook used in each precinct, which 472
rules shall provide for all of the following: 473

(1) A process for the removal of voters who have changed 474

residence, which shall be uniform, nondiscriminatory, and in 475
compliance with the Voting Rights Act of 1965 and the National 476
Voter Registration Act of 1993, including a program that uses the 477
national change of address service provided by the United States 478
postal system through its licensees; 479

(2) A process for the removal of ineligible voters under 480
section 3503.21 of the Revised Code; 481

(3) A uniform system for marking or removing the name of a 482
voter who is ineligible to vote from the statewide voter 483
registration database and, if applicable, from the poll list or 484
signature pollbook used in each precinct and noting the reason for 485
that mark or removal; 486

(4) The secretary of state to notify the applicable board of 487
elections of each elector that the secretary of state has removed 488
from the database. 489

(R) Prescribe a general program for registering voters or 490
updating voter registration information, such as name and 491
residence changes, by boards of elections, designated agencies, 492
offices of deputy registrars of motor vehicles, public high 493
schools and vocational schools, public libraries, and offices of 494
county treasurers consistent with the requirements of section 495
3503.09 of the Revised Code; 496

(S) Prescribe a program of distribution of voter registration 497
forms through boards of elections, designated agencies, offices of 498
the registrar and deputy registrars of motor vehicles, public high 499
schools and vocational schools, public libraries, and offices of 500
county treasurers; 501

(T) To the extent feasible, provide copies, at no cost and 502
upon request, of the voter registration form in post offices in 503
this state; 504

(U) Adopt rules pursuant to section 111.15 of the Revised 505

Code for the purpose of implementing the program for registering voters through boards of elections, designated agencies, and the offices of the registrar and deputy registrars of motor vehicles consistent with this chapter;

(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:

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

(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;

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

(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;

(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. 537

(Y) Publish a report on a web site of the office of the 538
secretary of state not later than one month after the completion 539
of the canvass of the election returns for each primary and 540
general election, identifying, by county, the number of absent 541
voter's ballots cast and the number of those ballots that were 542
counted, and the number of provisional ballots cast and the number 543
of those ballots that were counted, for that election. The 544
secretary of state shall maintain the information on the web site 545
in an archive format for each subsequent election. 546

(Z) Conduct voter education outlining voter identification, 547
absent voters ballot, provisional ballot, and other voting 548
requirements; 549

(AA) Establish a procedure by which a registered elector may 550
make available to a board of elections a more recent signature to 551
be used in the poll list or signature pollbook produced by the 552
board of elections of the county in which the elector resides; 553

(BB) Disseminate information, which may include all or part 554
of the official explanations and arguments, by means of direct 555
mail or other written publication, broadcast, or other means or 556
combination of means, as directed by the Ohio ballot board under 557
division (F) of section 3505.062 of the Revised Code, in order to 558
inform the voters as fully as possible concerning each proposed 559
constitutional amendment, proposed law, or referendum; 560

(CC) Be the single state office responsible for the 561
implementation of the "Uniformed and Overseas Citizens Absentee 562
Voting Act," Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 1973ff, 563
et seq., as amended, in this state. The secretary of state may 564
delegate to the boards of elections responsibilities for the 565
implementation of that act, including responsibilities arising 566
from amendments to that act made by the "Military and Overseas 567

Voter Empowerment Act," Subtitle H of the National Defense 568
Authorization Act for Fiscal Year 2010, Pub. L. No. 111-84, 123 569
Stat. 3190. 570

(DD) Compile, from the boards of elections, the voting 571
history of each registered elector who cast a ballot in an 572
election, for inclusion in the statewide voter registration 573
database. The secretary of state shall determine, by rule, the 574
length of an elector's voting history that shall be included in 575
the database; 576

(EE) Adopt rules, under Chapter 119. of the Revised Code, to 577
establish procedures and standards for determining when a board of 578
elections shall be placed under the official oversight of the 579
secretary of state, placing a board of elections under the 580
official oversight of the secretary of state, a board that is 581
under official oversight to transition out of official oversight, 582
and the secretary of state to supervise a board of elections that 583
is under official oversight of the secretary of state. 584

(FF) Perform other duties required by law. 585

Whenever a primary election is held under section 3513.32 of 586
the Revised Code or a special election is held under section 587
3521.03 of the Revised Code to fill a vacancy in the office of 588
representative to congress, the secretary of state shall establish 589
a deadline, notwithstanding any other deadline required under the 590
Revised Code, by which any or all of the following shall occur: 591
the filing of a declaration of candidacy and petitions or a 592
statement of candidacy and nominating petition together with the 593
applicable filing fee; the filing of protests against the 594
candidacy of any person filing a declaration of candidacy or 595
nominating petition; the filing of a declaration of intent to be a 596
write-in candidate; the filing of campaign finance reports; the 597
preparation of, and the making of corrections or challenges to, 598
precinct voter registration lists; the receipt of applications for 599

absent voter's ballots or ~~armed-service~~ uniformed services or 600
overseas absent voter's ballots; the supplying of election 601
materials to precincts by boards of elections; the holding of 602
hearings by boards of elections to consider challenges to the 603
right of a person to appear on a voter registration list; and the 604
scheduling of programs to instruct or reinstruct election 605
officers. 606

In the performance of the secretary of state's duties as the 607
chief election officer, the secretary of state may administer 608
oaths, issue subpoenas, summon witnesses, compel the production of 609
books, papers, records, and other evidence, and fix the time and 610
place for hearing any matters relating to the administration and 611
enforcement of the election laws. 612

In any controversy involving or arising out of the adoption 613
of registration or the appropriation of funds for registration, 614
the secretary of state may, through the attorney general, bring an 615
action in the name of the state in the court of common pleas of 616
the county where the cause of action arose or in an adjoining 617
county, to adjudicate the question. 618

In any action involving the laws in Title XXXV of the Revised 619
Code wherein the interpretation of those laws is in issue in such 620
a manner that the result of the action will affect the lawful 621
duties of the secretary of state or of any board of elections, the 622
secretary of state may, on the secretary of state's motion, be 623
made a party. 624

The secretary of state may apply to any court that is hearing 625
a case in which the secretary of state is a party, for a change of 626
venue as a substantive right, and the change of venue shall be 627
allowed, and the case removed to the court of common pleas of an 628
adjoining county named in the application or, if there are cases 629
pending in more than one jurisdiction that involve the same or 630
similar issues, the court of common pleas of Franklin county. 631

Public high schools and vocational schools, public libraries, 632
and the office of a county treasurer shall implement voter 633
registration programs as directed by the secretary of state 634
pursuant to this section. 635

Sec. 3501.051. (A) Notwithstanding any other section of the 636
Revised Code, the secretary of state may authorize, in one or more 637
precincts in one or more counties, a program allowing individuals 638
under the age of eighteen to enter the polling place and vote in a 639
simulated election held at the same time as a general election. 640
Any individual working in or supervising at a simulated election 641
may enter the polling place and remain within it during the entire 642
period the polls are open. 643

(B) A program established under division (A) of this section 644
shall require all of the following: 645

(1) That the duties imposed on ~~judges of precinct~~ election 646
officials and peace officers under section 3501.33 of the Revised 647
Code be performed by those ~~judges~~ officials and officers in regard 648
to simulated elections and all activities related to simulated 649
elections; 650

(2) That volunteers provide the personnel necessary to 651
conduct the simulated election, except that employees of the 652
secretary of state, employees or members of boards of elections, 653
and precinct election officials may aid in operating the program 654
to the extent permitted by the secretary of state; 655

(3) That individuals under the age of fourteen be accompanied 656
to the simulated election by an individual eighteen years of age 657
or over; 658

(4) Any other requirements the secretary of state considers 659
necessary for the orderly administration of the election process. 660

Sec. 3501.053. (A) The secretary of state may issue 661

instructions as to the proper method of conducting elections to 662
members of the boards of elections by permanent or temporary 663
directives. 664

(1) The secretary of state shall establish a process to allow 665
public review and public comment of proposed directives. Prior to 666
issuing any permanent directive, the secretary of state shall 667
provide reasonable notice of the issuance of the directive and 668
allow a reasonable amount of time for public review and public 669
comment of the proposed directive under this division. 670

No permanent directive shall be issued during the period 671
beginning ~~ninety~~ thirty days prior to the day of an election and 672
ending on the ~~fortieth~~ thirtieth day following the day of that 673
election. 674

(2) Temporary directives shall only be issued, and shall only 675
have effect, during the period beginning ninety days prior to the 676
day of an election and ending on the fortieth day following the 677
day of that election. Temporary directives shall not be subject to 678
public review and public comment under division (A)(1) of this 679
section. 680

A temporary directive shall not become a permanent directive 681
unless the temporary directive is proposed as a permanent 682
directive and subject to public review and public comment under 683
division (A)(1) of this section. 684

If the situation prompting the establishment of a temporary 685
directive appears likely to recur, the secretary of state shall 686
establish a permanent directive addressing the situation. 687

(B) In addition to any other publication of directives and 688
advisories issued by the secretary of state, the secretary of 689
state shall publish those directives and advisories on a web site 690
of the office of the secretary of state as soon as is practicable 691
after they are issued, but not later than the close of business on 692

the same day as a directive or advisory is issued. The secretary 693
of state shall not remove from the web site any directives and 694
advisories so posted. The secretary of state shall provide on that 695
web site access to all directives and advisories currently in 696
effect and maintain an archive of all directives and advisories 697
previously published on that web site. 698

Sec. 3501.10. (A) The board of elections shall, as an expense 699
of the board, provide suitable rooms for its offices and records 700
and the necessary and proper furniture and supplies for those 701
rooms. The board may lease such offices and rooms, necessary to 702
its operation, for the length of time and upon the terms the board 703
deems in the best interests of the public, provided that the term 704
of any such lease shall not exceed fifteen years. 705

Thirty days prior to entering into such a lease, the board 706
shall notify the board of county commissioners in writing of its 707
intent to enter into the lease. The notice shall specify the terms 708
and conditions of the lease. Prior to the thirtieth day after 709
receiving that notice and before any lease is entered into, the 710
board of county commissioners may reject the proposed lease by a 711
majority vote. After receiving written notification of the 712
rejection by the board of county commissioners, the board of 713
elections shall not enter into the lease that was rejected, but 714
may immediately enter into additional lease negotiations, subject 715
to the requirements of this section. 716

The board of elections in any county may, by resolution, 717
request that the board of county commissioners submit to the 718
electors of the county, in accordance with section 133.18 of the 719
Revised Code, the question of issuing bonds for the acquisition of 720
real estate and the construction on it of a suitable building with 721
necessary furniture and equipment for the proper administration of 722
the duties of the board of elections. The resolution declaring the 723

necessity for issuing such bonds shall relate only to the 724
acquisition of real estate and to the construction, furnishing, 725
and equipping of a building as provided in this division. 726

(B) The board of elections in each county shall keep its 727
offices, or one or more of its branch registration offices, open 728
for the performance of its duties until nine p.m. on the last day 729
of registration before a general or primary election. At all other 730
times during each week, the board shall keep its offices and rooms 731
open for a period of time that the board considers necessary for 732
the performance of its duties. 733

(C)(1) The board of elections may maintain permanent or 734
temporary branch offices at any place within the county, ~~provided~~ 735
~~that, if. Except as otherwise provided in division (C)(2) of this~~ 736
~~section,~~ the board of elections ~~permits~~ shall not permit electors 737
to vote at a branch office, ~~electors shall not be permitted to~~ 738
~~vote at any other branch office or any other office of the board~~ 739
~~of elections.~~ 740

(2) A board of elections may permit electors to cast absent 741
voter's ballots in person before an election at a branch office of 742
the board of elections if both of the following apply: 743

(a) At least three members of the board of elections vote to 744
establish a branch office at a specified location for the 745
applicable election. 746

(b) At least three members of the board of elections 747
determine, as part of the vote cast under division (C)(2)(a) of 748
this section, that the board of elections lacks the physical 749
capacity at the office of the board to conduct in-person absent 750
voting at that location for the applicable election. 751

(3) The determination of whether to establish a branch office 752
at which electors may cast absent voter's ballots in person before 753
an election under division (C)(2) of this section shall be made 754

separately for each election based on the projected physical 755
capacity requirements for in-person absent voting at that 756
election. 757

Sec. 3501.11. Each board of elections shall exercise by a 758
majority vote all powers granted to the board by Title XXXV of the 759
Revised Code, shall perform all the duties imposed by law, and 760
shall do all of the following: 761

(A) Establish, define, provide, rearrange, and combine 762
election precincts; 763

(B) Fix and provide the places for registration and for 764
holding primaries and elections; 765

(C) Provide for the purchase, preservation, and maintenance 766
of booths, ballot boxes, books, maps, flags, blanks, cards of 767
instructions, and other forms, papers, and equipment used in 768
registration, nominations, and elections; 769

(D) Appoint and remove its director, deputy director, and 770
employees and all registrars, judges, and other officers of 771
elections, fill vacancies, and designate the ward or district and 772
precinct in which each shall serve; 773

(E) Make and issue rules and instructions, not inconsistent 774
with law or the rules, directives, or advisories issued by the 775
secretary of state, as it considers necessary for the guidance of 776
election officers and voters; 777

(F) Advertise and contract for the printing of all ballots 778
and other supplies used in registrations and elections; 779

(G) Provide for the issuance of all notices, advertisements, 780
and publications concerning elections, except as otherwise 781
provided in division (G) of section 3501.17 and divisions (F) and 782
(G) of section 3505.062 of the Revised Code; 783

(H) Provide for the delivery of ballots, pollbooks, and other 784

required papers and material to the polling places; 785

(I) Cause the polling places to be suitably provided with 786
voting machines, marking devices, automatic tabulating equipment, 787
stalls, and other required supplies. In fulfilling this duty, each 788
board of a county that uses voting machines, marking devices, or 789
automatic tabulating equipment shall conduct a full vote of the 790
board during a public session of the board on the allocation and 791
distribution of voting machines, marking devices, and automatic 792
tabulating equipment for each precinct in the county. 793

(J) Investigate irregularities, nonperformance of duties, or 794
violations of Title XXXV of the Revised Code by election officers 795
and other persons; administer oaths, issue subpoenas, summon 796
witnesses, and compel the production of books, papers, records, 797
and other evidence in connection with any such investigation; and 798
report the facts to the prosecuting attorney or the secretary of 799
state; 800

(K) Review, examine, and certify the sufficiency and validity 801
of petitions and nomination papers, and, after certification, 802
return to the secretary of state all petitions and nomination 803
papers that the secretary of state forwarded to the board; 804

(L) Receive the returns of elections, canvass the returns, 805
make abstracts of them, and transmit those abstracts to the proper 806
authorities; 807

(M) Issue certificates of election on forms to be prescribed 808
by the secretary of state; 809

(N) Make an annual report to the secretary of state, on the 810
form prescribed by the secretary of state, containing a statement 811
of the number of voters registered, elections held, votes cast, 812
appropriations received, expenditures made, and other data 813
required by the secretary of state; 814

(O) Prepare and submit to the proper appropriating officer a 815

budget estimating the cost of elections for the ensuing fiscal	816
year;	817
(P) Perform other duties as prescribed by law or the rules,	818
directives, or advisories of the secretary of state;	819
(Q) Investigate and determine the residence qualifications of	820
electors;	821
(R) Administer oaths in matters pertaining to the	822
administration of the election laws;	823
(S) Prepare and submit to the secretary of state, whenever	824
the secretary of state requires, a report containing the names and	825
residence addresses of all incumbent county, municipal, township,	826
and board of education officials serving in their respective	827
counties;	828
(T) Establish and maintain a voter registration database of	829
all qualified electors in the county who offer to register;	830
(U) Maintain voter registration records, make reports	831
concerning voter registration as required by the secretary of	832
state, and remove ineligible electors from voter registration	833
lists in accordance with law and directives of the secretary of	834
state;	835
(V) Give approval to ballot language for any local question	836
or issue and transmit the language to the secretary of state for	837
the secretary of state's final approval;	838
(W) Prepare and cause the following notice to be displayed in	839
a prominent location in every polling place:	840
"NOTICE	841
Ohio law prohibits any person from voting or attempting to	842
vote more than once at the same election.	843
Violators are guilty of a felony of the fourth degree and	844
shall be imprisoned and additionally may be fined in accordance	845

with law." 846

(X) In all cases of a tie vote or a disagreement in the 847
board, if no decision can be arrived at, the director or 848
chairperson shall submit the matter in controversy, not later than 849
fourteen days after the tie vote or the disagreement, to the 850
secretary of state, who shall summarily decide the question, and 851
the secretary of state's decision shall be final. 852

(Y) Assist each designated agency, deputy registrar of motor 853
vehicles, public high school and vocational school, public 854
library, and office of a county treasurer in the implementation of 855
a program for registering voters at all voter registration 856
locations as prescribed by the secretary of state. Under this 857
program, each board of elections shall direct to the appropriate 858
board of elections any voter registration applications for persons 859
residing outside the county where the board is located within five 860
days after receiving the applications. 861

(Z) On any day on which an elector may vote in person at the 862
office of the board or at another site designated by the board, 863
consider the board or other designated site a polling place for 864
that day. All requirements or prohibitions of law that apply to a 865
polling place shall apply to the office of the board or other 866
designated site on that day. 867

(AA) Perform any duties with respect to voter registration 868
and voting by uniformed services and overseas voters that are 869
delegated to the board by law or by the rules, directives, or 870
advisories of the secretary of state. 871

(BB) Maintain a list of registered electors in the county who 872
cast a ballot at each election, which list shall be provided to 873
the secretary of state following each election. 874

Sec. 3501.111. A board of elections may contract with another 875

board of elections in this state, with a county automatic data 876
processing board, or with an educational service center for the 877
provision of election services, including any duties imposed upon 878
the board of elections under section 3501.11 of the Revised Code. 879
Any contract entered into pursuant to this section shall be 880
approved by the boards of county commissioners of the affected 881
counties. 882

Sec. 3501.13. (A) The director of the board of elections 883
shall keep a full and true record of the proceedings of the board 884
and of all moneys received and expended; file and preserve in the 885
board's office all orders and records pertaining to the 886
administration of registrations, primaries, and elections; receive 887
and have the custody of all books, papers, and property belonging 888
to the board; and perform other duties in connection with the 889
office of director and the proper conduct of elections as the 890
board determines. 891

(B) Before entering upon the duties of the office, the 892
director shall subscribe to an oath that the director will support 893
the Constitution of the United States and the Ohio Constitution, 894
perform all the duties of the office to the best of the director's 895
ability, enforce the election laws, and preserve all records, 896
documents, and other property pertaining to the conduct of 897
elections placed in the director's custody. 898

(C) The director may administer oaths to persons required by 899
law to file certificates or other papers with the board, to ~~judges~~ 900
~~of elections~~ precinct election officials, to witnesses who are 901
called to testify before the board, and to voters filling out 902
blanks at the board's offices. Except as otherwise provided by 903
state or federal law, the records of the board and papers and 904
books filed in its office are public records and open to 905
inspection under such reasonable regulations as shall be 906

established by the board. The social security number of any 907
elector or of any applicant for voter registration is not a public 908
record. The board shall redact any such number from any record 909
that it makes open to public inspection or copying under this 910
section. 911

The following notice shall be posted in a prominent place at 912
each board office: 913

"Except as otherwise provided by state or federal law, 914
records filed in this office of the board of elections are open to 915
public inspection during normal office hours, pursuant to the 916
following reasonable regulations: (the board shall here list its 917
regulations). Whoever prohibits any person from inspecting the 918
public records of this board is subject to the penalties of 919
section 3599.161 of the Revised Code." 920

(D) Upon receipt of a written declaration of intent to retire 921
as provided for in section 145.38 of the Revised Code, the 922
director shall provide a copy to each member of the board of 923
elections. 924

Sec. 3501.14. The board of elections shall, by a vote of not 925
less than three of its members, fix the annual compensation of its 926
director and deputy director who are selected in accordance with 927
section 3501.09 of the Revised Code. 928

The board may, when necessary, appoint a deputy director, who 929
shall not be a member of the same political party of which the 930
director is a member, and other employees, prescribe their duties, 931
and, by a vote of not less than three of its members, fix their 932
compensation. 933

The director, deputy director, and other employees of the 934
board are not public officers and shall serve, during their term 935
of office, at the discretion of the board. The board may summarily 936

remove the director or the deputy director by a vote of not less 937
than three of its members and may remove any other employee by a 938
majority vote of its membership. 939

The deputy director and all other election officials shall 940
take and subscribe to the same oath for the faithful performance 941
of their duties as is required of the director of the board. The 942
deputy director shall have the same power as the director to 943
administer oaths. The board may also employ additional employees, 944
when necessary, for part time ~~only~~ or on a temporary basis at the 945
prevailing rate of pay for such services. Non-full-time, 946
part-time, and temporary employees shall only be paid sick or 947
vacation time subject to action adopted by the board. 948

A tie vote or disagreement in the board on the amount of 949
compensation to be paid to a director, deputy director, or any 950
employee shall not be submitted to the secretary of state. 951

Sec. 3501.17. (A) The expenses of the board of elections 952
shall be paid from the county treasury, in pursuance of 953
appropriations by the board of county commissioners, in the same 954
manner as other county expenses are paid. If the board of county 955
commissioners fails to appropriate an amount sufficient to provide 956
for the necessary and proper expenses of the board of elections 957
pertaining to the conduct of elections, the board of elections may 958
apply to the court of common pleas within the county, which shall 959
fix the amount necessary to be appropriated and the amount shall 960
be appropriated. Payments shall be made upon vouchers of the board 961
of elections certified to by its chairperson or acting chairperson 962
and the director or deputy director, upon warrants of the county 963
auditor. 964

The board of elections shall not incur any obligation 965
involving the expenditure of money unless there are moneys 966
sufficient in the funds appropriated therefor to meet the 967

obligation. If the board of elections requests a transfer of funds 968
from one of its appropriation items to another, the board of 969
county commissioners shall adopt a resolution providing for the 970
transfer except as otherwise provided in section 5705.40 of the 971
Revised Code. The expenses of the board of elections shall be 972
apportioned among the county and the various subdivisions as 973
provided in this section, and the amount chargeable to each 974
subdivision shall be paid as provided in division (J) of this 975
section or withheld by the auditor from the moneys payable thereto 976
at the time of the next tax settlement. At the time of submitting 977
budget estimates in each year, the board of elections shall submit 978
to the taxing authority of each subdivision, upon the request of 979
the subdivision, an estimate of the amount to be paid or withheld 980
from the subdivision during the current or next fiscal year. 981

(B) Except as otherwise provided in division (F) of this 982
section, the compensation of the members of the board of elections 983
and of the director, deputy director, and regular employees in the 984
board's offices, other than compensation for overtime worked; the 985
expenditures for the rental, furnishing, and equipping of the 986
office of the board and for the necessary office supplies for the 987
use of the board; the expenditures for the acquisition, repair, 988
care, and custody of the polling places, booths, guardrails, and 989
other equipment for polling places; the cost of tally sheets, 990
maps, flags, ballot boxes, and all other permanent records and 991
equipment; the cost of all elections held in and for the state and 992
county; and all other expenses of the board which are not 993
chargeable to a political subdivision in accordance with this 994
section shall be paid in the same manner as other county expenses 995
are paid. 996

(C) The compensation of ~~judges of elections~~ precinct election 997
officials and intermittent employees in the board's offices; the 998
cost of renting, moving, heating, and lighting polling places and 999

of placing and removing ballot boxes and other fixtures and 1000
equipment thereof, including voting machines, marking devices, and 1001
automatic tabulating equipment; the cost of printing and 1002
delivering ballots, cards of instructions, registration lists 1003
required under section 3503.23 of the Revised Code, and other 1004
election supplies, including the supplies required to comply with 1005
division (H) of section 3506.01 of the Revised Code; the cost of 1006
contractors engaged by the board to prepare, program, test, and 1007
operate voting machines, marking devices, and automatic tabulating 1008
equipment; and all other expenses of conducting primaries and 1009
elections in the odd-numbered years shall be charged to the 1010
subdivisions in and for which such primaries or elections are 1011
held. The charge for each primary or general election in 1012
odd-numbered years for each subdivision shall be determined in the 1013
following manner: first, the total cost of all chargeable items 1014
used in conducting such elections shall be ascertained; second, 1015
the total charge shall be divided by the number of precincts 1016
participating in such election, in order to fix the cost per 1017
precinct; third, the cost per precinct shall be prorated by the 1018
board of elections to the subdivisions conducting elections for 1019
the nomination or election of offices in such precinct; fourth, 1020
the total cost for each subdivision shall be determined by adding 1021
the charges prorated to it in each precinct within the 1022
subdivision. 1023

(D) The entire cost of special elections held on a day other 1024
than the day of a primary or general election, both in 1025
odd-numbered or in even-numbered years, shall be charged to the 1026
subdivision. Where a special election is held on the same day as a 1027
primary or general election in an even-numbered year, the 1028
subdivision submitting the special election shall be charged only 1029
for the cost of ballots and advertising. Where a special election 1030
is held on the same day as a primary or general election in an 1031
odd-numbered year, the subdivision submitting the special election 1032

shall be charged for the cost of ballots and advertising for such 1033
special election, in addition to the charges prorated to such 1034
subdivision for the election or nomination of candidates in each 1035
precinct within the subdivision, as set forth in the preceding 1036
paragraph. 1037

(E) Where a special election is held on the day specified by 1038
division (E) of section 3501.01 of the Revised Code for the 1039
holding of a primary election, for the purpose of submitting to 1040
the voters of the state constitutional amendments proposed by the 1041
general assembly, and a subdivision conducts a special election on 1042
the same day, the entire cost of the special election shall be 1043
divided proportionally between the state and the subdivision based 1044
upon a ratio determined by the number of issues placed on the 1045
ballot by each, except as otherwise provided in division (G) of 1046
this section. Such proportional division of cost shall be made 1047
only to the extent funds are available for such purpose from 1048
amounts appropriated by the general assembly to the secretary of 1049
state. If a primary election is also being conducted in the 1050
subdivision, the costs shall be apportioned as otherwise provided 1051
in this section. 1052

(F) When a precinct is open during a general, primary, or 1053
special election solely for the purpose of submitting to the 1054
voters a statewide ballot issue, the state shall bear the entire 1055
cost of the election in that precinct and shall reimburse the 1056
county for all expenses incurred in opening the precinct. 1057

(G)(1) The state shall bear the entire cost of advertising in 1058
newspapers statewide ballot issues, explanations of those issues, 1059
and arguments for or against those issues, as required by Section 1060
1g of Article II and Section 1 of Article XVI, Ohio Constitution, 1061
and any other section of law. Appropriations made to the 1062
controlling board shall be used to reimburse the secretary of 1063
state for all expenses the secretary of state incurs for such 1064

advertising under division (G) of section 3505.062 of the Revised Code. 1065
1066

(2) There is hereby created in the state treasury the 1067
statewide ballot advertising fund. The fund shall receive 1068
transfers approved by the controlling board, and shall be used by 1069
the secretary of state to pay the costs of advertising state 1070
ballot issues as required under division (G)(1) of this section. 1071
Any such transfers may be requested from and approved by the 1072
controlling board prior to placing the advertising, in order to 1073
facilitate timely provision of the required advertising. 1074

(H) The cost of renting, heating, and lighting registration 1075
places; the cost of the necessary books, forms, and supplies for 1076
the conduct of registration; and the cost of printing and posting 1077
precinct registration lists shall be charged to the subdivision in 1078
which such registration is held. 1079

(I) At the request of a majority of the members of the board 1080
of elections, the board of county commissioners may, by 1081
resolution, establish an elections revenue fund. Except as 1082
otherwise provided in this division, the purpose of the fund shall 1083
be to accumulate revenue withheld by or paid to the county under 1084
this section for the payment of any expense related to the duties 1085
of the board of elections specified in section 3501.11 of the 1086
Revised Code, upon approval of a majority of the members of the 1087
board of elections. The fund shall not accumulate any revenue 1088
withheld by or paid to the county under this section for the 1089
compensation of the members of the board of elections or of the 1090
director, deputy director, or other regular employees in the 1091
board's offices, other than compensation for overtime worked. 1092

Notwithstanding sections 5705.14, 5705.15, and 5705.16 of the 1093
Revised Code, the board of county commissioners may, by 1094
resolution, transfer money to the elections revenue fund from any 1095
other fund of the political subdivision from which such payments 1096

lawfully may be made. Following an affirmative vote of a majority 1097
of the members of the board of elections, the board of county 1098
commissioners may, by resolution, rescind an elections revenue 1099
fund established under this division. If an elections revenue fund 1100
is rescinded, money that has accumulated in the fund shall be 1101
transferred to the county general fund. 1102

(J)(1) Not less than fifteen business days before the 1103
deadline for submitting a question or issue for placement on the 1104
ballot at a special election, the board of elections shall prepare 1105
and file with the board of county commissioners and the office of 1106
the secretary of state the estimated cost, based on the factors 1107
enumerated in this section, for preparing for and conducting an 1108
election on one question or issue, one nomination for office, or 1109
one election to office in each precinct in the county at that 1110
special election and shall divide that cost by the number of 1111
registered voters in the county. 1112

(2) The board of elections shall provide to a political 1113
subdivision seeking to submit a question or issue, a nomination 1114
for office, or an election to office for placement on the ballot 1115
at a special election with the estimated cost for preparing for 1116
and conducting that election, which shall be calculated either by 1117
multiplying the number of registered voters in the political 1118
subdivision with the cost calculated under division (J)(1) of this 1119
section or by multiplying the cost per precinct with the number or 1120
precincts in the political subdivision. A political subdivision 1121
submitting a question or issue, a nomination for office, or an 1122
election to office for placement on the ballot at that special 1123
election shall pay to the county elections revenue fund sixty-five 1124
per cent of the estimated cost of the election not less than ten 1125
business days after the deadline for submitting a question or 1126
issue for placement on the ballot for that special election. 1127

(3) Not later than sixty days after the date of a special 1128

election, the board of elections shall provide to each political 1129
subdivision the true and accurate cost for the question or issue, 1130
nomination for office, or election to office that the subdivision 1131
submitted to the voters on the special election ballots. If the 1132
board of elections determines that a subdivision paid less for the 1133
cost of preparing and conducting a special election under division 1134
(J)(2) of this section than the actual cost calculated under this 1135
division, the subdivision shall remit to the county elections 1136
revenue fund the difference between the payment made under 1137
division (J)(2) of this section and the final cost calculated 1138
under this division within thirty days after being notified of the 1139
final cost. If the board of elections determines that a 1140
subdivision paid more for the cost of preparing and conducting a 1141
special election under division (J)(2) of this section than the 1142
actual cost calculated under this division, the board of elections 1143
promptly shall notify the board of county commissioners of that 1144
difference. The board of county commissioners shall remit from the 1145
county elections revenue fund to the political subdivision the 1146
difference between the payment made under division (J)(2) of this 1147
section and the final cost calculated under this division within 1148
thirty days after receiving that notification. 1149

(K) As used in this section: 1150

(1) "Political subdivision" and "subdivision" mean any board 1151
of county commissioners, board of township trustees, legislative 1152
authority of a municipal corporation, board of education, or any 1153
other board, commission, district, or authority that is empowered 1154
to levy taxes or permitted to receive the proceeds of a tax levy, 1155
regardless of whether the entity receives tax settlement moneys as 1156
described in division (A) of this section; 1157

(2) "Statewide ballot issue" means any ballot issue, whether 1158
proposed by the general assembly or by initiative or referendum, 1159
that is submitted to the voters throughout the state. 1160

Sec. 3501.18. (A) The board of elections may divide a 1161
political subdivision within its jurisdiction into precincts, 1162
establish, define, divide, rearrange, and combine the several 1163
election precincts within its jurisdiction, and change the 1164
location of the polling place for each precinct when it is 1165
necessary to maintain the requirements as to the number of voters 1166
in a precinct and to provide for the convenience of the voters and 1167
the proper conduct of elections. No change in the number of 1168
precincts or in precinct boundaries shall be made during the 1169
twenty-five days immediately preceding a primary or general 1170
election or between the first day of January and the day on which 1171
the members of county central committees are elected in the years 1172
in which those committees are elected. Except as otherwise 1173
provided in section 3501.20 of the Revised Code and in division 1174
(C) of this section, each precinct shall contain a number of 1175
electors, not to exceed one thousand four hundred and, if the 1176
precinct is located in a municipal corporation, not less than five 1177
hundred, that the board of elections determines to be a reasonable 1178
number after taking into consideration the type and amount of 1179
available equipment, prior voter turnout, the size and location of 1180
each selected polling place, available parking, availability of an 1181
adequate number of poll workers, and handicap accessibility and 1182
other accessibility to the polling place. 1183

If the board changes the boundaries of a precinct after the 1184
filing of a local option election petition pursuant to sections 1185
4301.32 to 4301.41, 4303.29, or 4305.14 of the Revised Code that 1186
calls for a local option election to be held in that precinct, the 1187
local option election shall be held in the area that constituted 1188
the precinct at the time the local option petition was filed, 1189
regardless of the change in the boundaries. 1190

If the board changes the boundaries of a precinct in order to 1191
meet the requirements of division (B)(1) of this section in a 1192

manner that causes a member of a county central committee to no longer qualify as a representative of an election precinct in the county, of a ward of a city in the county, or of a township in the county, the member shall continue to represent the precinct, ward, or township for the remainder of the member's term, regardless of the change in boundaries.

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

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

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

(2) The board of elections may apply to the secretary of state for a waiver from the requirement of division (B)(1) of this section when it is not feasible to comply with that requirement because of unusual physical boundaries or residential development practices that would cause unusual hardship for voters. The board shall identify the affected precincts and census units, explain the reason for the waiver request, and include a map illustrating where the census units will be split because of the requested

waiver. If the secretary of state approves the waiver and so 1225
notifies the board of elections in writing, the board may change a 1226
precinct boundary as necessary under this section, notwithstanding 1227
the requirement in division (B)(1) of this section. 1228

(C) The board of elections may apply to the secretary of 1229
state for a waiver from the requirement of division (A) of this 1230
section regarding the number of electors in a precinct when the 1231
use of geographical units used by the United States department of 1232
commerce, bureau of the census, will cause a precinct to contain 1233
more than one thousand four hundred electors. The board shall 1234
identify the affected precincts and census units, explain the 1235
reason for the waiver request, and include a map illustrating 1236
where census units will be split because of the requested waiver. 1237
If the secretary of state approves the waiver and so notifies the 1238
board of elections in writing, the board may change a precinct 1239
boundary as necessary to meet the requirements of division (B)(1) 1240
of this section. 1241

(D) A board of elections does not violate division (A) of 1242
this section if its minimum precinct size varies from the minimum 1243
precinct size established in that division by five per cent or 1244
less. 1245

(E) The board of elections may apply to the secretary of 1246
state for a waiver from the minimum precinct size requirements of 1247
division (A) of this section. The board shall identify the 1248
affected precincts and explain the reason for the waiver request. 1249
If the secretary of state approves the waiver and so notifies the 1250
board of elections in writing, the board may change a precinct 1251
boundary in the manner specified in the waiver request. 1252

Sec. 3501.20. The Notwithstanding the minimum precinct size 1253
established under section 3501.18 of the Revised Code, the lands 1254
used for a state or national home for disabled soldiers shall 1255

constitute a separate election precinct, and, if necessary, may be 1256
divided and rearranged within such limits as other precincts are 1257
arranged and divided. 1258

Sec. 3501.22. (A) ~~On~~ (1) Except as otherwise provided in 1259
division (A)(2) of this section, on or before the fifteenth day of 1260
September in each year, the board of elections by a majority vote 1261
shall, after careful examination and investigation as to their 1262
qualifications, appoint for each election precinct four residents 1263
of the county in which the precinct is located, as ~~judges~~ precinct 1264
election officials. Except as otherwise provided in division (C) 1265
of this section, all ~~judges of precinct~~ election officials shall 1266
be qualified electors. The ~~judges precinct~~ election officials 1267
shall constitute the election officers of the precinct. Not more 1268
than one-half of the total number of ~~judges precinct election~~ 1269
officials shall be members of the same political party. The term 1270
of such precinct officers shall be for one year. The board may, at 1271
any time, designate any number of election officers, not more than 1272
one-half of whom shall be members of the same political party, to 1273
perform their duties at any precinct in any election. The board 1274
may appoint additional officials, ~~equally divided between the two~~ 1275
~~major political parties,~~ when necessary to expedite voting. If the 1276
board of elections determines that four precinct election 1277
officials are not required in a precinct for a special election, 1278
the board of elections may select two of the precinct's election 1279
officers, who are not members of the same political party, to 1280
serve as the precinct election officials for that precinct in that 1281
special election. 1282

Vacancies for unexpired terms shall be filled by the board. 1283
When new precincts have been created, the board shall appoint 1284
~~judges precinct election officials~~ for those precincts for the 1285
unexpired term. Any ~~judge precinct election official~~ may be 1286
summarily removed from office at any time by the board for neglect 1287

of duty, malfeasance, or misconduct in office or for any other 1288
good and sufficient reason. 1289

Precinct election officials shall perform all of the duties 1290
provided by law for receiving the ballots and supplies, opening 1291
and closing the polls, and overseeing the casting of ballots 1292
during the time the polls are open, and any other duties required 1293
by section 3501.26 of the Revised Code. 1294

A board of elections may designate two precinct election 1295
officials as counting officials to count and tally the votes cast 1296
and certify the results of the election at each precinct, and 1297
perform other duties as provided by law. To expedite the counting 1298
of votes at each precinct, the board may appoint additional 1299
officials, not more than one-half of whom shall be members of the 1300
same political party. 1301

The board shall designate one of the precinct election 1302
officials ~~who is a member of the dominant political party~~ to serve 1303
as a ~~presiding judge, whose~~ voting location manager. The voting 1304
location manager shall be a member of the political party whose 1305
candidate received the highest number of votes for governor in the 1306
precincts whose polling places are located at the applicable 1307
voting location, when tallying the combined vote for governor for 1308
all such precincts. It is the duty ~~it is~~ of the voting location 1309
manager to deliver the returns of the election and all supplies to 1310
the office of the board. For these services, the ~~presiding judge~~ 1311
voting location manager shall receive additional compensation in 1312
an amount, consistent with section 3501.28 of the Revised Code, 1313
determined by the board of elections. 1314

The board shall issue to each precinct election official a 1315
certificate of appointment, which the official shall present to 1316
the ~~presiding judge~~ voting location manager at the time the polls 1317
are opened. 1318

(2) If the board of elections, by majority vote, opts to use multiple precinct polling locations in lieu of any or all individual precinct polling locations, the board may appoint precinct election officials for the multiple precinct polling locations as follows:

(a) For the first precinct combined in a multiple precinct polling location, the board shall appoint four precinct election officials, not more than one-half of whom shall be members of the same political party.

(b) For each additional precinct combined in a multiple precinct polling location, the board shall appoint two precinct election officials, not more than one of whom shall be a member of the same political party.

(c) The board shall designate one of the precinct election officials appointed under division (A)(2)(a) or (b) of this section who is a member of the political party whose candidate for governor received the highest number of votes in the most recent general election for that office in the precincts combined in the multiple precinct polling location as the single voting location manager for the multiple precinct polling location.

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

(C)(1) A board of elections, in conjunction with the board of education of a city, local, or exempted village school district, the governing authority of a community school established under Chapter 3314. of the Revised Code, or the chief administrator of a nonpublic school may establish a program permitting certain high

school students to apply and, if appointed by the board of 1350
elections, to serve as precinct officers at a primary, special, or 1351
general election. 1352

In addition to the requirements established by division 1353
(C)(2) of this section, a board of education, governing authority, 1354
or chief administrator that establishes a program under this 1355
division in conjunction with a board of elections may establish 1356
additional criteria that students shall meet to be eligible to 1357
participate in that program. 1358

(2)(a) To be eligible to participate in a program established 1359
under division (C)(1) of this section, a student shall be a United 1360
States citizen, a resident of the county, at least seventeen years 1361
of age, and enrolled in the senior year of high school. 1362

(b) Any student applying to participate in a program 1363
established under division (C)(1) of this section, as part of the 1364
student's application process, shall declare the student's 1365
political party affiliation with the board of elections. 1366

(3) No student appointed as a precinct officer pursuant to a 1367
program established under division (C)(1) of this section shall be 1368
designated as a ~~presiding judge~~ voting location manager. 1369

(4) Any student participating in a program established under 1370
division (C)(1) of this section shall be excused for that 1371
student's absence from school on the day of an election at which 1372
the student is serving as a precinct officer. 1373

(D) In any precinct with six or more precinct officers, up to 1374
two students participating in a program established under division 1375
(C)(1) of this section who are under eighteen years of age may 1376
serve as precinct officers. Not more than one precinct officer in 1377
any given precinct with fewer than six precinct officers shall be 1378
under eighteen years of age. 1379

Sec. 3501.26. When the polls are closed after a primary, 1380
general, or special election, the receiving officials shall, in 1381
the presence of the counting officials and attending observers, 1382
proceed as follows: 1383

(A) Count the number of electors who voted, as shown on the 1384
poll books; 1385

(B) Count the unused ballots without removing stubs; 1386

(C) Count the soiled and defaced ballots; 1387

(D) Insert the totals of divisions (A), (B), and (C) of this 1388
section on the report forms provided therefor in the poll books; 1389

(E) Count the voted ballots. If the number of voted ballots 1390
exceeds the number of voters whose names appear upon the poll 1391
books, the ~~presiding judge~~ voting location manager shall enter on 1392
the poll books an explanation of that discrepancy, and that 1393
explanation, if agreed to, shall be subscribed to by all of the 1394
~~judges~~ precinct election officials. Any ~~judge~~ precinct official 1395
having a different explanation shall enter it in the poll books 1396
and subscribe to it. 1397

(F) Put the unused ballots with stubs attached, and soiled 1398
and defaced ballots with stubs attached, in the envelopes or 1399
containers provided therefor, and certify the number. 1400

The receiving officials shall deliver to and place in the 1401
custody of the counting officials all the supplies provided for 1402
the conduct of that election and the ballots that are to be 1403
counted and tallied, and take a receipt for the same, which 1404
receipt shall appear in and be a part of the poll books of such 1405
precinct. Having performed their duties, the receiving officials 1406
shall immediately depart. 1407

Having receipted for the ballots, the counting officials 1408
shall proceed to count and tally the vote as cast in the manner 1409

prescribed by section 3505.27 of the Revised Code and certify the 1410
result of the election to the board of elections. 1411

Sec. 3501.27. (A) All ~~judges of~~ precinct election officials 1412
shall complete a program of instruction pursuant to division (B) 1413
of this section. No person who has been convicted of a felony or 1414
any violation of the election laws, who is unable to read and 1415
write the English language readily, or who is a candidate for an 1416
office to be voted for by the voters of the precinct in which the 1417
person is to serve shall serve as an election officer. A person 1418
when appointed as an election officer shall receive from the board 1419
of elections a certificate of appointment that may be revoked at 1420
any time by the board for good and sufficient reasons. The 1421
certificate shall be in the form the board prescribes and shall 1422
specify the precinct, ward, or district in and for which the 1423
person to whom it is issued is appointed to serve, the date of 1424
appointment, and the expiration of the person's term of service. 1425

(B)(1) Each board shall establish a program as prescribed by 1426
the secretary of state for the instruction of election officers in 1427
the rules, procedures, and law relating to elections. In each 1428
program, the board shall use training materials prepared by the 1429
secretary of state and may use additional materials prepared by or 1430
on behalf of the board. The board may use the services of unpaid 1431
volunteers in conducting its program and may reimburse those 1432
volunteers for necessary and actual expenses incurred in 1433
participating in the program. 1434

~~The~~ Subject to division (B)(2) of this section, the board 1435
shall train each new election officer before the new officer 1436
participates in the first election in that capacity. The board 1437
shall instruct election officials who have been trained previously 1438
only when the board or secretary of state considers that 1439
instruction necessary, but the board shall reinstruct such 1440

persons, other than ~~presiding judges~~ voting location managers, at 1441
least once in every three years and shall reinstruct ~~presiding~~ 1442
~~judges~~ voting location managers before the primary election in 1443
even-numbered years. The board shall schedule any program of 1444
instruction within sixty days prior to the election in which the 1445
officials to be trained will participate. 1446

(2) In addition to the training required under division 1447
(B)(1) of this section, the secretary of state may mandate 1448
additional training for election officials on a continuing basis 1449
in an effort to achieve election uniformity. 1450

(C) The duties of a ~~judge of an~~ precinct election official in 1451
each polling place shall be performed only by an individual who 1452
has successfully completed the requirements of the program, unless 1453
such an individual is unavailable after reasonable efforts to 1454
obtain such services. 1455

(D) The secretary of state shall establish a program for the 1456
instruction of members of boards of elections and employees of 1457
boards in the rules, procedures, and law relating to elections. 1458
Each member and employee shall complete the training program 1459
within six months after the member's or employee's original 1460
appointment or employment, and thereafter each member and employee 1461
shall complete a training program to update their knowledge once 1462
every four years or more often as determined by the secretary of 1463
state. 1464

(E) The secretary of state shall reimburse each county for 1465
the cost of programs established pursuant to division (B) of this 1466
section, once the secretary of state has received an itemized 1467
statement of expenses for such instruction programs from the 1468
county. The itemized statement shall be in a form prescribed by 1469
the secretary of state. 1470

Sec. 3501.28. (A) As used in this section: 1471

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

(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 than the first day of October of the preceding calendar year.

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

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

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

~~(F)~~(E) No ~~judge of an~~ precinct election official who works less than the full election day shall be paid the maximum amount allowed under this section or the maximum amount as set by the

board of elections, whichever is less. 1535

~~(G)(F)~~(1) Except as otherwise provided in divisions ~~(G)(F)~~(4) 1536
to (6) of this section, any employee of the state or of any 1537
political subdivision of the state may serve as a ~~judge of~~ 1538
~~elections~~ precinct election official on the day of an election 1539
without loss of the employee's regular compensation for that day 1540
as follows: 1541

(a) For employees of a county office, department, commission, 1542
board, or other entity, or of a court of common pleas, county 1543
court, or county-operated municipal court, as defined in section 1544
1901.03 of the Revised Code, the employee's appointing authority 1545
may permit leave with pay for this service in accordance with a 1546
resolution setting forth the terms and conditions for that leave 1547
passed by the board of county commissioners. 1548

(b) For all other employees of a political subdivision of the 1549
state, leave with pay for this service shall be subject to the 1550
terms and conditions set forth in an ordinance or a resolution 1551
passed by the legislative authority of the applicable political 1552
subdivision. 1553

(c) For state employees, leave with pay for this service 1554
shall be subject to the terms and conditions set forth by the head 1555
of the state agency, as defined in section 1.60 of the Revised 1556
Code, by which the person is employed. 1557

(2) Any terms and conditions set forth by a board of county 1558
commissioners, legislative authority of a political subdivision, 1559
or head of a state agency under division ~~(G)(F)~~(1) of this section 1560
shall include a standard procedure for deciding which employees 1561
are permitted to receive leave with pay if multiple employees of 1562
an entity or court described in division ~~(G)(F)~~(1)(a) of this 1563
section, of an entity of a political subdivision described in 1564
division ~~(G)(F)~~(1)(b) of this section, or of a state agency as 1565

defined in section 1.60 of the Revised Code apply to serve as a 1566
~~judge of elections~~ precinct election official on the day of an 1567
election. This procedure shall be applied uniformly to all 1568
similarly situated employees. 1569

(3) Any employee who is eligible for leave with pay under 1570
division ~~(G)~~(F)(1) of this section shall receive, in addition to 1571
the employee's regular compensation, the compensation paid to the 1572
~~judge of an~~ precinct election official under division (B) ~~or (C)~~ 1573
~~or (D)~~ of this section. 1574

(4) Division ~~(G)~~(F)(1) of this section does not apply to 1575
either of the following: 1576

(a) Election officials; 1577

(b) Public school teachers. 1578

(5) Nothing in division ~~(G)~~(F)(1) of this section supersedes 1579
or negates any provision of a collective bargaining agreement in 1580
effect under Chapter 4117. of the Revised Code. 1581

(6) If a board of county commissioners, legislative authority 1582
of a political subdivision, or head of a state agency fails to set 1583
forth any terms and conditions under division ~~(G)~~(F)(1) of this 1584
section, an employee of an entity or court described in division 1585
~~(G)~~(F)(1)(a) of this section, of an entity of a political 1586
subdivision described in division ~~(G)~~(F)(1)(b) of this section, or 1587
of a state agency as defined in section 1.60 of the Revised Code 1588
may use personal leave, vacation leave, or compensatory time, or 1589
take unpaid leave, to serve as a ~~judge of elections~~ precinct 1590
election official on the day of an election. 1591

~~(H)~~(G) The board of elections may withhold the compensation 1592
of any precinct election official for failure to obey the 1593
instructions of the board or to comply with the law relating to 1594
the duties of ~~such a precinct judge~~ election official. Any payment 1595
a ~~judge of an~~ precinct election official is entitled to receive 1596

under section 3501.36 of the Revised Code is in addition to the 1597
compensation the ~~judge~~ official is entitled to receive under this 1598
section. 1599

Sec. 3501.29. (A) The board of elections shall provide for 1600
each precinct a polling place and provide adequate facilities at 1601
each polling place for conducting the election. The board shall 1602
provide a sufficient number of screened or curtained voting 1603
compartments to which electors may retire and conveniently mark 1604
their ballots, protected from the observation of others. Each 1605
voting compartment shall be provided at all times with writing 1606
implements, instructions how to vote, and other necessary 1607
conveniences for marking the ballot. The ~~presiding judge~~ voting 1608
location manager shall ensure that the voting compartments at all 1609
times are adequately lighted and contain the necessary supplies. 1610
The board shall utilize, in so far as practicable, rooms in public 1611
schools and other public buildings for polling places. Upon 1612
application of the board of elections, the authority which has the 1613
control of any building or grounds supported by taxation under the 1614
laws of this state, shall make available the necessary space 1615
therein for the purpose of holding elections and adequate space 1616
for the storage of voting machines, without charge for the use 1617
thereof. A reasonable sum may be paid for necessary janitorial 1618
service. When polling places are established in private buildings, 1619
the board may pay a reasonable rental therefor, and also the cost 1620
of liability insurance covering the premises when used for 1621
election purposes, or the board may purchase a single liability 1622
policy covering the board and the owners of the premises when used 1623
for election purposes. When removable buildings are supplied by 1624
the board, they shall be constructed under the contract let to the 1625
lowest and best bidder, and the board shall observe all ordinances 1626
and regulations then in force as to safety. The board shall remove 1627
all such buildings from streets and other public places within 1628

thirty days after an election, unless another election is to be held within ninety days.

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

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

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

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

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

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

(C) ~~At any~~ If a polling place ~~that is~~ has been exempted from compliance by the secretary of state under division (B)(2) of this section, the board of elections shall permit any handicapped elector who travels to that ~~elector's~~ polling place, but who is unable to enter the polling place due to the inaccessibility of the polling place, to vote, with the assistance of two polling place officials of major political parties, in the vehicle that conveyed that elector to the polling place, or to receive and cast that elector's ballot at the door of the polling place.

(D) The secretary of state shall: 1660

(1) Work with other state agencies to facilitate the 1661
distribution of information and technical assistance to boards of 1662
elections to meet the requirements of division (B) of this 1663
section; 1664

(2) Work with organizations that represent or provide 1665
services to handicapped, disabled, or elderly citizens to effect a 1666
wide dissemination of information about the availability of 1667
absentee voting, voting in the voter's vehicle or at the door of 1668
the polling place, or other election services to handicapped, 1669
disabled, or elderly citizens. 1670

(E) Before the day of an election, the director of the board 1671
of elections of each county shall sign a statement verifying that 1672
each polling place that will be used in that county at that 1673
election meets the requirements of division (B)(1)(b) of this 1674
section. The signed statement shall be sent to the secretary of 1675
state by ~~certified~~ mail or electronically. 1676

(F) As used in this section, "handicapped" means having lost 1677
the use of one or both legs, one or both arms, or any combination 1678
thereof, or being blind or so severely disabled as to be unable to 1679
move about without the aid of crutches or a wheelchair. 1680

Sec. 3501.30. (A) The board of elections shall provide for 1681
each polling place the necessary ballot ~~boxes~~ box, official 1682
ballots, cards of instructions, registration forms, pollbooks or 1683
poll lists, tally sheets, forms on which to make summary 1684
statements, writing implements, paper, and all other supplies 1685
necessary for casting and counting the ballots and recording the 1686
results of the voting at the polling place. The pollbooks or poll 1687
lists shall have certificates appropriately printed on them for 1688
the signatures of all the precinct officials, by which they shall 1689
certify that, to the best of their knowledge and belief, the 1690

pollbooks or poll lists correctly show the names of all electors 1691
who voted in the polling place at the election indicated in the 1692
pollbooks or poll lists. 1693

All of the following shall be included among the supplies 1694
provided to each polling place: 1695

(1) A large map of each appropriate precinct, which shall be 1696
displayed prominently to assist persons who desire to register or 1697
vote on election day. Each map shall show all streets within the 1698
precinct and contain identifying symbols of the precinct in bold 1699
print. 1700

(2) Any materials, postings, or instructions required to 1701
comply with state or federal laws; 1702

(3) A flag of the United States approximately two and 1703
one-half feet in length along the top, which shall be displayed 1704
outside the entrance to the polling place during the time it is 1705
open for voting; 1706

(4) Two or more small flags of the United States 1707
approximately fifteen inches in length along the top, which shall 1708
be placed at a distance of ~~one hundred~~ fifty feet from the polling 1709
place on the thoroughfares or walkways leading to the polling 1710
place, to mark the distance within which persons other than 1711
election officials, observers, police officers, and electors 1712
waiting to mark, marking, or casting their ballots shall not 1713
loiter, congregate, or engage in any kind of election campaigning. 1714
Where small flags cannot reasonably be placed ~~one hundred~~ fifty 1715
feet from the polling place, the ~~presiding election judge~~ voting 1716
location manager shall place the flags as near to ~~one hundred~~ 1717
fifty feet from the entrance to the polling place as is physically 1718
possible. Police officers and all election officials shall see 1719
that this prohibition against loitering and congregating is 1720
enforced. 1721

When the period of time during which the polling place is 1722
open for voting expires, all of the flags described in this 1723
division shall be taken into the polling place and shall be 1724
returned to the board together with all other election supplies 1725
required to be delivered to the board. 1726

(B) The board of elections shall follow the instructions and 1727
advisories of the secretary of state in the production and use of 1728
polling place supplies. 1729

Sec. 3501.301. A contract involving a cost in excess of ~~ten~~ 1730
twenty-five thousand dollars for printing and furnishing the 1731
supplies, other than the official ballots, required in section 1732
3501.30 of the Revised Code, shall not be let until the board of 1733
elections has caused notice to be published once in a newspaper of 1734
general circulation within the county or upon notice given by 1735
mail, addressed to the responsible suppliers within the state. The 1736
board of elections may require that each bid be accompanied by a 1737
bond, with at least two individual sureties, or a surety company, 1738
satisfactory to the board, in a sum double the amount of the bid, 1739
conditioned upon the faithful performance of the contract awarded 1740
and for the payment as damages by such bidder to the board of any 1741
excess of cost over the bid which it may be required to pay for 1742
such work by reason of the failure of the bidder to complete the 1743
contract. The contract shall be let to the lowest and best bidder. 1744

Sec. 3501.302. The secretary of state may enter into 1745
agreements for the bulk purchase of election supplies in order to 1746
reduce the costs for such purchases by individual boards of 1747
elections. A board of elections desiring to participate in such 1748
purchase agreements shall file with the secretary of state a 1749
written request for inclusion. A request for inclusion shall 1750
include an agreement to be bound by such terms and conditions as 1751
the secretary of state prescribes and to make direct payments to 1752

the vendor under each purchase agreement. 1753

Sec. 3501.31. The board of elections shall mail to each 1754
precinct election official notice of the date, hours, and place of 1755
holding each election in the official's respective precinct at 1756
which it desires the official to serve. Each of such officials 1757
shall notify the board immediately upon receipt of such notice of 1758
any inability to serve. 1759

The election official designated as ~~presiding judge~~ voting 1760
location manager under section 3501.22 of the Revised Code shall 1761
call at the office of the board at such time before the day of the 1762
election, not earlier than the tenth day before the day of the 1763
election, as the board designates to obtain the ballots, 1764
pollbooks, registration forms and lists, and other material to be 1765
used in the official's polling place on election day. 1766

The board may also provide for the delivery of such materials 1767
to polling places in a municipal corporation by members of the 1768
police department of such municipal corporation; or the board may 1769
provide for the delivery of such materials to the ~~presiding judge~~ 1770
voting location manager not earlier than the tenth day before the 1771
election, in any manner it finds to be advisable. 1772

On election day the precinct election officials shall 1773
punctually attend the polling place one-half hour before the time 1774
fixed for opening the polls. Each of the precinct election 1775
officials shall thereupon make and subscribe to a statement which 1776
shall be as follows: 1777

"State of Ohio 1778

County of 1779

I do solemnly swear under the penalty of perjury that I will 1780
support the constitution of the United States of America and the 1781
constitution of the state of Ohio and its laws; that I have not 1782

been convicted of a felony or any violation of the election laws; 1783
that I will discharge to the best of my ability the duties of 1784
~~judge of~~ precinct election official in and for precinct 1785
..... in the (township) or 1786
(ward and city or village) in the county of 1787
....., in the election to be held on the 1788
day of,, as required by law and the rules 1789
and instructions of the board of elections of said county; and 1790
that I will endeavor to prevent fraud in such election, and will 1791
report immediately to said board any violations of the election 1792
laws which come to my attention, and will not disclose any 1793
information as to how any elector voted which is gained by me in 1794
the discharge of my official duties. 1795

..... 1796
..... 1797
..... 1798
..... 1799
..... 1800
..... 1801
(Signatures of precinct election officials)" 1802

If any of the other precinct election officials is absent at 1803
that time, the ~~presiding judge~~ voting location manager, with the 1804
concurrence of a majority of the precinct election officials 1805
present, shall appoint a qualified elector who is a member of the 1806
same political party as the political party of which such absent 1807
precinct election official is a member to fill the vacancy until 1808
the board appoints a person to fill such vacancy and the person so 1809
appointed reports for duty at the polling place. The ~~presiding~~ 1810
~~judge~~ voting location manager shall promptly notify the board of 1811
such vacancy by telephone or otherwise. The ~~presiding judge~~ voting 1812
location manager also shall assign the precinct election officials 1813

to their respective duties and shall have general charge of the 1814
polling place. 1815

Sec. 3501.32. (A) Except as otherwise provided in division 1816
(B) of this section, on the day of the election the polls shall be 1817
opened by proclamation by the ~~presiding judge~~ voting location 1818
manager, or in ~~his~~ the manager's absence by a ~~presiding judge~~ 1819
voting location manager chosen by the ~~judges~~ precinct election 1820
officials, at six-thirty a.m. and shall be closed by proclamation 1821
at seven-thirty p.m. unless there are voters waiting in line to 1822
cast their ballots, in which case the polls shall be kept open 1823
until such waiting voters have voted. 1824

(B) On the day of the election, any polling place located on 1825
an island not connected to the mainland by a highway or a bridge 1826
may close earlier than seven-thirty p.m. if all registered voters 1827
in the precinct have voted. When a polling place closes under 1828
division (B) of this section the ~~presiding judge~~ voting location 1829
manager shall immediately notify the board of elections of the 1830
closing. 1831

Sec. 3501.33. All ~~judges of~~ precinct election officials shall 1832
enforce peace and good order in and about the place of 1833
registration or election. They shall especially keep the place of 1834
access of the electors to the polling place open and unobstructed 1835
and prevent and stop any improper practices or attempts tending to 1836
obstruct, intimidate, or interfere with any elector in registering 1837
or voting. They shall protect observers against molestation and 1838
violence in the performance of their duties, and may eject from 1839
the polling place any observer for violation of any provision of 1840
Title XXXV of the Revised Code. They shall prevent riots, 1841
violence, tumult, or disorder. In the discharge of these duties, 1842
they may call upon the sheriff, police, or other peace officers to 1843
aid them in enforcing the law. They may order the arrest of any 1844

person violating Title XXXV of the Revised Code, but such an 1845
arrest shall not prevent the person from registering or voting if 1846
the person is entitled to do so. The sheriff, all constables, 1847
police officers, and other officers of the peace shall immediately 1848
obey and aid in the enforcement of any lawful order made by the 1849
precinct election officials in the enforcement of Title XXXV of 1850
the Revised Code. 1851

Sec. 3501.35. (A)(1) During an election and the counting of 1852
the ballots, no person shall do any of the following: 1853

~~(1)(a)~~ Loiter, congregate, or engage in any kind of election 1854
campaigning ~~within the area between the polling place and the~~ 1855
~~small flags of the United States placed on the thoroughfares and~~ 1856
~~walkways leading to the polling place, and if the line of electors~~ 1857
~~waiting to vote extends beyond those small flags,~~ within ten fifty 1858
feet of any elector in that line the entrance to a polling place; 1859

~~(2)(b)~~ In any manner hinder or delay an elector in reaching 1860
or leaving the place fixed for casting the elector's ballot; 1861

~~(3)(c)~~ Give, tender, or exhibit any ballot or ticket to any 1862
person other than the elector's own ballot to the ~~judge of~~ 1863
precinct election officials within the area between the polling 1864
place and the small flags of the United States placed on the 1865
thoroughfares and walkways leading to the polling place, and if 1866
the line of electors waiting to vote extends beyond those small 1867
flags, within ten feet of any elector in that line; 1868

~~(4)(d)~~ Exhibit any ticket or ballot which the elector intends 1869
to cast; 1870

~~(5)(e)~~ Solicit or in any manner attempt to influence any 1871
elector in casting the elector's vote. 1872

(2) Whoever violates division (A)(1)(a) of this section is 1873
guilty of a minor misdemeanor; if the person refuses to comply 1874

with the judges of election or law enforcement officers who are 1875
enforcing that division, the person is guilty of a misdemeanor of 1876
the first degree. 1877

(B)(1) Except as otherwise provided in division (B)(2) of 1878
this section and division (C) of section 3503.23 of the Revised 1879
Code, no person who is not an election official, employee, 1880
observer, or police officer shall be allowed to enter the polling 1881
place during the election, except for the purpose of voting or 1882
assisting another person to vote as provided in section 3505.24 of 1883
the Revised Code. 1884

(2) Notwithstanding any provision of this section to the 1885
contrary, a journalist shall be allowed reasonable access to a 1886
polling place during an election. As used in this division, 1887
"journalist" has the same meaning as in division (B)(2) of section 1888
2923.129 of the Revised Code. 1889

(C) No more electors shall be allowed to approach the voting 1890
shelves at any time than there are voting shelves provided. 1891

(D) The line of waiting voters and persons loitering, 1892
congregating, or campaigning near that line shall not impede the 1893
normal flow of traffic or access to the entrance or exit of any 1894
business or organization in the vicinity. 1895

(E) The ~~judges of precinct~~ election officials and the police 1896
officer shall strictly enforce the observance of this section. 1897

Sec. 3501.37. After each election, the ~~judges of elections~~ 1898
precinct election officials of each precinct, except when the 1899
board of elections assumes the duty, shall see that the movable 1900
booths and other equipment are returned for safekeeping to the 1901
fiscal officer of the township or to the clerk or auditor of the 1902
municipal corporation in which the precinct is situated. The 1903
fiscal officer, clerk, or auditor shall have booths and equipment 1904

on hand and in place at the polling places in each precinct before 1905
the time for opening the polls on election days, and for this 1906
service the board may allow the necessary expenses incurred. In 1907
cities, this duty shall devolve on the board. 1908

Sec. 3501.38. All declarations of candidacy, nominating 1909
petitions, or other petitions presented to or filed with the 1910
secretary of state or a board of elections or with any other 1911
public office for the purpose of becoming a candidate for any 1912
nomination or office or for the holding of an election on any 1913
issue shall, in addition to meeting the other specific 1914
requirements prescribed in the sections of the Revised Code 1915
relating to them, be governed by the following rules: 1916

(A) Only electors qualified to vote on the candidacy or issue 1917
which is the subject of the petition shall sign a petition. Each 1918
signer shall be a registered elector pursuant to section ~~3503.11~~ 1919
3503.01 of the Revised Code. The facts of qualification shall be 1920
determined as of the date when the petition is filed. 1921

(B) Signatures shall be affixed in ink. Each signer may also 1922
print the signer's name, so as to clearly identify the signer's 1923
signature. 1924

(C) Each signer shall place on the petition after the 1925
signer's name the date of signing and the location of the signer's 1926
voting residence, including the street and number if in a 1927
municipal corporation or the rural route number, post office 1928
address, or township if outside a municipal corporation. The 1929
voting address given on the petition shall be the address 1930
appearing in the registration records at the board of elections. 1931

(D) Except as otherwise provided in section 3501.382 of the 1932
Revised Code, no person shall write any name other than the 1933
person's own on any petition. Except as otherwise provided in 1934
section 3501.382 of the Revised Code, no person may authorize 1935

another to sign for the person. If a petition contains the 1936
signature of an elector two or more times, only the first 1937
signature shall be counted. 1938

(E)(1) On each petition paper, the circulator shall indicate 1939
the number of signatures contained on it, and shall sign a 1940
statement made under penalty of election falsification that the 1941
circulator witnessed the affixing of every signature, that all 1942
signers were to the best of the circulator's knowledge and belief 1943
qualified to sign, and that every signature is to the best of the 1944
circulator's knowledge and belief the signature of the person 1945
whose signature it purports to be or of an attorney in fact acting 1946
pursuant to section 3501.382 of the Revised Code. On the 1947
circulator's statement for a declaration of candidacy or 1948
nominating petition for a person seeking to become a statewide 1949
candidate or for a statewide initiative or a statewide referendum 1950
petition, the circulator shall identify the circulator's name, the 1951
address of the circulator's permanent residence, and the name and 1952
address of the person employing the circulator to circulate the 1953
petition, if any. 1954

(2) As used in division (E) of this section, "statewide 1955
candidate" means the joint candidates for the offices of governor 1956
and lieutenant governor or a candidate for the office of secretary 1957
of state, auditor of state, treasurer of state, or attorney 1958
general. 1959

(F) Except as otherwise provided in section 3501.382 of the 1960
Revised Code, if a circulator knowingly permits an unqualified 1961
person to sign a petition paper or permits a person to write a 1962
name other than the person's own on a petition paper, that 1963
petition paper is invalid; otherwise, the signature of a person 1964
not qualified to sign shall be rejected but shall not invalidate 1965
the other valid signatures on the paper. 1966

(G) The circulator of a petition may, before filing it in a 1967

public office, strike from it any signature the circulator does 1968
not wish to present as a part of the petition. 1969

(H) Any signer of a petition or an attorney in fact acting 1970
pursuant to section 3501.382 of the Revised Code on behalf of a 1971
signer may remove the signer's signature from that petition at any 1972
time before the petition is filed in a public office by striking 1973
the signer's name from the petition; no signature may be removed 1974
after the petition is filed in any public office. 1975

(I)(1) No alterations, corrections, or additions may be made 1976
to a petition after it is filed in a public office. 1977

(2)(a) No declaration of candidacy, nominating petition, or 1978
other petition for the purpose of becoming a candidate may be 1979
withdrawn after it is filed in a public office. Nothing in this 1980
division prohibits a person from withdrawing as a candidate as 1981
otherwise provided by law. 1982

(b) No petition presented to or filed with the secretary of 1983
state, a board of elections, or any other public office for the 1984
purpose of the holding of an election on any question or issue may 1985
be resubmitted after it is withdrawn from a public office. Nothing 1986
in this division prevents a question or issue petition from being 1987
withdrawn by the filing of a written notice of the withdrawal by a 1988
majority of the members of the petitioning committee with the same 1989
public office with which the petition was filed prior to the 1990
sixtieth day before the election at which the question or issue is 1991
scheduled to appear on the ballot. 1992

(J) All declarations of candidacy, nominating petitions, or 1993
other petitions under this section shall be accompanied by the 1994
following statement in boldface capital letters: WHOEVER COMMITS 1995
ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. 1996

(K) All separate petition papers shall be filed at the same 1997
time, as one instrument. 1998

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

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

(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.

(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.

(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.

Sec. 3501.50. Any action brought challenging the constitutionality, legality, or enforcement of any provision of the Ohio Constitution that governs the election process or any provision of Title XXXV of the Revised Code shall be deemed to

have been brought against the state, and all of the following 2029
shall apply: 2030

(A) The general assembly shall be notified of the filing of 2031
the action; 2032

(B) The general assembly has the right to intervene in the 2033
action; 2034

(C) The general assembly shall be notified of any proposed 2035
consent decree before the consent decree is agreed to by the 2036
court; 2037

(D) The general assembly has the right to intervene in the 2038
action to object to any proposed consent decree. 2039

Sec. 3503.02. All registrars and ~~judges of elections~~ precinct 2040
election officials, in determining the residence of a person 2041
offering to register or vote, shall be governed by the following 2042
rules: 2043

(A) That place shall be considered the residence of a person 2044
in which the person's habitation is fixed and to which, whenever 2045
the person is absent, the person has the intention of returning. 2046

(B) A person shall not be considered to have lost the 2047
person's residence who leaves the person's home and goes into 2048
another state or county of this state, for temporary purposes 2049
only, with the intention of returning. 2050

(C) A person shall not be considered to have gained a 2051
residence in any county of this state into which the person comes 2052
for temporary purposes only, without the intention of making such 2053
county the permanent place of abode. 2054

(D) The place where the family of a married person resides 2055
shall be considered to be the person's place of residence; except 2056
that when the spouses have separated and live apart, the place 2057

where such a spouse resides the length of time required to entitle 2058
a person to vote shall be considered to be the spouse's place of 2059
residence. 2060

(E) If a person removes to another state with the intention 2061
of making such state the person's residence, the person shall be 2062
considered to have lost the person's residence in this state. 2063

(F) Except as otherwise provided in division (G) of this 2064
section, if a person removes from this state and continuously 2065
resides outside this state for a period of four years or more, the 2066
person shall be considered to have lost the person's residence in 2067
this state, notwithstanding the fact that the person may entertain 2068
an intention to return at some future period. 2069

(G) If a person removes from this state to engage in the 2070
services of the United States government, the person shall not be 2071
considered to have lost the person's residence in this state 2072
during the period of such service, and likewise should the person 2073
enter the employment of the state, the place where such person 2074
resided at the time of the person's removal shall be considered to 2075
be the person's place of residence. 2076

(H) If a person goes into another state and while there 2077
exercises the right of a citizen by voting, the person shall be 2078
considered to have lost the person's residence in this state. 2079

(I) If a person does not have a fixed place of habitation, 2080
but has a shelter or other location at which the person has been a 2081
consistent or regular inhabitant and to which the person has the 2082
intention of returning, that shelter or other location shall be 2083
deemed the person's residence for the purpose of registering to 2084
vote. 2085

Sec. 3503.05. The secretary of state shall establish, by 2086
rule, a uniform process for notifying individuals who have 2087

submitted an incomplete voter registration application of the 2088
incomplete status of that application. The process shall permit 2089
such an individual to provide any information required to complete 2090
the application. 2091

Sec. 3503.06. ~~(A)~~ No person shall be entitled to vote at any 2092
election, or to sign ~~or circulate~~ any declaration of candidacy or 2093
any ~~nominating, or recall~~ election petition, unless the person is 2094
registered as an elector and will have resided in the county and 2095
precinct where the person is registered for at least thirty days 2096
at the time of the next election. 2097

~~(B)(1) No person shall be entitled to circulate any~~ 2098
~~initiative or referendum petition unless the person is a resident~~ 2099
~~of this state.~~ 2100

~~(2) All election officials, in determining the residence of a~~ 2101
~~person circulating a petition under division (B)(1) of this~~ 2102
~~section, shall be governed by the following rules:~~ 2103

~~(a) That place shall be considered the residence of a person~~ 2104
~~in which the person's habitation is fixed and to which, whenever~~ 2105
~~the person is absent, the person has the intention of returning.~~ 2106

~~(b) A person shall not be considered to have lost the~~ 2107
~~person's residence who leaves the person's home and goes into~~ 2108
~~another state for temporary purposes only, with the intention of~~ 2109
~~returning.~~ 2110

~~(c) A person shall not be considered to have gained a~~ 2111
~~residence in any county of this state into which the person comes~~ 2112
~~for temporary purposes only, without the intention of making that~~ 2113
~~county the permanent place of abode.~~ 2114

~~(d) If a person removes to another state with the intention~~ 2115
~~of making that state the person's residence, the person shall be~~ 2116
~~considered to have lost the person's residence in this state.~~ 2117

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

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

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

~~(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.~~

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

- (1) The voter's name;
- (2) The voter's address;
- (3) The current date;
- (4) The voter's date of birth;

(5) The voter to provide one or more of the following:	2148
(a) The voter's driver's license number <u>or state</u>	2149
<u>identification card number</u> , if any;	2150
(b) The last four digits of the voter's social security	2151
number, if any;	2152
(c) A copy of a current and valid photo identification, a	2153
copy of a military identification, <u>a copy of a United States</u>	2154
<u>passport</u> , or a copy of a current utility bill, bank statement,	2155
government check, paycheck, or other government document, other	2156
than a notice of an election mailed by a board of elections under	2157
section 3501.19 of the Revised Code or a notice of voter	2158
registration mailed by a board of elections under section 3503.19	2159
of the Revised Code, that shows the voter's name and address.	2160
(6) The voter's signature.	2161
The registration form shall include a space on which the	2162
person registering an applicant shall sign the person's name and	2163
provide the person's address and a space on which the person	2164
registering an applicant shall name the employer who is employing	2165
that person to register the applicant.	2166
Except for forms prescribed by the secretary of state under	2167
section 3503.11 of the Revised Code, the secretary of state shall	2168
permit boards of elections to produce forms that have subdivided	2169
spaces for each individual alphanumeric character of the	2170
information provided by the voter so as to accommodate the	2171
electronic reading and conversion of the voter's information to	2172
data and the subsequent electronic transfer of that data to the	2173
statewide voter registration database established under section	2174
3503.15 of the Revised Code.	2175
(B) None of the following persons who are registering an	2176
applicant in the course of that official's or employee's normal	2177
duties shall sign the person's name, provide the person's address,	2178

or name the employer who is employing the person to register an	2179
applicant on a form prepared under this section:	2180
(1) An election official;	2181
(2) A county treasurer;	2182
(3) A deputy registrar of motor vehicles;	2183
(4) An employee of a designated agency;	2184
(5) An employee of a public high school;	2185
(6) An employee of a public vocational school;	2186
(7) An employee of a public library;	2187
(8) An employee of the office of a county treasurer;	2188
(9) An employee of the bureau of motor vehicles;	2189
(10) An employee of a deputy registrar of motor vehicles;	2190
(11) An employee of an election official.	2191
(C) Except as provided in section 3501.382 of the Revised	2192
Code, any applicant who is unable to sign the applicant's own name	2193
shall make an "X," if possible, which shall be certified by the	2194
signing of the name of the applicant by the person filling out the	2195
form, who shall add the person's own signature. If an applicant is	2196
unable to make an "X," the applicant shall indicate in some manner	2197
that the applicant desires to register to vote or to change the	2198
applicant's name or residence. The person registering the	2199
applicant shall sign the form and attest that the applicant	2200
indicated that the applicant desired to register to vote or to	2201
change the applicant's name or residence.	2202
(D) No registration, change of residence, or change of name	2203
form shall be rejected solely on the basis that a person	2204
registering an applicant failed to sign the person's name or	2205
failed to name the employer who is employing that person to	2206
register the applicant as required under division (A) of this	2207

section. 2208

(E) A voter registration application submitted online through 2209
the internet pursuant to section 3503.20 of the Revised Code is 2210
not required to contain a signature to be considered valid. The 2211
signature obtained under division (B) of that section shall be 2212
considered the applicant's signature for all election and 2213
signature-matching purposes. 2214

(F) As used in this section, "registering an applicant" 2215
includes any effort, for compensation, to provide voter 2216
registration forms or to assist persons in completing or returning 2217
those forms. 2218

Sec. 3503.15. (A)(1) The secretary of state shall establish 2219
and maintain a statewide voter registration database that shall be 2220
administered by the office of the secretary of state and made 2221
continuously available to each board of elections and to other 2222
agencies as authorized by law. 2223

(2)(a) State agencies, including, but not limited to, the 2224
department of health, bureau of motor vehicles, department of job 2225
and family services, and the department of rehabilitation and 2226
corrections, shall provide any information and data to the 2227
secretary of state that the secretary of state considers necessary 2228
in order to maintain the statewide voter registration database 2229
established pursuant to this section, except where prohibited by 2230
federal law or regulation. The secretary of state shall ensure 2231
that any information or data provided to the secretary of state 2232
that is confidential in the possession of the entity providing the 2233
data remains confidential while in the possession of the secretary 2234
of state. 2235

(b) Information provided under this division for maintenance 2236
of the statewide voter registration database shall not be used to 2237
update the name or address of a registered elector. The name or 2238

address of a registered elector shall only be updated as a result 2239
of the elector's actions in filing a notice of change of name, 2240
change of address, or both. 2241

(c) A board of elections shall contact a registered elector 2242
by mail at the address on file with the board to verify the 2243
accuracy of the information in the statewide voter registration 2244
database regarding that elector if information provided under 2245
division (A)(2)(a) of this section identifies a discrepancy 2246
between the information regarding that elector that is maintained 2247
in the statewide voter registration database and maintained by a 2248
state agency. 2249

(3) The secretary of state may enter into agreements to share 2250
information or data with other states or groups of states, as the 2251
secretary of state considers necessary, in order to maintain the 2252
statewide voter registration database established pursuant to this 2253
section. Except as otherwise provided in this division, the 2254
secretary of state shall ensure that any information or data 2255
provided to the secretary of state that is confidential in the 2256
possession of the state providing the data remains confidential 2257
while in the possession of the secretary of state. The secretary 2258
of state may provide such otherwise confidential information or 2259
data to persons or organizations that are engaging in legitimate 2260
governmental purposes related to the maintenance of the statewide 2261
voter registration database. 2262

(B) The statewide voter registration database established 2263
under this section shall be the official list of registered voters 2264
for all elections conducted in this state. 2265

(C) The statewide voter registration database established 2266
under this section shall, at a minimum, include all of the 2267
following: 2268

(1) An electronic network that connects all board of 2269

elections offices with the office of the secretary of state and	2270
with the offices of all other boards of elections;	2271
(2) A computer program that harmonizes the records contained	2272
in the database with records maintained by each board of	2273
elections;	2274
(3) An interactive computer program that allows access to the	2275
records contained in the database by each board of elections and	2276
by any persons authorized by the secretary of state to add,	2277
delete, modify, or print database records, and to conduct updates	2278
of the database;	2279
(4) A search program capable of verifying registered voters	2280
and their registration information by name, driver's license	2281
number, birth date, social security number, <u>state identification</u>	2282
<u>number</u> , or current address;	2283
(5) Safeguards and components to ensure that the integrity,	2284
security, and confidentiality of the voter registration	2285
information is maintained.	2286
(D) The secretary of state shall adopt rules pursuant to	2287
Chapter 119. of the Revised Code doing all of the following:	2288
(1) Specifying the manner in which existing voter	2289
registration records maintained by boards of elections shall be	2290
converted to electronic files for inclusion in the statewide voter	2291
registration database;	2292
(2) Establishing a uniform method for entering voter	2293
registration records into the statewide voter registration	2294
database on an expedited basis, but not less than once per day, if	2295
new registration information is received;	2296
(3) Establishing a uniform method for purging canceled voter	2297
registration records from the statewide voter registration	2298
database in accordance with section 3503.21 of the Revised Code;	2299

(4) Specifying the persons authorized to add, delete, modify,	2300
or print records contained in the statewide voter registration	2301
database and to make updates of that database;	2302
(5) Establishing a process for annually auditing the	2303
information contained in the statewide voter registration	2304
database;	2305
<u>(6) Establishing a uniform method for addressing instances in</u>	2306
<u>which records contained in the statewide voter registration</u>	2307
<u>database do not conform with records maintained by the bureau of</u>	2308
<u>motor vehicles.</u>	2309
(E) A board of elections promptly shall purge a voter's name	2310
and voter registration information <u>shall be purged</u> from the	2311
statewide voter registration database in accordance with the rules	2312
adopted by the secretary of state under division (D)(3) of this	2313
section after the cancellation of a voter's registration under	2314
section 3503.21 of the Revised Code. <u>The secretary of state shall</u>	2315
<u>notify the applicable board of elections of each voter from that</u>	2316
<u>county that the secretary of state has purged from the statewide</u>	2317
<u>voter registration database.</u>	2318
(F) The secretary of state shall provide training in the	2319
operation of the statewide voter registration database to each	2320
board of elections and to any persons authorized by the secretary	2321
of state to add, delete, modify, or print database records, and to	2322
conduct updates of the database.	2323
(G)(1) The statewide voter registration database established	2324
under this section shall be made available on a web site of the	2325
office of the secretary of state as follows:	2326
(a) Except as otherwise provided in division (G)(1)(b) of	2327
this section, only the following information from the statewide	2328
voter registration database regarding a registered voter shall be	2329
made available on the web site:	2330

(i) The voter's name;	2331
(ii) The voter's address;	2332
(iii) The voter's precinct number;	2333
(iv) The voter's voting history.	2334
(b) During the thirty days before the day of a primary or general election, the web site interface of the statewide voter registration database shall permit a voter to search for the polling location at which that voter may cast a ballot.	2335 2336 2337 2338
(2) The secretary of state shall establish, by rule adopted under Chapter 119. of the Revised Code, a process for boards of elections to notify the secretary of state of changes in the locations of precinct polling places for the purpose of updating the information made available on the secretary of state's web site under division (G)(1)(b) of this section. Those rules shall require a board of elections, during the thirty days before the day of a primary or general election, to notify the secretary of state within one business day of any change to the location of a precinct polling place within the county.	2339 2340 2341 2342 2343 2344 2345 2346 2347 2348
(3) During the thirty days before the day of a primary or general election, not later than one business day after receiving a notification from a county pursuant to division (G)(2) of this section that the location of a precinct polling place has changed, the secretary of state shall update that information on the secretary of state's web site for the purpose of division (G)(1)(b) of this section.	2349 2350 2351 2352 2353 2354 2355
Sec. 3503.16. (A) Whenever a registered elector changes the place of residence of that registered elector from one precinct to another within a county or from one county to another, or has a change of name, that registered elector shall report the change by delivering a change of residence or change of name form, whichever	2356 2357 2358 2359 2360

is appropriate, as prescribed by the secretary of state under 2361
section 3503.14 of the Revised Code to the state or local office 2362
of a designated agency, a public high school or vocational school, 2363
a public library, the office of the county treasurer, the office 2364
of the secretary of state, any office of the registrar or deputy 2365
registrar of motor vehicles, or any office of a board of elections 2366
in person or by a third person. Any voter registration, change of 2367
address, or change of name application, returned by mail, may be 2368
sent only to the secretary of state or the board of elections. 2369

A registered elector also may update the registration of that 2370
registered elector by filing a change of residence or change of 2371
name form on the day of a special, primary, or general election at 2372
the polling place in the precinct in which that registered elector 2373
resides or at the board of elections ~~or at another site designated~~ 2374
~~by the board.~~ 2375

(B)(1)(a) Any registered elector who moves within a precinct 2376
on or prior to the day of a general, primary, or special election 2377
and has not filed a notice of change of residence with the board 2378
of elections may vote in that election by going to that registered 2379
elector's assigned polling place in the precinct in which the 2380
registered elector resides, completing and signing a notice of 2381
change of residence, showing identification in the form of a 2382
current and valid photo identification, a military identification, 2383
a United States passport, or a copy of a current utility bill, 2384
bank statement, government check, paycheck, or other government 2385
document, other than ~~a notice of an election mailed by a board of~~ 2386
~~elections under section 3501.19 of the Revised Code or a notice of~~ 2387
voter registration mailed by a board of elections under section 2388
3503.19 of the Revised Code, that shows the name and current 2389
address of the elector, and casting a ballot. ~~If the elector~~ 2390
~~provides either a driver's license or a state identification card~~ 2391
~~issued under section 4507.50 of the Revised Code that does not~~ 2392

~~contain the elector's current residence address, the elector shall 2393
provide the last four digits of the elector's driver's license 2394
number or state identification card number, and the precinct 2395
election official shall mark the poll list or signature pollbook 2396
to indicate that the elector has provided a driver's license or 2397
state identification card number with a former address and record 2398
the last four digits of the elector's driver's license number or 2399
state identification card number. 2400~~

(b) Any registered elector who changes the name of that 2401
registered elector and remains within a precinct on or prior to 2402
the day of a general, primary, or special election and has not 2403
filed a notice of change of name with the board of elections may 2404
vote in that election by going to that registered elector's 2405
assigned polling place in the precinct in which the registered 2406
elector resides, completing and signing a notice of a change of 2407
name, showing the identification required by division (B)(1)(a) of 2408
this section, and casting a ~~provisional ballot under section 2409
3505.181 of the Revised Code. 2410~~

(2) Any registered elector who moves from one precinct to 2411
another within a county or moves from one precinct to another and 2412
changes the name of that registered elector on or prior to the day 2413
of a general, primary, or special election and has not filed a 2414
notice of change of residence or change of name, whichever is 2415
appropriate, with the board of elections may vote in that election 2416
if that registered elector complies with division (G) of this 2417
section or does all of the following: 2418

(a) ~~Appears at anytime during regular business hours on or 2419
after the twenty eighth day prior to the election in which that 2420
registered elector wishes to vote or, if the election is held on 2421
the day of a presidential primary election, the twenty fifth day 2422
prior to the election, through noon of the Saturday prior to the 2423
election the time that absent voter's ballots may be cast in 2424~~

~~person at the office of the board of elections, appears at any~~ 2425
~~time during regular business hours on the Monday prior to the~~ 2426
~~election at the office of the board of elections, or, if pursuant~~ 2427
~~to division (C)(2) of section 3501.10 of the Revised Code the~~ 2428
~~board has designated another location at which registered electors~~ 2429
~~may cast absent voter's ballots in person before an election, at~~ 2430
~~that other location instead of the office of the board of~~ 2431
~~elections, or appears on the day of the election at either of the~~ 2432
following locations: 2433

(i) The polling place in the precinct in which that 2434
registered elector resides; 2435

(ii) ~~The office of the board of elections or, if pursuant to~~ 2436
~~division (C) of section 3501.10 of the Revised Code the board has~~ 2437
~~designated another location in the county at which registered~~ 2438
~~electors may vote, at that other location instead of the office of~~ 2439
~~the board of elections.~~ 2440

(b) ~~Completes and signs, under penalty of election~~ 2441
~~falsification, the written affirmation on the provisional ballot~~ 2442
~~envelope, which shall serve as a notice of change of residence or~~ 2443
~~change of name, whichever is appropriate, and files it with~~ 2444
~~election officials at the polling place, at the office of the~~ 2445
~~board of elections, or, if pursuant to division (C) of section~~ 2446
~~3501.10 of the Revised Code the board has designated another~~ 2447
~~location in the county at which registered electors may vote, at~~ 2448
~~that other location instead of the office of the board of~~ 2449
~~elections, whichever is appropriate;~~ 2450

(c) Votes a provisional ballot under section 3505.181 of the 2451
Revised Code at the polling place, in the precinct in which the 2452
registered elector resides, at the office of the board of 2453
elections, or, if pursuant to division (C)(2) of section 3501.10 2454
of the Revised Code the board has designated another location in 2455
the county at which registered electors may ~~vote~~ cast absent 2456

voter's ballots in person before an election, at that other 2457
location instead of the office of the board of elections, 2458
whichever is appropriate, using the address to which that 2459
registered elector has moved or the name of that registered 2460
elector as changed, whichever is appropriate; 2461

(d) Completes and signs, under penalty of election 2462
falsification, a statement attesting that that registered elector 2463
moved or had a change of name, whichever is appropriate, on or 2464
prior to the day of the election, has voted a provisional ballot 2465
at the polling place in the precinct in which that registered 2466
elector resides, at the office of the board of elections, or, if 2467
pursuant to division (C)(2) of section 3501.10 of the Revised Code 2468
the board has designated another location in the county at which 2469
registered electors may ~~vote~~ cast absent voter's ballots in person 2470
before an election, at that other location instead of the office 2471
of the board of elections, whichever is appropriate, and will not 2472
vote or attempt to vote at any other location for that particular 2473
election. ~~The statement required under division (B)(2)(d) of this~~ 2474
~~section shall be included on the notice of change of residence or~~ 2475
~~change of name, whichever is appropriate, required under division~~ 2476
~~(B)(2)(b) of this section.~~ 2477

(C) Any registered elector who moves from one county to 2478
another county within the state or moves from one county to 2479
another and changes the name of that registered elector on or 2480
prior to the day of a general, primary, or special election and 2481
has not registered to vote in the county to which that registered 2482
elector moved may vote in that election if that registered elector 2483
complies with division (G) of this section or does all of the 2484
following: 2485

(1) ~~Appears at any time during regular business hours on or~~ 2486
~~after the twenty eighth day prior to the election in which that~~ 2487
~~registered elector wishes to vote or, if the election is held on~~ 2488

~~the day of a presidential primary election, the twenty fifth day~~ 2489
~~prior to the election, through noon of the Saturday prior to the~~ 2490
~~election the time that absent voter's ballots may be cast in~~ 2491
~~person at the office of the board of elections or, if pursuant to~~ 2492
~~division (C)(2) of section 3501.10 of the Revised Code the board~~ 2493
~~has designated another location in the county at which registered~~ 2494
~~electors may ~~vote~~ cast absent voter's ballots in person before an~~ 2495
~~election, at that other location instead of the office of the~~ 2496
~~board of elections, ~~appears during regular business hours on the~~~~ 2497
~~~~Monday prior to the election at the office of the board of~~~~ 2498  
~~~~elections or, if pursuant to division (C) of section 3501.10 of~~~~ 2499  
~~~~the Revised Code the board has designated another location in the~~~~ 2500  
~~~~county at which registered electors may vote, at that other~~~~ 2501  
~~~~location instead of the office of the board of elections, or~~~~ 2502  
~~appears on the day of the election at ~~the~~ either of the following~~ 2503  
~~locations:~~ 2504

~~(a) The polling place in the precinct in which that elector~~ 2505  
~~resides;~~ 2506

~~(b) The office of the board of elections or, if pursuant to~~ 2507  
~~~~division (C) of section 3501.10 of the Revised Code the board has~~~~ 2508  
~~~~designated another location in the county at which registered~~~~ 2509  
~~~~electors may vote, at that other location instead of the office of~~~~ 2510  
~~~~the board of elections;~~~~ 2511

~~(2) Completes and signs, under penalty of election~~ 2512  
~~falsification, the written affirmation on the provisional ballot~~ 2513  
~~envelope, which shall serve as a notice of change of residence ~~and~~ 2514  
~~files it with election officials at the board of elections or, if~~ 2515  
~~pursuant to division (C) of section 3501.10 of the Revised Code~~ 2516  
~~the board has designated another location in the county at which~~ 2517  
~~registered electors may vote, at that other location instead of~~ 2518  
~~the office of the board of elections or change of name, whichever~~ 2519  
~~is appropriate;~~ 2520~~

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

(4) Completes and signs, under penalty of election falsification, a statement attesting that that registered elector has moved from one county to another county within the state or moved from one county to another and changed the elector's name, whichever is appropriate, on or prior to the day of the election, has voted at the office of the board of elections or, if pursuant to division (C)(2) of section 3501.10 of the Revised Code the board has designated another location in the county at which registered electors may ~~vote~~ cast absent voter's ballots in person before an election, at that other location instead of the office of the board of elections, and will not vote or attempt to vote at any other location for that particular election. ~~The statement required under division (C)(4) of this section shall be included on the notice of change of residence required under division (C)(2) of this section.~~

(D) A person who votes by absent voter's ballots pursuant to division (G) of this section shall not make written application for the ballots pursuant to Chapter 3509. of the Revised Code. Ballots cast pursuant to division (G) of this section shall be set aside in a special envelope and counted during the official canvass of votes in the manner provided for in sections 3505.32 and 3509.06 of the Revised Code insofar as that manner is

applicable. The board shall examine the pollbooks to verify that 2553  
no ballot was cast at the polls or by absent voter's ballots under 2554  
Chapter 3509. or 3511. of the Revised Code by an elector who has 2555  
voted by absent voter's ballots pursuant to division (G) of this 2556  
section. Any ballot determined to be insufficient for any of the 2557  
reasons stated above or stated in section 3509.07 of the Revised 2558  
Code shall not be counted. 2559

~~Subject to division (C) of section 3501.10 of the Revised 2560  
Code, a board of elections may lease or otherwise acquire a site 2561  
different from the office of the board at which registered 2562  
electors may vote pursuant to division (B) or (C) of this section. 2563~~

(E) Upon receiving a change of residence or change of name 2564  
form, the board of elections shall immediately send the registrant 2565  
an acknowledgment notice. If the change of residence or change of 2566  
name form is valid, the board shall update the voter's 2567  
registration as appropriate. If that form is incomplete, the board 2568  
shall inform the registrant in the acknowledgment notice specified 2569  
in this division of the information necessary to complete or 2570  
update that registrant's registration. 2571

(F) Change of residence and change of name forms shall be 2572  
available at each polling place, and when these forms are 2573  
completed, noting changes of residence or name, as appropriate, 2574  
they shall be filed with election officials at the polling place. 2575  
Election officials shall return completed forms, together with the 2576  
pollbooks and tally sheets, to the board of elections. 2577

The board of elections shall provide change of residence and 2578  
change of name forms to the probate court and court of common 2579  
pleas. The court shall provide the forms to any person eighteen 2580  
years of age or older who has a change of name by order of the 2581  
court or who applies for a marriage license. The court shall 2582  
forward all completed forms to the board of elections within five 2583  
days after receiving them. 2584

(G) A registered elector who otherwise would qualify to vote 2585  
under division (B) or (C) of this section but is unable to appear 2586  
at the office of the board of elections or, if pursuant to 2587  
division (C)(2) of section 3501.10 of the Revised Code the board 2588  
has designated another location in the county at which registered 2589  
electors may ~~vote~~ cast absent voter's ballots in person before an 2590  
election, at that other location, on account of personal illness, 2591  
physical disability, or infirmity, may vote on the day of the 2592  
election if that registered elector does all of the following: 2593

(1) Makes a written application that includes all of the 2594  
information required under section 3509.03 of the Revised Code to 2595  
the appropriate board for an absent voter's ballot on or after the 2596  
~~twenty-seventh~~ twenty-first day prior to the election in which the 2597  
registered elector wishes to vote through ~~noon~~ six p.m. of the 2598  
~~Saturday~~ Friday prior to that election and requests that the 2599  
absent voter's ballot be sent to the address to which the 2600  
registered elector has moved if the registered elector has moved, 2601  
or to the address of that registered elector who has not moved but 2602  
has had a change of name; 2603

(2) Declares that the registered elector has moved or had a 2604  
change of name, whichever is appropriate, and otherwise is 2605  
qualified to vote under the circumstances described in division 2606  
(B) or (C) of this section, whichever is appropriate, but that the 2607  
registered elector is unable to appear at the board of elections 2608  
because of personal illness, physical disability, or infirmity; 2609

(3) Completes and returns along with the completed absent 2610  
voter's ballot a notice of change of residence indicating the 2611  
address to which the registered elector has moved, or a notice of 2612  
change of name, whichever is appropriate; 2613

(4) Completes and signs, under penalty of election 2614  
falsification, a statement attesting that the registered elector 2615  
has moved or had a change of name on or prior to the day before 2616

the election, has voted by absent voter's ballot because of 2617  
personal illness, physical disability, or infirmity that prevented 2618  
the registered elector from appearing at the board of elections, 2619  
and will not vote or attempt to vote at any other location or by 2620  
absent voter's ballot mailed to any other location or address for 2621  
that particular election. 2622

Sec. 3503.18. (A)(1) The chief health officer of each 2623  
political subdivision and the director of health shall file with 2624  
the secretary of state and each board of elections, at least once 2625  
each month, the names, social security numbers, dates of birth, 2626  
dates of death, and residences of all persons, over eighteen years 2627  
of age, who have died within such subdivision or within this state 2628  
or another state, respectively, within such month. 2629

(2) The secretary of state and the director of health shall 2630  
jointly establish a secure electronic system through which they 2631  
shall exchange the information described in division (A)(1) of 2632  
this section regarding the death of a registered elector. 2633

(B) At least once each month, each probate judge in this 2634  
state shall file with the board of elections the names and 2635  
residence addresses of all persons over eighteen years of age who 2636  
have been adjudicated incompetent for the purpose of voting, as 2637  
provided in section 5122.301 of the Revised Code. ~~At~~ 2638

(C) At least once each month the clerk of the court of common 2639  
pleas shall file with the board the names and residence addresses 2640  
of all persons who have been convicted during the previous month 2641  
of crimes that would disfranchise such persons under existing laws 2642  
of the state. Reports of conviction of crimes under the laws of 2643  
the United States that would disfranchise an elector and that are 2644  
provided to the secretary of state by any United States attorney 2645  
shall be forwarded by the secretary of state to the appropriate 2646  
board of elections. 2647

(D) Upon receiving a report required by this section, the 2648  
~~board of elections shall promptly cancel the~~ registration of each 2649  
elector named in the report shall be promptly canceled by the 2650  
secretary of state or the board of elections, as applicable. If a 2651  
board of elections receives the report, and the report contains a 2652  
residence address of an elector in a county other than the county 2653  
in which the board of elections is located, the director shall 2654  
promptly send a copy of the report to the appropriate board of 2655  
elections, which shall cancel the registration. 2656

**Sec. 3503.19.** (A) Persons qualified to register or to change 2657  
their registration because of a change of address or change of 2658  
name may register or change their registration in person or 2659  
through another person at any state or local office of a 2660  
designated agency, at the office of the registrar or any deputy 2661  
registrar of motor vehicles, at a public high school or vocational 2662  
school, at a public library, at the office of a county treasurer, 2663  
or at a branch office established by the board of elections, or in 2664  
person, through another person, or by mail at the office of the 2665  
secretary of state or at the office of a board of elections. A 2666  
registered elector may also change the elector's registration on 2667  
election day at any polling place where the elector is eligible to 2668  
vote, in the manner provided under section 3503.16 of the Revised 2669  
Code. 2670

Any state or local office of a designated agency, the office 2671  
of the registrar or any deputy registrar of motor vehicles, a 2672  
public high school or vocational school, a public library, or the 2673  
office of a county treasurer shall transmit any voter registration 2674  
application or change of registration form that it receives to the 2675  
board of elections of the county in which the state or local 2676  
office is located, within five business days after receiving the 2677  
voter registration application or change of registration form. 2678

An otherwise valid voter registration application that is 2679  
returned to the appropriate office other than by mail must be 2680  
received by a state or local office of a designated agency, the 2681  
office of the registrar or any deputy registrar of motor vehicles, 2682  
a public high school or vocational school, a public library, the 2683  
office of a county treasurer, the office of the secretary of 2684  
state, or the office of a board of elections no later than the 2685  
thirtieth day preceding a primary, special, or general election 2686  
for the person to qualify as an elector eligible to vote at that 2687  
election. An otherwise valid registration application received 2688  
after that day entitles the elector to vote at all subsequent 2689  
elections. 2690

Any state or local office of a designated agency, the office 2691  
of the registrar or any deputy registrar of motor vehicles, a 2692  
public high school or vocational school, a public library, or the 2693  
office of a county treasurer shall date stamp a registration 2694  
application or change of name or change of address form it 2695  
receives using a date stamp that does not disclose the identity of 2696  
the state or local office that receives the registration. 2697

Voter registration applications, if otherwise valid, that are 2698  
returned by mail to the office of the secretary of state or to the 2699  
office of a board of elections must be postmarked no later than 2700  
the thirtieth day preceding a primary, special, or general 2701  
election in order for the person to qualify as an elector eligible 2702  
to vote at that election. If an otherwise valid voter registration 2703  
application that is returned by mail does not bear a postmark or a 2704  
legible postmark, the registration shall be valid for that 2705  
election if received by the office of the secretary of state or 2706  
the office of a board of elections no later than twenty-five days 2707  
preceding any special, primary, or general election. 2708

(B)(1) Any person may apply in person, by telephone, by mail, 2709  
or through another person for voter registration forms to the 2710



office of the secretary of state or the office of a board of 2711  
elections. An individual who is eligible to vote as a uniformed 2712  
services voter or an overseas voter in accordance with 42 U.S.C. 2713  
1973ff-6 also may apply for voter registration forms by electronic 2714  
means to the office of the secretary of state or to the board of 2715  
elections of the county in which the person's voting residence is 2716  
located pursuant to section 3503.191 of the Revised Code. 2717

(2)(a) An applicant may return the applicant's completed 2718  
registration form in person or ~~by mail~~ through another person to 2719  
any state or local office of a designated agency, to a public high 2720  
school or vocational school, to a public library, to the office of 2721  
a county treasurer, to the office of the secretary of state, or to 2722  
the office of a board of elections. An applicant who is eligible 2723  
to vote as a uniformed services voter or an overseas voter in 2724  
accordance with 42 U.S.C. 1973ff-6 also may return the applicant's 2725  
completed voter registration form electronically to the office of 2726  
the secretary of state or to the board of elections of the county 2727  
in which the person's voting residence is located pursuant to 2728  
section 3503.191 of the Revised Code. 2729

(b) Subject to division (B)(2)(c) of this section, an 2730  
applicant may return the applicant's completed registration form 2731  
by mail or through another person to any board of elections or the 2732  
office of the secretary of state. 2733

(c) A person who receives compensation for registering a 2734  
voter shall return any registration form entrusted to that person 2735  
by an applicant to any board of elections or to the office of the 2736  
secretary of state. 2737

(d) If a board of elections or the office of the secretary of 2738  
state receives a registration form under division (B)(2)(b) or (c) 2739  
of this section before the thirtieth day before an election, the 2740  
board or the office of the secretary of state, as applicable, 2741  
shall forward the registration to the board of elections of the 2742

county in which the applicant is seeking to register to vote 2743  
within ten days after receiving the application. If a board of 2744  
elections or the office of the secretary of state receives a 2745  
registration form under division (B)(2)(b) or (c) of this section 2746  
on or after the thirtieth day before an election, the board or the 2747  
office of the secretary of state, as applicable, shall forward the 2748  
registration to the board of elections of the county in which the 2749  
applicant is seeking to register to vote within thirty days after 2750  
that election. 2751

(C)(1) A board of elections that receives a voter 2752  
registration application and is satisfied as to the truth of the 2753  
statements made in the registration form shall register the 2754  
applicant not later than twenty business days after receiving the 2755  
application, unless that application is received during the thirty 2756  
days immediately preceding the day of an election. The board shall 2757  
promptly notify the applicant in writing of each of the following: 2758

(a) The applicant's registration; 2759

(b) The precinct in which the applicant is to vote; 2760

(c) In bold type as follows: 2761

"Voters must bring identification to the polls in order to 2762  
verify identity. Identification may include a current and valid 2763  
photo identification, a military identification, a United States 2764  
passport, or a copy of a current utility bill, bank statement, 2765  
government check, paycheck, or other government document, other 2766  
than this notification ~~or a notification of an election mailed by~~ 2767  
~~a board of elections~~, that shows the voter's name and current 2768  
address. Voters who do not provide one of these documents will 2769  
still be able to vote by providing ~~the last four digits of the~~ 2770  
voter's social security number and by casting a provisional 2771  
ballot. ~~Voters who do not have any of the above forms of~~ 2772  
~~identification, including a social security number, will still be~~ 2773

~~able to vote by signing an affirmation swearing to the voter's  
identity under penalty of election falsification and by casting a  
provisional ballot."~~

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

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

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

(3) If a notice of the disposition of an otherwise valid  
registration application is sent by nonforwardable mail and is  
returned undelivered, the person shall be registered as provided  
in division (C)(2) of this section and sent a confirmation notice  
by forwardable mail. If the person fails to respond to the  
confirmation notice, update the person's registration, or vote by

provisional ballot as provided in division (C)(2) of this section 2806  
in any election during the period of two federal elections 2807  
subsequent to the mailing of the confirmation notice, the person's 2808  
registration shall be canceled. 2809

Sec. 3503.20. (A) The secretary of state, by rule, shall 2810  
establish a secure online process for voter registration. The 2811  
rules shall provide for all of the following: 2812

(1) An applicant to submit a voter registration application 2813  
to the secretary of state online through the internet; 2814

(2) The online applicant to be registered to vote, if all of 2815  
the following apply: 2816

(a) The application contains all of the required information, 2817  
including the applicant's social security number; 2818

(b) The applicant is qualified to register to vote; and 2819

(c) The applicant attests to the truth and accuracy of the 2820  
information submitted in the online application under penalty of 2821  
election falsification using the applicant's Ohio driver's license 2822  
number or the number of the applicant's Ohio identification card 2823  
as proof of the applicant's identity. 2824

(B) If an individual registers to vote or a registered 2825  
elector updates the elector's name, address, or both under this 2826  
section, the secretary of state shall obtain an electronic copy of 2827  
the applicant's or elector's signature that is on file with the 2828  
bureau of motor vehicles. That electronic signature shall be used 2829  
as the applicant's or elector's signature on voter registration 2830  
records, for all election and signature-matching purposes. 2831

(C) The secretary of state shall employ whatever security 2832  
measures the secretary considers necessary to ensure the integrity 2833  
and accuracy of voter registration information submitted 2834  
electronically pursuant to this section. 2835

(D) The online voter registration application established 2836  
under division (A) of this section shall include the following 2837  
language: 2838

"By clicking the box below, I affirm all of the following 2839  
under penalty of election falsification: 2840

(1) I am the person whose name and identifying information is 2841  
provided on this form, and I desire to register to vote, or update 2842  
my voter registration, in the State of Ohio. 2843

(2) All of the information I have provided on this form is 2844  
true and correct as of the date I am submitting this form. 2845

(3) I authorize the Bureau of Motor Vehicles to transmit to 2846  
the Ohio Secretary of State my signature that is on file with the 2847  
Bureau of Motor Vehicles, and I understand and agree that the 2848  
signature transmitted by the Bureau of Motor Vehicles will be used 2849  
by the Secretary of State to validate this electronic voter 2850  
registration application as if I had signed this form personally." 2851

In order to register to vote or update a voter registration 2852  
under division (A) of this section, an applicant or elector shall 2853  
be required to mark the box in the online voter registration 2854  
application that appears in conjunction with the previous 2855  
statement. 2856

(E) The online voter registration process established under 2857  
division (A) of this section shall be in operation and available 2858  
for use by individuals who wish to register to vote or update 2859  
their voter registration information online not later than July 1, 2860  
2012. 2861

**Sec. 3503.21.** (A) The registration of a registered elector 2862  
shall be canceled upon the occurrence of any of the following: 2863

(1) The filing by a registered elector of a written request 2864  
with a board of elections, on a form prescribed by the secretary 2865

of state and signed by the elector, that the registration be 2866  
canceled. The filing of such a request does not prohibit an 2867  
otherwise qualified elector from reregistering to vote at any 2868  
time. 2869

(2) The filing of a notice of the death of a registered 2870  
elector as provided in section 3503.18 of the Revised Code; 2871

(3) The filing with the board of elections of a certified 2872  
copy of the death certificate of a registered elector by the 2873  
deceased elector's spouse, parent, or child, by the administrator 2874  
of the deceased elector's estate, or by the executor of the 2875  
deceased elector's will; 2876

(4) The conviction of the registered elector of a felony 2877  
under the laws of this state, any other state, or the United 2878  
States as provided in section 2961.01 of the Revised Code; 2879

~~(3)~~(5) The adjudication of incompetency of the registered 2880  
elector for the purpose of voting as provided in section 5122.301 2881  
of the Revised Code; 2882

~~(5)~~(6) The change of residence of the registered elector to a 2883  
location outside the county of registration in accordance with 2884  
division (B) of this section; 2885

~~(6)~~(7) The failure of the registered elector, after having 2886  
been mailed a confirmation notice, to do either of the following: 2887

(a) Respond to such a notice and vote at least once during a 2888  
period of four consecutive years, which period shall include two 2889  
general federal elections; 2890

(b) Update the elector's registration and vote at least once 2891  
during a period of four consecutive years, which period shall 2892  
include two general federal elections. 2893

(B)(1) The secretary of state shall prescribe procedures to 2894  
identify and cancel the registration in a prior county of 2895

residence of any registrant who changes the registrant's voting 2896  
residence to a location outside the registrant's current county of 2897  
registration. Any procedures prescribed in this division shall be 2898  
uniform and nondiscriminatory, and shall comply with the Voting 2899  
Rights Act of 1965. The secretary of state may prescribe 2900  
procedures under this division that include the use of the 2901  
national change of address service provided by the United States 2902  
postal system through its licensees. Any program so prescribed 2903  
shall be completed not later than ninety days prior to the date of 2904  
any primary or general election for federal office. 2905

(2) The registration of any elector identified as having 2906  
changed the elector's voting residence to a location outside the 2907  
elector's current county of registration shall not be canceled 2908  
unless the registrant is sent a confirmation notice on a form 2909  
prescribed by the secretary of state and the registrant fails to 2910  
respond to the confirmation notice or otherwise update the 2911  
registration and fails to vote in any election during the period 2912  
of two federal elections subsequent to the mailing of the 2913  
confirmation notice. 2914

(C) The registration of a registered elector shall not be 2915  
canceled except as provided in this section, division (Q) of 2916  
section 3501.05 of the Revised Code, division (C)(2) of section 2917  
3503.19 of the Revised Code, or division (C) of section 3503.24 of 2918  
the Revised Code. 2919

(D) ~~Boards of elections shall send their voter registration~~ 2920  
~~information to the secretary of state as required under section~~ 2921  
~~3503.15 of the Revised Code.~~ In the first quarter of each 2922  
~~odd-numbered year, the secretary of state~~ each board of elections 2923  
shall send the voter-registration information of each person 2924  
registered to vote in the applicable county to the national change 2925  
of address service described in division (B) of this section and 2926  
request that service to provide the ~~secretary of state~~ board of 2927

elections with a list of any voters sent by the ~~secretary of state~~ 2928  
board of elections who have moved within the last ~~thirty six~~ 2929  
twelve months. ~~The secretary of state shall transmit to each~~ 2930  
~~appropriate board of elections whatever lists the secretary of~~ 2931  
~~state receives~~ Upon receipt of a response from that service. ~~The,~~ 2932  
the board shall send a notice to each person on the list 2933  
transmitted by ~~the secretary of state~~ that service requesting 2934  
confirmation of the person's change of address, together with a 2935  
postage prepaid, preaddressed return envelope containing a form on 2936  
which the voter may verify or correct the change of address 2937  
information. 2938

(E) The registration of a registered elector described in 2939  
division (A)~~(6)~~(7) or (B)(2) of this section shall be canceled not 2940  
later than one hundred twenty days after the date of the second 2941  
general federal election in which the elector fails to vote or not 2942  
later than one hundred twenty days after the expiration of the 2943  
four-year period in which the elector fails to vote or respond to 2944  
a confirmation notice, whichever is later. 2945

**Sec. 3503.22.** A board of elections may send an acknowledgment 2946  
notice as prescribed by the secretary of state to any registered 2947  
elector at any time to facilitate the maintenance and accuracy of 2948  
the statewide voter registration database. 2949

**Sec. 3503.24.** (A) Application for the correction of any 2950  
precinct registration list or a challenge of the right to vote of 2951  
any registered elector may be made by any qualified elector of the 2952  
county at the office of the board of elections not later than 2953  
twenty days prior to the election. The applications or challenges, 2954  
with the reasons for the application or challenge, shall be filed 2955  
with the board on a form prescribed by the secretary of state and 2956  
shall be signed under penalty of election falsification. 2957



(B) On receiving an application or challenge filed under this section, the board of elections promptly shall review the board's records. If the board is able to determine that an application or challenge should be granted or denied solely on the basis of the records maintained by the board, the board immediately shall vote to grant or deny that application or challenge.

If the board is not able to determine whether an application or challenge should be granted or denied solely on the basis of the records maintained by the board, the director shall promptly set a time and date for a hearing before the board. ~~Except as otherwise provided in division (D) of this section, the~~ The hearing shall be held, and the application or challenge shall be decided, no later than ten days after the board receives the application or challenge. The director shall send written notice to any elector whose right to vote is challenged and to any person whose name is alleged to have been omitted from a registration list. The notice shall inform the person of the time and date of the hearing, and of the person's right to appear and testify, call witnesses, and be represented by counsel. The notice shall be sent by first class mail no later than three days before the day of any scheduled hearing. The director shall also provide the person who filed the application or challenge with such written notice of the date and time of the hearing.

At the request of either party or any member of the board, the board shall issue subpoenas to witnesses to appear and testify before the board at a hearing held under this section. All witnesses shall testify under oath. The board shall reach a decision on all applications and challenges immediately after hearing.

(C) If the board decides that any such person is not entitled to have the person's name on the registration list, the person's name shall be removed from the list and the person's registration

forms canceled. If the board decides that the name of any such 2990  
person should appear on the registration list, it shall be added 2991  
to the list, and the person's registration forms placed in the 2992  
proper registration files. All such corrections and additions 2993  
shall be made on a copy of the precinct lists, which shall 2994  
constitute the poll lists, to be furnished to the respective 2995  
precincts with other election supplies on the day preceding the 2996  
election, to be used by the election officials in receiving the 2997  
signatures of voters and in checking against the registration 2998  
forms. 2999

~~(D)(1) If an application or challenge for which a hearing is 3000  
required to be conducted under division (B) of this section is 3001  
filed after the thirtieth day before the day of an election, the 3002  
board of elections, in its discretion, may postpone that hearing 3003  
and any notifications of that hearing until after the day of the 3004  
election. Any hearing postponed under this division shall be 3005  
conducted not later than ten days after the day of the election. 3006~~

~~(2) The board of elections shall cause the name of any 3007  
registered elector whose registration is challenged and whose 3008  
challenge hearing is postponed under division (D)(1) of this 3009  
section to be marked in the official registration list and in the 3010  
poll list or signature pollbook for that elector's precinct to 3011  
indicate that the elector's registration is subject to challenge. 3012~~

~~(3) Any elector who is the subject of an application or 3013  
challenge hearing that is postponed under division (D)(1) of this 3014  
section shall be permitted to vote a provisional ballot under 3015  
section 3505.181 of the Revised Code. The validity of a 3016  
provisional ballot cast pursuant to this section shall be 3017  
determined in accordance with section 3505.183 of the Revised 3018  
Code, except that no such provisional ballot shall be counted 3019  
unless the hearing conducted under division (B) of this section 3020  
after the day of the election results in the elector's inclusion 3021~~

~~in the official registration list.~~ 3022

**Sec. 3503.26.** (A) All registration forms and lists, when not 3023  
in official use by the registrars or ~~judges of elections~~ precinct 3024  
election officials, shall be in the possession of the board of 3025  
elections. Names and addresses of electors may be copied from the 3026  
registration lists only in the office of the board when it is open 3027  
for business; but no such copying shall be permitted during the 3028  
period of time commencing twenty-one days before an election and 3029  
ending on the eleventh day after an election if such copying will, 3030  
in the opinion of the board, interfere with the necessary work of 3031  
the board. The board shall keep in convenient form and available 3032  
for public inspection a correct set of the registration lists of 3033  
all precincts in the county. 3034

(B) Notwithstanding division (A) of this section, the board 3035  
of elections shall maintain and make available for public 3036  
inspection and copying at a reasonable cost all records concerning 3037  
the implementation of programs and activities conducted for the 3038  
purpose of ensuring the accuracy and currency of voter 3039  
registration lists, including the names and addresses of all 3040  
registered electors sent confirmation notices and whether or not 3041  
the elector responded to the confirmation notice. The board shall 3042  
maintain all records described in this division for a period of 3043  
two years. 3044

**Sec. 3503.28.** (A) The secretary of state shall develop an 3045  
information brochure regarding voter registration. The brochure 3046  
shall include, but is not limited to, all of the following 3047  
information: 3048

(1) The applicable deadlines for registering to vote or for 3049  
returning an applicant's completed registration form; 3050

(2) The applicable deadline for returning an applicant's 3051

completed registration form if the person returning the form is 3052  
being compensated for registering voters; 3053

(3) The locations to which a person may return an applicant's 3054  
completed registration form; 3055

(4) The location to which a person who is compensated for 3056  
registering voters may return an applicant's completed 3057  
registration form; 3058

~~(5) The registration and affirmation requirements applicable 3059  
to persons who are compensated for registering voters under 3060  
section 3503.29 of the Revised Code; 3061~~

~~(6) A notice, which shall be written in bold type, stating as 3062  
follows: 3063~~

~~"Voters must bring identification to the polls in order to 3064  
verify identity. Identification may include a current and valid 3065  
photo identification, a military identification, a United States 3066  
passport, or a copy of a current utility bill, bank statement, 3067  
government check, paycheck, or other government document, other 3068  
than ~~a notice of an election or~~ a voter registration notification 3069  
sent by a board of elections, that shows the voter's name and 3070  
current address. Voters who do not provide one of these documents 3071  
will still be able to vote by providing ~~the last four digits of~~ 3072  
the voter's social security number and by casting a provisional 3073  
ballot. ~~Voters who do not have any of the above forms of~~ 3074  
~~identification, including a social security number, will still be~~ 3075  
~~able to vote by signing an affirmation swearing to the voter's~~ 3076  
~~identity under penalty of election falsification and by casting a~~ 3077  
~~provisional ballot."~~ 3078~~

~~(B) Except as otherwise provided in division (D) of this 3079  
section, a board of elections, designated agency, public high 3080  
school, public vocational school, public library, office of a 3081  
county treasurer, or deputy registrar of motor vehicles shall 3082~~

~~distribute a copy of the brochure developed under division (A) of  
this section to any person who requests more than two voter  
registration forms at one time.~~ 3083  
3084  
3085

~~(C)(1) The secretary of state shall provide the information  
required to be included in the brochure developed under division  
(A) of this section to any person who prints a voter registration  
form that is made available on a web site of the office of the  
secretary of state.~~ 3086  
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~~(2) If a board of elections operates and maintains a web  
site, the board shall provide the information required to be  
included in the brochure developed under division (A) of this  
section to any person who prints a voter registration form that is  
made available on that web site.~~ 3091  
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~~(D) A board of elections shall not be required to distribute  
a copy of a brochure under division (B) of this section to any of  
the following officials or employees who are requesting more than  
two voter registration forms at one time in the course of the  
official's or employee's normal duties:~~ 3096  
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~~(1) An election official;~~ 3101

~~(2) A county treasurer;~~ 3102

~~(3) A deputy registrar of motor vehicles;~~ 3103

~~(4) An employee of a designated agency;~~ 3104

~~(5) An employee of a public high school;~~ 3105

~~(6) An employee of a public vocational school;~~ 3106

~~(7) An employee of a public library;~~ 3107

~~(8) An employee of the office of a county treasurer;~~ 3108

~~(9) An employee of the bureau of motor vehicles;~~ 3109

~~(10) An employee of a deputy registrar of motor vehicles;~~ 3110

~~(11) An employee of an election official.~~ 3111

~~(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.

**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:

(A) The former elector moved out of this state not more than thirty days before the day of the presidential general election;

(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;

(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

(D) The former elector would be eligible to vote in this state if the former elector was a resident of this state.

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

Immediately following the spaces on the certificate for 3142  
inserting information as requested by the secretary of state, the 3143  
following statement shall be printed: "I declare under penalty of 3144  
election falsification that the statements ~~herein~~ contained herein 3145  
are true to the best of my knowledge and belief; that I am legally 3146  
qualified to vote; that I am not ~~registered~~ eligible to vote in 3147  
the presidential general election in any other state; and that I 3148  
have not voted in an election in any other state since removing 3149  
myself from the state of Ohio. 3150

..... 3151  
Signature of applicant 3152  
..... 3153  
Date 3154

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY 3155  
OF THE FIFTH DEGREE." 3156

The former elector also shall submit with the certificate of 3157  
intent to vote for presidential and vice-presidential electors a 3158  
properly completed and signed Ohio voter registration cancellation 3159  
request on a form prescribed by the secretary of state. 3160

**Sec. 3504.04.** On or before the day of a presidential general 3161  
election day, the director of the board of elections shall deliver 3162  
to the polling place a list of persons who have filed certificates 3163  
of intent to vote as former resident voters and who appear, from 3164  
their voting address, entitled to vote at such polling place. 3165  
Those persons whose names appear on the list of former resident 3166  
voters, and who have otherwise complied with sections 3504.01 to 3167  
3504.06 of the Revised Code, shall then be entitled to vote for 3168  
presidential and vice-presidential electors only at their polling 3169  
place on election day or by absent voter's ballots. Such voter who 3170  
votes at that voter's polling place on election day shall sign 3171  
that voter's name in the poll book or poll list followed by, 3172

"Former Resident's Presidential Ballot." Qualified former 3173  
residents shall be entitled to cast absent voter's ballots for 3174  
presidential and vice-presidential electors. 3175

**Sec. 3504.05.** The director of the board of elections shall 3176  
~~forward copies of all certificates~~ electronically transmit any 3177  
certificate of intent received from a former residents elector to 3178  
the secretary of state ~~no later than the twenty fifth day prior to~~ 3179  
~~the day of the election in which such former resident desires to~~ 3180  
vote within one business day. Upon receipt of such certificate, 3181  
the secretary of state shall immediately notify the chief 3182  
elections officer of the state of each applicant's prior residence 3183  
of the fact that such applicant has declared ~~his~~ the applicant's 3184  
intention to vote for presidential and vice-presidential electors 3185  
in this state. 3186

**Sec. 3505.05.** At any time prior to the seventieth day before 3187  
the day of an election at which a question or issue, other than a 3188  
statewide question or issue, is certified to appear on the ballot, 3189  
the political subdivision, taxing authority, or other entity that 3190  
placed the issue on the ballot may remove that issue from the 3191  
ballot using the same process that the entity used to originally 3192  
certify the issue for placement on the ballot. 3193

Upon receipt of a notification that a question or issue has 3194  
been withdrawn, the board of elections shall remove that question 3195  
or issue from the ballot. 3196

**Sec. 3505.07.** (A) If the board of elections, by a unanimous 3197  
vote of its members, or if the secretary of state, in the 3198  
secretary of state's sole discretion, finds it impracticable to 3199  
place the names of candidates for any office of a minor political 3200  
subdivision in the county or the wording of any question or issue 3201  
to be voted upon in such minor political subdivision on the 3202



ballots under sections 3505.01 to 3505.09 of the Revised Code, 3203  
then such board may, or at the direction of the secretary of state 3204  
shall, provide separate ballots for the candidates, question, or 3205  
issue. 3206

(B) If the secretary of state, in the secretary of state's 3207  
sole discretion, determines that it is impracticable to place the 3208  
names of candidates for any office or the wording for any question 3209  
or issue to be voted upon on the ballot when the candidates, 3210  
question, issue, or wording for the question or issue was ordered 3211  
onto the ballot by a court of competent jurisdiction and the 3212  
ballots have been printed prior to the court order, the board of 3213  
elections, at the direction of the secretary of state, shall 3214  
provide separate ballots for the candidates, question, or issue. 3215

(C) All separate ballots provided for in this section shall 3216  
conform in quality of paper, style of printing, form of ballot, 3217  
arrangement of names, and in all other ways, in so far as 3218  
practicable, with the provisions relating to the printing of the 3219  
general official ballot. ~~Separate ballot boxes shall be provided~~ 3220  
~~for each such separate kind of ballot.~~ 3221

**Sec. 3505.08.** (A) Ballots shall be provided by the board of 3222  
elections for all general and special elections. The ballots shall 3223  
be printed with black ink on No. 2 white book paper fifty pounds 3224  
in weight per ream assuming such ream to consist of five hundred 3225  
sheets of such paper twenty-five by thirty-eight inches in size. 3226  
Each ballot shall have attached at the top two stubs, each of the 3227  
width of the ballot and not less than one-half inch in length, 3228  
except that, if the board of elections has an alternate method to 3229  
account for the ballots that the secretary of state has 3230  
authorized, each ballot may have only one stub that shall be the 3231  
width of the ballot and not less than one-half inch in length. In 3232  
the case of ballots with two stubs, the stubs shall be separated 3233

from the ballot and from each other by perforated lines. The top 3234  
stub shall be known as Stub B and shall have printed on its face 3235  
"Stub B." The other stub shall be known as Stub A and shall have 3236  
printed on its face "Stub A." Each stub shall also have printed on 3237  
its face "Consecutive Number ....." 3238

Each ballot of each kind of ballot provided for use in each 3239  
precinct shall be numbered consecutively beginning with number 1 3240  
by printing such number upon both of the stubs attached to the 3241  
ballot. On ballots bearing the names of candidates, each 3242  
candidate's name shall be printed in twelve point boldface upper 3243  
case type in an enclosed rectangular space, and an enclosed blank 3244  
rectangular space shall be provided at the left of the candidate's 3245  
name. The name of the political party of a candidate nominated at 3246  
a primary election or certified by a party committee shall be 3247  
printed in ten point lightface upper and lower case type and shall 3248  
be separated by a two point blank space. The name of each 3249  
candidate shall be indented one space within the enclosed 3250  
rectangular space, and the name of the political party shall be 3251  
indented two spaces within the enclosed rectangular space. 3252

The title of each office on the ballots shall be printed in 3253  
twelve point boldface upper and lower case type in a separate 3254  
enclosed rectangular space. A four point rule shall separate the 3255  
name of a candidate or a group of candidates for the same office 3256  
from the title of the office next appearing below on the ballot; a 3257  
two point rule shall separate the title of the office from the 3258  
names of candidates; and a one point rule shall separate names of 3259  
candidates. Headings shall be printed in display Roman type. When 3260  
the names of several candidates are grouped together as candidates 3261  
for the same office, there shall be printed on the ballots 3262  
immediately below the title of the office and within the separate 3263  
rectangular space in which the title is printed "Vote for not more 3264  
than ....., " in six point boldface upper and lower case filling 3265

the blank space with that number which will indicate the number of 3266  
persons who may be lawfully elected to the office. 3267

Columns on ballots shall be separated from each other by a 3268  
heavy vertical border or solid line at least one-eighth of an inch 3269  
wide, and a similar vertical border or line shall enclose the left 3270  
and right side of ballots. Ballots shall be trimmed along the 3271  
sides close to such lines. 3272

The ballots provided for by this section shall be comprised 3273  
of four kinds of ballots designated as follows: office type 3274  
ballot; nonpartisan ballot; questions and issues ballot; and 3275  
presidential ballot. 3276

On the back of each office type ballot shall be printed 3277  
"Official Office Type Ballot;" on the back of each nonpartisan 3278  
ballot shall be printed "Official Nonpartisan Ballot;" on the back 3279  
of each questions and issues ballot shall be printed "Official 3280  
Questions and Issues Ballot;" and on the back of each presidential 3281  
ballot shall be printed "Official Presidential Ballot." ~~On~~ At the 3282  
~~back end~~ of every ballot also shall be printed the date of the 3283  
election at which the ballot is used and the facsimile signatures 3284  
of the members of the board of the county in which the ballot is 3285  
used. For the purpose of identifying the kind of ballot, the back 3286  
of every ballot may be numbered in the order the board shall 3287  
determine. The numbers shall be printed in not less than 3288  
thirty-six point type above the words "Official Office Type 3289  
Ballot," "Official Nonpartisan Ballot," "Official Questions and 3290  
Issues Ballot," or "Official Presidential Ballot," as the case may 3291  
be. ~~Ballot boxes~~ A ballot box bearing corresponding numbers shall 3292  
be furnished for each precinct in which the above-described 3293  
numbered ballots are used. 3294

On the back of every ballot used, there shall be a solid 3295  
black line printed opposite the blank rectangular space that is 3296  
used to mark the choice of the voter. This line shall be printed 3297

wide enough so that the mark in the blank rectangular space will 3298  
not be visible from the back side of the ballot. 3299

Sample ballots may be printed by the board of elections for 3300  
all general elections. The ballots shall be printed on colored 3301  
paper, and "Sample Ballot" shall be plainly printed in boldface 3302  
type on the face of each ballot. In counties of less than one 3303  
hundred thousand population, the board may print not more than 3304  
five hundred sample ballots; in all other counties, it may print 3305  
not more than one thousand sample ballots. The sample ballots 3306  
shall not be distributed by a political party or a candidate, nor 3307  
shall a political party or candidate cause their title or name to 3308  
be imprinted on sample ballots. 3309

(B) Notwithstanding division (A) of this section, in 3310  
approving the form of an official ballot, the secretary of state 3311  
may authorize the use of fonts, type face settings, and ballot 3312  
formats other than those prescribed in that division. 3313

**Sec. 3505.11.** (A) The ballots, with the stubs attached, shall 3314  
be bound into tablets for each precinct, which tablets shall 3315  
contain at least one per cent more ballots than the total 3316  
registration in the precinct, except as otherwise provided in 3317  
division (B) of this section. Upon the covers of the tablets shall 3318  
be written, printed, or stamped the designation of the precinct 3319  
for which the ballots have been prepared. All official ballots 3320  
shall be printed uniformly upon the same kind and quality of paper 3321  
and shall be of the same shape, size, and type. 3322

Electors who have failed to respond within thirty days to any 3323  
confirmation notice shall not be counted in determining the number 3324  
of ballots to be printed under this section. 3325

(B)(1) A board of elections may choose to provide ballots on 3326  
demand. If a board so chooses, the board shall have prepared for 3327  
each precinct at least five per cent more ballots for an election 3328

than the number specified below for that kind of election: 3329

(a) For a primary election or a special election held on the 3330  
day of a primary election, the total number of electors in that 3331  
precinct who voted in the primary election held four years 3332  
previously or, if no primary election was held four years 3333  
previously, the total number of electors in that precinct who 3334  
voted in a similarly situated primary, as determined by the board; 3335

(b) For a general election or a special election held on the 3336  
day of a general election, the total number of electors in that 3337  
precinct who voted in the general election held four years 3338  
previously; 3339

(c) For a special election held at any time other than on the 3340  
day of a primary or general election, the total number of electors 3341  
in that precinct who voted in the most recent primary or general 3342  
election, whichever of those elections occurred in the precinct 3343  
most recently. 3344

(2) If, after the board complies with the requirements of 3345  
division (B)(1) of this section, the election officials of a 3346  
precinct determine that the precinct will not have enough ballots 3347  
to enable all the qualified electors in the precinct who wish to 3348  
vote at a particular election to do so, the officials shall 3349  
request that the board provide additional ballots, and the board 3350  
shall provide enough additional ballots, to that precinct in a 3351  
timely manner so that all qualified electors in that precinct who 3352  
wish to vote at that election may do so. 3353

**Sec. 3505.13.** A contract for the printing of ballots 3354  
involving a cost in excess of ~~ten~~ twenty-five thousand dollars 3355  
shall not be let until after five days' notice published once in a 3356  
leading newspaper published in the county or upon notice given by 3357  
mail by the board of elections, addressed to the responsible 3358  
printing offices within the state. Except as otherwise provided in 3359

this section, each bid for such printing must be accompanied by a 3360  
bond with at least two sureties, or a surety company, satisfactory 3361  
to the board, in a sum double the amount of the bid, conditioned 3362  
upon the faithful performance of the contract for such printing as 3363  
is awarded and for the payment as damages by such bidder to the 3364  
board of any excess of cost over the bid which it may be obliged 3365  
to pay for such work by reason of the failure of the bidder to 3366  
complete the contract. No bid unaccompanied by such bond shall be 3367  
considered by the board. The board may, however, waive the 3368  
requirement that each bid be accompanied by a bond if the cost of 3369  
the contract is ~~ten~~ twenty-five thousand dollars or less. The 3370  
contract shall be let to the lowest responsible bidder in the 3371  
state. All ballots shall be printed within the state. 3372

**Sec. 3505.16.** Before the opening of the polls, the package of 3373  
supplies and the ballot ~~boxes~~ box shall be opened in the presence 3374  
of the precinct officials. The ballot ~~boxes~~ box, the package of 3375  
ballots, registration forms, and other supplies shall at all times 3376  
be in full sight of the observers, and no ballot box or unused 3377  
ballots during the balloting or counting shall be removed or 3378  
screened from their full sight until the counting has been closed 3379  
and the final returns completed and the certificate signed by the 3380  
judges. 3381

**Sec. 3505.17.** If by accident or casualty the ballots or other 3382  
required papers, lists, or supplies are lost or destroyed, or in 3383  
case none are delivered at the polling place, or if during the 3384  
time the polls are open additional ballots or supplies are 3385  
required, the board of elections, upon requisition by telephone or 3386  
in writing and signed by a majority of the precinct election 3387  
~~judges~~ officials of the precinct stating why such additional 3388  
supplies are needed, shall supply them as speedily as possible. 3389

**Sec. 3505.18.** (A)(1) When an elector appears in a polling 3390  
place to vote, the elector shall announce to the precinct election 3391  
officials the elector's full name and current address and provide 3392  
proof of the elector's identity in the form of a current and valid 3393  
photo identification, a military identification, a United States 3394  
passport, or a copy of a current utility bill, bank statement, 3395  
government check, paycheck, or other government document, other 3396  
than ~~a notice of an election mailed by a board of elections under~~ 3397  
~~section 3501.19 of the Revised Code or a notice of voter~~ 3398  
registration mailed by a board of elections under section 3503.19 3399  
of the Revised Code, that shows the name and current address of 3400  
the elector. ~~If the elector provides either a driver's license or~~ 3401  
~~a state identification card issued under section 4507.50 of the~~ 3402  
~~Revised Code that does not contain the elector's current residence~~ 3403  
~~address, the elector shall provide the last four digits of the~~ 3404  
~~elector's driver's license number or state identification card~~ 3405  
~~number, and the precinct election official shall mark the poll~~ 3406  
~~list or signature pollbook to indicate that the elector has~~ 3407  
~~provided a driver's license or state identification card number~~ 3408  
~~with a former address and record the last four digits of the~~ 3409  
~~elector's driver's license number or state identification card~~ 3410  
~~number.~~ 3411

(2) If an elector ~~has but~~ does not have or is unable to 3412  
provide to the precinct election officials any of the forms of 3413  
identification required under division (A)(1) of this section, ~~but~~ 3414  
~~has a social security number, the elector may provide the last~~ 3415  
~~four digits of the elector's social security number. Upon~~ 3416  
~~providing the social security number information,~~ the elector may 3417  
cast a provisional ballot under section 3505.181 of the Revised 3418  
Code, ~~the envelope of which ballot shall include that social~~ 3419  
~~security number information and do either of the following:~~ 3420

(a) Appear at the office of the board of elections not later 3421

than the close of the polls on the day of the election and provide 3422  
the identification required under division (A)(1) of this section; 3423  
or 3424

(b) Write the elector's social security number on the 3425  
provisional ballot envelope, which number shall be verified by the 3426  
board of elections with the bureau of motor vehicles. 3427

~~(3) If an elector has but is unable to provide to the~~ 3428  
~~precinct election officials any of the forms of identification~~ 3429  
~~required under division (A)(1) of this section and if the elector~~ 3430  
~~has a social security number but is unable to provide the last~~ 3431  
~~four digits of the elector's social security number, the elector~~ 3432  
~~may cast a provisional ballot under section 3505.181 of the~~ 3433  
~~Revised Code.~~ 3434

~~(4) If an elector does not have any of the forms of~~ 3435  
~~identification required under division (A)(1) of this section and~~ 3436  
~~cannot provide the last four digits of the elector's social~~ 3437  
~~security number because the elector does not have a social~~ 3438  
~~security number, the elector may execute an affirmation under~~ 3439  
~~penalty of election falsification that the elector cannot provide~~ 3440  
~~the identification required under that division or the last four~~ 3441  
~~digits of the elector's social security number for those reasons.~~ 3442  
~~Upon signing the affirmation, the elector may cast a provisional~~ 3443  
~~ballot under section 3505.181 of the Revised Code. The secretary~~ 3444  
~~of state shall prescribe the form of the affirmation, which shall~~ 3445  
~~include spaces for all of the following:~~ 3446

~~(a) The elector's name;~~ 3447

~~(b) The elector's address;~~ 3448

~~(c) The current date;~~ 3449

~~(d) The elector's date of birth;~~ 3450

~~(e) The elector's signature.~~ 3451



~~(5) If an elector does not have any of the forms of identification required under division (A)(1) of this section and cannot provide the last four digits of the elector's social security number because the elector does not have a social security number, and if the elector declines to execute an affirmation under division (A)(4) of this section, the elector may cast a provisional ballot under section 3505.181 of the Revised Code, the envelope of which ballot shall include the elector's name.~~

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

(B) After the elector has announced the elector's full name and current address and provided any of the forms of identification required under division (A)(1) of this section, the elector shall write the elector's ~~name and address~~ signature at the proper place in the poll list or signature pollbook provided for the purpose, except that if, for any reason, an elector is unable to write the elector's ~~name and current address~~ signature in the poll list or signature pollbook, the elector may make the elector's mark at the place intended for the elector's ~~name~~ signature, and a precinct election official shall write the name of the elector at the proper place on the poll list or signature pollbook following the elector's mark. The making of such a mark shall be attested by the precinct election official, who shall evidence the same by signing the precinct election official's name on the poll list or signature pollbook as a witness to the mark. Alternatively, if applicable, an attorney in fact acting pursuant

to section 3501.382 of the Revised Code may sign the elector's 3484  
signature in the poll list or signature pollbook in accordance 3485  
with that section. 3486

The elector's signature in the poll list or signature 3487  
pollbook then shall be compared with the elector's signature on 3488  
the elector's registration form or a digitized signature list as 3489  
provided for in section 3503.13 of the Revised Code, and if, in 3490  
the opinion of a majority of the precinct election officials, the 3491  
signatures are the signatures of the same person, the election 3492  
officials shall enter the date of the election on the registration 3493  
form or shall record the date by other means prescribed by the 3494  
secretary of state. The validity of an attorney in fact's 3495  
signature on behalf of an elector shall be determined in 3496  
accordance with section 3501.382 of the Revised Code. 3497

If the right of the elector to vote is not then challenged, 3498  
or, if being challenged, the elector establishes the elector's 3499  
right to vote, the elector shall be allowed to proceed to use the 3500  
voting machine. If voting machines are not being used in that 3501  
precinct, the judge in charge of ballots shall then detach the 3502  
next ballots to be issued to the elector from Stub B attached to 3503  
each ballot, leaving Stub A attached to each ballot, hand the 3504  
ballots to the elector, and call the elector's name and the stub 3505  
number on each of the ballots. The judge shall enter the stub 3506  
numbers opposite the signature of the elector in the pollbook. The 3507  
elector shall then retire to one of the voting compartments to 3508  
mark the elector's ballots. No mark shall be made on any ballot 3509  
which would in any way enable any person to identify the person 3510  
who voted the ballot. 3511

**Sec. 3505.181.** (A) All of the following individuals shall be 3512  
permitted to cast a provisional ballot at an election: 3513

(1) An individual who declares that the individual is a 3514

registered voter in the jurisdiction in which the individual 3515  
desires to vote and that the individual is eligible to vote in an 3516  
election, but the name of the individual does not appear on the 3517  
official list of eligible voters for the polling place or an 3518  
election official asserts that the individual is not eligible to 3519  
vote; 3520

~~(2) An individual who has a social security number and 3521  
provides to the election officials the last four digits of the 3522  
individual's social security number as permitted by division 3523  
(A)(2) of section 3505.18 of the Revised Code; 3524~~

~~(3) An individual who has but does not have or is unable to 3525  
provide to the election officials any of the forms of 3526  
identification required under division (A)(1) of section 3505.18 3527  
of the Revised Code and who has a social security number but is 3528  
unable to provide the last four digits of the individual's social 3529  
security number as permitted under division (A)(2) of that 3530  
section; 3531~~

~~(4) An individual who does not have any of the forms of 3532  
identification required under division (A)(1) of section 3505.18 3533  
of the Revised Code, who cannot provide the last four digits of 3534  
the individual's social security number under division (A)(2) of 3535  
that section because the individual does not have a social 3536  
security number, and who has executed an affirmation as permitted 3537  
under division (A)(4) of that section; 3538~~

~~(5)(3) An individual whose name in the poll list or signature 3539  
pollbook has been marked under section 3509.09 or 3511.13 of the 3540  
Revised Code as having requested an absent voter's ballot or an 3541  
armed service a uniformed services or overseas absent voter's 3542  
ballot for that election and who appears to vote at the polling 3543  
place; 3544~~

~~(6)(4) An individual whose notification of registration has 3545~~

been returned undelivered to the board of elections and whose name 3546  
in the official registration list and in the poll list or 3547  
signature pollbook has been marked under division (C)(2) of 3548  
section 3503.19 of the Revised Code; 3549

~~(7)~~(5) An individual who is challenged under section 3505.20 3550  
of the Revised Code and the election officials determine that the 3551  
person is ineligible to vote or are unable to determine the 3552  
person's eligibility to vote; 3553

~~(8) An individual whose application or challenge hearing has 3554  
been postponed until after the day of the election under division 3555  
(D)(1) of section 3503.24 of the Revised Code; 3556~~

~~(9)~~(6) An individual who ~~changes the individual's name and 3557  
remains within the precinct,~~ moves from one precinct to another 3558  
within a county, moves from one precinct to another and changes 3559  
the individual's name, ~~or~~ moves from one county to another within 3560  
the state, or moves from one county to another and changes the 3561  
individual's name and completes and signs the required forms and 3562  
statements under division (B) or (C) of section 3503.16 of the 3563  
Revised Code; 3564

~~(10)~~(7) An individual whose signature, in the opinion of the 3565  
precinct officers under section 3505.22 of the Revised Code, is 3566  
not that of the person who signed that name in the registration 3567  
forms; 3568

~~(11)~~(8) An individual who is challenged under section 3513.20 3569  
of the Revised Code who refuses to make the statement required 3570  
under that section, who a majority of the precinct officials find 3571  
lacks any of the qualifications to make the individual a qualified 3572  
elector, or who a majority of the precinct officials find is not 3573  
affiliated with or a member of the political party whose ballot 3574  
the individual desires to vote; 3575

~~(12) An individual who does not have any of the forms of 3576~~

~~identification required under division (A)(1) of section 3505.18 3577  
of the Revised Code, who cannot provide the last four digits of 3578  
the individual's social security number under division (A)(2) of 3579  
that section because the person does not have a social security 3580  
number, and who declines to execute an affirmation as permitted 3581  
under division (A)(4) of that section; 3582~~

~~(13) An individual who has but declines to provide to the 3583  
precinct election officials any of the forms of identification 3584  
required under division (A)(1) of section 3501.18 of the Revised 3585  
Code or who has a social security number but declines to provide 3586  
to the precinct election officials the last four digits of the 3587  
individual's social security number (9) An individual who is 3588  
casting a ballot after the time for the closing of the polls under 3589  
section 3501.32 of the Revised Code pursuant to a court order 3590  
extending the time for the closing of the polls. 3591~~

(B) An individual who is eligible to cast a provisional 3592  
ballot under division (A) of this section shall be permitted to 3593  
cast a provisional ballot as follows: 3594

(1) An election official at the polling place shall notify 3595  
the individual that the individual may cast a provisional ballot 3596  
in that election. 3597

(2) The individual shall be permitted to cast a provisional 3598  
ballot at that polling place upon the execution of a written 3599  
affirmation by the individual before an election official at the 3600  
polling place stating that the individual is both of the 3601  
following: 3602

(a) A registered voter in the jurisdiction in which the 3603  
individual desires to vote; 3604

(b) Eligible to vote in that election. 3605

If the individual declines to execute the affirmation, the 3606  
election official shall not record any of the information required 3607

to be provided by the individual on the affirmation. The election 3608  
official shall explain to the individual that the provisional 3609  
ballot will not be counted. 3610

(3) An election official at the polling place shall transmit 3611  
the ballot cast by the individual, and the voter information 3612  
contained in the written affirmation executed by the individual 3613  
under division (B)(2) of this section, ~~or the individual's name if~~ 3614  
~~the individual declines to execute such an affirmation to an~~ 3615  
appropriate local election official for verification ~~under~~ 3616  
~~division (B)(4) of this section.~~ 3617

~~(4) If the appropriate local election official to whom the~~ 3618  
~~ballot or voter or address information is transmitted under~~ 3619  
~~division (B)(3) of this section determines that the individual is~~ 3620  
~~eligible to vote, the individual's provisional ballot shall be~~ 3621  
~~counted as a vote in that election.~~ 3622

~~(5)~~(a) At the time that an individual casts a provisional 3623  
ballot, the appropriate local election official shall give the 3624  
individual written information that states that any individual who 3625  
casts a provisional ballot will be able to ascertain under the 3626  
system established under division (B)~~(5)~~(4)(b) of this section 3627  
whether the vote was counted, and, if the vote was not counted, 3628  
the reason that the vote was not counted. 3629

(b) The appropriate state or local election official shall 3630  
establish a free access system, in the form of a toll-free 3631  
telephone number, that any individual who casts a provisional 3632  
ballot may access to discover whether the vote of that individual 3633  
was counted, and, if the vote was not counted, the reason that the 3634  
vote was not counted. The free access system established under 3635  
this division also shall provide to an individual whose 3636  
provisional ballot was not counted information explaining how that 3637  
individual may contact the board of elections to register to vote 3638  
or to resolve problems with the individual's voter registration. 3639

The appropriate state or local election official shall 3640  
establish and maintain reasonable procedures necessary to protect 3641  
the security, confidentiality, and integrity of personal 3642  
information collected, stored, or otherwise used by the free 3643  
access system established under this division. Access to 3644  
information about an individual ballot shall be restricted to the 3645  
individual who cast the ballot. 3646

~~(6) If, at the time that an individual casts a provisional 3647  
ballot, the individual provides identification in the form of a 3648  
current and valid photo identification, a military identification, 3649  
or a copy of a current utility bill, bank statement, government 3650  
check, paycheck, or other government document, other than a notice 3651  
of an election mailed by a board of elections under section 3652  
3501.19 of the Revised Code or a notice of voter registration 3653  
mailed by a board of elections under section 3503.19 of the 3654  
Revised Code, that shows the individual's name and current 3655  
address, or provides the last four digits of the individual's 3656  
social security number, or executes an affirmation that the 3657  
elector does not have any of those forms of identification or the 3658  
last four digits of the individual's social security number 3659  
because the individual does not have a social security number, or 3660  
declines to execute such an affirmation, the appropriate local 3661  
election official shall record the type of identification 3662  
provided, the social security number information, the fact that 3663  
the affirmation was executed, or the fact that the individual 3664  
declined to execute such an affirmation and include that 3665  
information with the transmission of the ballot or voter or 3666  
address information under division (B)(3) of this section. If the 3667  
individual declines to execute such an affirmation, the 3668  
appropriate local election official shall record the individual's 3669  
name and include that information with the transmission of the 3670  
ballot under division (B)(3) of this section. 3671~~

~~(7) If an individual casts a provisional ballot pursuant to division (A)(3), (7), (8), (12), or (13) of this section, the election official shall indicate, on the provisional ballot verification statement required under section 3505.192 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.~~

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

(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~~ may 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. It is the duty of the individual casting the ballot to ensure that the individual is casting that ballot in the correct precinct.

(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:~~ 3735  
3736

~~(a) The individual is not properly registered in that jurisdiction.~~ 3737  
3738

~~(b) The individual is not eligible to vote in that election in that jurisdiction.~~ 3739  
3740

~~(c) The individual's eligibility to vote in that jurisdiction in that election cannot be established upon examination of the records on file with the board of elections.~~ 3741  
3742  
3743

(3) If an election official attempts to direct an individual to the correct precinct under division (C)(1) of this section, and the individual subsequently casts a ballot in the wrong precinct, both of the following apply: 3744  
3745  
3746  
3747

(a) That ballot shall not be counted. 3748

(b) The ballot being cast in the wrong precinct shall not be considered to be caused by an error on the part of the election official. 3749  
3750  
3751

(D) The appropriate local election official shall cause voting information to be publicly posted at each polling place on the day of each election. 3752  
3753  
3754

(E) As used in this section and sections 3505.182 and 3505.183 of the Revised Code: 3755  
3756

(1) "Jurisdiction" means the precinct in which a person is a legally qualified elector. 3757  
3758

(2) "Precinct voting location guide" means either of the following: 3759  
3760

(a) An electronic or paper record that lists the correct jurisdiction and polling place for either each specific residential street address in the county or the range of residential street addresses located in each neighborhood block in 3761  
3762  
3763  
3764

the county; 3765

(b) Any other method that a board of elections creates that 3766  
allows a precinct election official or any elector who is at a 3767  
polling place in that county to determine the correct jurisdiction 3768  
and polling place of any qualified elector who resides in the 3769  
county. 3770

(3) "Voting information" means all of the following: 3771

(a) A sample version of the ballot that will be used for that 3772  
election; 3773

(b) Information regarding the date of the election and the 3774  
hours during which polling places will be open; 3775

(c) Instructions on how to vote, including how to cast a vote 3776  
and how to cast a provisional ballot; 3777

(d) Instructions for mail-in registrants and first-time 3778  
voters under applicable federal and state laws; 3779

(e) General information on voting rights under applicable 3780  
federal and state laws, including information on the right of an 3781  
individual to cast a provisional ballot and instructions on how to 3782  
contact the appropriate officials if these rights are alleged to 3783  
have been violated; 3784

(f) General information on federal and state laws regarding 3785  
prohibitions against acts of fraud and misrepresentation. 3786

(F) Nothing in this section or section 3505.183 of the 3787  
Revised Code is in derogation of section 3505.24 of the Revised 3788  
Code, which permits a blind, disabled, or illiterate elector to 3789  
receive assistance in the marking of the elector's ballot by two 3790  
precinct election officials of different political parties. A 3791  
blind, disabled, or illiterate elector may receive assistance in 3792  
marking that elector's provisional ballot and in completing the 3793  
required affirmation in the same manner as an elector may receive 3794

assistance on the day of an election under that section. 3795

**Sec. 3505.182.** Each individual who casts a provisional ballot 3796  
under section 3505.181 of the Revised Code shall execute a written 3797  
affirmation. The secretary of state shall prescribe the form of 3798  
the written affirmation, which shall be printed upon the face of 3799  
the provisional ballot envelope ~~and shall be substantially as~~ 3800  
~~follows:~~ 3801

~~"Provisional Ballot Affirmation~~ 3802

~~STATE OF OHIO~~ 3803

I, ..... (Name of provisional voter), ~~solemnly~~ 3804  
~~swear or affirm that I am a registered voter in the jurisdiction~~ 3805  
~~in which I am voting this provisional ballot and that I am~~ 3806  
~~eligible to vote in the election in which I am voting this~~ 3807  
~~provisional ballot.~~ 3808

I understand that, if the above provided information is not 3809  
fully completed and correct, if the board of elections determines 3810  
that I am not registered to vote, a resident of this precinct, or 3811  
eligible to vote in this election, or if the board of elections 3812  
determines that I have already voted in this election, my 3813  
provisional ballot will not be counted. I further understand that 3814  
knowingly providing false information is a violation of law and 3815  
subjects me to possible criminal prosecution. 3816

I hereby declare, under penalty of election falsification, 3817  
that the above statements are true and correct to the best of my 3818  
knowledge and belief. 3819

..... 3820

(Signature of Voter) 3821

..... 3822

(Voter's date of birth) 3823

The last four digits of the 3824

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |      |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| <del>voter's social security number</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |      |
| <del>.....</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 3825 |
| <del>(To be provided if the voter is unable to provide a current and valid photo identification, a military identification, or a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the voter's name and current address but is able to provide these last four digits)</del> | 3826 |
| <del>WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 3827 |
| <del>Additional Information For Determining Ballot Validity</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 3828 |
| <del>(May be completed at voter's discretion)</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 3829 |
| <del>Voter's current address: .....</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 3830 |
| <del>Voter's former address if photo identification does not contain voter's current address</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 3831 |
| <del>.....</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 3832 |
| <del>Voter's driver's license number or, if not provided above, the last four digits of voter's social security number</del>                                                                                                                                                                                                                                                                                                                                                                                                                                  | 3833 |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| <del>(Please circle number type) .....</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 3834 |
| <del>(Voter may attach a copy of any of the following for identification purposes: a current and valid photo identification, a military identification, or a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the voter's name and current address.)</del> | 3835 |
| <del>Reason for voting provisional ballot (Check one):</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 3836 |
| <del>..... Requested, but did not receive, absent voter's ballot</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3837 |
| <del>..... Other</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3838 |
| <del>Verification Statement</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 3839 |
| <del>(To be completed by election official)</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 3840 |
| <del>The Provisional Ballot Affirmation printed above was subscribed and affirmed before me this ..... day of</del>                                                                                                                                                                                                                                                                                                                                                                                                                          | 3841 |
| <del>..... (Month), ..... (Year).</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 3842 |
| <del>..... (Month), ..... (Year).</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 3843 |
| <del>(If applicable, the election official must check the following true statement concerning additional information needed to determine the eligibility of the provisional voter.)</del>                                                                                                                                                                                                                                                                                                                                                    | 3844 |
| <del>..... The provisional voter is required to provide additional information to the board of elections.</del>                                                                                                                                                                                                                                                                                                                                                                                                                              | 3845 |
| <del>..... An application or challenge hearing regarding this voter has been postponed until after the election.</del>                                                                                                                                                                                                                                                                                                                                                                                                                       | 3846 |
| <del>(The election official must check the following true statement concerning identification provided by the provisional voter, if any.)</del>                                                                                                                                                                                                                                                                                                                                                                                              | 3847 |
| <del>..... The provisional voter provided a current and valid photo identification.</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 3848 |
| <del>..... The provisional voter provided a current valid photo</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 3849 |
| <del>..... The provisional voter provided a current valid photo</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 3850 |
| <del>..... The provisional voter provided a current valid photo</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 3851 |
| <del>..... The provisional voter provided a current valid photo</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 3852 |
| <del>..... The provisional voter provided a current valid photo</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 3853 |
| <del>..... The provisional voter provided a current valid photo</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 3854 |
| <del>..... The provisional voter provided a current valid photo</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 3855 |
| <del>..... The provisional voter provided a current valid photo</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 3856 |

~~identification, other than a driver's license or a state 3857  
identification card, with the voter's former address instead of 3858  
current address and has provided the election official both the 3859  
current and former addresses. 3860~~

~~..... The provisional voter provided a military 3861  
identification or a copy of a current utility bill, bank 3862  
statement, government check, paycheck, or other government 3863  
document, other than a notice of an election mailed by a board of 3864  
elections under section 3501.19 of the Revised Code or a notice of 3865  
voter registration mailed by a board of elections under section 3866  
3503.19 of the Revised Code, with the voter's name and current 3867  
address. 3868~~

~~..... The provisional voter provided the last four digits of 3869  
the voter's social security number. 3870~~

~~..... The provisional voter is not able to provide a current 3871  
and valid photo identification, a military identification, or a 3872  
copy of a current utility bill, bank statement, government check, 3873  
paycheck, or other government document, other than a notice of an 3874  
election mailed by a board of elections under section 3501.19 of 3875  
the Revised Code or a notice of voter registration mailed by a 3876  
board of elections under section 3503.19 of the Revised Code, with 3877  
the voter's name and current address but does have one of these 3878  
forms of identification. The provisional voter must provide one of 3879  
the foregoing items of identification to the board of elections 3880  
within ten days after the election. 3881~~

~~..... The provisional voter is not able to provide a current 3882  
and valid photo identification, a military identification, or a 3883  
copy of a current utility bill, bank statement, government check, 3884  
paycheck, or other government document, other than a notice of an 3885  
election mailed by a board of elections under section 3501.19 of 3886  
the Revised Code or a notice of voter registration mailed by a 3887  
board of elections under section 3503.19 of the Revised Code, with 3888~~

~~the voter's name and current address but does have one of these 3889  
forms of identification. Additionally, the provisional voter does 3890  
have a social security number but is not able to provide the last 3891  
four digits of the voter's social security number before voting. 3892  
The provisional voter must provide one of the foregoing items of 3893  
identification or the last four digits of the voter's social 3894  
security number to the board of elections within ten days after 3895  
the election. 3896~~

~~..... The provisional voter does not have a current and valid 3897  
photo identification, a military identification, a copy of a 3898  
current utility bill, bank statement, government check, paycheck, 3899  
or other government document with the voter's name and current 3900  
address, or a social security number, but has executed an 3901  
affirmation. 3902~~

~~..... The provisional voter does not have a current and valid 3903  
photo identification, a military identification, a copy of a 3904  
current utility bill, bank statement, government check, paycheck, 3905  
or other government document with the voter's name and current 3906  
address, or a social security number, and has declined to execute 3907  
an affirmation. 3908~~

~~..... The provisional voter declined to provide a current and 3909  
valid photo identification, a military identification, a copy of a 3910  
current utility bill, bank statement, government check, paycheck, 3911  
or other government document with the voter's name and current 3912  
address, or the last four digits of the voter's social security 3913  
number but does have one of these forms of identification or a 3914  
social security number. The provisional voter must provide one of 3915  
the foregoing items of identification or the last four digits of 3916  
the voter's social security number to the board of elections 3917  
within ten days after the election. 3918~~

~~..... 3919  
(Signature of Election Official)" 3920~~



~~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.~~

~~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.~~

**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. Teams of employees of the board consisting of one member of each major political party shall place the sealed provisional ballot envelopes in a secure location within the office of the board. The sealed provisional ballot envelopes shall remain in that secure location until the validity of those ballots is determined under division (B) of this section. ~~While the provisional ballot is stored in that secure location, and prior to the counting of the provisional ballots, if the board receives information regarding the validity of a specific provisional ballot under division (B) of this section, the board may note, on the sealed provisional ballot envelope for that ballot, whether the ballot is valid and entitled to be counted.~~

(B)(1) To determine whether a provisional ballot is valid and entitled to be counted, the board shall examine its the affirmation executed by the provisional voter, the statewide voter registration database, and other records maintained by the board of elections and determine whether the individual who cast the provisional ballot is registered and eligible to vote in the applicable election. The board shall examine the information

contained in the written affirmation executed by the individual 3952  
who cast the provisional ballot under division (B)(2) of section 3953  
3505.181 of the Revised Code. ~~If the individual declines to~~ 3954  
~~execute such an affirmation, the individual's name, written by~~ 3955  
~~either the individual or the election official at the direction of~~ 3956  
~~the individual, shall be included in a written affirmation in~~ 3957  
~~order for the provisional ballot to be eligible to be counted;~~ 3958  
otherwise, the If the provisional voter provided identification at 3959  
the board of elections prior to the close of the polls under 3960  
division (A)(2)(a) of section 3505.18 of the Revised Code, the 3961  
board of elections shall match that voter's provisional ballot 3962  
envelope with the corresponding voter's identification and 3963  
consider that provisional voter to have provided the required 3964  
identification at the polling place at the time the ballot was 3965  
cast when determining the validity of the provisional ballot. If 3966  
the provisional voter provided the individual's social security 3967  
number on the provisional ballot envelope under division (A)(2)(b) 3968  
of that section, the board of elections shall verify that voter's 3969  
social security number with records maintained by the bureau of 3970  
motor vehicles. If those records correspond, the board of 3971  
elections shall consider that provisional voter to have provided 3972  
the required identification at the polling place at the time the 3973  
ballot was cast. 3974

The following information shall be included by the 3975  
provisional voter in the written affirmation in order for the 3976  
provisional ballot to be eligible to be counted: 3977

- (a) The individual's printed name ~~and;~~ 3978
- (b) The individual's signature; 3979
- ~~(b)(c) The individual's date of birth;~~ 3980
- (d) One of the following: 3981
- (i) The individual's social security number; 3982

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| <u>(ii) The individual's driver's license number;</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 3983                                                                                 |
| <u>(iii) The individual's state identification card number;</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 3984                                                                                 |
| <u>(iv) Except as otherwise provided in division (B)(1) of this section, an affirmative notation that the individual provided the required identification under division (A)(1) of section 3505.18 of the Revised Code;</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 3985<br>3986<br>3987<br>3988                                                         |
| <u>(e) The individual's residence address;</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 3989                                                                                 |
| <u>(f) A statement that the individual is a registered voter in the jurisdiction in which the provisional ballot is being voted;</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 3990<br>3991                                                                         |
| <del>(e)</del> <u>(g) A statement that the individual is eligible to vote in the election in which the provisional ballot is being voted.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3992<br>3993                                                                         |
| <del>(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.</del> | 3994<br>3995<br>3996<br>3997<br>3998<br>3999<br>4000<br>4001<br>4002<br>4003<br>4004 |
| <del>(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:</del>                                                                                                                                                                                                                                                                                                                                                                                    | 4005<br>4006<br>4007<br>4008<br>4009                                                 |
| <del>(a) The individual named on the affirmation is properly registered to vote.</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 4010<br>4011                                                                         |
| <del>(b) The individual named on the affirmation is eligible to</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 4012                                                                                 |

cast a ballot in the precinct and for the election in which the 4013  
individual cast the provisional ballot. 4014

(c) The individual provided all of the information required 4015  
under division (B)(1) of this section in the affirmation that the 4016  
individual executed at the time the individual cast the 4017  
provisional ballot, or the individual provided all of the 4018  
information required under division (B)(1) of this section with 4019  
the exception of the required identification, which identification 4020  
was provided at the board of elections prior to the close of the 4021  
polls or verified by matching the social security number provided 4022  
on the voter's provisional ballot envelope records maintained by 4023  
the bureau of motor vehicles. 4024

~~(d) If applicable, the individual provided any additional 4025  
information required under division (B)(8) of section 3505.181 of 4026  
the Revised Code within ten days after the day of the election. 4027~~

~~(e) If applicable, the hearing conducted under division (B) 4028  
of section 3503.24 of the Revised Code after the day of the 4029  
election resulted in the individual's inclusion in the official 4030  
registration list. 4031~~

~~(4)(3)(a) If, in examining a provisional ballot affirmation 4032  
and additional information under divisions (B)(1) and (2) of this 4033  
section, the board determines that any of the following applies, 4034  
the provisional ballot envelope shall not be opened, and the 4035  
ballot shall not be counted: 4036~~

(i) The individual named on the affirmation is not qualified 4037  
or is not properly registered to vote. 4038

(ii) The individual named on the affirmation is not eligible 4039  
to cast a ballot in the precinct or for the election in which the 4040  
individual cast the provisional ballot. 4041

(iii) The Except as otherwise provided in division (B)(1) of 4042  
this section, the individual did not provide all of the 4043

information required under division (B)(1) of this section in the 4044  
affirmation that the individual executed at the time the 4045  
individual cast the provisional ballot. 4046

(iv) The individual has already cast a ballot for the 4047  
election in which the individual cast the provisional ballot. 4048

~~(v) If applicable, the individual did not provide any 4049  
additional information required under division (B)(8) of section 4050  
3505.181 of the Revised Code within ten days after the day of the 4051  
election. 4052~~

~~(vi) If applicable, the hearing conducted under division (B) 4053  
of section 3503.24 of the Revised Code after the day of the 4054  
election did not result in the individual's inclusion in the 4055  
official registration list. 4056~~

~~(vii) The individual failed to provide a current and valid 4057  
photo identification, a military identification, a copy of a 4058  
current utility bill, bank statement, government check, paycheck, 4059  
or other government document, other than a notice of an election 4060  
mailed by a board of elections under section 3501.19 of the 4061  
Revised Code or a notice of voter registration mailed by a board 4062  
of elections under section 3503.19 of the Revised Code, with the 4063  
voter's name and current address, or the last four digits of the 4064  
individual's social security number or to execute an affirmation 4065  
under division (A) of section 3505.18 or division (B) of section 4066  
3505.181 of the Revised Code. The elector cast a provisional 4067  
ballot under division (A)(2) of section 3505.181 of the Revised 4068  
Code and failed to provide the required identification under 4069  
division (A)(2)(a) of section 3505.18 of the Revised Code, failed 4070  
to provide the elector's social security number under division 4071  
(A)(2)(b) of that section, or could not be positively identified 4072  
because the elector's social security number did not match the 4073  
records maintained by the bureau of motor vehicles under that 4074  
division. 4075~~

(b) If, in examining a provisional ballot affirmation ~~and~~ 4076  
~~additional information under divisions (B)(1) and (2) of this~~ 4077  
~~section~~, the board is unable to determine either of the following, 4078  
the provisional ballot envelope shall not be opened, and the 4079  
ballot shall not be counted: 4080

(i) Whether the individual named on the affirmation is 4081  
qualified or properly registered to vote; 4082

(ii) Whether the individual named on the affirmation is 4083  
eligible to cast a ballot in the precinct or for the election in 4084  
which the individual cast the provisional ballot. 4085

(C)(1) For each provisional ballot rejected under division 4086  
(B)~~(4)~~(3) of this section, the board shall record the name of the 4087  
provisional voter who cast the ballot, the identification number 4088  
of the provisional ballot envelope, the names of the election 4089  
officials who determined the validity of that ballot, the date and 4090  
time that the determination was made, and the reason that the 4091  
ballot was not counted. 4092

(2) Provisional ballots that are rejected under division 4093  
(B)~~(4)~~(3) of this section shall not be counted but shall be 4094  
preserved in their provisional ballot envelopes unopened until the 4095  
time provided by section 3505.31 of the Revised Code for the 4096  
destruction of all other ballots used at the election for which 4097  
ballots were provided, at which time they shall be destroyed. 4098

(D) Provisional ballots that the board determines are 4099  
eligible to be counted under division (B)~~(3)~~(2) of this section 4100  
shall be counted in the same manner as provided for other ballots 4101  
under section 3505.27 of the Revised Code. No provisional ballots 4102  
shall be counted in a particular county until the board determines 4103  
the eligibility to be counted of all provisional ballots cast in 4104  
that county under division (B) of this section for that election. 4105  
Observers, as provided in section 3505.21 of the Revised Code, may 4106

be present at all times that the board is determining the 4107  
eligibility of provisional ballots to be counted and counting 4108  
those provisional ballots determined to be eligible. No person 4109  
shall recklessly disclose the count or any portion of the count of 4110  
provisional ballots in such a manner as to jeopardize the secrecy 4111  
of any individual ballot. 4112

~~(E)(1) Except as otherwise provided in division (E)(2) of~~ 4113  
~~this section, nothing~~ Nothing in this section shall prevent a 4114  
board of elections from examining provisional ballot affirmations 4115  
~~and additional information under divisions (B)(1) and (2) of this~~ 4116  
~~section~~ to determine the eligibility of provisional ballots to be 4117  
counted during the ten days after the day of an election. 4118

~~(2) A board of elections shall not examine the provisional~~ 4119  
~~ballot affirmation and additional information under divisions~~ 4120  
~~(B)(1) and (2) of this section of any provisional ballot for which~~ 4121  
~~an election official has indicated under division (B)(7) of~~ 4122  
~~section 3505.181 of the Revised Code that additional information~~ 4123  
~~is required for the board of elections to determine the~~ 4124  
~~eligibility of the individual who cast that provisional ballot~~ 4125  
~~until the individual provides any information required under~~ 4126  
~~division (B)(8) of section 3505.181 of the Revised Code, until any~~ 4127  
~~hearing required to be conducted under section 3503.24 of the~~ 4128  
~~Revised Code with regard to the provisional voter is held, or~~ 4129  
~~until the eleventh day after the day of the election, whichever is~~ 4130  
~~earlier.~~ 4131

**Sec. 3505.20.** Any person offering to vote may be challenged 4132  
at the polling place by any ~~judge of elections~~ precinct election 4133  
official. If the board of elections has ruled on the question 4134  
presented by a challenge prior to election day, its finding and 4135  
decision shall be final, and the ~~presiding judge~~ voting location 4136  
manager shall be notified in writing. If the board has not ruled, 4137

the question shall be determined as set forth in this section. If 4138  
any person is so challenged as unqualified to vote, the ~~presiding~~ 4139  
~~judge~~ voting location manager shall tender the person the 4140  
following oath: "You do swear or affirm under penalty of election 4141  
falsification that you will fully and truly answer all of the 4142  
following questions put to you concerning your qualifications as 4143  
an elector at this election." 4144

(A) If the person is challenged as unqualified on the ground 4145  
that the person is not a citizen, the ~~judges~~ precinct election 4146  
officials shall put the following ~~questions~~ question: 4147

~~(1) Are you a citizen of the United States?~~ 4148

~~(2) Are you a native or naturalized citizen?~~ 4149

~~(3) Where were you born?~~ 4150

~~(4) What official documentation do you possess to prove your~~ 4151  
~~citizenship? Please provide that documentation.~~ 4152

~~If the person offering to vote claims to be a naturalized~~ 4153  
~~citizen of the United States, the person shall, before the vote is~~ 4154  
~~received, produce for inspection of the judges a certificate of~~ 4155  
~~naturalization and declare under oath that the person is the~~ 4156  
~~identical person named in the certificate. If the person states~~ 4157  
~~under oath that, by reason of the naturalization of the person's~~ 4158  
~~parents or one of them, the person has become a citizen of the~~ 4159  
~~United States, and when or where the person's parents were~~ 4160  
~~naturalized, the certificate of naturalization need not be~~ 4161  
~~produced. If the person is unable to provide a certificate of~~ 4162  
~~naturalization on the day of the election, the judges shall~~ 4163  
~~provide to the person, and the person may vote, a provisional~~ 4164  
~~ballot under section 3505.181 of the Revised Code. The provisional~~ 4165  
~~ballot shall not be counted unless it is properly completed and~~ 4166  
~~the board of elections determines that the voter is properly~~ 4167  
~~registered and eligible to vote in the election.~~ 4168



(B) If the person is challenged as unqualified on the ground 4169  
that the person has not resided in this state for thirty days 4170  
immediately preceding the election, the ~~judges~~ precinct election  
officials shall put the following questions: 4171  
4172

(1) Have you resided in this state for thirty days 4173  
immediately preceding this election? If so, where have you 4174  
resided? 4175

(2) Did you properly register to vote? 4176

(3) Can you provide some form of identification containing 4177  
your current mailing address in this precinct? Please provide that 4178  
identification. 4179

(4) Have you voted or attempted to vote at any other location 4180  
in this or in any other state at this election? 4181

(5) Have you applied for an absent voter's ballot in any 4182  
state for this election? 4183

If the ~~judges~~ precinct election officials are unable to 4184  
verify the person's eligibility to cast a ballot in the election, 4185  
the ~~judges~~ precinct election officials shall provide to the 4186  
person, and the person may vote, a provisional ballot under 4187  
section 3505.181 of the Revised Code. The provisional ballot shall 4188  
not be counted unless it is properly completed and the board of 4189  
elections determines that the voter is properly registered and 4190  
eligible to vote in the election. 4191

(C) If the person is challenged as unqualified on the ground 4192  
that the person is not a resident of the precinct where the person 4193  
offers to vote, the ~~judges~~ precinct election officials shall put 4194  
the following questions: 4195

(1) Do you reside in this precinct? 4196

(2) When did you move into this precinct? 4197

(3) When you came into this precinct, did you come for a 4198

temporary purpose merely or for the purpose of making it your home? 4199  
4200

(4) What is your current mailing address? 4201

(5) Do you have some official identification containing your current address in this precinct? Please provide that identification. 4202  
4203  
4204

(6) Have you voted or attempted to vote at any other location in this or in any other state at this election? 4205  
4206

(7) Have you applied for any absent voter's ballot in any state for this election? 4207  
4208

The ~~judges~~ precinct election officials 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 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. 4209  
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4211  
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(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: 4220  
4221  
4222

(1) Are you eighteen years of age or more? 4223

(2) What is your date of birth? 4224

(3) Do you have some official identification verifying your age? Please provide that identification. 4225  
4226

If the ~~judges~~ precinct election officials are unable to verify the person's age and eligibility to cast a ballot in the 4227  
4228

election, the ~~judges~~ precinct election officials shall provide to 4229  
the person, and the person may vote, a provisional ballot under 4230  
section 3505.181 of the Revised Code. The provisional ballot shall 4231  
not be counted unless it is properly completed and the board of 4232  
elections determines that the voter is properly registered and 4233  
eligible to vote in the election. 4234

~~The presiding judge shall put such other questions to the~~ 4235  
~~person challenged as are necessary to determine the person's~~ 4236  
~~qualifications as an elector at the election.~~ If a person 4237  
challenged refuses to answer fully any question put to the person, 4238  
is unable to answer the questions as they were answered on the 4239  
registration form by the person under whose name the person offers 4240  
to vote, or refuses to sign the person's name or make the person's 4241  
mark, or if for any other reason a majority of the ~~judges~~ precinct 4242  
election officials believes the person is not entitled to vote, 4243  
the ~~judges~~ precinct election officials shall provide to the 4244  
person, and the person may vote, a provisional ballot under 4245  
section 3505.181 of the Revised Code. The provisional ballot shall 4246  
not be counted unless it is properly completed and the board of 4247  
elections determines that the voter is properly registered and 4248  
eligible to vote in the election. 4249

A qualified citizen who has certified the citizen's intention 4250  
to vote for president and vice-president as provided by Chapter 4251  
3504. of the Revised Code shall be eligible to receive only the 4252  
ballot containing presidential and vice-presidential candidates. 4253

However, prior to the nineteenth day before the day of an 4254  
election and in accordance with section 3503.24 of the Revised 4255  
Code, any person qualified to vote may challenge the right of any 4256  
other person to be registered as a voter, or the right to cast an 4257  
absent voter's ballot, or to make application for such ballot. 4258  
Such challenge shall be made in accordance with section 3503.24 of 4259  
the Revised Code, and the board of elections of the county in 4260

which the voting residence of the challenged voter is situated 4261  
shall make a final determination relative to the legality of such 4262  
registration or application. 4263

**Sec. 3505.21.** (A) As used in this section, "during the 4264  
casting of the ballots" includes any time during which a board of 4265  
elections permits an elector to vote an absent voter's ballot in 4266  
person at the office of the board and any time ballots may be cast 4267  
in a precinct polling place on the day of an election. 4268

(B) At any primary, special, or general election, any 4269  
political party supporting candidates to be voted upon at such 4270  
election and any group of five or more candidates may appoint to 4271  
the board of elections or to any of the precincts in the county or 4272  
city one person, a qualified elector, who shall serve as observer 4273  
for such party or such candidates during the casting of the 4274  
ballots and during the counting of the ballots; provided that 4275  
separate observers may be appointed to serve during the casting 4276  
and during the counting of the ballots. No candidate, no uniformed 4277  
peace officer as defined by section 2935.01 of the Revised Code, 4278  
no uniformed state highway patrol trooper, no uniformed member of 4279  
any fire department, no uniformed member of the armed services, no 4280  
uniformed member of the organized militia, no person wearing any 4281  
other uniform, and no person carrying a firearm or other deadly 4282  
weapon shall serve as an observer, nor shall any candidate be 4283  
represented by more than one observer at any one precinct at the 4284  
board of elections except that a candidate who is a member of a 4285  
party controlling committee, as defined in section 3517.03 of the 4286  
Revised Code, may serve as an observer. ~~Any~~ 4287

(C) Any political party or group of candidates appointing 4288  
observers shall notify the board of elections of the names and 4289  
addresses of its appointees and the precincts at which they shall 4290  
serve or that they will serve at the board of elections. 4291

Notification of observers appointed to serve on the day of an 4292  
election shall take place not less than eleven days before the day 4293  
of the election on forms prescribed by the secretary of state and 4294  
may be amended by filing an amendment with the board of elections 4295  
at any time until four p.m. of the day before the election. 4296  
Notification of observers appointed to serve at the office of the 4297  
board during the time absent voter's ballots may be cast in person 4298  
shall take place not less than eleven days before absent voter's 4299  
ballots are required to be ready for use pursuant to division 4300  
(B)(3) of section 3509.01 of the Revised Code on forms prescribed 4301  
by the secretary of state and may be amended by filing an 4302  
amendment with the board of elections at any time until four p.m. 4303  
of the day before the observer is appointed to serve. The observer 4304  
serving on behalf of a political party shall be appointed in 4305  
writing by the chairperson and secretary of the respective 4306  
controlling party committee. Observers serving for any five or 4307  
more candidates shall have their certificates signed by those 4308  
candidates. Observers appointed to a precinct may file their 4309  
certificates of appointment with the ~~presiding judge~~ voting 4310  
location manager of the precinct at the meeting on the evening 4311  
prior to the election, or with the ~~presiding judge~~ voting location 4312  
manager of the precinct on the day of the election. ~~Upon~~ Observers 4313  
appointed to the office of the board to observe the casting of 4314  
absent voter's ballots in person prior to the day of the election 4315  
may file their certificates with the director of the board of 4316  
elections the day before or on the day that the observers are 4317  
scheduled to serve at the office of the board. 4318

Upon the filing of a certificate, the person named as 4319  
observer in the certificate shall be permitted to be in and about 4320  
the applicable polling place ~~for the precinct~~ during the casting 4321  
of the ballots and shall be permitted to watch every proceeding of 4322  
the ~~judges of elections~~ precinct election officials from the time 4323  
of the opening until the closing of the polls. The observer also 4324

may inspect the counting of all ballots in the polling place or 4325  
board of elections from the time of the closing of the polls until 4326  
the counting is completed and the final returns are certified and 4327  
signed. Observers appointed to serve at the board of elections on 4328  
the day of an election under this section may observe at the board 4329  
of elections and may observe at any precinct in the county. The 4330  
~~judges of elections~~ precinct election officials shall protect such 4331  
observers in all of the rights and privileges granted to them by 4332  
Title XXXV of the Revised Code. 4333

(D) No persons other than the ~~judges of elections~~ precinct 4334  
election officials, the observers, a police officer, other persons 4335  
who are detailed to any precinct on request of the board of 4336  
elections, or the secretary of state or the secretary of state's 4337  
legal representative shall be admitted to the polling place, or 4338  
any room in which a board of elections is counting ballots, after 4339  
the closing of the polls until the counting, certifying, and 4340  
signing of the final returns of each election have been completed. 4341

(E) Not later than four p.m. of the twentieth day prior to an 4342  
election at which questions are to be submitted to a vote of the 4343  
people, any committee that in good faith advocates or opposes a 4344  
measure may file a petition with the board of any county asking 4345  
that the petitioners be recognized as the committee entitled to 4346  
appoint observers to the count at the election. If more than one 4347  
committee alleging themselves to advocate or oppose the same 4348  
measure file such a petition, the board shall decide and announce 4349  
by registered mail to each committee not less than twelve days 4350  
immediately preceding the election which committee is recognized 4351  
as being entitled to appoint observers. The decision shall not be 4352  
final, but any aggrieved party may institute mandamus proceedings 4353  
in the court of common pleas of the county in which the board has 4354  
jurisdiction to compel the ~~judges of elections~~ precinct election 4355  
officials to accept the appointees of such aggrieved party. Any 4356

such recognized committee may appoint an observer to the count in 4357  
each precinct. Committees appointing observers shall notify the 4358  
board of elections of the names and addresses of its appointees 4359  
and the precincts at which they shall serve. Notification shall 4360  
take place not less than eleven days before the election on forms 4361  
prescribed by the secretary of state and may be amended by filing 4362  
an amendment with the board of elections at any time until four 4363  
p.m. on the day before the election. A person so appointed shall 4364  
file the person's certificate of appointment with the ~~presiding~~ 4365  
~~judge~~ voting location manager in the precinct in which the person 4366  
has been appointed to serve. Observers shall file their 4367  
certificates before the polls are closed. In no case shall more 4368  
than six observers be appointed for any one election in any one 4369  
precinct. If more than three questions are to be voted on, the 4370  
committees which have appointed observers may agree upon not to 4371  
exceed six observers, and the ~~judges of elections~~ precinct 4372  
election officials shall appoint such observers. If such 4373  
committees fail to agree, the ~~judges of elections~~ precinct 4374  
election officials shall appoint six observers from the appointees 4375  
so certified, in such manner that each side of the several 4376  
questions shall be represented. 4377

(F) No person shall serve as an observer at any precinct or 4378  
at the board of elections unless the board of elections of the 4379  
county in which such observer is to serve has first been notified 4380  
of the name, address, and ~~precinct~~ location at which such observer 4381  
is to serve. Notification to the board of elections shall be given 4382  
by the political party, group of candidates, or committee 4383  
appointing such observer as prescribed in this section. No such 4384  
observers shall receive any compensation from the county, 4385  
municipal corporation, or township, and they shall take the 4386  
following oath, to be administered by one of the ~~judges of~~ 4387  
~~elections~~ precinct election officials: 4388

"You do solemnly swear that you will faithfully and 4389  
impartially discharge the duties as an official observer, assigned 4390  
by law; that you will not cause any delay to persons offering to 4391  
vote; and that you will not disclose or communicate to any person 4392  
how any elector has voted at such election. 4393

(G)(1) An observer who serves during the casting of the 4394  
ballots shall only be permitted to do the following: 4395

(a) Watch and listen to the activities conducted by the 4396  
precinct election officials and the interactions between precinct 4397  
election officials and voters, as long as the precinct election 4398  
officials are not delayed in performing the officials' prescribed 4399  
duties and voters are not delayed in casting their ballots; 4400

(b) Make notes on the observer's observations other than by 4401  
means of a photographic, video, or audio recording. 4402

(2)(a) No observer who serves during the casting of the 4403  
ballots shall interact with any precinct election official or with 4404  
any voter while the observer is inside the polling place, within 4405  
the area between the polling place and the small flags of the 4406  
United States placed on the thoroughfares and walkways leading to 4407  
the polling place, or within ten feet of any elector in line 4408  
waiting to vote, if the line of electors waiting to vote extends 4409  
beyond those small flags. 4410

(b) An observer does not violate division (G)(2)(a) of this 4411  
section as a result of an incidental interaction with a voter or a 4412  
precinct election official, such as an exchange of greetings. 4413

**Sec. 3505.23.** No Except as otherwise provided in this 4414  
section, no voter shall be allowed to occupy a voting compartment 4415  
or use a voting machine for more than ~~five~~ ten minutes when all 4416  
the voting compartments or machines are in use and voters are 4417  
waiting to occupy them. ~~Except~~ The ten-minute time limit shall not 4418



apply to any person who is disabled and requires accommodation to 4419  
the extent required under the "Americans with Disabilities Act of 4420  
1990," 104 Stat. 327, 42 U.S.C. 12101. 4421

Except as otherwise provided by section 3505.24 of the 4422  
Revised Code, no voter shall occupy a voting compartment or 4423  
machine with another person or speak to anyone, nor shall anyone 4424  
speak to the voter, while the voter is in a voting compartment or 4425  
machine. 4426

In precincts that do not use voting machines the following 4427  
procedure shall be followed: 4428

If a voter tears, soils, defaces, or erroneously marks a 4429  
ballot the voter may return it to the precinct election officials 4430  
and a second ballot shall be issued to the voter. Before returning 4431  
a torn, soiled, defaced, or erroneously marked ballot, the voter 4432  
shall fold it so as to conceal any marks the voter made upon it, 4433  
but the voter shall not remove Stub A therefrom. If the voter 4434  
tears, soils, defaces, or erroneously marks such second ballot, 4435  
the voter may return it to the precinct election officials, and a 4436  
third ballot shall be issued to the voter. In no case shall more 4437  
than three ballots be issued to a voter. Upon receiving a returned 4438  
torn, soiled, defaced, or erroneously marked ballot the precinct 4439  
election officials shall detach Stub A therefrom, write "Defaced" 4440  
on the back of such ballot, and place the stub and the ballot in 4441  
the separate containers provided therefor. 4442

No elector shall leave the polling place until the elector 4443  
returns to the precinct election officials every ballot issued to 4444  
the elector with Stub A on each ballot attached thereto, 4445  
regardless of whether the elector has or has not placed any marks 4446  
upon the ballot. 4447

Before leaving the voting compartment, the voter shall fold 4448  
each ballot marked by the voter so that no part of the face of the 4449

ballot is visible, and so that the printing thereon indicating the 4450  
kind of ballot it is and the facsimile signatures of the members 4451  
of the board of elections are visible. The voter shall then leave 4452  
the voting compartment, deliver the voter's ballots, and state the 4453  
voter's name to the ~~judge~~ precinct election official having charge 4454  
of the ballot ~~boxes~~ box, who shall announce the name, detach Stub 4455  
A from each ballot, and announce the number on the stubs. The 4456  
~~judges~~ precinct election officials in charge of the poll lists or 4457  
poll books shall check to ascertain whether the number so 4458  
announced is the number on Stub B of the ballots issued to such 4459  
voter, and if no discrepancy appears to exist, the ~~judge~~ precinct  
election official in charge of the ballot ~~boxes~~ box shall, in the 4460  
presence of the voter, deposit each such ballot in the ~~proper~~ 4461  
ballot box and shall place Stub A from each ballot in the 4462  
container provided therefor. The voter shall then immediately 4463  
leave the polling place. 4464  
4465

No ballot delivered by a voter to the ~~judge~~ precinct election 4466  
official in charge of the ballot ~~boxes~~ box with Stub A detached 4467  
therefrom, and only ballots provided in accordance with Title XXXV 4468  
of the Revised Code, shall be voted or deposited in the ballot 4469  
~~boxes~~ box. 4470

In marking a presidential ballot, the voter shall record the 4471  
vote in the manner provided on the ballot next to the names of the 4472  
candidates for the offices of president and vice-president. Such 4473  
ballot shall be considered and counted as a vote for each of the 4474  
candidates for election as presidential elector whose names were 4475  
certified to the secretary of state by the political party of such 4476  
nominees for president and vice-president. 4477

In marking an office type ballot or nonpartisan ballot, the 4478  
voter shall record the vote in the manner provided on the ballot 4479  
next to the name of each candidate for whom the voter desires to 4480  
vote. 4481

In marking a primary election ballot, the voter shall record 4482  
the vote in the manner provided on the ballot next to the name of 4483  
each candidate for whom the voter desires to vote. If the voter 4484  
desires to vote for the nomination of a person whose name is not 4485  
printed on the primary election ballot, the voter may do so by 4486  
writing such person's name on the ballot in the proper place 4487  
provided for such purpose. 4488

In marking a questions and issues ballot, the voter shall 4489  
record the vote in the manner provided on the ballot at the left 4490  
or at the right of "YES" or "NO" or other words of similar import 4491  
which are printed on the ballot to enable the voter to indicate 4492  
how the voter votes in connection with each question or issue upon 4493  
which the voter desires to vote. 4494

In marking any ballot on which a blank space has been 4495  
provided wherein an elector may write in the name of a person for 4496  
whom the elector desires to vote, the elector shall write such 4497  
person's name in such blank space and on no other place on the 4498  
ballot. Unless specific provision is made by statute, no blank 4499  
space shall be provided on a ballot for write-in votes, and any 4500  
names written on a ballot other than in a blank space provided 4501  
therefor shall not be counted or recorded. 4502

**Sec. 3505.24.** ~~Any~~ Notwithstanding any provision of the 4503  
Revised Code to the contrary, any elector who declares to the 4504  
~~presiding judge of elections~~ voting location manager that the 4505  
elector is unable to mark the elector's ballot by reason of 4506  
blindness, disability, or illiteracy may be accompanied in the 4507  
voting booth and aided by any person of the elector's choice, 4508  
other than the elector's employer, an agent of the elector's 4509  
employer, or an officer or agent of the elector's union, if any. 4510  
The elector also may request and receive assistance in the marking 4511  
of the elector's ballot from two election officials of different 4512

political parties. Any person providing assistance in the marking 4513  
of an elector's ballot under this section shall thereafter provide 4514  
no information in regard to the marking of that ballot. 4515

Any ~~judge~~ precinct election official may require a 4516  
declaration of inability to be made by the elector under oath 4517  
before the ~~judge~~ official. Assistance shall not be rendered for 4518  
causes other than those specified in this section, and no 4519  
candidate whose name appears on the ballot shall assist any person 4520  
in marking that person's ballot. 4521

**Sec. 3505.26.** At the time for closing the polls, the 4522  
~~presiding judge~~ voting location manager shall by proclamation 4523  
announce that the polls are closed. 4524

The ~~judges~~ precinct election officials shall then in the 4525  
presence of observers proceed as follows: 4526

(A) Count the number of electors who voted, as shown on the 4527  
pollbooks; 4528

(B) Count the unused ballots without removing stubs; 4529

(C) Count the soiled and defaced ballots; 4530

(D) Insert the totals of (A), (B), and (C) on the report 4531  
forms provided therefor in the pollbook; 4532

(E) Count the voted ballots. If the number of voted ballots 4533  
exceeds the number of voters whose names appear upon the 4534  
pollbooks, the ~~presiding judge~~ voting location manager shall enter 4535  
on the pollbooks an explanation of that discrepancy, and that 4536  
explanation, if agreed to, shall be subscribed to by all of the 4537  
~~judges~~ precinct election officials. Any ~~judge~~ precinct official 4538  
having a different explanation shall enter it in the pollbooks and 4539  
subscribe to it. 4540

(F) Put the unused ballots with stubs attached, and soiled 4541  
and defaced ballots with stubs attached, in the envelopes or 4542

containers provided therefor, certify the number, and then proceed 4543  
to count and tally the votes in the manner prescribed by section 4544  
3505.27 of the Revised Code and certify the result of the election 4545  
to the board of elections. 4546

**Sec. 3505.28.** (A)(1) No ballot shall be counted which is 4547  
marked contrary to law, except that no ballot shall be rejected 4548  
for any technical error unless it is impossible to determine the 4549  
voter's choice. ~~¶~~ 4550

(2) A ballot is marked contrary to law and does not contain a 4551  
technical error if the voter marks more selections for a 4552  
particular office, question, or issue than the number of 4553  
selections that the voter is allowed by law to make for that 4554  
office, question, or issue. 4555

(3) Except as otherwise provided in this division, a voter 4556  
makes more selections for a particular office than the voter is 4557  
allowed by law to make for that office if the voter marks the 4558  
ballot for a candidate and also writes in the name of that 4559  
candidate as a write-in vote. If all of the following apply, then 4560  
the ballot is not marked contrary to law and the ballot shall be 4561  
counted: 4562

(a) The voter marks the ballot for a candidate and writes in 4563  
the identical candidate's name; 4564

(b) The ballots are counted at a central location using 4565  
automatic tabulating equipment; and 4566

(c) At least three members of the board of elections agree 4567  
that the candidate's name, as it appears on the ballot, and the 4568  
name of the candidate written in by the voter are identical. 4569

(4) If the voter makes more selections for a particular 4570  
office, question, or issue than the number of selections that the 4571  
voter is allowed by law to make, the voter's ballot shall be 4572

invalidated for that office, question, or issue, but shall not be 4573  
invalidated for any other office, question, or issue for which the 4574  
voter has not marked an excess number of selections. 4575

(B) If two or more ballots are found folded together among 4576  
the ballots removed from a ballot box, they shall be deemed to be 4577  
fraudulent. Such ballots shall not be counted. They shall be 4578  
marked "Fraudulent" and shall be placed in an envelope indorsed 4579  
"Not Counted" with the reasons therefor, and such envelope shall 4580  
be delivered to the board of elections together with other 4581  
uncounted ballots. 4582

(C) No ballot shall be rejected because of being marked with 4583  
ink or by any writing instrument other than one of the pencils 4584  
provided by the board of elections. 4585

**Sec. 3505.29.** From the time the ballot box is opened and the 4586  
count of ballots begun until the ballots are counted and 4587  
certificates of votes cast are made out, signed, certified and 4588  
given to the ~~presiding judge~~ voting location manager for delivery 4589  
to the headquarters of the board of elections, the ~~judges~~ precinct 4590  
election officials in each precinct shall not separate, nor shall 4591  
a ~~judge~~ precinct election official leave the polling place except 4592  
from unavoidable necessity. In cases of illness or unavoidable 4593  
necessity, the board may substitute another qualified person for 4594  
any precinct official so incapacitated. 4595

**Sec. 3505.30.** When the results of the ballots have been 4596  
ascertained, such results shall be embodied in a summary statement 4597  
to be prepared by the ~~judges~~ precinct election officials in 4598  
duplicate, on forms provided by the board of elections. One copy 4599  
shall be certified by the ~~judges~~ precinct election officials and 4600  
posted on the front of the polling place, and one copy, similarly 4601  
certified, shall be transmitted without delay to the board in a 4602

sealed envelope along with the other returns of the election. The 4603  
board shall, immediately upon receipt of such summary statements, 4604  
compile and prepare an unofficial count and upon its completion 4605  
shall transmit prepaid, immediately by telephone, facsimile 4606  
machine, or other telecommunications device, the results of such 4607  
unofficial count to the secretary of state, or to the board of the 4608  
most populous county of the district which is authorized to 4609  
canvass the returns. Such count, in no event, shall be made later 4610  
than twelve noon on the day following the election. ~~The board~~ 4611  
~~shall also, at the same time, certify the results thereof to the~~ 4612  
~~secretary of state by certified mail.~~ The board shall remain in 4613  
session from the time of the opening of the polls, continuously, 4614  
until the results of the election are received from every precinct 4615  
in the county and such results are communicated to the secretary 4616  
of state. 4617

**Sec. 3505.31.** When the results of the voting in a polling 4618  
place on the day of an election have been determined and entered 4619  
upon the proper forms and the certifications of those results have 4620  
been signed by the precinct officials, those officials, before 4621  
leaving the polling place, shall place all ballots that they have 4622  
counted in containers provided for that purpose by the board of 4623  
elections, and shall seal each container in a manner that it 4624  
cannot be opened without breaking the seal or the material of 4625  
which the container is made. They shall also seal the pollbook, 4626  
poll list or signature pollbook, and tally sheet in a manner that 4627  
the data contained in these items cannot be seen without breaking 4628  
the seals. On the outside of these items shall be a plain 4629  
indication that they are to be filed with the board. The ~~presiding~~ 4630  
~~judge~~ voting location manager and an employee or appointee of the 4631  
board of elections who has taken an oath to uphold the laws and 4632  
constitution of this state, including an oath that the person will 4633  
promptly and securely perform the duties required under this 4634

section and who is a member of a different political party than 4635  
the ~~presiding judge~~ voting location manager, shall then deliver to 4636  
the board the containers of ballots and the sealed pollbook, poll 4637  
list, and tally sheet, together with all other election reports, 4638  
materials, and supplies required to be delivered to the board. 4639

The board shall carefully preserve all ballots prepared and 4640  
provided by it for use in an election, whether used or unused, for 4641  
sixty days after the day of the election, except that, if an 4642  
election includes the nomination or election of candidates for any 4643  
of the offices of president, vice-president, presidential elector, 4644  
member of the senate of the congress of the United States, or 4645  
member of the house of representatives of the congress of the 4646  
United States, the board shall carefully preserve all ballots 4647  
prepared and provided by it for use in that election, whether used 4648  
or unused, for twenty-two months after the day of the election. If 4649  
an election is held within that sixty-day period, the board shall 4650  
have authority to transfer those ballots to other containers to 4651  
preserve them until the sixty-day period has expired. After that 4652  
sixty-day period, the ballots shall be disposed of by the board in 4653  
a manner that the board orders, or where voting machines have been 4654  
used the counters may be turned back to zero; provided that the 4655  
secretary of state, within that sixty-day period, may order the 4656  
board to preserve the ballots or any part of the ballots for a 4657  
longer period of time, in which event the board shall preserve 4658  
those ballots for that longer period of time. 4659

In counties where voting machines are used, if an election is 4660  
to be held within the sixty days immediately following a primary, 4661  
general, or special election or within any period of time within 4662  
which the ballots have been ordered preserved by the secretary of 4663  
state or a court of competent jurisdiction, the board, after 4664  
giving notice to all interested parties and affording them an 4665  
opportunity to have a representative present, shall open the 4666



compartments of the machines and, without unlocking the machines, 4667  
shall recanvass the vote cast in them as if a recount were being 4668  
held. The results shall be certified by the board, and this 4669  
certification shall be filed in the board's office and retained 4670  
for the remainder of the period for which ballots must be kept. 4671  
After preparation of the certificate, the counters may be turned 4672  
back to zero, and the machines may be used for the election. 4673

The board shall carefully preserve the pollbook, poll list or 4674  
signature pollbook, and tally sheet delivered to it from each 4675  
polling place until it has completed the official canvass of the 4676  
election returns from all precincts in which electors were 4677  
entitled to vote at an election, and has prepared and certified 4678  
the abstracts of election returns, as required by law. The board 4679  
shall not break, or permit anyone to break, the seals upon the 4680  
pollbook, poll list or signature pollbook, and tally sheet, or 4681  
make, or permit any one to make, any changes or notations in these 4682  
items, while they are in its custody, except as provided by 4683  
section 3505.32 of the Revised Code. 4684

Pollbooks and poll lists or signature pollbooks of a party 4685  
primary election delivered to the board from polling places shall 4686  
be carefully preserved by it for two years after the day of 4687  
election in which they were used, and shall then be disposed of by 4688  
the board in a manner that the board orders. 4689

Pollbooks, poll lists or signature pollbooks, tally sheets, 4690  
summary statements, and other records and returns of an election 4691  
delivered to it from polling places shall be carefully preserved 4692  
by the board for two years after the day of the election in which 4693  
they were used, and shall then be disposed of by the board in a 4694  
manner that the board orders. 4695

**Sec. 3506.021.** (A) A board of elections may adopt the use of 4696  
any electronic pollbook that has been certified for use in this 4697

state in accordance with section 3506.05 of the Revised Code, 4698  
instead of using poll lists or signature pollbooks. A board of 4699  
elections that opts to use electronic pollbooks shall notify the 4700  
secretary of state of that decision. 4701

(B) The secretary of state shall provide each board of 4702  
elections that adopts the use of electronic pollbooks under 4703  
division (A) of this section with rules, instructions, directives, 4704  
and advisories regarding the examination, testing, and use of 4705  
electronic pollbooks, including rules regarding the sealing of the 4706  
information in those pollbooks as required under section 3505.31 4707  
of the Revised Code. 4708

(C) As used in this section, "electronic pollbook" has the 4709  
same meaning as in section 3506.05 of the Revised Code. 4710

**Sec. 3506.05.** (A) As used in this section, ~~except:~~ 4711

(1) "Electronic pollbook" means an electronic list of 4712  
registered voters for a particular precinct or polling location 4713  
that may be transported to a polling location; 4714

(2) Except when used as part of the phrase "tabulating 4715  
equipment" or "automatic tabulating equipment," 4716

~~(1) "Equipment"~~ "equipment" means a voting machine, marking 4717  
device, automatic tabulating equipment, ~~or~~ software, or an 4718  
electronic pollbook. 4719

~~(2)~~(3) "Vendor" means the person that owns, manufactures, 4720  
distributes, or has the legal right to control the use of 4721  
equipment, or the person's agent. 4722

(B) No voting machine, marking device, automatic tabulating 4723  
equipment, or software for the purpose of casting or tabulating 4724  
votes or for communications among systems involved in the 4725  
tabulation, storage, or casting of votes, and no electronic 4726

pollbook, shall be purchased, leased, put in use, or continued to 4727  
be used, except for experimental use as provided in division (B) 4728  
of section 3506.04 of the Revised Code, unless it, a manual of 4729  
procedures governing its use, and training materials, service, and 4730  
other support arrangements have been certified by the secretary of 4731  
state and unless the board of elections of each county where the 4732  
equipment will be used has assured that a demonstration of the use 4733  
of the equipment has been made available to all interested 4734  
electors. The secretary of state shall appoint a board of voting 4735  
machine examiners to examine and approve equipment and its related 4736  
manuals and support arrangements. The board shall consist of four 4737  
members, who shall be appointed as follows: 4738

(1) Two members appointed by the secretary of state. 4739

(2) One member appointed by either the speaker of the house 4740  
of representatives or the minority leader of the house of 4741  
representatives, whichever is a member of the opposite political 4742  
party from the one to which the secretary of state belongs. 4743

(3) One member appointed by either the president of the 4744  
senate or the minority leader of the senate, whichever is a member 4745  
of the opposite political party from the one to which the 4746  
secretary of state belongs. 4747

In all cases of a tie vote or a disagreement in the board, if 4748  
no decision can be arrived at, the board shall submit the matter 4749  
in controversy to the secretary of state, who shall summarily 4750  
decide the question, and the secretary of state's decision shall 4751  
be final. Each member of the board shall be a competent and 4752  
experienced election officer or a person who is knowledgeable 4753  
about the operation of voting equipment and shall serve during the 4754  
secretary of state's term. Any vacancy on the board shall be 4755  
filled in the same manner as the original appointment. The 4756  
secretary of state shall provide staffing assistance to the board, 4757  
at the board's request. 4758

For the member's service, each member of the board shall 4759  
receive three hundred dollars per day for each combination of 4760  
marking device, tabulating equipment, ~~and~~ voting machine, and 4761  
electronic pollbook examined and reported, but in no event shall a 4762  
member receive more than six hundred dollars to examine and report 4763  
on any one marking device, item of tabulating equipment, ~~or~~ voting 4764  
machine, or electronic pollbook. Each member of the board shall be 4765  
reimbursed for expenses the member incurs during an examination or 4766  
during the performance of any related duties that may be required 4767  
by the secretary of state. Reimbursement of these expenses shall 4768  
be made in accordance with, and shall not exceed, the rates 4769  
provided for under section 126.31 of the Revised Code. 4770

Neither the secretary of state nor the board, nor any public 4771  
officer who participates in the authorization, examination, 4772  
testing, or purchase of equipment, shall have any pecuniary 4773  
interest in the equipment or any affiliation with the vendor. 4774

(C)(1) A vendor who desires to have the secretary of state 4775  
certify equipment shall first submit the equipment, all current 4776  
related procedural manuals, and a current description of all 4777  
related support arrangements to the board of voting machine 4778  
examiners for examination, testing, and approval. The submission 4779  
shall be accompanied by a fee of eighteen hundred dollars and a 4780  
detailed explanation of the construction and method of operation 4781  
of the equipment, a full statement of its advantages, and a list 4782  
of the patents and copyrights used in operations essential to the 4783  
processes of vote recording and tabulating, vote storage, system 4784  
security, pollbook storage and security, and other crucial 4785  
operations of the equipment as may be determined by the board. An 4786  
additional fee, in an amount to be set by rules promulgated by the 4787  
board, may be imposed to pay for the costs of alternative testing 4788  
or testing by persons other than board members, record-keeping, 4789  
and other extraordinary costs incurred in the examination process. 4790

Moneys not used shall be returned to the person or entity 4791  
submitting the equipment for examination. 4792

(2) Fees collected by the secretary of state under this 4793  
section shall be deposited into the state treasury to the credit 4794  
of the board of voting machine examiners fund, which is hereby 4795  
created. All moneys credited to this fund shall be used solely for 4796  
the purpose of paying for the services and expenses of each member 4797  
of the board or for other expenses incurred relating to the 4798  
examination, testing, reporting, or certification of ~~voting~~ 4799  
~~machine devices~~ equipment, the performance of any related duties 4800  
as required by the secretary of state, or the reimbursement of any 4801  
person submitting an examination fee as provided in this chapter. 4802

(D) Within sixty days after the submission of the equipment 4803  
and payment of the fee, or as soon thereafter as is reasonably 4804  
practicable, but in any event within not more than ninety days 4805  
after the submission and payment, the board of voting machine 4806  
examiners shall examine the equipment and file with the secretary 4807  
of state a written report on the equipment with its 4808  
recommendations and, if applicable, its determination or condition 4809  
of approval regarding whether the equipment, manual, and other 4810  
related materials or arrangements meet the criteria set forth in 4811  
sections 3506.07 and 3506.10 of the Revised Code and can be safely 4812  
used by the voters at elections under the conditions prescribed in 4813  
Title XXXV of the Revised Code, or a written statement of reasons 4814  
for which testing requires a longer period. The board may grant 4815  
temporary approval for the purpose of allowing experimental use of 4816  
equipment. If the board finds that the equipment meets ~~the~~ any 4817  
applicable criteria set forth in sections 3506.06, 3506.07, and 4818  
3506.10 of the Revised Code, can be used safely and, if 4819  
applicable, can be depended upon to record and count accurately 4820  
and continuously the votes of electors, and has the capacity to be 4821  
warranted, maintained, and serviced, it shall approve the 4822

equipment and recommend that the secretary of state certify the 4823  
equipment. The secretary of state shall notify all boards of 4824  
elections of any such certification. Equipment of the same model 4825  
and make, if it ~~provides for recording of voter intent, system~~ 4826  
~~security, voter privacy, retention of vote, and communication of~~ 4827  
~~voting records~~ operates in an identical manner, may then be 4828  
adopted for use at elections. 4829

(E) The vendor shall notify the secretary of state, who shall 4830  
then notify the board of voting machine examiners, of any 4831  
enhancement and any significant adjustment to the hardware or 4832  
software that could result in a patent or copyright change or that 4833  
significantly alters the methods of recording voter intent, system 4834  
security, voter privacy, retention of the vote, communication of 4835  
~~voting~~ records, and connections between the system and other 4836  
systems. The vendor shall provide the secretary of state with an 4837  
updated operations manual for the equipment, and the secretary of 4838  
state shall forward the manual to the board. Upon receiving such a 4839  
notification and manual, the board may require the vendor to 4840  
submit the equipment to an examination and test in order for the 4841  
equipment to remain certified. The board or the secretary of state 4842  
shall periodically examine, test, and inspect certified equipment 4843  
to determine continued compliance with the requirements of this 4844  
chapter and the initial certification. Any examination, test, or 4845  
inspection conducted for the purpose of continuing certification 4846  
of any equipment in which a significant problem has been uncovered 4847  
or in which a record of continuing problems exists shall be 4848  
performed pursuant to divisions (C) and (D) of this section, in 4849  
the same manner as the examination, test, or inspection is 4850  
performed for initial approval and certification. 4851

(F) If, at any time after the certification of equipment, the 4852  
board of voting machine examiners or the secretary of state is 4853  
notified by a board of elections of any significant problem with 4854

the equipment or determines that the equipment fails to meet the 4855  
requirements necessary for approval or continued compliance with 4856  
the requirements of this chapter, or if the board of voting 4857  
machine examiners determines that there are significant 4858  
enhancements or adjustments to the hardware or software, or if 4859  
notice of such enhancements or adjustments has not been given as 4860  
required by division (E) of this section, the secretary of state 4861  
shall notify the users and vendors of that equipment that 4862  
certification of the equipment may be withdrawn. 4863

(G)(1) The notice given by the secretary of state under 4864  
division (F) of this section shall be in writing and shall specify 4865  
both of the following: 4866

(a) The reasons why the certification may be withdrawn; 4867

(b) The date on which certification will be withdrawn unless 4868  
the vendor takes satisfactory corrective measures or explains why 4869  
there are no problems with the equipment or why the enhancements 4870  
or adjustments to the equipment are not significant. 4871

(2) A vendor who receives a notice under division (F) of this 4872  
section shall, within thirty days after receiving it, submit to 4873  
the board of voting machine examiners in writing a description of 4874  
the corrective measures taken and the date on which they were 4875  
taken, or the explanation required under division (G)(1)(b) of 4876  
this section. 4877

(3) Not later than fifteen days after receiving a written 4878  
description or explanation under division (G)(2) of this section 4879  
from a vendor, the board shall determine whether the corrective 4880  
measures taken or the explanation is satisfactory to allow 4881  
continued certification of the equipment, and the secretary of 4882  
state shall send the vendor a written notice of the board's 4883  
determination, specifying the reasons for it. If the board has 4884  
determined that the measures taken or the explanation given is 4885

unsatisfactory, the notice shall include the effective date of 4886  
withdrawal of the certification. This date may be different from 4887  
the date originally specified in division (G)(1)(b) of this 4888  
section. 4889

(4) A vendor who receives a notice under division (G)(3) of 4890  
this section indicating a decision to withdraw certification may, 4891  
within thirty days after receiving it, request in writing that the 4892  
board hold a hearing to reconsider its decision. Any interested 4893  
party shall be given the opportunity to submit testimony or 4894  
documentation in support of or in opposition to the board's 4895  
recommendation to withdraw certification. Failure of the vendor to 4896  
take appropriate steps as described in division (G)(1)(b) or to 4897  
comply with division (G)(2) of this section results in a waiver of 4898  
the vendor's rights under division (G)(4) of this section. 4899

(H)(1) The secretary of state, in consultation with the board 4900  
of voting machine examiners, shall establish, by rule, guidelines 4901  
for the approval, certification, and continued certification of 4902  
the voting machines, marking devices, ~~and~~ tabulating equipment, 4903  
and electronic pollbooks to be used under Title XXXV of the 4904  
Revised Code. The guidelines shall establish procedures requiring 4905  
vendors or computer software developers to place in escrow with an 4906  
independent escrow agent approved by the secretary of state a copy 4907  
of all source code and related documentation, together with 4908  
periodic updates as they become known or available. The secretary 4909  
of state shall require that the documentation include a system 4910  
configuration and that the source code include all relevant 4911  
program statements in low- or high-level languages. As used in 4912  
this division, "source code" does not include variable codes 4913  
created for specific elections. 4914

(2) Nothing in any rule adopted under division (H) of this 4915  
section shall be construed to limit the ability of the secretary 4916  
of state to follow or adopt, or to preclude the secretary of state 4917



from following or adopting, any guidelines proposed by the federal 4918  
election commission, any entity authorized by the federal election 4919  
commission to propose guidelines, the election assistance 4920  
commission, or any entity authorized by the election assistance 4921  
commission to propose guidelines. 4922

(3)(a) Before the initial certification of any direct 4923  
recording electronic voting machine with a voter verified paper 4924  
audit trail, and as a condition for the continued certification 4925  
and use of those machines, the secretary of state shall establish, 4926  
by rule, standards for the certification of those machines. Those 4927  
standards shall include, but are not limited to, all of the 4928  
following: 4929

(i) A definition of a voter verified paper audit trail as a 4930  
paper record of the voter's choices that is verified by the voter 4931  
prior to the casting of the voter's ballot and that is securely 4932  
retained by the board of elections; 4933

(ii) Requirements that the voter verified paper audit trail 4934  
shall not be retained by any voter and shall not contain 4935  
individual voter information; 4936

(iii) A prohibition against the production by any direct 4937  
recording electronic voting machine of anything that legally could 4938  
be removed by the voter from the polling place, such as a receipt 4939  
or voter confirmation; 4940

(iv) A requirement that paper used in producing a voter 4941  
verified paper audit trail be sturdy, clean, and resistant to 4942  
degradation; 4943

(v) A requirement that the voter verified paper audit trail 4944  
shall be capable of being optically scanned for the purpose of 4945  
conducting a recount or other audit of the voting machine and 4946  
shall be readable in a manner that makes the voter's ballot 4947  
choices obvious to the voter without the use of computer or 4948

electronic codes; 4949

(vi) A requirement, for office-type ballots, that the voter 4950  
verified paper audit trail include the name of each candidate 4951  
selected by the voter; 4952

(vii) A requirement, for questions and issues ballots, that 4953  
the voter verified paper audit trail include the title of the 4954  
question or issue, the name of the entity that placed the question 4955  
or issue on the ballot, and the voter's ballot selection on that 4956  
question or issue, but not the entire text of the question or 4957  
issue. 4958

(b) The secretary of state, by rule adopted under Chapter 4959  
119. of the Revised Code, may waive the requirement under division 4960  
(H)(3)(a)(v) of this section, if the secretary of state determines 4961  
that the requirement is cost prohibitive. 4962

(4)(a) Except as otherwise provided in division (H)(4)(c) of 4963  
this section, any voting machine, marking device, or automatic 4964  
tabulating equipment initially certified or acquired on or after 4965  
December 1, 2008, shall have the most recent federal certification 4966  
number issued by the election assistance commission. 4967

(b) Any voting machine, marking device, or automatic 4968  
tabulating equipment certified for use in this state on ~~the~~ 4969  
~~effective date of this amendment~~ September 12, 2008, shall meet, 4970  
as a condition of continued certification and use, the voting 4971  
system standards adopted by the federal election commission in 4972  
2002. 4973

(c) A county that acquires additional voting machines, 4974  
marking devices, or automatic tabulating equipment on or after 4975  
December 1, 2008, shall not be considered to have acquired those 4976  
machines, devices, or equipment on or after December 1, 2008, for 4977  
the purpose of division (H)(4)(a) of this section if all of the 4978  
following apply: 4979

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

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

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

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

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

(B) Except as otherwise provided in this division, shall establish one or more counting stations to receive voted ballots and other precinct election supplies after the polling precincts are closed. Those stations shall be under the supervision and

direction of the board of elections. Processing and counting of 5011  
voted ballots, and the preparation of summary sheets, shall be 5012  
done in the presence of observers approved by the board. A 5013  
certified copy of the summary sheet for the precinct shall be 5014  
posted at each counting station immediately after completion of 5015  
the summary sheet. 5016

~~In counties where punch card ballots are used, one or more 5017  
counting stations, located at the board of elections, shall be 5018  
established, at which location all punch card ballots shall be 5019  
counted. 5020~~

~~As used in this division, "punch card ballot" has the same 5021  
meaning as in section 3506.16 of the Revised Code. 5022~~

**Sec. 3506.15.** The secretary of state shall provide each board 5023  
of elections with rules, instructions, directives, and advisories 5024  
regarding the examination, testing, and use of the voting machine 5025  
and tabulating equipment, the assignment of duties of booth 5026  
officials, the procedure for casting a vote on the machine, and 5027  
how the vote shall be tallied and reported to the board, and with 5028  
other rules, instructions, directives, and advisories the 5029  
secretary of state finds necessary to ensure the adequate care and 5030  
custody of voting equipment, and the accurate registering, 5031  
counting, and canvassing of the votes as required by this chapter. 5032  
The boards of elections shall be charged with the responsibility 5033  
of providing for the adequate instruction of voters and election 5034  
officials in the proper use of the voting machine and marking 5035  
devices. ~~The boards' instructions shall include, in counties where 5036  
punch card ballots are used, instructions that each voter shall 5037  
examine the voter's marked ballot card and remove any chads that 5038  
remain partially attached to it before returning it to election 5039  
officials. 5040~~

The secretary of state's rules, instructions, directives, and 5041

advisories provided under this section shall comply, insofar as 5042  
practicable, with this chapter. The provisions of Title XXXV of 5043  
the Revised Code, not inconsistent with the provisions relating to 5044  
voting machines, apply in any county using a voting machine. 5045

~~As used in this section, "chad" and "punch card ballot" have 5046  
the same meanings as in section 3506.16 of the Revised Code. 5047~~

**Sec. 3509.01.** (A) The board of elections of each county shall 5048  
provide absent voter's ballots for use at every primary and 5049  
general election, or special election to be held on the day 5050  
specified by division (E) of section 3501.01 of the Revised Code 5051  
for the holding of a primary election, designated by the general 5052  
assembly for the purpose of submitting constitutional amendments 5053  
proposed by the general assembly to the voters of the state. Those 5054  
ballots shall be the same size, shall be printed on the same kind 5055  
of paper, and shall be in the same form as has been approved for 5056  
use at the election for which those ballots are to be voted; 5057  
except that, in counties using marking devices, ballot cards may 5058  
be used for absent voter's ballots, and those absent voters shall 5059  
be instructed to record the vote in the manner provided on the 5060  
ballot cards. ~~In counties where punch card ballots are used, those 5061  
absent voters shall be instructed to examine their marked ballot 5062  
cards and to remove any chads that remain partially attached to 5063  
them before returning them to election officials. 5064~~

(B) The rotation of names of candidates and questions and 5065  
issues shall be substantially complied with on absent voter's 5066  
ballots, within the limitation of time allotted. Those ballots 5067  
shall be designated as "Absent Voter's Ballots." Except as 5068  
otherwise provided in division (D) of this section, those ballots 5069  
shall be printed and ready for use as follows: 5070

(1) For overseas voters and absent uniformed services voters 5071  
eligible to vote under the Uniformed and Overseas Citizens 5072

Absentee Voting Act, Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 5073  
1973ff, et seq., as amended, ballots shall be printed and ready 5074  
for use on the forty-fifth day before the day of the election. 5075

(2) For all ~~other~~ voters, other than overseas voters and 5076  
absent uniformed services voters, who are applying to vote absent 5077  
voter's ballots other than in person, ballots shall be printed and 5078  
ready for use on the ~~thirty-fifth~~ twenty-first day before the day 5079  
of the election. 5080

(3) For all voters who are applying to vote absent voter's 5081  
ballots in person, ballots shall be printed and ready for use 5082  
beginning on the seventeenth day before the day of the election 5083  
and shall continue to be available for use through six p.m. on the 5084  
last Friday before the day of the election, except that ballots 5085  
shall not be available for use on Sunday. On the days in which 5086  
absent voter's ballots are available for use in person, those 5087  
ballots shall be available from eight a.m. through six p.m. Monday 5088  
through Friday and from eight a.m. through twelve p.m. on 5089  
Saturday. If, at the time for the close of in-person absent voting 5090  
on a particular day, there are voters waiting in line to cast 5091  
their ballots, the in-person absent voting location shall be kept 5092  
open until such waiting voters have cast their absent voter's 5093  
ballots. 5094

(C) Absent voter's ballots provided for use at a general or 5095  
primary election, or special election to be held on the day 5096  
specified by division (E) of section 3501.01 of the Revised Code 5097  
for the holding of a primary election, designated by the general 5098  
assembly for the purpose of submitting constitutional amendments 5099  
proposed by the general assembly to the voters of the state, shall 5100  
include only those questions, issues, and candidacies that have 5101  
been lawfully ordered submitted to the electors voting at that 5102  
election. 5103

(D)(1) If the laws governing the holding of a special 5104

election on a day other than the day on which a primary or general 5105  
election is held make it impossible for absent voter's ballots to 5106  
be printed and ready for use by the deadlines established in 5107  
division (B) of this section, absent voter's ballots for those 5108  
special elections shall be ready for use as many days before the 5109  
day of the election as reasonably possible under the laws 5110  
governing the holding of that special election. 5111

(2) If, in accordance with Section 2 of Article XVII, Ohio 5112  
Constitution, an election is required to be held to fill a vacancy 5113  
that occurs after absent voter's ballots have been printed and 5114  
distributed under division (B) of this section, the board of 5115  
elections shall print and distribute a supplemental ballot for 5116  
that election to each absent voter who has requested a ballot for 5117  
that election as many days before the election as reasonably 5118  
possible. 5119

(E) A copy of the absent voter's ballots shall be forwarded 5120  
by the director of the board in each county to the secretary of 5121  
state at least twenty-five days before the election. 5122

~~(F) As used in this section, "chad" and "punch card ballot" 5123~~  
~~have the same meanings as in section 3506.16 of the Revised Code.~~ 5124

**Sec. 3509.02.** (A) Any qualified elector may vote by absent 5125  
voter's ballots at an election. 5126

(B) Any qualified elector who is unable to appear at the 5127  
office of the board of elections or, if pursuant to division 5128  
(C)(2) of section 3501.10 of the Revised Code the board has 5129  
designated another location in the county at which registered 5130  
electors may ~~vote~~ cast absent voter's ballots in person before an 5131  
election, at that other location on account of personal illness, 5132  
physical disability, or infirmity, and who moves from one precinct 5133  
to another within a county, changes the elector's name and moves 5134  
from one precinct to another within a county, or moves from one 5135

county to another county within the state, on or prior to the day 5136  
of a general, primary, or special election and has not filed a 5137  
notice of change of residence or change of name may vote by absent 5138  
voter's ballots in that election as specified in division (G) of 5139  
section 3503.16 of the Revised Code. 5140

**Sec. 3509.03.** Except as provided in section 3509.031 or 5141  
division (B) of section 3509.08 of the Revised Code, any qualified 5142  
elector desiring to vote absent voter's ballots at an election 5143  
shall make written application for those ballots to the ~~director~~ 5144  
board of elections of the county in which the elector's voting 5145  
residence is located. The application need not be in any 5146  
particular form but shall contain all of the following: 5147

(A) The elector's name; 5148

(B) The elector's signature; 5149

(C) The address at which the elector is registered to vote; 5150

(D) The elector's date of birth; 5151

(E) One of the following: 5152

(1) The elector's driver's license number or state 5153  
identification card number; 5154

(2) The ~~last four digits of the~~ elector's social security 5155  
number; 5156

(3) A copy of the elector's current and valid photo 5157  
identification, a copy of a military identification, a copy of a 5158  
United States passport, or a copy of a current utility bill, bank 5159  
statement, government check, paycheck, or other government 5160  
document, other than ~~a notice of an election mailed by a board of~~ 5161  
~~elections under section 3501.19 of the Revised Code or a notice of~~ 5162  
voter registration mailed by a board of elections under section 5163  
3503.19 of the Revised Code, that shows the name and address of 5164  
the elector. 5165



(F) A statement identifying the election for which absent voter's ballots are requested; 5166  
5167

(G) A statement that the person requesting the ballots is a qualified elector; 5168  
5169

(H) If the request is for primary election ballots, the elector's party affiliation; 5170  
5171

(I) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed. 5172  
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Each application for 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 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 before the day of the election at which the ballots are to be voted, or not later than the close of regular business hours on the day before the day of the election at which the ballots are to be voted if the application is delivered in person to the office of the board. 5174  
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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. 5185  
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**Sec. 3509.031.** (A) Any qualified elector who is a member of the organized militia called to active duty within the state and who will be unable to vote on election day on account of that active duty may make written application for absent voter's 5192  
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ballots to the ~~director~~ board of elections for the county in which 5196  
the elector's voting residence is located. The elector may 5197  
personally deliver the application to the ~~director~~ office of the 5198  
board or may mail it, send it by facsimile machine, or otherwise 5199  
send it to the ~~director~~ board. The application need not be in any 5200  
particular form but shall contain all of the following: 5201

(1) The elector's name; 5202

(2) The elector's signature; 5203

(3) The address at which the elector is registered to vote; 5204

(4) The elector's date of birth; 5205

(5) One of the following: 5206

(a) The elector's driver's license number or state 5207  
identification card number; 5208

(b) The ~~last four digits of the~~ elector's social security 5209  
number; 5210

(c) A copy of the elector's current and valid photo 5211  
identification, a copy of a military identification, a copy of a 5212  
United States passport, or a copy of a current utility bill, bank 5213  
statement, government check, paycheck, or other government 5214  
document, other than ~~a notice of an election mailed by a board of~~ 5215  
~~elections under section 3501.19 of the Revised Code~~ or a notice of 5216  
voter registration mailed by a board of elections under section 5217  
3503.19 of the Revised Code, that shows the name and address of 5218  
the elector. 5219

(6) A statement identifying the election for which absent 5220  
voter's ballots are requested; 5221

(7) A statement that the person requesting the ballots is a 5222  
qualified elector; 5223

(8) A statement that the elector is a member of the organized 5224  
militia serving on active duty within the state; 5225

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                      |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| (9) If the request is for primary election ballots, the elector's party affiliation;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5226<br>5227                                                                                                                                         |
| (10) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5228<br>5229                                                                                                                                         |
| (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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 5230<br>5231<br>5232                                                                                                                                 |
| (B) Application to have absent voter's ballots mailed or sent by facsimile machine to a qualified elector who is a member of the organized militia called to active duty within the state and who will be unable to vote on election day on account of that active duty may be made by the spouse of the militia member or the father, mother, father-in-law, mother-in-law, grandfather, grandmother, brother or sister of the whole blood or half blood, son, daughter, adopting parent, adopted child, stepparent, stepchild, uncle, aunt, nephew, or niece of the militia member. The application shall be in writing upon a blank form furnished only by the <del>director</del> <u>board of elections</u> . The form of the application shall be prescribed by the secretary of state. The <del>director</del> <u>board</u> shall furnish that blank form to any of the relatives specified in this division desiring to make the application, only upon the request of such a relative in person at the office of the board or upon the written request of such a relative mailed to the office of the board. The application, subscribed and sworn to by the applicant, shall contain all of the following: | 5233<br>5234<br>5235<br>5236<br>5237<br>5238<br>5239<br>5240<br>5241<br>5242<br>5243<br>5244<br>5245<br>5246<br>5247<br>5248<br>5249<br>5250<br>5251 |
| (1) The full name of the elector for whom ballots are requested;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 5252<br>5253                                                                                                                                         |
| (2) A statement that such person is a qualified elector in the county;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 5254<br>5255                                                                                                                                         |
| (3) The address at which the elector is registered to vote;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 5256                                                                                                                                                 |

|                                                                               |      |
|-------------------------------------------------------------------------------|------|
| (4) The elector's date of birth;                                              | 5257 |
| (5) One of the following:                                                     | 5258 |
| (a) The elector's driver's license number <u>or state</u>                     | 5259 |
| <u>identification card number;</u>                                            | 5260 |
| (b) The <del>last four digits of the</del> elector's social security          | 5261 |
| number;                                                                       | 5262 |
| (c) A copy of the elector's current and valid photo                           | 5263 |
| identification, a copy of a military identification, <u>a copy of a</u>       | 5264 |
| <u>United States passport,</u> or a copy of a current utility bill, bank      | 5265 |
| statement, government check, paycheck, or other government                    | 5266 |
| document, other than <del>a notice of an election mailed by a board of</del>  | 5267 |
| <del>elections under section 3501.19 of the Revised Code or a notice of</del> | 5268 |
| voter registration mailed by a board of elections under section               | 5269 |
| 3503.19 of the Revised Code, that shows the name and address of               | 5270 |
| the elector.                                                                  | 5271 |
| (6) A statement identifying the election for which absent                     | 5272 |
| voter's ballots are requested;                                                | 5273 |
| (7) A statement that the elector is a member of the organized                 | 5274 |
| militia serving on active duty within the state;                              | 5275 |
| (8) If the request is for primary election ballots, the                       | 5276 |
| elector's party affiliation;                                                  | 5277 |
| (9) A statement that the applicant bears a relationship to                    | 5278 |
| the elector as specified in division (B) of this section;                     | 5279 |
| (10) The address to which ballots shall be mailed or                          | 5280 |
| telephone number to which ballots shall be sent by facsimile                  | 5281 |
| machine;                                                                      | 5282 |
| (11) The signature and address of the person making the                       | 5283 |
| application.                                                                  | 5284 |
| (C) Applications to have absent voter's ballots mailed or                     | 5285 |
| sent by facsimile machine shall not be valid if dated, postmarked,            | 5286 |

or received by the ~~director~~ board prior to the ninetieth day 5287  
before the day of the election for which ballots are requested or 5288  
if delivered to the ~~director~~ board later than twelve noon of the 5289  
third day preceding the day of such election. If, after the 5290  
ninetieth day and before four p.m. of the day before the day of an 5291  
election, a valid application for absent voter's ballots is 5292  
delivered to the ~~director of elections at the~~ office of the board 5293  
by a militia member making application in the militia member's own 5294  
behalf, the ~~director~~ board shall forthwith deliver to the militia 5295  
member all absent voter's ballots then ready for use, together 5296  
with an identification envelope. The militia member shall then 5297  
vote the absent voter's ballots in the manner provided in section 5298  
3509.05 of the Revised Code. 5299

(D) A board of elections shall not mail any unsolicited 5300  
applications for absent voter's ballots. A board shall only mail 5301  
an absent voter's ballot application to an elector who has 5302  
requested such an application from the board. A board of elections 5303  
that mails an absent voter's ballot application to an elector 5304  
under this section shall not prepay the return postage for that 5305  
application. 5306

**Sec. 3509.04.** (A) If a ~~director~~ of a board of elections 5307  
receives an application for absent voter's ballots that does not 5308  
contain all of the required information, the ~~director~~ board 5309  
promptly shall notify the applicant of the additional information 5310  
required to be provided by the applicant to complete that 5311  
application. 5312

(B) Upon receipt by the ~~director~~ board of elections of an 5313  
application for absent voter's ballots that contains all of the 5314  
required information, as provided by sections 3509.03 and 3509.031 5315  
and division (G) of section 3503.16 of the Revised Code, the 5316  
~~director~~ board, if the ~~director~~ board finds that the applicant is 5317

a qualified elector, shall deliver to the applicant in person or 5318  
mail directly to the applicant by special delivery mail, air mail, 5319  
or regular mail, postage prepaid, proper absent voter's ballots. 5320  
The ~~director~~ board shall deliver or mail with the ballots an 5321  
unsealed identification envelope upon the face of which shall be 5322  
printed a form substantially as follows: 5323

"Identification Envelope Statement of Voter 5324

I, .....(Name of voter), declare under 5325  
penalty of election falsification that the within ballot or 5326  
ballots contained no voting marks of any kind when I received 5327  
them, and I caused the ballot or ballots to be marked, enclosed in 5328  
the identification envelope, and sealed in that envelope. 5329

My voting residence in Ohio is 5330

..... 5331

(Street and Number, if any, or Rural Route and Number) 5332

of ..... (City, Village, or Township) 5333

Ohio, which is in Ward ..... Precinct ..... 5334

in that city, village, or township. 5335

The primary election ballots, if any, within this envelope 5336

are primary election ballots of the ..... Party. 5337

Ballots contained within this envelope are to be voted at the 5338

..... (general, special, or primary) election to be held on 5339

the ..... day of ....., .... 5340

My date of birth is ..... (Month and Day), 5341

..... (Year). 5342

(Voter must provide one of the following:) 5343

My driver's license number is ..... (Driver's 5344

license number). 5345

My state identification card number is ..... (Ohio 5346

identification card number). 5347

~~The last four digits of my My Social Security Number are is~~ 5348  
~~..... (Last four digits of Social Security Number).~~ 5349

..... In lieu of providing a driver's license number, state 5350  
identification card number, or ~~the last four digits of~~ my Social 5351  
Security Number, I am enclosing a copy of one of the following in 5352  
the return envelope in which this identification envelope will be 5353  
mailed: a current and valid photo identification, a military 5354  
identification, a United States passport, or a current utility 5355  
bill, bank statement, government check, paycheck, or other 5356  
government document, other than ~~a notice of an election mailed by~~ 5357  
~~a board of elections under section 3501.19 of the Revised Code or~~ 5358  
a notice of voter registration mailed by a board of elections, 5359  
that shows my name and address. 5360

I hereby declare, under penalty of election falsification, 5361  
that the statements above are true, as I verily believe. 5362

..... 5363

(Signature of Voter) 5364

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 5365  
THE FIFTH DEGREE." 5366

The ~~director~~ board of elections shall mail with the ballots 5367  
and the unsealed identification envelope an unsealed return 5368  
envelope upon the face of which shall be printed the official 5369  
title and post-office address of the ~~director~~ board. In the upper 5370  
left corner on the face of the return envelope, several blank 5371  
lines shall be printed upon which the voter may write the voter's 5372  
name and return address. The return envelope shall be of such size 5373  
that the identification envelope can be conveniently placed within 5374  
it for returning the identification envelope to the ~~director~~ 5375  
board. 5376

**Sec. 3509.05.** (A) When an elector receives an absent voter's 5377  
ballot pursuant to the elector's application or request, the 5378

elector shall, before placing any marks on the ballot, note 5379  
whether there are any voting marks on it. If there are any voting 5380  
marks, the ballot shall be returned immediately to the board of 5381  
elections; otherwise, the elector shall cause the ballot to be 5382  
marked, folded in a manner that the stub on it and the 5383  
indorsements and facsimile signatures of the members of the board 5384  
of elections on ~~the back of~~ it are visible, and placed and sealed 5385  
within the identification envelope received from the ~~director~~ 5386  
board of elections for that purpose. Then, the elector shall cause 5387  
the statement of voter on the outside of the identification 5388  
envelope to be completed and signed, under penalty of election 5389  
falsification. 5390

If the elector does not provide the elector's driver's 5391  
license number, state identification card number, or ~~the last four~~ 5392  
~~digits of~~ the elector's social security number on the statement of 5393  
voter on the identification envelope, the elector also shall 5394  
include in the return envelope with the identification envelope a 5395  
copy of the elector's current valid photo identification, a copy 5396  
of a military identification, a copy of a United States passport, 5397  
or a copy of a current utility bill, bank statement, government 5398  
check, paycheck, or other government document, other than ~~a notice~~ 5399  
~~of an election mailed by a board of elections under section~~ 5400  
~~3501.19 of the Revised Code or~~ a notice of voter registration 5401  
mailed by a board of elections under section 3503.19 of the 5402  
Revised Code, that shows the name and address of the elector. 5403

The elector shall mail the identification envelope to the 5404  
~~director~~ board of elections from ~~whom~~ which it was received in the 5405  
return envelope, postage prepaid, or the elector may personally 5406  
deliver it to the ~~director~~ office of the board, or the spouse of 5407  
the elector, the father, mother, father-in-law, mother-in-law, 5408  
grandfather, grandmother, brother, or sister of the whole or half 5409  
blood, or the son, daughter, adopting parent, adopted child, 5410



stepparent, stepchild, uncle, aunt, nephew, or niece of the 5411  
elector may deliver it to the ~~director~~ board. The return envelope 5412  
shall be transmitted to the ~~director~~ board in no other manner, 5413  
except as provided in section 3509.08 of the Revised Code. 5414

When absent voter's ballots are delivered to an elector at 5415  
the office of the board, the elector may retire to a voting 5416  
compartment provided by the board and there mark the ballots. 5417  
Thereupon, the elector shall fold them, place them in the 5418  
identification envelope provided, seal the envelope, fill in and 5419  
sign the statement on the envelope under penalty of election 5420  
falsification, and deliver the envelope to the ~~director of the~~ 5421  
board. 5422

Except as otherwise provided in division (B) of this section, 5423  
all other envelopes containing marked absent voter's ballots shall 5424  
be delivered to the ~~director~~ board not later than the close of the 5425  
polls on the day of an election. Absent voter's ballots delivered 5426  
to the ~~director~~ board later than the times specified shall not be 5427  
counted, but shall be kept by the board in the sealed 5428  
identification envelopes in which they are delivered to the 5429  
~~director~~ board, until the time provided by section 3505.31 of the 5430  
Revised Code for the destruction of all other ballots used at the 5431  
election for which ballots were provided, at which time they shall 5432  
be destroyed. 5433

(B)(1) Except as otherwise provided in division (B)(2) of 5434  
this section, any return envelope that is postmarked prior to the 5435  
day of the election shall be delivered to the ~~director~~ board prior 5436  
to the eleventh day after the election. Ballots delivered in 5437  
envelopes postmarked prior to the day of the election that are 5438  
received after the close of the polls on election day through the 5439  
tenth day thereafter shall be counted on the eleventh day at the 5440  
board of elections in the manner provided in divisions (C) and (D) 5441  
of section 3509.06 of the Revised Code. Any such ballots that are 5442

received by the ~~director~~ board later than the tenth day following 5443  
the election shall not be counted, but shall be kept by the board 5444  
in the sealed identification envelopes as provided in division (A) 5445  
of this section. 5446

(2) Division (B)(1) of this section shall not apply to any 5447  
mail that is postmarked using a postage evidencing system, 5448  
including a postage meter, as defined in 39 C.F.R. 501.1. 5449

(C) Upon receipt of any return envelope prior to the eleventh 5450  
day after the day of any election, the board of elections shall 5451  
open it but shall not open the identification envelope contained 5452  
in it. If, upon so opening the return envelope, the board finds 5453  
ballots in it that are not enclosed in and properly sealed in the 5454  
identification envelope, the board shall not look at the markings 5455  
upon the ballots and shall promptly place them in the 5456  
identification envelope and promptly seal it. If, upon so opening 5457  
the return envelope, the board finds that ballots are enclosed in 5458  
the identification envelope but that it is not properly sealed, 5459  
the board shall not look at the markings upon the ballots and 5460  
shall promptly seal the identification envelope. 5461

**Sec. 3509.051.** Notwithstanding section 3509.05 or any other 5462  
provision of the Revised Code to the contrary, all of the 5463  
following shall apply to the casting of absent voter's ballots in 5464  
person: 5465

(A) The absent voter shall provide identification to the 5466  
election officials in the same manner as a voter who casts a 5467  
ballot in person on the day of an election is required to provide 5468  
identification under section 3505.18 of the Revised Code. 5469

(B) The absent voter shall not be required to complete a 5470  
statement of voter on an absent voter's ballot identification 5471  
envelope. 5472

(C) The board of elections shall provide a signature book to 5473  
be signed by absent voters who are casting their ballots in 5474  
person. 5475

(D) If a board of elections employs more than one location 5476  
for casting absent voter's ballots in person before an election 5477  
under division (C) of section 3501.10 of the Revised Code, an 5478  
electronic pollbook that provides real time access to voting 5479  
records shall be used in each such location. 5480

(E) No person other than a precinct election official shall 5481  
be permitted to challenge the right to vote of an absent voter who 5482  
is casting a ballot in person. A precinct election official may 5483  
challenge the right to vote of an absent voter who is casting a 5484  
ballot in person in the same manner as a precinct election 5485  
official may challenge the right to vote of an elector on the day 5486  
of an election under section 3505.20 or 3513.19 of the Revised 5487  
Code. 5488

(F) No absent voter may receive a replacement ballot after 5489  
the voter's absent voter's ballot has been scanned or entered into 5490  
automatic tabulating equipment. 5491

**Sec. 3509.06.** (A) The board of elections shall determine 5492  
whether absent voter's ballots shall be counted in each precinct, 5493  
at the office of the board, or at some other location designated 5494  
by the board, and shall proceed accordingly under division (B) or 5495  
(C) of this section. 5496

(B) When the board of elections determines that absent 5497  
voter's ballots shall be counted in each precinct, the ~~director~~ 5498  
board shall deliver to the ~~presiding judge~~ voting location manager 5499  
of each precinct on election day identification envelopes 5500  
purporting to contain absent voter's ballots of electors whose 5501  
voting residence appears from the statement of voter on the 5502  
outside of each of those envelopes, to be located in ~~such~~ 5503

~~presiding judge's~~ that manager's precinct, and which were received 5504  
by the ~~director~~ board not later than the close of the polls on 5505  
election day. The ~~director~~ board shall deliver to ~~such presiding~~ 5506  
~~judge~~ the voting location manager a list containing the name and 5507  
voting residence of each person whose voting residence is in such 5508  
precinct to whom absent voter's ballots were mailed. 5509

(C) When the board of elections determines that absent 5510  
voter's ballots shall be counted at the office of the board of 5511  
elections or at another location designated by the board, special 5512  
election ~~judges~~ officials shall be appointed by the board for that 5513  
purpose having the same authority as is exercised by precinct 5514  
~~judges~~ election officials. The votes so cast shall be added to the 5515  
vote totals ~~by the board~~ for the precincts in which the applicable 5516  
absent voters reside, and the absent voter's ballots shall be 5517  
preserved separately by the board, in the same manner and for the 5518  
same length of time as provided by section 3505.31 of the Revised 5519  
Code. 5520

(D) Each of the identification envelopes purporting to 5521  
contain absent voter's ballots delivered to the ~~presiding judge~~ 5522  
voting location manager of the precinct or the special ~~judge~~ 5523  
election official appointed by the board of elections shall be 5524  
handled as follows: The election officials shall compare the 5525  
signature of the elector on the outside of the identification 5526  
envelope with the signature of that elector on the elector's 5527  
registration form and verify that the absent voter's ballot is 5528  
eligible to be counted under section 3509.07 of the Revised Code. 5529  
Any of the precinct officials may challenge the right of the 5530  
elector named on the identification envelope to vote the absent 5531  
voter's ballots upon the ground that the signature on the envelope 5532  
is not the same as the signature on the registration form, that 5533  
the identification envelope statement of voter has not been 5534  
completed, unless the ballot is a uniformed services or overseas 5535

absent voter's ballot, or upon any other of the grounds upon which  
the right of persons to vote may be lawfully challenged. If no  
such challenge is made, ~~or~~ if such a challenge is made and not  
sustained, or if a uniformed services or overseas absent voter  
signed the identification envelope statement of voter, is  
registered to vote, and is eligible to vote in the election, the  
~~presiding judge~~ voting location manager shall open the envelope  
without defacing the statement of voter and without mutilating the  
ballots in it, and shall remove the ballots contained in it and  
proceed to count them.

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

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

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

(F) Observers may be appointed under section 3505.21 of the  
Revised Code to witness the examination and opening of

identification envelopes and the counting of absent voters' 5568  
ballots under this section. 5569

**Sec. 3509.07.** If election officials find that the statement 5570  
accompanying an absent voter's ballot or absent voter's 5571  
presidential ballot is insufficient, that the signatures do not 5572  
correspond with the person's registration signature, that the 5573  
elector has not included the elector's birth date on the 5574  
identification envelope statement of voter, that the applicant is 5575  
not a qualified elector in the precinct, that the ballot envelope 5576  
contains more than one ballot of any one kind, or any voted ballot 5577  
that the elector is not entitled to vote, that Stub A is ~~detached~~ 5578  
~~from~~ not included in the envelope with the absent voter's ballot 5579  
or absent voter's presidential ballot, or that the elector has not 5580  
included with the elector's ballot any identification required 5581  
under section 3509.05 or 3511.09 of the Revised Code, the vote 5582  
shall not be accepted or counted. The vote of any absent voter may 5583  
be challenged for cause in the same manner as other votes are 5584  
challenged, and the election officials shall determine the 5585  
legality of that ballot. Every ballot not counted shall be 5586  
endorsed on its back "Not Counted" with the reasons the ballot was 5587  
not counted, and shall be enclosed and returned to or retained by 5588  
the board of elections along with the contested ballots. 5589

**Sec. 3509.08.** (A) Any qualified elector, who, on account of 5590  
the elector's own personal illness, physical disability, or 5591  
infirmity, or on account of the elector's confinement in a jail or 5592  
workhouse under sentence for a misdemeanor or awaiting trial on a 5593  
felony or misdemeanor, will be unable to travel from the elector's 5594  
home or place of confinement to the voting booth in the elector's 5595  
precinct on the day of any general, special, or primary election 5596  
may make application in writing for an absent voter's ballot to 5597  
~~the director of~~ the board of elections of the elector's county. 5598

The application shall include all of the information required 5599  
under section 3509.03 of the Revised Code and shall state the 5600  
nature of the elector's illness, physical disability, or 5601  
infirmity, or the fact that the elector is confined in a jail or 5602  
workhouse and the elector's resultant inability to travel to the 5603  
election booth in the elector's precinct on election day. The 5604  
application shall not be valid if it is delivered to the ~~director~~ 5605  
board before the ninetieth day or after twelve noon of the third 5606  
day before the day of the election at which the ballot is to be 5607  
voted. 5608

The absent voter's ballot may be mailed directly to the 5609  
applicant at the applicant's voting residence or place of 5610  
confinement as stated in the applicant's application, or the board 5611  
may designate two board employees belonging to the two major 5612  
political parties for the purpose of delivering the ballot to the 5613  
disabled or confined elector and returning it to the board, unless 5614  
the applicant is confined to a public or private institution 5615  
within the county, in which case the board shall designate two 5616  
board employees belonging to the two major political parties for 5617  
the purpose of delivering the ballot to the disabled or confined 5618  
elector and returning it to the board. In all other instances, the 5619  
ballot shall be returned to the office of the board in the manner 5620  
prescribed in section 3509.05 of the Revised Code. 5621

Any disabled or confined elector who declares to the two 5622  
board employees belonging to the two major political parties that 5623  
the elector is unable to mark the elector's ballot by reason of 5624  
physical infirmity that is apparent to the employees to be 5625  
sufficient to incapacitate the voter from marking the elector's 5626  
ballot properly, may receive, upon request, the assistance of the 5627  
employees in marking the elector's ballot, and they shall 5628  
thereafter give no information in regard to this matter. Such 5629  
assistance shall not be rendered for any other cause. 5630

When two board employees belonging to the two major political parties deliver a ballot to a disabled or confined elector, each of the employees shall be present when the ballot is delivered, when assistance is given, and when the ballot is returned to the office of the board, and shall subscribe to the declaration on the identification envelope.

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

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

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

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

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

(2) The application authorized under division (B)(1) of this section shall be made in writing, shall include all of the information required under section 3509.03 of the Revised Code, and shall be delivered to the ~~director~~ board not later than three p.m. on the day of the election. The application shall indicate the hospital where the applicant or the applicant's child is confined, the date of the applicant's or the applicant's child's admission to the hospital, and the offices for which the applicant is qualified to vote. The applicant may also request that a member



of the applicant's family, as listed in section 3509.05 of the Revised Code, deliver the absent voter's ballot to the applicant. The ~~director~~ board, after establishing to the ~~director's~~ board's satisfaction the validity of the circumstances claimed by the applicant, shall supply an absent voter's ballot to be delivered to the applicant. When the applicant or the applicant's child is in a hospital in the county where the applicant is a qualified elector and no request is made for a member of the family to deliver the ballot, the ~~director~~ board shall arrange for the delivery of an absent voter's ballot to the applicant, and for its return to the office of the board, by two board employees belonging to the two major political parties according to the procedures prescribed in division (A) of this section. When the applicant or the applicant's child is in a hospital outside the county where the applicant is a qualified elector and no request is made for a member of the family to deliver the ballot, the ~~director~~ board shall arrange for the delivery of an absent voter's ballot to the applicant by mail, and the ballot shall be returned to the office of the board in the manner prescribed in section 3509.05 of the Revised Code.

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

(C) Any qualified elector described in division (A) or (B)(1) of this section who needs no assistance to vote or to return

absent voter's ballots to the board of elections may apply for 5694  
absent voter's ballots under section 3509.03 of the Revised Code 5695  
instead of applying for them under this section. 5696

(D) Any qualified elector described in division (A) or (B)(1) 5697  
of this section to whom ballots are delivered by two employees of 5698  
the board of elections or who votes with the assistance of two 5699  
employees of the board of elections shall be considered to have 5700  
cast absent voter's ballots by mail, rather than in person, for 5701  
the purpose of the laws governing voter identification. Such an 5702  
elector may provide any of the types of identification acceptable 5703  
for mail-in absent voter's ballots to the election officials at 5704  
the time the ballots are delivered to the elector or at the time 5705  
the election officials assist the elector in marking the ballot, 5706  
as the case may be. 5707

**Sec. 3509.09.** (A) The poll list or signature pollbook for 5708  
each precinct shall identify each registered elector in that 5709  
precinct who has requested an absent voter's ballot for that 5710  
election. 5711

(B)(1) If a registered elector appears to vote in that 5712  
precinct and that elector has requested an absent voter's ballot 5713  
for that election but the ~~director~~ board of elections has not 5714  
received a sealed identification envelope purporting to contain 5715  
that elector's voted absent voter's ballots for that election, the 5716  
elector shall be permitted to cast a provisional ballot under 5717  
section 3505.181 of the Revised Code in that precinct on the day 5718  
of that election. 5719

(2) If a registered elector appears to vote in that precinct 5720  
and that elector has requested an absent voter's ballot for that 5721  
election and the ~~director~~ board has received a sealed 5722  
identification envelope purporting to contain that elector's voted 5723  
absent voter's ballots for that election, the elector shall be 5724

permitted to cast a provisional ballot under section 3505.181 of 5725  
the Revised Code in that precinct on the day of that election. 5726

(C)(1) In counting absent voter's ballots under section 5727  
3509.06 of the Revised Code, the board of elections shall compare 5728  
the signature of each elector from whom the ~~director~~ board has 5729  
received a sealed identification envelope purporting to contain 5730  
that elector's voted absent voter's ballots for that election to 5731  
the signature on that elector's registration form. Except as 5732  
otherwise provided in division (C)(3) of this section, if the 5733  
board of elections determines that the absent voter's ballot in 5734  
the sealed identification envelope is valid, it shall be counted. 5735  
If the board of elections determines that the signature on the 5736  
sealed identification envelope purporting to contain the elector's 5737  
voted absent voter's ballot does not match the signature on the 5738  
elector's registration form, the ballot shall be set aside and the 5739  
board shall examine, during the time prior to the beginning of the 5740  
official canvass, the poll list or signature pollbook from the 5741  
precinct in which the elector is registered to vote to determine 5742  
if the elector also cast a provisional ballot under section 5743  
3505.181 of the Revised Code in that precinct on the day of the 5744  
election. 5745

(2) The board of elections shall count the provisional 5746  
ballot, instead of the absent voter's ballot, if both of the 5747  
following apply: 5748

(a) The board of elections determines that the signature of 5749  
the elector on the outside of the identification envelope in which 5750  
the absent voter's ballots are enclosed does not match the 5751  
signature of the elector on the elector's registration form; 5752

(b) The elector cast a provisional ballot in the precinct on 5753  
the day of the election. 5754

(3) If the board of elections does not receive the sealed 5755

identification envelope purporting to contain the elector's voted 5756  
absent voter's ballot by the applicable deadline established under 5757  
section 3509.05 of the Revised Code, the provisional ballot cast 5758  
under section 3505.181 of the Revised Code in that precinct on the 5759  
day of the election shall be counted as valid, if that provisional 5760  
ballot is otherwise determined to be valid pursuant to section 5761  
3505.183 of the Revised Code. 5762

(D) If the board of elections counts a provisional ballot 5763  
under division (C)(2) or (3) of this section, the returned 5764  
identification envelope of that elector shall not be opened, and 5765  
the ballot within that envelope shall not be counted. The 5766  
identification envelope shall be endorsed "Not Counted" with the 5767  
reason the ballot was not counted. 5768

**Sec. 3511.02.** Notwithstanding any section of the Revised Code 5769  
to the contrary, whenever any person applies for registration as a 5770  
voter on a form adopted in accordance with federal regulations 5771  
relating to the "Uniformed and Overseas Citizens Absentee Voting 5772  
Act," 100 Stat. 924, 42 U.S.C.A. 1973ff (1986), this application 5773  
shall be sufficient for voter registration and as a request for an 5774  
absent voter's ballot. Uniformed services or overseas absent 5775  
voter's ballots may be obtained by any person meeting the 5776  
requirements of section 3511.01 of the Revised Code by applying 5777  
electronically to the secretary of state or to the board of 5778  
elections of the county in which the person's voting residence is 5779  
located in accordance with section 3511.021 of the Revised Code or 5780  
by applying to ~~the director of~~ the board of elections of the 5781  
county in which the person's voting residence is located, in one 5782  
of the following ways: 5783

(A) That person may make written application for those 5784  
ballots. The person may personally deliver the application to the 5785  
~~director~~ board or may mail it, send it by facsimile machine, or 5786

otherwise send it to the ~~director~~ board. The application need not 5787  
be in any particular form but shall contain all of the following 5788  
information: 5789

(1) The elector's name; 5790

(2) The elector's signature; 5791

(3) The address at which the elector is registered to vote; 5792

(4) The elector's date of birth; 5793

(5) One of the following: 5794

(a) The elector's driver's license number or state 5795  
identification card number; 5796

(b) The ~~last four digits of the~~ elector's social security 5797  
number; 5798

(c) A copy of the elector's current and valid photo 5799  
identification, a copy of a military identification, a copy of a 5800  
United States passport, or a copy of a current utility bill, bank 5801  
statement, government check, paycheck, or other government 5802  
document, other than ~~a notice of an election mailed by a board of~~ 5803  
~~elections under section 3501.19 of the Revised Code~~ or a notice of 5804  
voter registration mailed by a board of elections under section 5805  
3503.19 of the Revised Code, that shows the name and address of 5806  
the elector. 5807

(6) A statement identifying the election for which absent 5808  
voter's ballots are requested; 5809

(7) A statement that the person requesting the ballots is a 5810  
qualified elector; 5811

(8) A statement that the elector is an absent uniformed 5812  
services voter or overseas voter as defined in 42 U.S.C. 1973ff-6; 5813

(9) A statement of the elector's length of residence in the 5814  
state immediately preceding the commencement of service, 5815

immediately preceding the date of leaving to be with or near the 5816  
service member, or immediately preceding leaving the United 5817  
States, whichever is applicable; 5818

(10) If the request is for primary election ballots, the 5819  
elector's party affiliation; 5820

(11) If the elector desires ballots to be mailed to the 5821  
elector, the address to which those ballots shall be mailed; 5822

(12) If the elector desires ballots to be sent to the elector 5823  
by facsimile machine, the telephone number to which they shall be 5824  
so sent. 5825

(B) A voter or any relative of a voter listed in division (C) 5826  
of this section may use a single federal post card application to 5827  
apply for uniformed services or overseas absent voter's ballots 5828  
for use at the primary and general elections in a given year and 5829  
any special election to be held on the day in that year specified 5830  
by division (E) of section 3501.01 of the Revised Code for the 5831  
holding of a primary election, designated by the general assembly 5832  
for the purpose of submitting constitutional amendments proposed 5833  
by the general assembly to the voters of the state. A single 5834  
federal postcard application shall be processed by the board of 5835  
elections pursuant to section 3511.04 of the Revised Code the same 5836  
as if the voter had applied separately for uniformed services or 5837  
overseas absent voter's ballots for each election. 5838

(C) Application to have uniformed services or overseas absent 5839  
voter's ballots mailed or sent by facsimile machine to such a 5840  
person may be made by the spouse, father, mother, father-in-law, 5841  
mother-in-law, grandfather, grandmother, brother or sister of the 5842  
whole blood or half blood, son, daughter, adopting parent, adopted 5843  
child, stepparent, stepchild, uncle, aunt, nephew, or niece of 5844  
such a person. The application shall be in writing upon a blank 5845  
form furnished only by the ~~director~~ board of elections or on a 5846

single federal post card as provided in division (B) of this 5847  
section. The form of the application shall be prescribed by the 5848  
secretary of state. The ~~director~~ board shall furnish that blank 5849  
form to any of the relatives specified in this division desiring 5850  
to make the application, only upon the request of such a relative 5851  
made in person at the office of the board or upon the written 5852  
request of such a relative mailed to the office of the board. The 5853  
application, subscribed and sworn to by the applicant, shall 5854  
contain all of the following: 5855

(1) The full name of the elector for whom ballots are 5856  
requested; 5857

(2) A statement that the elector is an absent uniformed 5858  
services voter or overseas voter as defined in 42 U.S.C. 1973ff-6; 5859

(3) The address at which the elector is registered to vote; 5860

(4) A statement identifying the elector's length of residence 5861  
in the state immediately preceding the commencement of service, 5862  
immediately preceding the date of leaving to be with or near a 5863  
service member, or immediately preceding leaving the United 5864  
States, as the case may be; 5865

(5) The elector's date of birth; 5866

(6) One of the following: 5867

(a) The elector's driver's license number or state 5868  
identification card number; 5869

(b) The ~~last four digits of the~~ elector's social security 5870  
number; 5871

(c) A copy of the elector's current and valid photo 5872  
identification, a copy of a military identification, a copy of a 5873  
United States passport, or a copy of a current utility bill, bank 5874  
statement, government check, paycheck, or other government 5875  
document, other than ~~a notice of an election mailed by a board of~~ 5876

~~elections under section 3501.19 of the Revised Code or a notice of~~ 5877  
voter registration mailed by a board of elections under section 5878  
3503.19 of the Revised Code, that shows the name and address of 5879  
the elector. 5880

(7) A statement identifying the election for which absent 5881  
voter's ballots are requested; 5882

(8) A statement that the person requesting the ballots is a 5883  
qualified elector; 5884

(9) If the request is for primary election ballots, the 5885  
elector's party affiliation; 5886

(10) A statement that the applicant bears a relationship to 5887  
the elector as specified in division (C) of this section; 5888

(11) The address to which ballots shall be mailed or the 5889  
telephone number to which ballots shall be sent by facsimile 5890  
machine; 5891

(12) The signature and address of the person making the 5892  
application. 5893

Each application for uniformed services or overseas absent 5894  
voter's ballots shall be delivered to the ~~director~~ board not 5895  
earlier than the first day of January of the year of the elections 5896  
for which the uniformed services or overseas absent voter's 5897  
ballots are requested or not earlier than ninety days before the 5898  
day of the election at which the ballots are to be voted, 5899  
whichever is earlier, and not later than twelve noon of the third 5900  
day preceding the day of the election, or not later than the close 5901  
of regular business hours on the day before the day of the 5902  
election at which those ballots are to be voted if the application 5903  
is delivered in person to the office of the board. 5904

(D) If the voter for whom the application is made is entitled 5905  
to vote for presidential and vice-presidential electors only, the 5906



applicant shall submit to the ~~director~~ board in addition to the 5907  
requirements of divisions (A), (B), and (C) of this section, a 5908  
statement to the effect that the voter is qualified to vote for 5909  
presidential and vice-presidential electors and for no other 5910  
offices. 5911

**Sec. 3511.04.** (A) If a ~~director~~ of a board of elections 5912  
receives an application for uniformed services or overseas absent 5913  
voter's ballots that does not contain all of the required 5914  
information, the ~~director~~ board promptly shall notify the 5915  
applicant of the additional information required to be provided by 5916  
the applicant to complete that application. 5917

(B) Not later than the forty-fifth day before the day of each 5918  
general or primary election, and at the earliest possible time 5919  
before the day of a special election held on a day other than the 5920  
day on which a general or primary election is held, ~~the director~~ 5921  
~~of~~ the board of elections shall mail, send by facsimile machine, 5922  
or otherwise send uniformed services or overseas absent voter's 5923  
ballots then ready for use as provided for in section 3511.03 of 5924  
the Revised Code and for which the ~~director~~ board has received 5925  
valid applications prior to that time. Thereafter, and until 5926  
twelve noon of the third day preceding the day of election, the 5927  
~~director~~ board shall promptly, upon receipt of valid applications 5928  
for them, mail, send by facsimile machine, or otherwise send to 5929  
the proper persons all uniformed services or overseas absent 5930  
voter's ballots then ready for use. 5931

If, after the seventieth day before the day of a general or 5932  
primary election, any other question, issue, or candidacy is 5933  
lawfully ordered submitted to the electors voting at the general 5934  
or primary election, the board shall promptly provide a separate 5935  
official issue, special election, or other election ballot for 5936  
submitting the question, issue, or candidacy to those electors, 5937

and ~~the director shall~~ promptly mail or send by facsimile machine 5938  
each such separate ballot to each person to whom the ~~director~~ 5939  
board has previously mailed or sent by facsimile machine other 5940  
uniformed services or overseas absent voter's ballots. 5941

In mailing uniformed services or overseas absent voter's 5942  
ballots, the ~~director~~ board shall use the fastest mail service 5943  
available, but the ~~director~~ board shall not mail them by certified 5944  
mail. 5945

**Sec. 3511.05.** (A) The ~~director of the~~ board of elections 5946  
shall place uniformed services or overseas absent voter's ballots 5947  
sent by mail in an unsealed identification envelope, gummed ready 5948  
for sealing. The ~~director~~ board shall include with uniformed 5949  
services or overseas absent voter's ballots sent electronically, 5950  
including by facsimile machine, an instruction sheet for preparing 5951  
a gummed envelope in which the ballots shall be returned. The 5952  
envelope for returning ballots sent by either means shall have 5953  
printed or written on its face a form substantially as follows: 5954

"Identification Envelope Statement of Voter 5955

I, .....(Name of voter), declare under 5956  
penalty of election falsification that the within ballot or 5957  
ballots contained no voting marks of any kind when I received 5958  
them, and I caused the ballot or ballots to be marked, enclosed in 5959  
the identification envelope, and sealed in that envelope. 5960

My voting residence in Ohio is 5961

..... 5962

(Street and Number, if any, or Rural Route and Number) 5963

of ..... (City, Village, or Township) 5964

Ohio, which is in Ward ..... Precinct ..... 5965

in that city, village, or township. 5966

The primary election ballots, if any, within this envelope 5967

are primary election ballots of the ..... Party. 5968

Ballots contained within this envelope are to be voted at the 5969  
..... (general, special, or primary) election to be held on 5970  
the ..... day of ....., .... 5971

My date of birth is ..... (Month and Day), 5972  
..... (Year). 5973

(Voter must provide one of the following:) 5974

My driver's license number is ..... (Driver's 5975  
license number). 5976

My state identification card number is ..... (Ohio 5977  
identification card number). 5978

~~The last four digits of my~~ My Social Security Number are is 5979  
~~..... (Last four digits of Social Security Number).~~ 5980

..... In lieu of providing a driver's license number, state 5981  
identification card number, or ~~the last four digits of~~ my Social 5982  
Security Number, I am enclosing a copy of one of the following in 5983  
the return envelope in which this identification envelope will be 5984  
mailed: a current and valid photo identification, a military 5985  
identification, a United States passport, or a current utility 5986  
bill, bank statement, government check, paycheck, or other 5987  
government document, other than ~~a notice of an election mailed by 5988  
a board of elections under section 3501.19 of the Revised Code or 5989  
a notice of voter registration mailed by a board of elections,~~ 5990  
that shows my name and address. 5991

I hereby declare, under penalty of election falsification, 5992  
that the statements above are true, as I verily believe. 5993  
..... 5994  
(Signature of Voter) 5995

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 5996  
THE FIFTH DEGREE." 5997

(B) The ~~director~~ board shall also mail with the ballots and 5998  
the unsealed identification envelope sent by mail an unsealed 5999  
return envelope, gummed, ready for sealing, for use by the voter 6000  
in returning the voter's marked ballots to the ~~director~~ board. The 6001  
~~director~~ board shall send with the ballots and the instruction 6002  
sheet for preparing a gummed envelope sent electronically, 6003  
including by facsimile machine, an instruction sheet for preparing 6004  
a second gummed envelope as described in this division, for use by 6005  
the voter in returning that voter's marked ballots to the ~~director~~ 6006  
board. The return envelope shall have two parallel lines, each one 6007  
quarter of an inch in width, printed across its face paralleling 6008  
the top, with an intervening space of one quarter of an inch 6009  
between such lines. The top line shall be one and one-quarter 6010  
inches from the top of the envelope. Between the parallel lines 6011  
shall be printed: "OFFICIAL ELECTION UNIFORMED SERVICES OR 6012  
OVERSEAS ABSENT VOTER'S BALLOTS -- VIA AIR MAIL." Three blank 6013  
lines shall be printed in the upper left corner on the face of the 6014  
envelope for the use by the voter in placing the voter's complete 6015  
military, naval, or mailing address on these lines, and beneath 6016  
these lines there shall be printed a box beside the words "check 6017  
if out-of-country." The voter shall check this box if the voter 6018  
will be outside the United States on the day of the election. The 6019  
official title and the post-office address of the ~~director~~ board 6020  
to ~~whom~~ which the envelope shall be returned shall be printed on 6021  
the face of such envelope in the lower right portion below the 6022  
bottom parallel line. 6023

(C) On the back of each identification envelope and each 6024  
return envelope shall be printed the following: 6025

"Instructions to voter: 6026

If the flap on this envelope is so firmly stuck to the back 6027  
of the envelope when received by you as to require forcible 6028  
opening in order to use it, open the envelope in the manner least 6029

injurious to it, and, after marking your ballots and enclosing 6030  
same in the envelope for mailing them to ~~the director~~ of the board 6031  
of elections, reclose the envelope in the most practicable way, by 6032  
sealing or otherwise, and sign the blank form printed below. 6033

The flap on this envelope was firmly stuck to the back of the 6034  
envelope when received, and required forced opening before sealing 6035  
and mailing. 6036

..... 6037  
(Signature of voter)" 6038

(D) Division (C) of this section does not apply when absent 6039  
voter's ballots are sent electronically, including by facsimile 6040  
machine. 6041

**Sec. 3511.06.** The return envelope provided for in section 6042  
3511.05 of the Revised Code shall be of such size that the 6043  
identification envelope can be conveniently placed within it for 6044  
returning the identification envelope to the ~~director~~ board of 6045  
elections. The envelope in which the two envelopes and the 6046  
uniformed services or overseas absent voter's ballots are mailed 6047  
to the elector shall have two parallel lines, each one quarter of 6048  
an inch in width, printed across its face, paralleling the top, 6049  
with an intervening space of one-quarter of an inch between such 6050  
lines. The top line shall be one and one-quarter inches from the 6051  
top of the envelope. Between the parallel lines shall be printed: 6052  
"official uniformed services or overseas absent voter's balloting 6053  
material--via air mail." The appropriate return address of ~~the~~ 6054  
~~director~~ of the board of elections shall be printed in the upper 6055  
left corner on the face of such envelope. Several blank lines 6056  
shall be printed on the face of such envelope in the lower right 6057  
portion, below the bottom parallel line, for writing in the name 6058  
and address of the elector to whom such envelope is mailed. 6059

**Sec. 3511.07.** When mailing unsealed identification envelopes 6060  
and unsealed return envelopes to persons, the ~~director of the~~ 6061  
board of elections shall insert a sheet of waxed paper or other 6062  
appropriate insert between the gummed flap and the back of each of 6063  
such envelopes to minimize the possibility that the flap may 6064  
become firmly stuck to the back of the envelope by reason of 6065  
moisture, humid atmosphere, or other conditions to which they may 6066  
be subjected. If the flap on either of such envelopes should be so 6067  
firmly stuck to the back of the envelope when it is received by 6068  
the voter as to require forcible opening of the envelope in order 6069  
to use it, the voter shall open such envelope in the manner least 6070  
injurious to it, and, after marking ~~his~~ the voter's ballots and 6071  
enclosing them in the envelope for mailing to the ~~director~~ board, 6072  
~~he~~ the voter shall reclose such envelope in the most practicable 6073  
way, by sealing it or otherwise, and shall sign the blank form 6074  
printed on the back of such envelope. 6075

**Sec. 3511.08.** The ~~director of the~~ board of elections shall 6076  
keep a record of the name and address of each person to whom the 6077  
~~director~~ board mails or delivers uniformed services or overseas 6078  
absent voter's ballots, the kinds of ballots so mailed or 6079  
delivered, and the name and address of the person who made the 6080  
application for such ballots. After the ~~director~~ board has mailed 6081  
or delivered such ballots, the ~~director~~ board shall not mail or 6082  
deliver additional ballots of the same kind to such person 6083  
pursuant to a subsequent request unless such subsequent request 6084  
contains the statement that an earlier request had been sent to 6085  
the ~~director~~ board prior to the thirtieth day before the election 6086  
and that the uniformed services or overseas absent voter's ballots 6087  
so requested had not been received by such person prior to the 6088  
fifteenth day before the election, and provided that the ~~director~~ 6089  
board has not received an identification envelope purporting to 6090

contain marked uniformed services or overseas absent voter's 6091  
ballots from such person. 6092

**Sec. 3511.09.** Upon receiving uniformed services or overseas 6093  
absent voter's ballots, the elector shall cause the questions on 6094  
the face of the identification envelope to be answered, and, by 6095  
writing the elector's usual signature in the proper place on the 6096  
identification envelope, the elector shall declare under penalty 6097  
of election falsification that the answers to those questions are 6098  
true and correct to the best of the elector's knowledge and 6099  
belief. Then, the elector shall note whether there are any voting 6100  
marks on the ballot. If there are any voting marks, the ballot 6101  
shall be returned immediately to the board of elections; 6102  
otherwise, the elector shall cause the ballot to be marked, folded 6103  
separately so as to conceal the markings on it, deposited in the 6104  
identification envelope, and securely sealed in the identification 6105  
envelope. The elector then shall cause the identification envelope 6106  
to be placed within the return envelope, sealed in the return 6107  
envelope, and mailed to ~~the director~~ of the board of elections to 6108  
whom it is addressed, postage prepaid. If the elector does not 6109  
provide the elector's driver's license number, state 6110  
identification card number, or ~~the last four digits of the~~ 6111  
~~elector's~~ social security number on the statement of voter on the 6112  
identification envelope, the elector also shall include in the 6113  
return envelope with the identification envelope a copy of the 6114  
elector's current valid photo identification, a copy of a military 6115  
identification, a copy of a United States passport, or a copy of a 6116  
current utility bill, bank statement, government check, paycheck, 6117  
or other government document, other than ~~a notice of an election~~ 6118  
~~mailed by a board of elections under section 3501.19 of the~~ 6119  
~~Revised Code~~ or a notice of voter registration mailed by a board 6120  
of elections under section 3503.19 of the Revised Code, that shows 6121  
the name and address of the elector. Each elector who will be 6122

outside the United States on the day of the election shall check 6123  
the box on the return envelope indicating this fact and shall mail 6124  
the return envelope to the ~~director~~ board prior to the close of 6125  
the polls on election day. 6126

Every uniformed services or overseas absent voter's ballot 6127  
identification envelope shall be accompanied by the following 6128  
statement in boldface capital letters: WHOEVER COMMITS ELECTION 6129  
FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. 6130

**Sec. 3511.10.** If, ~~after the thirty fifth day and~~ during the 6131  
time that absent voter's ballots may be cast in person before ~~the~~ 6132  
~~close of the polls on the day of a general or primary~~ an election, 6133  
a valid application for uniformed services or overseas absent 6134  
voter's ballots is delivered to ~~the director of the~~ office of the 6135  
board of elections ~~at the office of the board~~ by a person making 6136  
the application on the person's own behalf, the ~~director~~ board 6137  
shall forthwith deliver to the person all uniformed services or 6138  
overseas absent voter's ballots then ready for use, together with 6139  
an identification envelope. The person shall then immediately 6140  
retire to a voting booth in the office of the board, and mark the 6141  
ballots. The person shall then fold each ballot separately so as 6142  
to conceal the person's markings thereon, and deposit all of the 6143  
ballots in the identification envelope and securely seal it. 6144  
Thereupon the person shall fill in answers to the questions on the 6145  
face of the identification envelope, and by writing the person's 6146  
usual signature in the proper place thereon, the person shall 6147  
declare under penalty of election falsification that the answers 6148  
to those questions are true and correct to the best of that 6149  
person's knowledge and belief. The person shall then deliver the 6150  
identification envelope to the ~~director~~ board. If thereafter, and 6151  
before the third day preceding such election, the board provides 6152  
additional separate official issue or special election ballots, as 6153  
provided for in section 3511.04 of the Revised Code, the ~~director~~ 6154



board shall promptly, and not later than twelve noon of the third 6155  
day preceding the day of election, mail such additional ballots to 6156  
such person at the address specified by that person for that 6157  
purpose. 6158

In the event any person serving in the armed forces of the 6159  
United States is discharged after the closing date of 6160  
registration, and that person or that person's spouse, or both, 6161  
meets all the other qualifications set forth in section 3511.01 of 6162  
the Revised Code, the person or spouse shall be permitted to vote 6163  
prior to the date of the election in the office of the board in 6164  
the person's or spouse's county, as set forth in this section. 6165

**Sec. 3511.11.** (A) Upon receipt of any return envelope bearing 6166  
the designation "Official Election Uniformed Services or Overseas 6167  
Absent Voter's Ballot" prior to the eleventh day after the day of 6168  
any election, ~~the director~~ of the board of elections shall open it 6169  
but shall not open the identification envelope contained in it. 6170  
If, upon so opening the return envelope, the ~~director~~ board finds 6171  
ballots in it that are not enclosed in and properly sealed in the 6172  
identification envelope, the ~~director~~ board shall not look at the 6173  
markings upon the ballots and shall promptly place them in the 6174  
identification envelope and promptly seal it. If, upon so opening 6175  
the return envelope, the ~~director~~ board finds that ballots are 6176  
enclosed in the identification envelope but that it is not 6177  
properly sealed, the ~~director~~ board shall not look at the markings 6178  
upon the ballots and shall promptly seal the identification 6179  
envelope. 6180

(B) Uniformed services or overseas absent voter's ballots 6181  
delivered to the ~~director~~ board not later than the close of the 6182  
polls on election day shall be counted in the manner provided in 6183  
section 3509.06 of the Revised Code. 6184

(C) A return envelope that indicates that the voter will be 6185

outside of the United States on the day of an election is not 6186  
required to be postmarked in order for a uniformed services or 6187  
overseas absent voter's ballot contained in it to be valid. Except 6188  
as otherwise provided in this division, whether or not the return 6189  
envelope containing the ballot is postmarked or contains an 6190  
illegible postmark, a uniformed services or overseas absent 6191  
voter's ballot that is received after the close of the polls on 6192  
election day through the tenth day after the election day and that 6193  
is delivered in a return envelope that indicates that the voter 6194  
will be outside the United States on the day of the election shall 6195  
be counted on the eleventh day after the election day at the 6196  
office of the board of elections in the manner provided in 6197  
divisions (C) and (D) of section 3509.06 of the Revised Code. 6198  
However, if a return envelope containing a uniformed services or 6199  
overseas absent voter's ballot is so received and so indicates, 6200  
but it is postmarked, or the identification envelope in it is 6201  
signed, after the close of the polls on election day, the 6202  
uniformed services or overseas absent voter's ballot shall not be 6203  
counted. 6204

(D)(1) Except as otherwise provided in division (D)(2) of 6205  
this section, any return envelope containing a uniformed services 6206  
or overseas absent voter's ballot that is postmarked within the 6207  
United States prior to the day of the election shall be delivered 6208  
to the ~~director~~ board prior to the eleventh day after the 6209  
election. Uniformed services or overseas absent voter's ballots 6210  
delivered in envelopes postmarked prior to the day of the election 6211  
that are received after the close of the polls on election day 6212  
through the tenth day thereafter shall be counted on the eleventh 6213  
day at the board of elections in the manner provided in divisions 6214  
(C) and (D) of section 3509.06 of the Revised Code. Any such 6215  
ballots that are received by the ~~director~~ board later than the 6216  
tenth day following the election shall not be counted, but shall 6217  
be kept by the board in the sealed identification envelopes as 6218

provided in division (A) of this section. 6219

(2) Division (D)(1) of this section shall not apply to any 6220  
mail that is postmarked using a postage evidencing system, 6221  
including a postage meter, as defined in 39 C.F.R. 501.1. 6222

(E) The following types of uniformed services or overseas 6223  
absent voter's ballots shall not be counted: 6224

(1) Uniformed services or overseas absent voter's ballots 6225  
contained in return envelopes that bear the designation "Official 6226  
Election Uniformed Services or Overseas Absent Voter's Ballots," 6227  
that are received by the ~~director~~ board after the close of the 6228  
polls on the day of the election, and that either are postmarked, 6229  
or contain an identification envelope that is signed, on or after 6230  
election day; 6231

(2) Uniformed services or overseas absent voter's ballots 6232  
contained in return envelopes that bear that designation, that do 6233  
not indicate they are from voters who will be outside the United 6234  
States on the day of the election, and that are received after the 6235  
tenth day following the election; 6236

(3) Uniformed services or overseas absent voter's ballots 6237  
contained in return envelopes that bear that designation, that are 6238  
received by the ~~director~~ board within ten days after the day of 6239  
the election, and that were postmarked before the day of the 6240  
election using a postage evidencing system, including a postage 6241  
meter, as defined in 39 C.F.R. 501.1. 6242

The uncounted ballots shall be preserved in their 6243  
identification envelopes unopened until the time provided by 6244  
section 3505.31 of the Revised Code for the destruction of all 6245  
other ballots used at the election for which ballots were 6246  
provided, at which time they shall be destroyed. 6247

**Sec. 3511.13.** (A) The poll list or signature pollbook for 6248

each precinct shall identify each registered elector in that 6249  
precinct who has requested a uniformed services or overseas absent 6250  
voter's ballot for that election. 6251

(B)(1) If a registered elector appears to vote in that 6252  
precinct and that elector has requested a uniformed services or 6253  
overseas absent voter's ballot for that election but the ~~director~~ 6254  
board of elections has not received a sealed identification 6255  
envelope purporting to contain that elector's voted uniformed 6256  
services or overseas absent voter's ballots for that election, the 6257  
elector shall be permitted to cast a provisional ballot under 6258  
section 3505.181 of the Revised Code in that precinct on the day 6259  
of that election. 6260

(2) If a registered elector appears to vote in that precinct 6261  
and that elector has requested a uniformed services or overseas 6262  
absent voter's ballot for that election and the ~~director~~ board has 6263  
received a sealed identification envelope purporting to contain 6264  
that elector's voted uniformed services or overseas absent voter's 6265  
ballots for that election, the elector shall be permitted to cast 6266  
a provisional ballot under section 3505.181 of the Revised Code in 6267  
that precinct on the day of that election. 6268

(C)(1) In counting uniformed services or overseas absent 6269  
voter's ballots under section 3511.11 of the Revised Code, the 6270  
board of elections shall compare the signature of each elector 6271  
from whom the ~~director~~ board has received a sealed identification 6272  
envelope purporting to contain that elector's voted uniformed 6273  
services or overseas absent voter's ballots for that election to 6274  
the signature on the elector's registration form. Except as 6275  
otherwise provided in division (C)(3) of this section, if the 6276  
board of elections determines that the uniformed services or 6277  
overseas absent voter's ballot in the sealed identification 6278  
envelope is valid, it shall be counted. If the board of elections 6279

determines that the signature on the sealed identification 6280  
envelope purporting to contain the elector's voted uniformed 6281  
services or overseas absent voter's ballot does not match the 6282  
signature on the elector's registration form, the ballot shall be 6283  
set aside and the board shall examine, during the time prior to 6284  
the beginning of the official canvass, the poll list or signature 6285  
pollbook from the precinct in which the elector is registered to 6286  
vote to determine if the elector also cast a provisional ballot 6287  
under section 3505.181 of the Revised Code in that precinct on the 6288  
day of the election. 6289

(2) The board of elections shall count the provisional 6290  
ballot, instead of the uniformed services or overseas absent 6291  
voter's ballot, of an elector from whom the ~~director~~ board has 6292  
received an identification envelope purporting to contain that 6293  
elector's voted uniformed services or overseas absent voter's 6294  
ballots, if both of the following apply: 6295

(a) The board of elections determines that the signature of 6296  
the elector on the outside of the identification envelope in which 6297  
the uniformed services or overseas absent voter's ballots are 6298  
enclosed does not match the signature of the elector on the 6299  
elector's registration form; 6300

(b) The elector cast a provisional ballot in the precinct on 6301  
the day of the election. 6302

(3) If the board of elections does not receive the sealed 6303  
identification envelope purporting to contain the elector's voted 6304  
uniformed services or overseas absent voter's ballot by the 6305  
applicable deadline established under section 3511.11 of the 6306  
Revised Code, the provisional ballot cast under section 3505.181 6307  
of the Revised Code in that precinct on the day of the election 6308  
shall be counted as valid, if that provisional ballot is otherwise 6309  
determined to be valid pursuant to section 3505.183 of the Revised 6310  
Code. 6311

(D) If the board of elections counts a provisional ballot 6312  
under division (C)(2) or (3) of this section, the returned 6313  
identification envelope of that elector shall not be opened, and 6314  
the ballot within that envelope shall not be counted. The 6315  
identification envelope shall be endorsed "Not Counted" with the 6316  
reason the ballot was not counted. 6317

**Sec. 3511.14.** A board of elections shall accept and process 6318  
federal write-in ballots for all federal, state, and local 6319  
elections conducted in any year as required under "The Uniformed 6320  
and Overseas Citizens Absentee Voting Act," Pub. L. No. 99-410, 6321  
100 Stat. 924, 42 U.S.C. 1973ff, et seq., as amended. 6322

**Sec. 3513.02.** If, in any odd-numbered year, no ~~valid~~ 6323  
~~declaration of candidacy is filed~~ candidate is certified to appear 6324  
on the ballot for nomination as a candidate of a political party 6325  
for election to any of the offices to be voted for at the general 6326  
election to be held in such year, or if the number of persons 6327  
~~filing such declarations of candidacy~~ certified as candidates to 6328  
appear on the ballot for ~~nominations~~ nomination as candidates of 6329  
one political party for election to such offices does not exceed, 6330  
as to any such office, the number of candidates which such 6331  
political party is entitled to nominate as its candidates for 6332  
election to such office, then no primary election shall be held 6333  
for the purpose of nominating party candidates of such party for 6334  
election to offices to be voted for at such general election and 6335  
no primary ballots shall be provided for such party. If, however, 6336  
the only office for which there are more ~~valid declarations of~~ 6337  
~~candidacy filed~~ candidates certified to appear on the ballot than 6338  
the number to be nominated by a political party, is the office of 6339  
councilperson in a ward, a primary election shall be held for such 6340  
party only in the ward or wards in which there is a contest, and 6341  
only the names of the candidates for the office of councilperson 6342

in such ward shall appear on the primary ballot of such political party. 6343  
6344

The election officials whose duty it would have been to provide for and conduct the holding of such primary election, declare the results thereof, and issue certificates of nomination to the persons entitled thereto if such primary election had been held shall declare each of such persons to be nominated as of the date of the ninetieth day before the primary election, issue appropriate certificates of nomination to each of them, and certify their names to the proper election officials, in order that their names may be printed on the official ballots provided for use in the succeeding general election in the same manner as though such primary election had been held and such persons had been nominated at such election. 6345  
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**Sec. 3513.05.** (A) Each person desiring to become a candidate for a party nomination or for election to an office or position to be voted for at a primary election, except persons desiring to become joint candidates for the offices of governor and lieutenant governor and except as otherwise provided in section 3513.051 of the Revised Code, shall, not later than four p.m. of the ninetieth day before the day of the primary election, file a declaration of candidacy and petition and pay the fees required under divisions (A) and (B) of section 3513.10 of the Revised Code. The declaration of candidacy and all separate petition papers shall be filed at the same time as one instrument. When the offices are to be voted for at a primary election, persons desiring to become joint candidates for the offices of governor and lieutenant governor shall, not later than four p.m. of the ninetieth day before the day of the primary election, comply with section 3513.04 of the Revised Code. The prospective joint candidates' declaration of candidacy and all separate petition papers of candidacies shall be filed at the same time as one instrument. The 6357  
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secretary of state or a board of elections shall not accept for 6375  
filing a declaration of candidacy and petition of a person seeking 6376  
to become a candidate if that person, for the same election, has 6377  
already filed a declaration of candidacy or a declaration of 6378  
intent to be a write-in candidate, or has become a candidate by 6379  
the filling of a vacancy under section 3513.30 of the Revised Code 6380  
for any federal, state, or county office, if the declaration of 6381  
candidacy is for a state or county office, or for any municipal or 6382  
township office, if the declaration of candidacy is for a 6383  
municipal or township office. 6384

(B)(1) If the declaration of candidacy declares a candidacy 6385  
which is to be submitted to electors throughout the entire state, 6386  
the petition, including a petition for joint candidates for the 6387  
offices of governor and lieutenant governor, shall be signed by at 6388  
least one thousand qualified electors who are members of the same 6389  
political party as the candidate or joint candidates, and the 6390  
declaration of candidacy and petition shall be filed with the 6391  
secretary of state; provided that the secretary of state shall not 6392  
accept or file any such petition appearing on its face to contain 6393  
signatures of more than three thousand electors. 6394

(2) Except as otherwise provided in this ~~paragraph~~ division, 6395  
if the declaration of candidacy is of one that is to be submitted 6396  
only to electors within a district, political subdivision, or 6397  
portion thereof, the petition shall be signed by not less than 6398  
fifty qualified electors who are members of the same political 6399  
party as the political party of which the candidate is a member. 6400  
If the declaration of candidacy is for party nomination as a 6401  
candidate for member of the legislative authority of a municipal 6402  
corporation elected by ward, the petition shall be signed by not 6403  
less than twenty-five qualified electors who are members of the 6404  
political party of which the candidate is a member. 6405

(3) No such petition, except the petition for a candidacy 6406



that is to be submitted to electors throughout the entire state, 6407  
shall be accepted for filing if it appears to contain on its face 6408  
signatures of more than three times the minimum number of 6409  
signatures. When a petition of a candidate has been accepted for 6410  
filing by a board of elections, the petition shall not be deemed 6411  
invalid if, upon verification of signatures contained in the 6412  
petition, the board of elections finds the number of signatures 6413  
accepted exceeds three times the minimum number of signatures 6414  
required. A board of elections may discontinue verifying 6415  
signatures on petitions when the number of verified signatures 6416  
equals the minimum required number of qualified signatures. 6417

(4) If the declaration of candidacy declares a candidacy for 6418  
party nomination or for election as a candidate of an intermediate 6419  
or minor party, the minimum number of signatures on such petition 6420  
is one-half the minimum number provided in this section, except 6421  
that, when the candidacy is one for election as a member of the 6422  
state central committee or the county central committee of a 6423  
political party, the minimum number shall be the same for an 6424  
intermediate or minor party as for a major party. 6425

(5) If a declaration of candidacy is one for election as a 6426  
member of the state central committee or the county central 6427  
committee of a political party, the petition shall be signed by 6428  
five qualified electors of the district, county, ward, township, 6429  
or precinct within which electors may vote for such candidate. The 6430  
electors signing such petition shall be members of the same 6431  
political party as the political party of which the candidate is a 6432  
member. 6433

(C) For purposes of signing or circulating a petition of 6434  
candidacy for party nomination or election, an elector is 6435  
considered to be a member of a political party if the elector 6436  
voted in that party's primary election within the preceding two 6437  
calendar years, or if the elector did not vote in any other 6438

party's primary election within the preceding two calendar years. 6439  
This division does not prohibit a person who holds an elective 6440  
office for which candidates are nominated at a party primary 6441  
election from doing any of the following: 6442

(1) If the person voted as a member of a different political 6443  
party at any primary election within the current year and the 6444  
immediately preceding two calendar years, being a candidate for 6445  
nomination at a party primary held during the times specified in 6446  
division (C)(2) of section 3513.191 of the Revised Code provided 6447  
that the person complies with the requirements of that section; 6448

(2) Circulating the person's own petition of candidacy for 6449  
party nomination in the primary election. 6450

(D) If the declaration of candidacy is of one that is to be 6451  
submitted only to electors within a county, or within a district 6452  
or subdivision or part thereof smaller than a county, the petition 6453  
shall be filed with the board of elections of the county. If the 6454  
declaration of candidacy is of one that is to be submitted only to 6455  
electors of a district or subdivision or part thereof that is 6456  
situated in more than one county, the petition shall be filed with 6457  
the board of elections of the county within which the major 6458  
portion of the population thereof, as ascertained by the next 6459  
preceding federal census, is located. 6460

(E) A petition shall consist of separate petition papers, 6461  
each of which shall contain signatures of electors of only one 6462  
county. Petitions or separate petition papers containing 6463  
signatures of electors of more than one county shall not thereby 6464  
be declared invalid. In case petitions or separate petition papers 6465  
containing signatures of electors of more than one county are 6466  
filed, the board shall determine the county from which the 6467  
majority of signatures came, and only signatures from such county 6468  
shall be counted. Signatures from any other county shall be 6469  
invalid. 6470

Each separate petition paper shall be circulated by one 6471  
person only, who shall be the candidate or a joint candidate or a 6472  
member of the same political party as the candidate or joint 6473  
candidates, and each separate petition paper shall be governed by 6474  
the rules set forth in section 3501.38 of the Revised Code. 6475

(F) The secretary of state shall promptly transmit to each 6476  
board such separate petition papers of each petition accompanying 6477  
a declaration of candidacy filed with the secretary of state as 6478  
purport to contain signatures of electors of the county of such 6479  
board. The board of the most populous county of a district shall 6480  
promptly transmit to each board within such district such separate 6481  
petition papers of each petition accompanying a declaration of 6482  
candidacy filed with it as purport to contain signatures of 6483  
electors of the county of each such board. The board of a county 6484  
within which the major portion of the population of a subdivision, 6485  
situated in more than one county, is located, shall promptly 6486  
transmit to the board of each other county within which a portion 6487  
of such subdivision is located such separate petition papers of 6488  
each petition accompanying a declaration of candidacy filed with 6489  
it as purport to contain signatures of electors of the portion of 6490  
such subdivision in the county of each such board. 6491

All petition papers so transmitted to a board and all 6492  
petitions accompanying declarations of candidacy filed with a 6493  
board shall, under proper regulations, be open to public 6494  
inspection until four p.m. of the eightieth day before the day of 6495  
the next primary election. Each board shall, not later than the 6496  
seventy-eighth day before the day of that primary election, 6497  
examine and determine the validity or invalidity of the signatures 6498  
on the petition papers so transmitted to or filed with it and 6499  
shall return to the secretary of state all petition papers 6500  
transmitted to it by the secretary of state, together with its 6501  
certification of its determination as to the validity or 6502

invalidity of signatures thereon, and shall return to each other 6503  
board all petition papers transmitted to it by such board, 6504  
together with its certification of its determination as to the 6505  
validity or invalidity of the signatures thereon. All other 6506  
matters affecting the validity or invalidity of such petition 6507  
papers shall be determined by the secretary of state or the board 6508  
with whom such petition papers were filed. 6509

(G) Protests against the candidacy of any person filing a 6510  
declaration of candidacy for party nomination or for election to 6511  
an office or position, as provided in this section, may be filed 6512  
by any qualified elector who is a member of the same political 6513  
party as the candidate and who is eligible to vote at the primary 6514  
election for the candidate whose declaration of candidacy the 6515  
elector objects to, or by the controlling committee of that 6516  
political party. The protest shall be in writing, and shall be 6517  
filed not later than four p.m. of the seventy-fourth day before 6518  
the day of the primary election. The protest shall be filed with 6519  
the election officials with whom the declaration of candidacy and 6520  
petition was filed. Upon the filing of the protest, the election 6521  
officials with whom it is filed shall promptly fix the time for 6522  
hearing it, and shall forthwith mail notice of the filing of the 6523  
protest and the time fixed for hearing to the person whose 6524  
candidacy is so protested. They shall also forthwith mail notice 6525  
of the time fixed for such hearing to the person who filed the 6526  
protest. At the time fixed, such election officials shall hear the 6527  
protest and determine the validity or invalidity of the 6528  
declaration of candidacy and petition. If they find that such 6529  
candidate is not an elector of the state, district, county, or 6530  
political subdivision in which the candidate seeks a party 6531  
nomination or election to an office or position, or has not fully 6532  
complied with this chapter, the candidate's declaration of 6533  
candidacy and petition shall be determined to be invalid and shall 6534  
be rejected; otherwise, it shall be determined to be valid. That 6535

determination shall be final. 6536

A protest against the candidacy of any persons filing a 6537  
declaration of candidacy for joint party nomination to the offices 6538  
of governor and lieutenant governor shall be filed, heard, and 6539  
determined in the same manner as a protest against the candidacy 6540  
of any person filing a declaration of candidacy singly. 6541

(H)(1) The secretary of state shall, on the seventieth day 6542  
before the day of a primary election, certify to each board in the 6543  
state the forms of the official ballots to be used at the primary 6544  
election, together with the names of the candidates to be printed 6545  
on the ballots whose nomination or election is to be determined by 6546  
electors throughout the entire state and who filed valid 6547  
declarations of candidacy and petitions. 6548

(2) The board of the most populous county in a district 6549  
comprised of more than one county but less than all of the 6550  
counties of the state shall, on the seventieth day before the day 6551  
of a primary election, certify to the board of each county in the 6552  
district the names of the candidates to be printed on the official 6553  
ballots to be used at the primary election, whose nomination or 6554  
election is to be determined only by electors within the district 6555  
and who filed valid declarations of candidacy and petitions. 6556

(3) The board of a county within which the major portion of 6557  
the population of a subdivision smaller than the county and 6558  
situated in more than one county is located shall, on the 6559  
seventieth day before the day of a primary election, certify to 6560  
the board of each county in which a portion of that subdivision is 6561  
located the names of the candidates to be printed on the official 6562  
ballots to be used at the primary election, whose nomination or 6563  
election is to be determined only by electors within that 6564  
subdivision and who filed valid declarations of candidacy and 6565  
petitions. 6566

**Sec. 3513.12.** At a presidential primary election, ~~which shall~~ 6567  
~~be held on the first Tuesday after the first Monday in March in~~ 6568  
~~the year 2000, and similarly in every fourth year thereafter,~~ 6569  
delegates and alternates to the national conventions of the 6570  
different major political parties shall be chosen by direct vote 6571  
of the electors as provided in this chapter. Candidates for 6572  
delegate and alternate shall be qualified and the election shall 6573  
be conducted in the manner prescribed in this chapter for the 6574  
nomination of candidates for state and district offices, except as 6575  
provided in section 3513.151 of the Revised Code and except that 6576  
whenever any group of candidates for delegate at large or 6577  
alternate at large, or any group of candidates for delegates or 6578  
alternates from districts, file with the secretary of state 6579  
statements as provided by this section, designating the same 6580  
persons as their first and second choices for president of the 6581  
United States, such a group of candidates may submit a group 6582  
petition containing a declaration of candidacy for each of such 6583  
candidates. The group petition need be signed only by the number 6584  
of electors required for the petition of a single candidate. No 6585  
group petition shall be submitted except by a group of candidates 6586  
equal in number to the whole number of delegates at large or 6587  
alternates at large to be elected or equal in number to the whole 6588  
number of delegates or alternates from a district to be elected. 6589

Each person seeking to be elected as delegate or alternate to 6590  
the national convention of the person's political party shall file 6591  
with the person's declaration of candidacy and certificate a 6592  
statement in writing signed by the person in which the person 6593  
shall state the person's first and second choices for nomination 6594  
as the candidate of the person's party for the presidency of the 6595  
United States. The secretary of state shall not permit any 6596  
declaration of candidacy and certificate of a candidate for 6597  
election as such delegate or alternate to be filed unless 6598

accompanied by such statement in writing. The name of a candidate 6599  
for the presidency shall not be so used without the candidate's 6600  
written consent. 6601

A person who is a first choice for president of candidates 6602  
seeking election as delegates and alternates shall file with the 6603  
secretary of state, prior to the day of the election, a list 6604  
indicating the order in which certificates of election are to be 6605  
issued to delegate or alternate candidates to whose candidacy the 6606  
person has consented, if fewer than all of such candidates are 6607  
entitled under party rules to be certified as elected. Each 6608  
candidate for election as such delegate or alternate may also file 6609  
along with the candidate's declaration of candidacy and 6610  
certificate a statement in writing signed by the candidate in the 6611  
following form: 6612

"Statement of Candidate 6613

For Election as ..... (Delegate) (Alternate) to the 6614  
..... (name of political party) National Convention 6615

I hereby declare to the voters of my political party in the 6616  
State of Ohio that, if elected as ..... (delegate) 6617  
(alternate) to their national party convention, I shall, to the 6618  
best of my judgment and ability, support that candidate for 6619  
President of the United States who shall have been selected at 6620  
this primary by the voters of my party in the manner provided in 6621  
Chapter 3513. of the Ohio Revised Code, as their candidate for 6622  
such office. 6623

..... (name) 6624

Candidate for ..... 6625

(Delegate) (Alternate)" 6626

The procedures for the selection of candidates for delegate 6627  
and alternate to the national convention of a political party set 6628  
forth in this section and in section 3513.121 of the Revised Code 6629  
are alternative procedures, and if the procedures of this section 6630

are followed, the procedures of section 3513.121 of the Revised Code need not be followed.

**Sec. 3513.131.** In the event two or more persons with identical surnames run for the same office in a primary election on the same ballot, the names of the candidates shall be differentiated on the ballot by varying combinations of first and middle names and initials. Within twenty-four hours after the final date for filing declarations of candidacy or petitions for candidacy, the director of the board of elections for local, municipal, county, general, or special elections, or the director of the board of elections of the most populous county for district, general, or special elections, or the secretary of state for state-wide general and special elections shall notify the persons with identical given names and surnames that the names of such persons will be differentiated on the ballot. If one of the candidates is an incumbent who is a candidate to succeed ~~himself~~ self for the office ~~he~~ the incumbent occupies, ~~he~~ the incumbent shall have first choice of the name by which ~~he~~ the incumbent is designated on the ballot. If an incumbent does not make a choice within two days after notification or if none of the candidates is an incumbent, the board of elections within three days after notification shall designate the names by which the candidates are identified on the ballot. In case of a district candidate the board of elections in the most populous county shall make the determination. In case of state-wide candidates, or in the case any board of elections fails to make a designation within three days after notification, the secretary of state shall immediately make the determination.

"Notification" as required by this section shall be by the director of the board of elections or secretary of state by ~~special delivery or telegram~~ certified mail at the candidate's address listed in ~~his~~ the candidate's declaration or petition of



candidacy. 6663

**Sec. 3513.18.** Party primaries shall be held at the same place 6664  
and time, but there shall be separate pollbooks, and tally sheets, 6665  
~~and ballot boxes~~ provided at each polling place for each party 6666  
participating in the election, ~~and the ballot of each voter shall~~ 6667  
~~be placed in the ballot box of the party with which he is~~ 6668  
~~affiliated. Each ballot box shall be plainly marked with the name~~ 6669  
~~of the political party whose ballots are to be placed therein, by~~ 6670  
~~letters pasted or printed thereon or by a card attached thereto,~~ 6671  
~~or both, and so placed that the designation may be easily seen and~~ 6672  
~~read by the voter.~~ 6673

If a special election on a question or issue is held on the 6674  
day of a primary election, there shall be provided in the 6675  
pollbooks pages on which shall be recorded the names of all 6676  
electors voting on said question or issue and not voting in such 6677  
primary. It shall not be necessary for electors desiring to vote 6678  
only on the question or issue to declare their political 6679  
affiliation. 6680

**Sec. 3513.19.** (A) It is the duty of any ~~judge of elections~~ 6681  
precinct election official, whenever any ~~judge of elections~~ such 6682  
official doubts that a person attempting to vote at a primary 6683  
election is legally entitled to vote at that election, to 6684  
challenge the right of that person to vote. The right of a person 6685  
to vote at a primary election may be challenged upon the following 6686  
grounds: 6687

(1) That the person whose right to vote is challenged is not 6688  
a legally qualified elector; 6689

(2) That the person has received or has been promised some 6690  
valuable reward or consideration for the person's vote; 6691

~~(3) That the person is not affiliated with or is not a member~~ 6692

~~of the political party whose ballot the person desires to vote. 6693  
Such party affiliation shall be determined by examining the 6694  
elector's voting record for the current year and the immediately 6695  
preceding two calendar years as shown on the voter's registration 6696  
card, using the standards of affiliation specified in the seventh 6697  
paragraph of section 3513.05 of the Revised Code. Division (A)(3) 6698  
of this section and the seventh paragraph of section 3513.05 of 6699  
the Revised Code do not prohibit a person who holds an elective 6700  
office for which candidates are nominated at a party primary 6701  
election from doing any of the following: 6702~~

~~(a) If the person voted as a member of a different political 6703  
party at any primary election within the current year and the 6704  
immediately preceding two calendar years, being a candidate for 6705  
nomination at a party primary held during the times specified in 6706  
division (C)(2) of section 3513.191 of the Revised Code provided 6707  
that the person complies with the requirements of that section; 6708~~

~~(b) Circulating the person's own petition of candidacy for 6709  
party nomination in the primary election. 6710~~

~~(B) When the right of a person to vote is challenged upon the 6711  
ground set forth in division (A)(3) of this section, membership in 6712  
or political affiliation with a political party shall be 6713  
determined by the person's statement, made under penalty of 6714  
election falsification, that the person desires to be affiliated 6715  
with and supports the principles of the political party whose 6716  
primary ballot the person desires to vote. 6717~~

**Sec. 3513.21.** At the close of the polls in a primary 6718  
election, the judges of precinct election officials shall proceed 6719  
without delay to canvass the vote, sign and seal it, and make 6720  
returns thereof to the board of elections forthwith on the forms 6721  
to be provided by the board. The provisions of Title XXXV of the 6722  
Revised Code relating to the accounting for and return of all 6723

ballots at general elections apply to primary ballots. 6724

If there is any disagreement as to how a ballot should be 6725  
counted it shall be submitted to all of the ~~judges~~ precinct 6726  
election officials. If three of the ~~judges~~ precinct election 6727  
officials do not agree as to how any part of the ballot shall be 6728  
counted, that part of such ballot which three of the ~~judges~~ 6729  
officials do agree shall be counted and a notation made upon the 6730  
ballot indicating what part has not been counted, and shall be 6731  
placed in an envelope provided for that purpose, marked "Disputed 6732  
Ballots" and returned to the board. 6733

The board shall, on the day when the vote is canvassed, open 6734  
such sealed envelopes, determine what ballots and for whom they 6735  
should be counted, and proceed to count and tally the votes on 6736  
such ballots. 6737

**Sec. 3513.262.** The nominating petitions of all candidates 6738  
required to be filed before four p.m. of the day before the day of 6739  
the primary election immediately preceding the general election 6740  
shall be processed as follows: 6741

If such petition is filed with the secretary of state, ~~he~~ the 6742  
secretary of state shall, not later than the fifteenth day of June 6743  
following the filing of such petition, ~~or if the primary election~~ 6744  
~~was a presidential primary election, not later than the end of the~~ 6745  
~~sixth week after the day of that election,~~ transmit to each board 6746  
such separate petition papers as purport to contain signatures of 6747  
electors of the county of such board. If such petition is filed 6748  
with the board of the most populous county of a district or of a 6749  
county in which the major portion of the population of a 6750  
subdivision is located, such board shall, not later than the 6751  
fifteenth day of June, ~~or if the primary election was a~~ 6752  
~~presidential primary election, not later than the end of the sixth~~ 6753  
~~week after the day of that election,~~ transmit to each board within 6754

such district such separate petition papers of the petition as 6755  
purport to contain signatures of electors of the county of such 6756  
board. 6757

All petition papers so transmitted to a board and all 6758  
nominating petitions filed with a board shall, under proper 6759  
regulations, be open to public inspection from the fifteenth day 6760  
of June until four p.m. of the thirtieth day of that month, ~~or if~~ 6761  
~~the primary election was a presidential primary election, from the~~ 6762  
~~end of the sixth week after the election until four p.m. of the~~ 6763  
~~end of the seventh week after the election.~~ Each board shall, not 6764  
later than the next fifteenth day of July, ~~or if the primary~~ 6765  
~~election was a presidential primary election, not later than the~~ 6766  
~~end of the tenth week after the day of that election,~~ examine and 6767  
determine the sufficiency of the signatures on the petition papers 6768  
transmitted to or filed with it, and the validity of the petitions 6769  
filed with it, and shall return to the secretary of state all 6770  
petition papers transmitted to it by ~~him~~ the secretary of state, 6771  
together with its certification of its determination as to the 6772  
validity or invalidity of signatures thereon, and shall return to 6773  
each other board all petition papers transmitted to it by such 6774  
other board, as provided in this section, together with its 6775  
certification of its determination as to the validity or 6776  
invalidity of signatures thereon. All other matters affecting the 6777  
validity or invalidity of such petition papers shall be determined 6778  
by the secretary of state or the board with whom such petition 6779  
papers were filed. 6780

Written protests against nominating petitions may be filed by 6781  
any qualified elector eligible to vote for the candidate whose 6782  
nominating petition ~~he~~ the elector objects to, not later than four 6783  
p.m. of the thirtieth day of July, ~~or if the primary election was~~ 6784  
~~a presidential primary election, not later than the end of the~~ 6785  
~~twelfth week after the day of that election.~~ Such protests shall 6786

be filed with the election officials with whom the nominating 6787  
petition was filed. Upon the filing of such protest, the election 6788  
officials with whom it is filed shall promptly fix the time and 6789  
place for hearing it, and shall forthwith mail notice of the 6790  
filing of such protest and the time and place for hearing it to 6791  
the person whose nomination is protested. They shall also 6792  
forthwith mail notice of the time and place fixed for the hearing 6793  
to the person who filed the protest. At the time fixed, such 6794  
election officials shall hear the protest and determine the 6795  
validity or invalidity of the petition. Such determination shall 6796  
be final. 6797

A protest against the nominating petition filed by joint 6798  
candidates for the offices of governor and lieutenant governor 6799  
shall be filed, heard, and determined in the same manner as a 6800  
protest against the nominating petition of a candidate who files 6801  
~~by himself~~ individually. 6802

**Sec. 3513.30.** (A)(1) If only one valid declaration of 6803  
candidacy is filed for nomination as a candidate of a political 6804  
party for an office and that candidate dies prior to the tenth day 6805  
before the primary election, both of the following may occur: 6806

(a) The political party whose candidate died may fill the 6807  
vacancy so created as provided in division (A)(2) of this section. 6808

(b) Any major political party other than the one whose 6809  
candidate died may select a candidate as provided in division 6810  
(A)(2) of this section under either of the following 6811  
circumstances: 6812

(i) No person has filed a valid declaration of candidacy for 6813  
nomination as that party's candidate at the primary election. 6814

(ii) Only one person has filed a valid declaration of 6815  
candidacy for nomination as that party's candidate at the primary 6816

election, that person has withdrawn, died, or been disqualified 6817  
under section 3513.052 of the Revised Code, and the vacancy so 6818  
created has not been filled. 6819

(2) A vacancy may be filled under division (A)(1)(a) and a 6820  
selection may be made under division (A)(1)(b) of this section by 6821  
the appropriate committee of the political party in the same 6822  
manner as provided in divisions (A) to (E) of section 3513.31 of 6823  
the Revised Code for the filling of similar vacancies created by 6824  
withdrawals or disqualifications under section 3513.052 of the 6825  
Revised Code after the primary election, except that the 6826  
certification required under that section may not be filed with 6827  
the secretary of state, or with a board of the most populous 6828  
county of a district, or with the board of a county in which the 6829  
major portion of the population of a subdivision is located, later 6830  
than four p.m. of the tenth day before the day of such primary 6831  
election, or with any other board later than four p.m. of the 6832  
fifth day before the day of such primary election. 6833

(3) If only one valid declaration of candidacy is filed for 6834  
nomination as a candidate of a political party for an office and 6835  
that candidate dies on or after the tenth day before the day of 6836  
the primary election, that candidate is considered to have 6837  
received the nomination of that candidate's political party at 6838  
that primary election, and, for purposes of filling the vacancy so 6839  
created, that candidate's death shall be treated as if that 6840  
candidate died on the day after the day of the primary election. 6841

(B) Any person filing a declaration of candidacy may withdraw 6842  
as such candidate at any time prior to the primary election. The 6843  
withdrawal shall be effected and the statement of withdrawal shall 6844  
be filed in accordance with the procedures prescribed in division 6845  
(D) of this section for the withdrawal of persons nominated in a 6846  
primary election or by nominating petition. 6847

(C) A person who is named the first choice for president of 6848

the United States by a candidate for delegate or alternate to a 6849  
national convention of a political party may withdraw consent for 6850  
the selection of the person as such first choice no later than 6851  
four p.m. of the fortieth day before the day of the presidential 6852  
primary election. Withdrawal of consent shall be for the entire 6853  
slate of candidates for delegates and alternates who named such 6854  
person as their presidential first choice and shall constitute 6855  
withdrawal from the primary election by such delegates and 6856  
alternates. The withdrawal shall be made in writing and delivered 6857  
to the secretary of state. If the withdrawal is delivered to the 6858  
secretary of state on or before the seventieth day before the day 6859  
of the primary election, the boards of elections shall remove both 6860  
the name of the withdrawn first choice and the names of such 6861  
withdrawn candidates from the ballots according to the directions 6862  
of the secretary of state. If the withdrawal is delivered to the 6863  
secretary of state after the seventieth day before the day of the 6864  
primary election, the board of elections shall not remove the name 6865  
of the withdrawn first choice and the names of the withdrawn 6866  
candidates from the ballots. The board of elections shall post a 6867  
notice at each polling location on the day of the primary 6868  
election, and shall enclose with each absent voter's ballot given 6869  
or mailed after the candidate withdraws, a notice that votes for 6870  
the withdrawn first choice or the withdrawn candidates will be 6871  
void and will not be counted. If such names are not removed from 6872  
all ballots before the day of the election, the votes for the 6873  
withdrawn first choice or the withdrawn candidates are void and 6874  
shall not be counted. 6875

(D) Any person nominated in a primary election or by 6876  
nominating petition as a candidate for election at the next 6877  
general election may withdraw as such candidate at any time prior 6878  
to the general election. Such withdrawal may be effected by the 6879  
filing of a written statement by such candidate announcing the 6880  
candidate's withdrawal and requesting that the candidate's name 6881

not be printed on the ballots. If such candidate's declaration of  
6882  
candidacy or nominating petition was filed with the secretary of  
6883  
state, the candidate's statement of withdrawal shall be addressed  
6884  
to and filed with the secretary of state. If such candidate's  
6885  
declaration of candidacy or nominating petition was filed with a  
6886  
board of elections, the candidate's statement of withdrawal shall  
6887  
be addressed to and filed with such board. 6888

(E) When a person withdraws under division (B) or (D) of this  
6889  
section on or before the seventieth day before the day of the  
6890  
~~primary~~ election at which the person's candidacy is to appear on  
6891  
the ballot, the board of elections shall remove the name of the  
6892  
withdrawn candidate from the ballots according to the directions  
6893  
of the secretary of state. When a person withdraws under division  
6894  
(B) or (D) of this section after the seventieth day before the day  
6895  
of the ~~primary~~ election at which the person's candidacy is to  
6896  
appear on the ballot, the board of elections shall not remove the  
6897  
name of the withdrawn candidate from the ballots. The board of  
6898  
elections shall post a notice at each polling place on the day of  
6899  
the ~~primary~~ election, and shall enclose with each absent voter's  
6900  
ballot given or mailed after the candidate withdraws, a notice  
6901  
that votes for the withdrawn candidate will be void and will not  
6902  
be counted. If the name is not removed from all ballots before the  
6903  
day of the election, the votes for the withdrawn candidate are  
6904  
void and shall not be counted. 6905

**Sec. 3515.04.** At the time and place fixed for making a  
6906  
recount, the board of elections, in the presence of all observers  
6907  
who may be in attendance, shall open the sealed containers  
6908  
containing the ballots to be recounted, and shall recount them. ~~If~~  
6909  
~~a county used punch card ballots and if a chad is attached to a~~  
6910  
~~punch card ballot by three or four corners, the voter shall be~~  
6911  
~~deemed by the board not to have recorded a candidate, question, or~~  
6912  
~~issue choice at the particular position on the ballot, and a vote~~  
6913



~~shall not be counted at that particular position on the ballot in~~ 6914  
~~the recount.~~ Ballots shall be handled only by the members of the 6915  
board or by the director or other employees of the board. 6916  
Observers shall be permitted to see the ballots, but they shall 6917  
not be permitted to touch them, and the board shall not permit the 6918  
counting or tabulation of votes shown on the ballots for any 6919  
nomination, or for election to any office or position, or upon any 6920  
question or issue, other than the votes shown on such ballots for 6921  
the nomination, election, question, or issue concerning which a 6922  
recount of ballots was applied for. 6923

At any time before the ballots from all of the precincts 6924  
listed in an application for the recount or involved in a recount 6925  
pursuant to section 3515.011 of the Revised Code have been 6926  
recounted, the applicant or declared losing candidate or nominee 6927  
or each of the declared losing candidates or nominees entitled to 6928  
file a request prior to the commencement of a recount, as provided 6929  
in section 3515.03 of the Revised Code, may file with the board a 6930  
written request to stop the recount and not recount the ballots 6931  
from the precincts so listed that have not been recounted prior to 6932  
the time of the request. If, upon the request, the board finds 6933  
that results of the votes in the precincts recounted, if 6934  
substituted for the results of the votes in those precincts as 6935  
shown in the abstract of the votes in those precincts, would not 6936  
cause the applicant, if a person for whom votes were cast for 6937  
nomination or election, to be declared nominated or elected or if 6938  
an election upon a question or issue would not cause a result 6939  
contrary to the result as declared prior to such recount, it shall 6940  
grant the request and shall not recount the ballots of the 6941  
precincts listed in the application for recount that have not been 6942  
recounted prior to that time. If the board finds otherwise, it 6943  
shall deny the request and shall continue to recount ballots until 6944  
the ballots from all of the precincts listed in the application 6945  
for recount have been recounted; provided that, if the request is 6946

denied, it may be renewed from time to time. Upon any such 6947  
renewal, the board shall consider and act upon the request in the 6948  
same manner as provided in this section in connection with an 6949  
original request. 6950

~~As used in this section, "chad" and "punch card ballot" have 6951  
the same meanings as in section 3506.16 of the Revised Code. 6952~~

**Sec. 3517.01.** (A)(1) A political party within the meaning of 6953  
Title XXXV of the Revised Code is any group of voters that, at the 6954  
most recent regular state election, polled for its candidate for 6955  
governor in the state or nominees for presidential electors at 6956  
least five per cent of the entire vote cast for that office or 6957  
that filed with the secretary of state, subsequent to any election 6958  
in which it received less than five per cent of that vote, a 6959  
petition signed by qualified electors equal in number to at least 6960  
one per cent of the total vote for governor or nominees for 6961  
presidential electors at the most recent election, declaring their 6962  
intention of organizing a political party, the name of which shall 6963  
be stated in the declaration, and of participating in the 6964  
succeeding primary election, held in even-numbered years, that 6965  
occurs more than ~~one hundred twenty~~ ninety days after the date of 6966  
filing. No such group of electors shall assume a name or 6967  
designation that is similar, in the opinion of the secretary of 6968  
state, to that of an existing political party as to confuse or 6969  
mislead the voters at an election. If any political party fails to 6970  
cast five per cent of the total vote cast at an election for the 6971  
office of governor or president, it shall cease to be a political 6972  
party. 6973

(2) A campaign committee shall be legally liable for any 6974  
debts, contracts, or expenditures incurred or executed in its 6975  
name. 6976

(B) Notwithstanding the definitions found in section 3501.01 6977

of the Revised Code, as used in this section and sections 3517.08 6978  
to 3517.14, 3517.99, and 3517.992 of the Revised Code: 6979

(1) "Campaign committee" means a candidate or a combination 6980  
of two or more persons authorized by a candidate under section 6981  
3517.081 of the Revised Code to receive contributions and make 6982  
expenditures. 6983

(2) "Campaign treasurer" means an individual appointed by a 6984  
candidate under section 3517.081 of the Revised Code. 6985

(3) "Candidate" has the same meaning as in division (H) of 6986  
section 3501.01 of the Revised Code and also includes any person 6987  
who, at any time before or after an election, receives 6988  
contributions or makes expenditures or other use of contributions, 6989  
has given consent for another to receive contributions or make 6990  
expenditures or other use of contributions, or appoints a campaign 6991  
treasurer, for the purpose of bringing about the person's 6992  
nomination or election to public office. When two persons jointly 6993  
seek the offices of governor and lieutenant governor, "candidate" 6994  
means the pair of candidates jointly. "Candidate" does not include 6995  
candidates for election to the offices of member of a county or 6996  
state central committee, presidential elector, and delegate to a 6997  
national convention or conference of a political party. 6998

(4) "Continuing association" means an association, other than 6999  
a campaign committee, political party, legislative campaign fund, 7000  
political contributing entity, or labor organization, that is 7001  
intended to be a permanent organization that has a primary purpose 7002  
other than supporting or opposing specific candidates, political 7003  
parties, or ballot issues, and that functions on a regular basis 7004  
throughout the year. "Continuing association" includes 7005  
organizations that are determined to be not organized for profit 7006  
under subsection 501 and that are described in subsection 7007  
501(c)(3), 501(c)(4), or 501(c)(6) of the Internal Revenue Code. 7008

(5) "Contribution" means a loan, gift, deposit, forgiveness of indebtedness, donation, advance, payment, or transfer of funds or anything of value, including a transfer of funds from an inter vivos or testamentary trust or decedent's estate, and the payment by any person other than the person to whom the services are rendered for the personal services of another person, which contribution is made, received, or used for the purpose of influencing the results of an election. Any loan, gift, deposit, forgiveness of indebtedness, donation, advance, payment, or transfer of funds or of anything of value, including a transfer of funds from an inter vivos or testamentary trust or decedent's estate, and the payment by any campaign committee, political action committee, legislative campaign fund, political party, political contributing entity, or person other than the person to whom the services are rendered for the personal services of another person, that is made, received, or used by a state or county political party, other than moneys a state or county political party receives from the Ohio political party fund pursuant to section 3517.17 of the Revised Code and the moneys a state or county political party may receive under sections 3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be considered to be a "contribution" for the purpose of section 3517.10 of the Revised Code and shall be included on a statement of contributions filed under that section.

"Contribution" does not include any of the following:

(a) Services provided without compensation by individuals volunteering a portion or all of their time on behalf of a person;

(b) Ordinary home hospitality;

(c) The personal expenses of a volunteer paid for by that volunteer campaign worker;

(d) Any gift given to a state or county political party

pursuant to section 3517.101 of the Revised Code. As used in 7040  
division (B)(5)(d) of this section, "political party" means only a 7041  
major political party; 7042

(e) Any contribution as defined in section 3517.1011 of the 7043  
Revised Code that is made, received, or used to pay the direct 7044  
costs of producing or airing an electioneering communication; 7045

(f) Any gift given to a state or county political party for 7046  
the party's restricted fund under division (A)(2) of section 7047  
3517.1012 of the Revised Code; 7048

(g) Any gift given to a state political party for deposit in 7049  
a Levin account pursuant to section 3517.1013 of the Revised Code. 7050  
As used in this division, "Levin account" has the same meaning as 7051  
in that section. 7052

(h) Any donation given to a transition fund under section 7053  
3517.1014 of the Revised Code. 7054

(6) "Expenditure" means the disbursement or use of a 7055  
contribution for the purpose of influencing the results of an 7056  
election or of making a charitable donation under division (G) of 7057  
section 3517.08 of the Revised Code. Any disbursement or use of a 7058  
contribution by a state or county political party is an 7059  
expenditure and shall be considered either to be made for the 7060  
purpose of influencing the results of an election or to be made as 7061  
a charitable donation under division (G) of section 3517.08 of the 7062  
Revised Code and shall be reported on a statement of expenditures 7063  
filed under section 3517.10 of the Revised Code. During the thirty 7064  
days preceding a primary or general election, any disbursement to 7065  
pay the direct costs of producing or airing a broadcast, cable, or 7066  
satellite communication that refers to a clearly identified 7067  
candidate shall be considered to be made for the purpose of 7068  
influencing the results of that election and shall be reported as 7069  
an expenditure or as an independent expenditure under section 7070

3517.10 or 3517.105 of the Revised Code, as applicable, except 7071  
that the information required to be reported regarding 7072  
contributors for those expenditures or independent expenditures 7073  
shall be the same as the information required to be reported under 7074  
divisions (D)(1) and (2) of section 3517.1011 of the Revised Code. 7075

As used in this division, "broadcast, cable, or satellite 7076  
communication" and "refers to a clearly identified candidate" have 7077  
the same meanings as in section 3517.1011 of the Revised Code. 7078

(7) "Personal expenses" includes, but is not limited to, 7079  
ordinary expenses for accommodations, clothing, food, personal 7080  
motor vehicle or airplane, and home telephone. 7081

(8) "Political action committee" means a combination of two 7082  
or more persons, the primary or major purpose of which is to 7083  
support or oppose any candidate, political party, or issue, or to 7084  
influence the result of any election through express advocacy, and 7085  
that is not a political party, a campaign committee, a political 7086  
contributing entity, or a legislative campaign fund. "Political 7087  
action committee" does not include either of the following: 7088

(a) A continuing association that makes disbursements for the 7089  
direct costs of producing or airing electioneering communications 7090  
and that does not engage in express advocacy; 7091

(b) A political club that is formed primarily for social 7092  
purposes and that consists of one hundred members or less, has 7093  
officers and periodic meetings, has less than two thousand five 7094  
hundred dollars in its treasury at all times, and makes an 7095  
aggregate total contribution of one thousand dollars or less per 7096  
calendar year. 7097

(9) "Public office" means any state, county, municipal, 7098  
township, or district office, except an office of a political 7099  
party, that is filled by an election and the offices of United 7100  
States senator and representative. 7101

- (10) "Anything of value" has the same meaning as in section 7102  
1.03 of the Revised Code. 7103
- (11) "Beneficiary of a campaign fund" means a candidate, a 7104  
public official or employee for whose benefit a campaign fund 7105  
exists, and any other person who has ever been a candidate or 7106  
public official or employee and for whose benefit a campaign fund 7107  
exists. 7108
- (12) "Campaign fund" means money or other property, including 7109  
contributions. 7110
- (13) "Public official or employee" has the same meaning as in 7111  
section 102.01 of the Revised Code. 7112
- (14) "Caucus" means all of the members of the house of 7113  
representatives or all of the members of the senate of the general 7114  
assembly who are members of the same political party. 7115
- (15) "Legislative campaign fund" means a fund that is 7116  
established as an auxiliary of a state political party and 7117  
associated with one of the houses of the general assembly. 7118
- (16) "In-kind contribution" means anything of value other 7119  
than money that is used to influence the results of an election or 7120  
is transferred to or used in support of or in opposition to a 7121  
candidate, campaign committee, legislative campaign fund, 7122  
political party, political action committee, or political 7123  
contributing entity and that is made with the consent of, in 7124  
coordination, cooperation, or consultation with, or at the request 7125  
or suggestion of the benefited candidate, committee, fund, party, 7126  
or entity. The financing of the dissemination, distribution, or 7127  
 republication, in whole or part, of any broadcast or of any 7128  
written, graphic, or other form of campaign materials prepared by 7129  
the candidate, the candidate's campaign committee, or their 7130  
authorized agents is an in-kind contribution to the candidate and 7131  
an expenditure by the candidate. 7132

(17) "Independent expenditure" means an expenditure by a person advocating the election or defeat of an identified candidate or candidates, that is not made with the consent of, in coordination, cooperation, or consultation with, or at the request or suggestion of any candidate or candidates or of the campaign committee or agent of the candidate or candidates. As used in division (B)(17) of this section:

(a) "Person" means an individual, partnership, unincorporated business organization or association, political action committee, political contributing entity, separate segregated fund, association, or other organization or group of persons, but not a labor organization or a corporation unless the labor organization or corporation is a political contributing entity.

(b) "Advocating" means any communication containing a message advocating election or defeat.

(c) "Identified candidate" means that the name of the candidate appears, a photograph or drawing of the candidate appears, or the identity of the candidate is otherwise apparent by unambiguous reference.

(d) "Made in coordination, cooperation, or consultation with, or at the request or suggestion of, any candidate or the campaign committee or agent of the candidate" means made pursuant to any arrangement, coordination, or direction by the candidate, the candidate's campaign committee, or the candidate's agent prior to the publication, distribution, display, or broadcast of the communication. An expenditure is presumed to be so made when it is any of the following:

(i) Based on information about the candidate's plans, projects, or needs provided to the person making the expenditure by the candidate, or by the candidate's campaign committee or agent, with a view toward having an expenditure made;



(ii) Made by or through any person who is, or has been, 7164  
authorized to raise or expend funds, who is, or has been, an 7165  
officer of the candidate's campaign committee, or who is, or has 7166  
been, receiving any form of compensation or reimbursement from the 7167  
candidate or the candidate's campaign committee or agent; 7168

(iii) Except as otherwise provided in division (D) of section 7169  
3517.105 of the Revised Code, made by a political party in support 7170  
of a candidate, unless the expenditure is made by a political 7171  
party to conduct voter registration or voter education efforts. 7172

(e) "Agent" means any person who has actual oral or written 7173  
authority, either express or implied, to make or to authorize the 7174  
making of expenditures on behalf of a candidate, or means any 7175  
person who has been placed in a position with the candidate's 7176  
campaign committee or organization such that it would reasonably 7177  
appear that in the ordinary course of campaign-related activities 7178  
the person may authorize expenditures. 7179

(18) "Labor organization" means a labor union; an employee 7180  
organization; a federation of labor unions, groups, locals, or 7181  
other employee organizations; an auxiliary of a labor union, 7182  
employee organization, or federation of labor unions, groups, 7183  
locals, or other employee organizations; or any other bona fide 7184  
organization in which employees participate and that exists for 7185  
the purpose, in whole or in part, of dealing with employers 7186  
concerning grievances, labor disputes, wages, hours, and other 7187  
terms and conditions of employment. 7188

(19) "Separate segregated fund" means a separate segregated 7189  
fund established pursuant to the Federal Election Campaign Act. 7190

(20) "Federal Election Campaign Act" means the "Federal 7191  
Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et 7192  
seq., as amended. 7193

(21) "Restricted fund" means the fund a state or county 7194

political party must establish under division (A)(1) of section 7195  
3517.1012 of the Revised Code. 7196

(22) "Electioneering communication" has the same meaning as 7197  
in section 3517.1011 of the Revised Code. 7198

(23) "Express advocacy" means a communication that contains 7199  
express words advocating the nomination, election, or defeat of a 7200  
candidate or that contains express words advocating the adoption 7201  
or defeat of a question or issue, as determined by a final 7202  
judgment of a court of competent jurisdiction. 7203

(24) "Political committee" has the same meaning as in section 7204  
3517.1011 of the Revised Code. 7205

(25) "Political contributing entity" means any entity, 7206  
~~including a corporation or labor organization,~~ that may lawfully 7207  
make contributions and expenditures and that is not an individual 7208  
or a political action committee, continuing association, campaign 7209  
committee, political party, legislative campaign fund, designated 7210  
state campaign committee, or state candidate fund. Subject to the 7211  
restrictions on the use of corporate and labor organization funds 7212  
under section 3599.03 of the Revised Code, "political contributing 7213  
entity" shall include a corporation or labor organization. For 7214  
purposes of this division, "lawfully" means not prohibited by any 7215  
section of the Revised Code, or authorized by a final judgment of 7216  
a court of competent jurisdiction. 7217

**Sec. 3517.012.** When a petition meeting the requirements of 7218  
section 3517.01 of the Revised Code declaring the intention to 7219  
organize a political party is filed with the secretary of state, 7220  
the new party comes into legal existence on the date of filing and 7221  
is entitled to hold a primary election as set out in section 7222  
3513.01 of the Revised Code, at the primary election, held in 7223  
even-numbered years that occurs more than ~~one hundred twenty~~ 7224  
ninety days after the date of filing. 7225

**Sec. 3517.014.** Those provisions of section ~~3513.19~~ 3513.05 of 7226  
the Revised Code relating to the determination of membership in or 7227  
political affiliation with a party do not apply to persons 7228  
desiring to become candidates for party nomination of a newly 7229  
formed political party meeting the requirements of sections 7230  
3517.011 and 3517.012 of the Revised Code at the first primary 7231  
held by that party in the even-numbered year occurring subsequent 7232  
to the formation of that party. 7233

**Sec. 3517.015.** Qualified electors who signed declarations of 7234  
candidacy of persons desiring to become candidates for party 7235  
nomination of a newly formed political party meeting the 7236  
requirements of sections 3517.011 and 3517.012 of the Revised Code 7237  
at the first primary election held by that party in the 7238  
even-numbered year subsequent to the party formation ~~are not~~ 7239  
~~subject to section 3513.19 of the Revised Code and~~ shall, for the 7240  
purpose of signing said declarations of candidacy, be deemed 7241  
members of the newly formed political party regardless of prior 7242  
political affiliations. 7243

**Sec. 3517.10.** (A) Except as otherwise provided in this 7244  
division, every campaign committee, political action committee, 7245  
legislative campaign fund, political party, and political 7246  
contributing entity that made or received a contribution or made 7247  
an expenditure in connection with the nomination or election of 7248  
any candidate or in connection with any ballot issue or question 7249  
at any election held or to be held in this state shall file, on a 7250  
form prescribed under this section or by electronic means of 7251  
transmission as provided in this section and section 3517.106 of 7252  
the Revised Code, a full, true, and itemized statement, made under 7253  
penalty of election falsification, setting forth in detail the 7254  
contributions and expenditures, not later than four p.m. of the 7255

following dates: 7256

(1) The twelfth day before the election to reflect 7257  
contributions received and expenditures made from the close of 7258  
business on the last day reflected in the last previously filed 7259  
statement, if any, to the close of business on the twentieth day 7260  
before the election; 7261

(2) The thirty-eighth day after the election to reflect the 7262  
contributions received and expenditures made from the close of 7263  
business on the last day reflected in the last previously filed 7264  
statement, if any, to the close of business on the seventh day 7265  
before the filing of the statement; 7266

(3) The last business day of January of every year to reflect 7267  
the contributions received and expenditures made from the close of 7268  
business on the last day reflected in the last previously filed 7269  
statement, if any, to the close of business on the last day of 7270  
December of the previous year; 7271

(4) The last business day of July of every year to reflect 7272  
the contributions received and expenditures made from the close of 7273  
business on the last day reflected in the last previously filed 7274  
statement, if any, to the close of business on the last day of 7275  
June of that year. 7276

A campaign committee shall only be required to file the 7277  
statements prescribed under divisions (A)(1) and (2) of this 7278  
section in connection with the nomination or election of the 7279  
committee's candidate. 7280

The statement required under division (A)(1) of this section 7281  
shall not be required of any campaign committee, political action 7282  
committee, legislative campaign fund, political party, or 7283  
political contributing entity that has received contributions of 7284  
less than one thousand dollars and has made expenditures of less 7285  
than one thousand dollars at the close of business on the 7286

twentieth day before the election. Those contributions and 7287  
expenditures shall be reported in the statement required under 7288  
division (A)(2) of this section. 7289

If an election to select candidates to appear on the general 7290  
election ballot is held within sixty days before a general 7291  
election, the campaign committee of a successful candidate in the 7292  
earlier election may file the statement required by division 7293  
(A)(1) of this section for the general election instead of the 7294  
statement required by division (A)(2) of this section for the 7295  
earlier election if the pregeneral election statement reflects the 7296  
status of contributions and expenditures for the period twenty 7297  
days before the earlier election to twenty days before the general 7298  
election. 7299

If a person becomes a candidate less than twenty days before 7300  
an election, the candidate's campaign committee is not required to 7301  
file the statement required by division (A)(1) of this section. 7302

No statement under division (A)(3) of this section shall be 7303  
required for any year in which a campaign committee, political 7304  
action committee, legislative campaign fund, political party, or 7305  
political contributing entity is required to file a postgeneral 7306  
election statement under division (A)(2) of this section. However, 7307  
a statement under division (A)(3) of this section may be filed, at 7308  
the option of the campaign committee, political action committee, 7309  
legislative campaign fund, political party, or political 7310  
contributing entity. 7311

No campaign committee of a candidate for the office of chief 7312  
justice or justice of the supreme court, and no campaign committee 7313  
of a candidate for the office of judge of any court in this state, 7314  
shall be required to file a statement under division (A)(4) of 7315  
this section. 7316

Except as otherwise provided in this paragraph and in the 7317

next paragraph of this section, the only campaign committees 7318  
required to file a statement under division (A)(4) of this section 7319  
are the campaign committee of a statewide candidate and the 7320  
campaign committee of a candidate for county office. The campaign 7321  
committee of a candidate for any other nonjudicial office is 7322  
required to file a statement under division (A)(4) of this section 7323  
if that campaign committee receives, during that period, 7324  
contributions exceeding ten thousand dollars. 7325

No statement under division (A)(4) of this section shall be 7326  
required of a campaign committee, a political action committee, a 7327  
legislative campaign fund, a political party, or a political 7328  
contributing entity for any year in which the campaign committee, 7329  
political action committee, legislative campaign fund, political 7330  
party, or political contributing entity is required to file a 7331  
postprimary election statement under division (A)(2) of this 7332  
section. However, a statement under division (A)(4) of this 7333  
section may be filed at the option of the campaign committee, 7334  
political action committee, legislative campaign fund, political 7335  
party, or political contributing entity. 7336

No statement under division (A)(3) or (4) of this section 7337  
shall be required if the campaign committee, political action 7338  
committee, legislative campaign fund, political party, or 7339  
political contributing entity has no contributions that it has 7340  
received and no expenditures that it has made since the last date 7341  
reflected in its last previously filed statement. However, the 7342  
campaign committee, political action committee, legislative 7343  
campaign fund, political party, or political contributing entity 7344  
shall file a statement to that effect, on a form prescribed under 7345  
this section and made under penalty of election falsification, on 7346  
the date required in division (A)(3) or (4) of this section, as 7347  
applicable. 7348

The campaign committee of a statewide candidate shall file a 7349

monthly statement of contributions received during each of the 7350  
months of July, August, and September in the year of the general 7351  
election in which the candidate seeks office. The campaign 7352  
committee of a statewide candidate shall file the monthly 7353  
statement not later than three business days after the last day of 7354  
the month covered by the statement. During the period beginning on 7355  
the nineteenth day before the general election in which a 7356  
statewide candidate seeks election to office and extending through 7357  
the day of that general election, each time the campaign committee 7358  
of the joint candidates for the offices of governor and lieutenant 7359  
governor or of a candidate for the office of secretary of state, 7360  
auditor of state, treasurer of state, or attorney general receives 7361  
a contribution from a contributor that causes the aggregate amount 7362  
of contributions received from that contributor during that period 7363  
to equal or exceed ten thousand dollars and each time the campaign 7364  
committee of a candidate for the office of chief justice or 7365  
justice of the supreme court receives a contribution from a 7366  
contributor that causes the aggregate amount of contributions 7367  
received from that contributor during that period to exceed ten 7368  
thousand dollars, the campaign committee shall file a 7369  
two-business-day statement reflecting that contribution. ~~During~~ 7370  
~~the period beginning on the nineteenth day before a primary~~ 7371  
~~election in which a candidate for statewide office seeks~~ 7372  
~~nomination to office and extending through the day of that primary~~ 7373  
~~election, each time either the campaign committee of a statewide~~ 7374  
~~candidate in that primary election that files a notice under~~ 7375  
~~division (C)(1) of section 3517.103 of the Revised Code or the~~ 7376  
~~campaign committee of a statewide candidate in that primary~~ 7377  
~~election to which, in accordance with division (D) of section~~ 7378  
~~3517.103 of the Revised Code, the contribution limitations~~ 7379  
~~prescribed in section 3517.102 of the Revised Code no longer apply~~ 7380  
~~receives a contribution from a contributor that causes the~~ 7381  
~~aggregate amount of contributions received from that contributor~~ 7382

~~during that period to exceed ten thousand dollars, the campaign~~ 7383  
~~committee shall file a two business day statement reflecting that~~ 7384  
~~contribution.~~ Contributions reported on a two-business-day 7385  
statement required to be filed by a campaign committee of a 7386  
statewide candidate in a primary election shall also be included 7387  
in the postprimary election statement required to be filed by that 7388  
campaign committee under division (A)(2) of this section. A 7389  
two-business-day statement required by this paragraph shall be 7390  
filed not later than two business days after receipt of the 7391  
contribution. The statements required by this paragraph shall be 7392  
filed in addition to any other statements required by this 7393  
section. 7394

Subject to the secretary of state having implemented, tested, 7395  
and verified the successful operation of any system the secretary 7396  
of state prescribes pursuant to divisions (C)(6)(b) and (D)(6) of 7397  
this section and division (H)(1) of section 3517.106 of the 7398  
Revised Code for the filing of campaign finance statements by 7399  
electronic means of transmission, a campaign committee of a 7400  
statewide candidate shall file a two-business-day statement under 7401  
the preceding paragraph by electronic means of transmission if the 7402  
campaign committee is required to file a pre-election, 7403  
postelection, or monthly statement of contributions and 7404  
expenditures by electronic means of transmission under this 7405  
section or section 3517.106 of the Revised Code. 7406

If a campaign committee or political action committee has no 7407  
balance on hand and no outstanding obligations and desires to 7408  
terminate itself, it shall file a statement to that effect, on a 7409  
form prescribed under this section and made under penalty of 7410  
election falsification, with the official with whom it files a 7411  
statement under division (A) of this section after filing a final 7412  
statement of contributions and a final statement of expenditures, 7413  
if contributions have been received or expenditures made since the 7414



period reflected in its last previously filed statement. 7415

(B) Except as otherwise provided in division (C)(7) of this 7416  
section, each statement required by division (A) of this section 7417  
shall contain the following information: 7418

(1) The full name and address of each campaign committee, 7419  
political action committee, legislative campaign fund, political 7420  
party, or political contributing entity, including any treasurer 7421  
of the committee, fund, party, or entity, filing a contribution 7422  
and expenditure statement; 7423

(2)(a) In the case of a campaign committee, the candidate's 7424  
full name and address; 7425

(b) In the case of a political action committee, the 7426  
registration number assigned to the committee under division 7427  
(D)(1) of this section. 7428

(3) The date of the election and whether it was or will be a 7429  
general, primary, or special election; 7430

(4) A statement of contributions received, which shall 7431  
include the following information: 7432

(a) The month, day, and year of the contribution; 7433

(b)(i) The full name and address of each person, political 7434  
party, campaign committee, legislative campaign fund, political 7435  
action committee, or political contributing entity from whom 7436  
contributions are received and the registration number assigned to 7437  
the political action committee under division (D)(1) of this 7438  
section. The requirement of filing the full address does not apply 7439  
to any statement filed by a state or local committee of a 7440  
political party, to a finance committee of such committee, or to a 7441  
committee recognized by a state or local committee as its 7442  
fund-raising auxiliary. Notwithstanding division (F) of this 7443  
section, the requirement of filing the full address shall be 7444

considered as being met if the address filed is the same address 7445  
the contributor provided under division (E)(1) of this section. 7446

(ii) If a political action committee, political contributing 7447  
entity, legislative campaign fund, or political party that is 7448  
required to file campaign finance statements by electronic means 7449  
of transmission under section 3517.106 of the Revised Code or a 7450  
campaign committee of a statewide candidate or candidate for the 7451  
office of member of the general assembly receives a contribution 7452  
from an individual that exceeds one hundred dollars, the name of 7453  
the individual's current employer, if any, or, if the individual 7454  
is self-employed, the individual's occupation and the name of the 7455  
individual's business, if any; 7456

(iii) If a campaign committee of a statewide candidate or 7457  
candidate for the office of member of the general assembly 7458  
receives a contribution transmitted pursuant to section 3599.031 7459  
of the Revised Code from amounts deducted from the wages and 7460  
salaries of two or more employees that exceeds in the aggregate 7461  
one hundred dollars during any one filing period under division 7462  
(A)(1), (2), (3), or (4) of this section, the full name of the 7463  
employees' employer and the full name of the labor organization of 7464  
which the employees are members, if any. 7465

(c) A description of the contribution received, if other than 7466  
money; 7467

(d) The value in dollars and cents of the contribution; 7468

(e) A separately itemized account of all contributions and 7469  
expenditures regardless of the amount, except a receipt of a 7470  
contribution from a person in the sum of twenty-five dollars or 7471  
less at one social or fund-raising activity and a receipt of a 7472  
contribution transmitted pursuant to section 3599.031 of the 7473  
Revised Code from amounts deducted from the wages and salaries of 7474  
employees if the contribution from the amount deducted from the 7475

wages and salary of any one employee is twenty-five dollars or 7476  
less aggregated in a calendar year. An account of the total 7477  
contributions from each social or fund-raising activity shall 7478  
include a description of and the value of each in-kind 7479  
contribution received at that activity from any person who made 7480  
one or more such contributions whose aggregate value exceeded two 7481  
hundred fifty dollars and shall be listed separately, together 7482  
with the expenses incurred and paid in connection with that 7483  
activity. A campaign committee, political action committee, 7484  
legislative campaign fund, political party, or political 7485  
contributing entity shall keep records of contributions from each 7486  
person in the amount of twenty-five dollars or less at one social 7487  
or fund-raising activity and contributions from amounts deducted 7488  
under section 3599.031 of the Revised Code from the wages and 7489  
salary of each employee in the amount of twenty-five dollars or 7490  
less aggregated in a calendar year. No continuing association that 7491  
is recognized by a state or local committee of a political party 7492  
as an auxiliary of the party and that makes a contribution from 7493  
funds derived solely from regular dues paid by members of the 7494  
auxiliary shall be required to list the name or address of any 7495  
members who paid those dues. 7496

Contributions that are other income shall be itemized 7497  
separately from all other contributions. The information required 7498  
under division (B)(4) of this section shall be provided for all 7499  
other income itemized. As used in this paragraph, "other income" 7500  
means a loan, investment income, or interest income. 7501

(f) In the case of a campaign committee of a state elected 7502  
officer, if a person doing business with the state elected officer 7503  
in the officer's official capacity makes a contribution to the 7504  
campaign committee of that officer, the information required under 7505  
division (B)(4) of this section in regard to that contribution, 7506  
which shall be filed together with and considered a part of the 7507

committee's statement of contributions as required under division 7508  
(A) of this section but shall be filed on a separate form provided 7509  
by the secretary of state. As used in this division: 7510

(i) "State elected officer" has the same meaning as in 7511  
section 3517.092 of the Revised Code. 7512

(ii) "Person doing business" means a person or an officer of 7513  
an entity who enters into one or more contracts with a state 7514  
elected officer or anyone authorized to enter into contracts on 7515  
behalf of that officer to receive payments for goods or services, 7516  
if the payments total, in the aggregate, more than five thousand 7517  
dollars during a calendar year. 7518

(5) A statement of expenditures which shall include the 7519  
following information: 7520

(a) The month, day, and year of the expenditure; 7521

(b) The full name and address of each person, political 7522  
party, campaign committee, legislative campaign fund, political 7523  
action committee, or political contributing entity to whom the 7524  
expenditure was made and the registration number assigned to the 7525  
political action committee under division (D)(1) of this section; 7526

(c) The object or purpose for which the expenditure was made; 7527

(d) The amount of each expenditure. 7528

(C)(1) The statement of contributions and expenditures shall 7529  
be signed by the person completing the form. If a statement of 7530  
contributions and expenditures is filed by electronic means of 7531  
transmission pursuant to this section or section 3517.106 of the 7532  
Revised Code, the electronic signature of the person who executes 7533  
the statement and transmits the statement by electronic means of 7534  
transmission, as provided in division (H) of section 3517.106 of 7535  
the Revised Code, shall be attached to or associated with the 7536  
statement and shall be binding on all persons and for all purposes 7537

under the campaign finance reporting law as if the signature had 7538  
been handwritten in ink on a printed form. 7539

(2) The person filing the statement, under penalty of 7540  
election falsification, shall include with it a list of each 7541  
anonymous contribution, the circumstances under which it was 7542  
received, and the reason it cannot be attributed to a specific 7543  
donor. 7544

(3) Each statement of a campaign committee of a candidate who 7545  
holds public office shall contain a designation of each 7546  
contributor who is an employee in any unit or department under the 7547  
candidate's direct supervision and control. In a space provided in 7548  
the statement, the person filing the statement shall affirm that 7549  
each such contribution was voluntarily made. 7550

(4) A campaign committee that did not receive contributions 7551  
or make expenditures in connection with the nomination or election 7552  
of its candidate shall file a statement to that effect, on a form 7553  
prescribed under this section and made under penalty of election 7554  
falsification, on the date required in division (A)(2) of this 7555  
section. 7556

(5) The campaign committee of any person who attempts to 7557  
become a candidate and who, for any reason, does not become 7558  
certified in accordance with Title XXXV of the Revised Code for 7559  
placement on the official ballot of a primary, general, or special 7560  
election to be held in this state, and who, at any time prior to 7561  
or after an election, receives contributions or makes 7562  
expenditures, or has given consent for another to receive 7563  
contributions or make expenditures, for the purpose of bringing 7564  
about the person's nomination or election to public office, shall 7565  
file the statement or statements prescribed by this section and a 7566  
termination statement, if applicable. Division (C)(5) of this 7567  
section does not apply to any person with respect to an election 7568  
to the offices of member of a county or state central committee, 7569

presidential elector, or delegate to a national convention or 7570  
conference of a political party. 7571

(6)(a) The statements required to be filed under this section 7572  
shall specify the balance in the hands of the campaign committee, 7573  
political action committee, legislative campaign fund, political 7574  
party, or political contributing entity and the disposition 7575  
intended to be made of that balance. 7576

(b) The secretary of state shall prescribe the form for all 7577  
statements required to be filed under this section and shall 7578  
furnish the forms to the boards of elections in the several 7579  
counties. The boards of elections shall supply printed copies of 7580  
those forms without charge. The secretary of state shall prescribe 7581  
the appropriate methodology, protocol, and data file structure for 7582  
statements required or permitted to be filed by electronic means 7583  
of transmission under division (A) of this section, divisions (E), 7584  
(F), and (G) of section 3517.106, division (D) of section 7585  
3517.1011, division (B) of section 3517.1012, division (C) of 7586  
section 3517.1013, and divisions (D) and (I) of section 3517.1014 7587  
of the Revised Code. Subject to division (A) of this section, 7588  
divisions (E), (F), and (G) of section 3517.106, division (D) of 7589  
section 3517.1011, division (B) of section 3517.1012, division (C) 7590  
of section 3517.1013, and divisions (D) and (I) of section 7591  
3517.1014 of the Revised Code, the statements required to be 7592  
stored on computer by the secretary of state under division (B) of 7593  
section 3517.106 of the Revised Code shall be filed in whatever 7594  
format the secretary of state considers necessary to enable the 7595  
secretary of state to store the information contained in the 7596  
statements on computer. Any such format shall be of a type and 7597  
nature that is readily available to whoever is required to file 7598  
the statements in that format. 7599

(c) The secretary of state shall assess the need for training 7600  
regarding the filing of campaign finance statements by electronic 7601

means of transmission and regarding associated technologies for 7602  
candidates, campaign committees, political action committees, 7603  
legislative campaign funds, political parties, or political 7604  
contributing entities, for individuals, partnerships, or other 7605  
entities, for persons making disbursements to pay the direct costs 7606  
of producing or airing electioneering communications, or for 7607  
treasurers of transition funds, required or permitted to file 7608  
statements by electronic means of transmission under this section 7609  
or section 3517.105, 3517.106, 3517.1011, 3517.1012, 3517.1013, or 7610  
3517.1014 of the Revised Code. If, in the opinion of the secretary 7611  
of state, training in these areas is necessary, the secretary of 7612  
state shall arrange for the provision of voluntary training 7613  
programs for candidates, campaign committees, political action 7614  
committees, legislative campaign funds, political parties, or 7615  
political contributing entities, for individuals, partnerships, 7616  
and other entities, for persons making disbursements to pay the 7617  
direct costs of producing or airing electioneering communications, 7618  
or for treasurers of transition funds, as appropriate. 7619

(7) Each monthly statement and each two-business-day 7620  
statement required by division (A) of this section shall contain 7621  
the information required by divisions (B)(1) to (4), (C)(2), and, 7622  
if appropriate, (C)(3) of this section. Each statement shall be 7623  
signed as required by division (C)(1) of this section. 7624

(D)(1) Prior to receiving a contribution or making an 7625  
expenditure, every campaign committee, political action committee, 7626  
legislative campaign fund, political party, or political 7627  
contributing entity shall appoint a treasurer and shall file, on a 7628  
form prescribed by the secretary of state, a designation of that 7629  
appointment, including the full name and address of the treasurer 7630  
and of the campaign committee, political action committee, 7631  
legislative campaign fund, political party, or political 7632  
contributing entity. That designation shall be filed with the 7633

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.

(3)(a) Except as otherwise provided in section 3517.108 of  
the Revised Code, a campaign committee shall deposit all monetary  
contributions received by the committee into an account separate  
from a personal or business account of the candidate or campaign  
committee.

(b) A political action committee shall deposit all monetary  
contributions received by the committee into an account separate  
from all other funds.

(c) A state or county political party may establish a state  
candidate fund that is separate from an account that contains the  
public moneys received from the Ohio political party fund under  
section 3517.17 of the Revised Code and from all other funds. A  
state or county political party may deposit into its state



candidate fund any amounts of monetary contributions that are made 7666  
to or accepted by the political party subject to the applicable 7667  
limitations, if any, prescribed in section 3517.102 of the Revised 7668  
Code. A state or county political party shall deposit all other 7669  
monetary contributions received by the party into one or more 7670  
accounts that are separate from its state candidate fund and from 7671  
its account that contains the public moneys received from the Ohio 7672  
political party fund under section 3517.17 of the Revised Code. 7673

(d) Each state political party shall have only one 7674  
legislative campaign fund for each house of the general assembly. 7675  
Each such fund shall be separate from any other funds or accounts 7676  
of that state party. A legislative campaign fund is authorized to 7677  
receive contributions and make expenditures for the primary 7678  
purpose of furthering the election of candidates who are members 7679  
of that political party to the house of the general assembly with 7680  
which that legislative campaign fund is associated. Each 7681  
legislative campaign fund shall be administered and controlled in 7682  
a manner designated by the caucus. As used in this division, 7683  
"caucus" has the same meaning as in section 3517.01 of the Revised 7684  
Code and includes, as an ex officio member, the chairperson of the 7685  
state political party with which the caucus is associated or that 7686  
chairperson's designee. 7687

(4) Every expenditure in excess of twenty-five dollars shall 7688  
be vouched for by a receipted bill, stating the purpose of the 7689  
expenditure, that shall be filed with the statement of 7690  
expenditures. A canceled check with a notation of the purpose of 7691  
the expenditure is a receipted bill for purposes of division 7692  
(D)(4) of this section. 7693

(5) The secretary of state or the board of elections, as the 7694  
case may be, shall issue a receipt for each statement filed under 7695  
this section and shall preserve a copy of the receipt for a period 7696  
of at least six years. All statements filed under this section 7697

shall be open to public inspection in the office where they are 7698  
filed and shall be carefully preserved for a period of at least 7699  
six years after the year in which they are filed. 7700

(6) The secretary of state, by rule adopted pursuant to 7701  
section 3517.23 of the Revised Code, shall prescribe both of the 7702  
following: 7703

(a) The manner of immediately acknowledging, with date and 7704  
time received, and preserving the receipt of statements that are 7705  
transmitted by electronic means of transmission to the secretary 7706  
of state pursuant to this section or section 3517.106, 3517.1011, 7707  
3517.1012, 3517.1013, or 3517.1014 of the Revised Code; 7708

(b) The manner of preserving the contribution and 7709  
expenditure, contribution and disbursement, deposit and 7710  
disbursement, gift and disbursement, or donation and disbursement 7711  
information in the statements described in division (D)(6)(a) of 7712  
this section. The secretary of state shall preserve the 7713  
contribution and expenditure, contribution and disbursement, 7714  
deposit and disbursement, gift and disbursement, or donation and 7715  
disbursement information in those statements for at least ten 7716  
years after the year in which they are filed by electronic means 7717  
of transmission. 7718

(7) The secretary of state, pursuant to division (I) of 7719  
section 3517.106 of the Revised Code, shall make available online 7720  
to the public through the internet the contribution and 7721  
expenditure, contribution and disbursement, deposit and 7722  
disbursement, gift and disbursement, or donation and disbursement 7723  
information in all statements, all addenda, amendments, or other 7724  
corrections to statements, and all amended statements filed with 7725  
the secretary of state by electronic or other means of 7726  
transmission under this section, division (B)(2)(b) or (C)(2)(b) 7727  
of section 3517.105, or section 3517.106, 3517.1011, 3517.1012, 7728  
3517.1013, 3517.1014, or 3517.11 of the Revised Code. The 7729

secretary of state may remove the information from the internet 7730  
after a reasonable period of time. 7731

(E)(1) Any person, political party, campaign committee, 7732  
legislative campaign fund, political action committee, or 7733  
political contributing entity that makes a contribution in 7734  
connection with the nomination or election of any candidate or in 7735  
connection with any ballot issue or question at any election held 7736  
or to be held in this state shall provide its full name and 7737  
address to the recipient of the contribution at the time the 7738  
contribution is made. The political action committee also shall 7739  
provide the registration number assigned to the committee under 7740  
division (D)(1) of this section to the recipient of the 7741  
contribution at the time the contribution is made. 7742

(2) Any individual who makes a contribution that exceeds one 7743  
hundred dollars to a political action committee, political 7744  
contributing entity, legislative campaign fund, or political party 7745  
or to a campaign committee of a statewide candidate or candidate 7746  
for the office of member of the general assembly shall provide the 7747  
name of the individual's current employer, if any, or, if the 7748  
individual is self-employed, the individual's occupation and the 7749  
name of the individual's business, if any, to the recipient of the 7750  
contribution at the time the contribution is made. Sections 7751  
3599.39 and 3599.40 of the Revised Code do not apply to division 7752  
(E)(2) of this section. 7753

(3) If a campaign committee shows that it has exercised its 7754  
best efforts to obtain, maintain, and submit the information 7755  
required under divisions (B)(4)(b)(ii) and (iii) of this section, 7756  
that committee is considered to have met the requirements of those 7757  
divisions. A campaign committee shall not be considered to have 7758  
exercised its best efforts unless, in connection with written 7759  
solicitations, it regularly includes a written request for the 7760  
information required under division (B)(4)(b)(ii) of this section 7761

from the contributor or the information required under division 7762  
(B)(4)(b)(iii) of this section from whoever transmits the 7763  
contribution. 7764

(4) Any check that a political action committee uses to make 7765  
a contribution or an expenditure shall contain the full name and 7766  
address of the committee and the registration number assigned to 7767  
the committee under division (D)(1) of this section. 7768

(F) As used in this section: 7769

(1)(a) Except as otherwise provided in division (F)(1) of 7770  
this section, "address" means all of the following if they exist: 7771  
apartment number, street, road, or highway name and number, rural 7772  
delivery route number, city or village, state, and zip code as 7773  
used in a person's post-office address, but not post-office box. 7774

(b) Except as otherwise provided in division (F)(1) of this 7775  
section, if an address is required in this section, a post-office 7776  
box and office, room, or suite number may be included in addition 7777  
to, but not in lieu of, an apartment, street, road, or highway 7778  
name and number. 7779

(c) If an address is required in this section, a campaign 7780  
committee, political action committee, legislative campaign fund, 7781  
political party, or political contributing entity may use the 7782  
business or residence address of its treasurer or deputy 7783  
treasurer. The post-office box number of the campaign committee, 7784  
political action committee, legislative campaign fund, political 7785  
party, or political contributing entity may be used in addition to 7786  
that address. 7787

(d) For the sole purpose of a campaign committee's reporting 7788  
of contributions on a statement of contributions received under 7789  
division (B)(4) of this section, "address" has one of the 7790  
following meanings at the option of the campaign committee: 7791

(i) The same meaning as in division (F)(1)(a) of this 7792

section; 7793

(ii) All of the following, if they exist: the contributor's 7794  
post-office box number and city or village, state, and zip code as 7795  
used in the contributor's post-office address. 7796

(e) As used with regard to the reporting under this section 7797  
of any expenditure, "address" means all of the following if they 7798  
exist: apartment number, street, road, or highway name and number, 7799  
rural delivery route number, city or village, state, and zip code 7800  
as used in a person's post-office address, or post-office box. If 7801  
an address concerning any expenditure is required in this section, 7802  
a campaign committee, political action committee, legislative 7803  
campaign fund, political party, or political contributing entity 7804  
may use the business or residence address of its treasurer or 7805  
deputy treasurer or its post-office box number. 7806

(2) "Statewide candidate" means the joint candidates for the 7807  
offices of governor and lieutenant governor or a candidate for the 7808  
office of secretary of state, auditor of state, treasurer of 7809  
state, attorney general, member of the state board of education, 7810  
chief justice of the supreme court, or justice of the supreme 7811  
court. 7812

(3) "Candidate for county office" means a candidate for the 7813  
office of county auditor, county treasurer, clerk of the court of 7814  
common pleas, judge of the court of common pleas, sheriff, county 7815  
recorder, county engineer, county commissioner, prosecuting 7816  
attorney, or coroner. 7817

(G) An independent expenditure shall be reported whenever and 7818  
in the same manner that an expenditure is required to be reported 7819  
under this section and shall be reported pursuant to division 7820  
(B)(2)(a) or (C)(2)(a) of section 3517.105 of the Revised Code. 7821

(H)(1) Except as otherwise provided in division (H)(2) of 7822  
this section, if, during the combined pre-election and 7823

postelection reporting periods for an election, a campaign 7824  
committee has received contributions of five hundred dollars or 7825  
less and has made expenditures in the total amount of five hundred 7826  
dollars or less, it may file a statement to that effect, under 7827  
penalty of election falsification, in lieu of the statement 7828  
required by division (A)(2) of this section. The statement shall 7829  
indicate the total amount of contributions received and the total 7830  
amount of expenditures made during those combined reporting 7831  
periods. 7832

(2) In the case of a successful candidate at a primary 7833  
election, if either the total contributions received by or the 7834  
total expenditures made by the candidate's campaign committee 7835  
during the preprimary, postprimary, pregeneral, and postgeneral 7836  
election periods combined equal more than five hundred dollars, 7837  
the campaign committee may file the statement under division 7838  
(H)(1) of this section only for the primary election. The first 7839  
statement that the campaign committee files in regard to the 7840  
general election shall reflect all contributions received and all 7841  
expenditures made during the preprimary and postprimary election 7842  
periods. 7843

(3) Divisions (H)(1) and (2) of this section do not apply if 7844  
a campaign committee receives contributions or makes expenditures 7845  
prior to the first day of January of the year of the election at 7846  
which the candidate seeks nomination or election to office or if 7847  
the campaign committee does not file a termination statement with 7848  
its postprimary election statement in the case of an unsuccessful 7849  
primary election candidate or with its postgeneral election 7850  
statement in the case of other candidates. 7851

(I) In the case of a contribution made by a partner of a 7852  
partnership or an owner or a member of another unincorporated 7853  
business from any funds of the partnership or other unincorporated 7854  
business, all of the following apply: 7855

(1) The recipient of the contribution shall report the 7856  
contribution by listing both the partnership or other 7857  
unincorporated business and the name of the partner, owner, or 7858  
member making the contribution. 7859

(2) In reporting the contribution, the recipient of the 7860  
contribution shall be entitled to conclusively rely upon the 7861  
information provided by the partnership or other unincorporated 7862  
business, provided that the information includes one of the 7863  
following: 7864

(a) The name of each partner, owner, or member as of the date 7865  
of the contribution or contributions, and a statement that the 7866  
total contributions are to be allocated equally among all of the 7867  
partners, owners, or members; or 7868

(b) The name of each partner, owner, or member as of the date 7869  
of the contribution or contributions who is participating in the 7870  
contribution or contributions, and a statement that the 7871  
contribution or contributions are to be allocated to those 7872  
individuals in accordance with the information provided by the 7873  
partnership or other unincorporated business to the recipient of 7874  
the contribution. 7875

(3) For purposes of section 3517.102 of the Revised Code, the 7876  
contribution shall be considered to have been made by the partner, 7877  
owner, or member reported under division (I)(1) of this section. 7878

(4) No contribution from a partner of a partnership or an 7879  
owner or a member of another unincorporated business shall be 7880  
accepted from any funds of the partnership or other unincorporated 7881  
business unless the recipient reports the contribution under 7882  
division (I)(1) of this section together with the information 7883  
provided under division (I)(2) of this section. 7884

(5) No partnership or other unincorporated business shall 7885  
make a contribution or contributions solely in the name of the 7886

partnership or other unincorporated business. 7887

(6) As used in division (I) of this section, "partnership or 7888  
other unincorporated business" includes, but is not limited to, a 7889  
cooperative, a sole proprietorship, a general partnership, a 7890  
limited partnership, a limited partnership association, a limited 7891  
liability partnership, and a limited liability company. 7892

(J) A candidate shall have only one campaign committee at any 7893  
given time for all of the offices for which the person is a 7894  
candidate or holds office. 7895

(K)(1) In addition to filing a designation of appointment of 7896  
a treasurer under division (D)(1) of this section, the campaign 7897  
committee of any candidate for an elected municipal office that 7898  
pays an annual amount of compensation of five thousand dollars or 7899  
less, the campaign committee of any candidate for member of a 7900  
board of education except member of the state board of education, 7901  
or the campaign committee of any candidate for township trustee or 7902  
township fiscal officer may sign, under penalty of election 7903  
falsification, a certificate attesting that the committee will not 7904  
accept contributions during an election period that exceed in the 7905  
aggregate two thousand dollars from all contributors and one 7906  
hundred dollars from any one individual, and that the campaign 7907  
committee will not make expenditures during an election period 7908  
that exceed in the aggregate two thousand dollars. 7909

The certificate shall be on a form prescribed by the 7910  
secretary of state and shall be filed not later than ten days 7911  
after the candidate files a declaration of candidacy and petition, 7912  
a nominating petition, or a declaration of intent to be a write-in 7913  
candidate. 7914

(2) Except as otherwise provided in division (K)(3) of this 7915  
section, a campaign committee that files a certificate under 7916  
division (K)(1) of this section is not required to file the 7917



statements required by division (A) of this section. 7918

(3) If, after filing a certificate under division (K)(1) of 7919  
this section, a campaign committee exceeds any of the limitations 7920  
described in that division during an election period, the 7921  
certificate is void and thereafter the campaign committee shall 7922  
file the statements required by division (A) of this section. If 7923  
the campaign committee has not previously filed a statement, then 7924  
on the first statement the campaign committee is required to file 7925  
under division (A) of this section after the committee's 7926  
certificate is void, the committee shall report all contributions 7927  
received and expenditures made from the time the candidate filed 7928  
the candidate's declaration of candidacy and petition, nominating 7929  
petition, or declaration of intent to be a write-in candidate. 7930

(4) As used in division (K) of this section, "election 7931  
period" means the period of time beginning on the day a person 7932  
files a declaration of candidacy and petition, nominating 7933  
petition, or declaration of intent to be a write-in candidate 7934  
through the day of the election at which the person seeks 7935  
nomination to office if the person is not elected to office, or, 7936  
if the candidate was nominated in a primary election, the day of 7937  
the election at which the candidate seeks office. 7938

(L) A political contributing entity that receives 7939  
contributions from the dues, membership fees, or other assessments 7940  
of its members or from its officers, shareholders, and employees 7941  
may report the aggregate amount of contributions received from 7942  
those contributors and the number of individuals making those 7943  
contributions, for each filing period under divisions (A)(1), (2), 7944  
(3), and (4) of this section, rather than reporting information as 7945  
required under division (B)(4) of this section, including, when 7946  
applicable, the name of the current employer, if any, of a 7947  
contributor whose contribution exceeds one hundred dollars or, if 7948  
such a contributor is self-employed, the contributor's occupation 7949

and the name of the contributor's business, if any. Division 7950  
(B)(4) of this section applies to a political contributing entity 7951  
with regard to contributions it receives from all other 7952  
contributors. 7953

**Sec. 3517.102.** (A) Except as otherwise provided in section 7954  
3517.103 of the Revised Code, as used in this section and sections 7955  
3517.103 and 3517.104 of the Revised Code: 7956

(1) "Candidate" has the same meaning as in section 3517.01 of 7957  
the Revised Code but includes only candidates for the offices of 7958  
governor, lieutenant governor, secretary of state, auditor of 7959  
state, treasurer of state, attorney general, member of the state 7960  
board of education, member of the general assembly, chief justice 7961  
of the supreme court, and justice of the supreme court. 7962

(2) "Statewide candidate" or "any one statewide candidate" 7963  
means the joint candidates for the offices of governor and 7964  
lieutenant governor or a candidate for the office of secretary of 7965  
state, auditor of state, treasurer of state, attorney general, 7966  
member of the state board of education, chief justice of the 7967  
supreme court, or justice of the supreme court. 7968

(3) "Senate candidate" means a candidate for the office of 7969  
state senator. 7970

(4) "House candidate" means a candidate for the office of 7971  
state representative. 7972

(5)(a) "Primary election period" for a candidate begins on 7973  
the beginning date of the candidate's pre-filing period specified 7974  
in division (A)(9) of section 3517.109 of the Revised Code and 7975  
ends on the day of the primary election. 7976

(b) In regard to any candidate, the "general election period" 7977  
begins on the day after the primary election immediately preceding 7978  
the general election at which the candidate seeks an office 7979

specified in division (A)(1) of this section and ends on the 7980  
thirty-first day of December following that general election. 7981

(6) "State candidate fund" means the state candidate fund 7982  
established by a state or county political party under division 7983  
(D)(3)(c) of section 3517.10 of the Revised Code. 7984

(7) "Postgeneral election statement" means the statement 7985  
filed under division (A)(2) of section 3517.10 of the Revised Code 7986  
by the campaign committee of a candidate after the general 7987  
election in which the candidate ran for office or filed by 7988  
legislative campaign fund after the general election in an 7989  
even-numbered year. 7990

(8) "Contribution" means any contribution that is required to 7991  
be reported in the statement of contributions under section 7992  
3517.10 of the Revised Code. 7993

(9)(a) Except as otherwise provided in division (A)(9)(b) of 7994  
this section ~~and in division (F) of section 3517.103 and division~~ 7995  
~~(B)(3)(b) of section 3517.1010 of the Revised Code~~, "designated 7996  
state campaign committee" means: 7997

(i) In the case of contributions to or from a state political 7998  
party, a campaign committee of a statewide candidate, statewide 7999  
officeholder, senate candidate, house candidate, or member of the 8000  
general assembly. 8001

(ii) In the case of contributions to or from a county 8002  
political party, a campaign committee of a senate candidate or 8003  
house candidate whose candidacy is to be submitted to some or all 8004  
of the electors in that county, or member of the general assembly 8005  
whose district contains all or part of that county. 8006

(iii) In the case of contributions to or from a legislative 8007  
campaign fund, a campaign committee of any of the following: 8008

(I) A senate or house candidate who, if elected, will be a 8009

member of the same party that established the legislative campaign 8010  
fund and the same house with which the legislative campaign fund 8011  
is associated; 8012

(II) A state senator or state representative who is a member 8013  
of the same party that established the legislative campaign fund 8014  
and the same house with which the legislative campaign fund is 8015  
associated. 8016

(b) A campaign committee is no longer a "designated state 8017  
campaign committee" after the campaign committee's candidate 8018  
changes the designation of treasurer required to be filed under 8019  
division (D)(1) of section 3517.10 of the Revised Code to indicate 8020  
that the person intends to be a candidate for, or becomes a 8021  
candidate for nomination or election to, any office that, if 8022  
elected, would not qualify that candidate's campaign committee as 8023  
a "designated state campaign committee" under division (A)(9)(a) 8024  
of this section. 8025

(B)(1)(a) No individual who is seven years of age or older 8026  
shall make a contribution or contributions aggregating more than: 8027

(i) Ten thousand dollars to the campaign committee of any one 8028  
statewide candidate in a primary election period or in a general 8029  
election period; 8030

(ii) Ten thousand dollars to the campaign committee of any 8031  
one senate candidate in a primary election period or in a general 8032  
election period; 8033

(iii) Ten thousand dollars to the campaign committee of any 8034  
one house candidate in a primary election period or in a general 8035  
election period; 8036

(iv) Ten thousand dollars to a county political party of the 8037  
county in which the individual's designated Ohio residence is 8038  
located for the party's state candidate fund in a calendar year; 8039

|                                                                                                                                                                                                                          |                              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| (v) Fifteen thousand dollars to any one legislative campaign fund in a calendar year;                                                                                                                                    | 8040<br>8041                 |
| (vi) Thirty thousand dollars to any one state political party for the party's state candidate fund in a calendar year;                                                                                                   | 8042<br>8043                 |
| (vii) Ten thousand dollars to any one political action committee in a calendar year;                                                                                                                                     | 8044<br>8045                 |
| (viii) Ten thousand dollars to any one political contributing entity in a calendar year.                                                                                                                                 | 8046<br>8047                 |
| (b) No individual shall make a contribution or contributions to the state candidate fund of a county political party of any county other than the county in which the individual's designated Ohio residence is located. | 8048<br>8049<br>8050<br>8051 |
| (c) No individual who is under seven years of age shall make any contribution.                                                                                                                                           | 8052<br>8053                 |
| (2)(a) Subject to division (D)(1) of this section, no political action committee shall make a contribution or contributions aggregating more than:                                                                       | 8054<br>8055<br>8056         |
| (i) Ten thousand dollars to the campaign committee of any one statewide candidate in a primary election period or in a general election period;                                                                          | 8057<br>8058<br>8059         |
| (ii) Ten thousand dollars to the campaign committee of any one senate candidate in a primary election period or in a general election period;                                                                            | 8060<br>8061<br>8062         |
| (iii) Ten thousand dollars to the campaign committee of any one house candidate in a primary election period or in a general election period;                                                                            | 8063<br>8064<br>8065         |
| (iv) Fifteen thousand dollars to any one legislative campaign fund in a calendar year;                                                                                                                                   | 8066<br>8067                 |
| (v) Thirty thousand dollars to any one state political party for the party's state candidate fund in a calendar year;                                                                                                    | 8068<br>8069                 |

(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;

(b) Ten thousand dollars to the campaign committee of any one senate candidate in a primary election period or in a general election period;

(c) Ten thousand dollars to the campaign committee of any one house candidate in a primary election period or in a general election period;

(d) Ten thousand dollars to any one political action committee in a calendar year;

(e) Ten thousand dollars to any one political contributing entity in a calendar year.

(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.

(b) No county political party shall make a contribution or contributions to another county political party.

(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:

(i) Thirty thousand dollars to any one state political party for the party's state candidate fund;

(ii) Fifteen thousand dollars to any one legislative campaign fund;

(iii) Ten thousand dollars to any one county political party for the party's state candidate fund.

(b) No campaign committee shall make a contribution or contributions to a county political party for the party's state candidate fund unless one of the following applies:

(i) The campaign committee's candidate will appear on a ballot in that county.

(ii) The campaign committee's candidate is the holder of an elected public office that represents all or part of the population of that county at the time the contribution is made.

(6)(a) No state candidate fund of a county political party shall make a contribution or contributions, except a contribution or contributions to a designated state campaign committee, in a primary election period or a general election period, aggregating more than:

|                                                                                                                                                                                                                                                                                                    |                                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| (i) Two hundred fifty thousand dollars to the campaign committee of any one statewide candidate;                                                                                                                                                                                                   | 8131<br>8132                         |
| (ii) Ten thousand dollars to the campaign committee of any one senate candidate;                                                                                                                                                                                                                   | 8133<br>8134                         |
| (iii) Ten thousand dollars to the campaign committee of any one house candidate.                                                                                                                                                                                                                   | 8135<br>8136                         |
| (b)(i) No state candidate fund of a state or county political party shall make a transfer or a contribution or transfers or contributions of cash or cash equivalents to a designated state campaign committee in a primary election period or in a general election period aggregating more than: | 8137<br>8138<br>8139<br>8140<br>8141 |
| (I) Five hundred thousand dollars to the campaign committee of any one statewide candidate;                                                                                                                                                                                                        | 8142<br>8143                         |
| (II) One hundred thousand dollars to the campaign committee of any one senate candidate;                                                                                                                                                                                                           | 8144<br>8145                         |
| (III) Fifty thousand dollars to the campaign committee of any one house candidate.                                                                                                                                                                                                                 | 8146<br>8147                         |
| (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:                                                                                                | 8148<br>8149<br>8150<br>8151         |
| (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;                                                                                                                        | 8152<br>8153<br>8154                 |
| (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.                                                                                                                        | 8155<br>8156<br>8157                 |
| (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.                                                                                                                                | 8158<br>8159<br>8160                 |



(c) A county political party that has no state candidate fund 8161  
and that is located in a county having a population of less than 8162  
one hundred fifty thousand may make one or more contributions from 8163  
other accounts to any one statewide candidate or to any one 8164  
designated state campaign committee that do not exceed, in the 8165  
aggregate, two thousand five hundred dollars in any primary 8166  
election period or general election period. As used in this 8167  
division, "other accounts" does not include an account that 8168  
contains the public moneys received from the Ohio political party 8169  
fund under section 3517.17 of the Revised Code. 8170

(d) No legislative campaign fund shall make a contribution, 8171  
other than to a designated state campaign committee or to the 8172  
state candidate fund of a political party. 8173

(7)(a) Subject to division (D)(1) of this section, no 8174  
political contributing entity shall make a contribution or 8175  
contributions aggregating more than: 8176

(i) Ten thousand dollars to the campaign committee of any one 8177  
statewide candidate in a primary election period or in a general 8178  
election period; 8179

(ii) Ten thousand dollars to the campaign committee of any 8180  
one senate candidate in a primary election period or in a general 8181  
election period; 8182

(iii) Ten thousand dollars to the campaign committee of any 8183  
one house candidate in a primary election period or in a general 8184  
election period; 8185

(iv) Fifteen thousand dollars to any one legislative campaign 8186  
fund in a calendar year; 8187

(v) Thirty thousand dollars to any one state political party 8188  
for the party's state candidate fund in a calendar year; 8189

(vi) Ten thousand dollars to another political contributing 8190

entity or to a political action committee in a calendar year. This 8191  
division does not apply to a political contributing entity that 8192  
makes a contribution to a political contributing entity or a 8193  
political action committee affiliated with it. For purposes of 8194  
this division, a political contributing entity is affiliated with 8195  
another political contributing entity or with a political action 8196  
committee if they are both established, financed, maintained, or 8197  
controlled by, or if they are, the same corporation, organization, 8198  
labor organization, continuing association, or other person, 8199  
including any parent, subsidiary, division, or department of that 8200  
corporation, organization, labor organization, continuing 8201  
association, or other person. 8202

(b) No political contributing entity shall make a 8203  
contribution or contributions to a county political party for the 8204  
party's state candidate fund. 8205

(C)(1)(a) Subject to division (D)(1) of this section, no 8206  
campaign committee of a statewide candidate shall do any of the 8207  
following: 8208

(i) Knowingly accept a contribution or contributions from any 8209  
individual who is under seven years of age; 8210

(ii) Accept a contribution or contributions aggregating more 8211  
than ten thousand dollars from any one individual who is seven 8212  
years of age or older, from any one political action committee, 8213  
from any one political contributing entity, or from any one other 8214  
campaign committee in a primary election period or in a general 8215  
election period; 8216

(iii) Accept a contribution or contributions aggregating more 8217  
than two hundred fifty thousand dollars from any one or 8218  
combination of state candidate funds of county political parties 8219  
in a primary election period or in a general election period. 8220

(b) No campaign committee of a statewide candidate shall 8221

accept a contribution or contributions aggregating more than two 8222  
thousand five hundred dollars in a primary election period or in a 8223  
general election period from a county political party that has no 8224  
state candidate fund and that is located in a county having a 8225  
population of less than one hundred fifty thousand. 8226

(2)(a) Subject to division (D)(1) of this section and except 8227  
for a designated state campaign committee, no campaign committee 8228  
of a senate candidate shall do either of the following: 8229

(i) Knowingly accept a contribution or contributions from any 8230  
individual who is under seven years of age; 8231

(ii) Accept a contribution or contributions aggregating more 8232  
than ten thousand dollars from any one individual who is seven 8233  
years of age or older, from any one political action committee, 8234  
from any one political contributing entity, from any one state 8235  
candidate fund of a county political party, or from any one other 8236  
campaign committee in a primary election period or in a general 8237  
election period. 8238

(b) No campaign committee of a senate candidate shall accept 8239  
a contribution or contributions aggregating more than two thousand 8240  
five hundred dollars in a primary election period or in a general 8241  
election period from a county political party that has no state 8242  
candidate fund and that is located in a county having a population 8243  
of less than one hundred fifty thousand. 8244

(3)(a) Subject to division (D)(1) of this section and except 8245  
for a designated state campaign committee, no campaign committee 8246  
of a house candidate shall do either of the following: 8247

(i) Knowingly accept a contribution or contributions from any 8248  
individual who is under seven years of age; 8249

(ii) Accept a contribution or contributions aggregating more 8250  
than ten thousand dollars from any one individual who is seven 8251  
years of age or older, from any one political action committee, 8252

from any one political contributing entity, from any one state 8253  
candidate fund of a county political party, or from any one other 8254  
campaign committee in a primary election period or in a general 8255  
election period. 8256

(b) No campaign committee of a house candidate shall accept a 8257  
contribution or contributions aggregating more than two thousand 8258  
five hundred dollars in a primary election period or in a general 8259  
election period from a county political party that has no state 8260  
candidate fund and that is located in a county having a population 8261  
of less than one hundred fifty thousand. 8262

(4)(a)(i) Subject to division (C)(4)(a)(ii) of this section 8263  
and except for a designated state campaign committee, no county 8264  
political party shall knowingly accept a contribution or 8265  
contributions from any individual who is under seven years of age, 8266  
or accept a contribution or contributions for the party's state 8267  
candidate fund aggregating more than ten thousand dollars from any 8268  
one individual whose designated Ohio residence is located within 8269  
that county and who is seven years of age or older or from any one 8270  
campaign committee in a calendar year. 8271

(ii) Subject to division (D)(1) of this section, no county 8272  
political party shall accept a contribution or contributions for 8273  
the party's state candidate fund from any individual whose 8274  
designated Ohio residence is located outside of that county and 8275  
who is seven years of age or older, from any campaign committee 8276  
unless the campaign committee's candidate will appear on a ballot 8277  
in that county or unless the campaign committee's candidate is the 8278  
holder of an elected public office that represents all or part of 8279  
the population of that county at the time the contribution is 8280  
accepted, or from any political action committee or any political 8281  
contributing entity. 8282

(iii) No county political party shall accept a contribution 8283  
or contributions from any other county political party. 8284

|                                                                    |      |
|--------------------------------------------------------------------|------|
| (b) Subject to division (D)(1) of this section, no state           | 8285 |
| political party shall do either of the following:                  | 8286 |
| (i) Knowingly accept a contribution or contributions from any      | 8287 |
| individual who is under seven years of age;                        | 8288 |
| (ii) Accept a contribution or contributions for the party's        | 8289 |
| state candidate fund aggregating more than thirty thousand dollars | 8290 |
| from any one individual who is seven years of age or older, from   | 8291 |
| any one political action committee, from any one political         | 8292 |
| contributing entity, or from any one campaign committee, other     | 8293 |
| than a designated state campaign committee, in a calendar year.    | 8294 |
| (5) Subject to division (D)(1) of this section, no                 | 8295 |
| legislative campaign fund shall do either of the following:        | 8296 |
| (a) Knowingly accept a contribution or contributions from any      | 8297 |
| individual who is under seven years of age;                        | 8298 |
| (b) Accept a contribution or contributions aggregating more        | 8299 |
| than fifteen thousand dollars from any one individual who is seven | 8300 |
| years of age or older, from any one political action committee,    | 8301 |
| from any one political contributing entity, or from any one        | 8302 |
| campaign committee, other than a designated state campaign         | 8303 |
| committee, in a calendar year.                                     | 8304 |
| (6)(a) No designated state campaign committee shall accept a       | 8305 |
| transfer or contribution of cash or cash equivalents from a state  | 8306 |
| candidate fund of a state political party aggregating in a primary | 8307 |
| election period or a general election period more than:            | 8308 |
| (i) Five hundred thousand dollars, in the case of a campaign       | 8309 |
| committee of a statewide candidate;                                | 8310 |
| (ii) One hundred thousand dollars, in the case of a campaign       | 8311 |
| committee of a senate candidate;                                   | 8312 |
| (iii) Fifty thousand dollars, in the case of a campaign            | 8313 |
| committee of a house candidate.                                    | 8314 |

(b) No designated state campaign committee shall accept a transfer or contribution of cash or cash equivalents from a legislative campaign fund aggregating more than:

(i) Fifty thousand dollars in a primary election period or one hundred thousand dollars in a general election period, in the case of a campaign committee of a senate candidate;

(ii) Twenty-five thousand dollars in a primary election period or fifty thousand dollars in a general election period, in the case of a campaign committee of a house candidate.

(c) No campaign committee of a candidate for the office of member of the general assembly, including a designated state campaign committee, shall accept a transfer or contribution of cash or cash equivalents from any one or combination of state candidate funds of county political parties aggregating in a primary election period or a general election period more than:

(i) One hundred thousand dollars, in the case of a campaign committee of a senate candidate;

(ii) Fifty thousand dollars, in the case of a campaign committee of a house candidate.

(7)(a) Subject to division (D)(3) of this section, no political action committee and no political contributing entity shall do either of the following:

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

(ii) Accept a contribution or contributions aggregating more than ten thousand dollars from any one individual who is seven years of age or older, from any one campaign committee, or from any one political party in a calendar year.

(b) Subject to division (D)(1) of this section, no political action committee shall accept a contribution or contributions

aggregating more than ten thousand dollars from another political 8345  
action committee or from a political contributing entity in a 8346  
calendar year. Subject to division (D)(1) of this section, no 8347  
political contributing entity shall accept a contribution or 8348  
contributions aggregating more than ten thousand dollars from 8349  
another political contributing entity or from a political action 8350  
committee in a calendar year. This division does not apply to a 8351  
political action committee or political contributing entity that 8352  
accepts a contribution from a political action committee or 8353  
political contributing entity affiliated with it. For purposes of 8354  
this division, a political action committee is affiliated with 8355  
another political action committee or with a political 8356  
contributing entity if they are both established, financed, 8357  
maintained, or controlled by the same corporation, organization, 8358  
labor organization, continuing association, or other person, 8359  
including any parent, subsidiary, division, or department of that 8360  
corporation, organization, labor organization, continuing 8361  
association, or other person. 8362

(D)(1)(a) For purposes of the limitations prescribed in 8363  
division (B)(2) of this section and the limitations prescribed in 8364  
divisions (C)(1), (2), (3), (4), (5), and (7)(b) of this section, 8365  
whichever is applicable, all contributions made by and all 8366  
contributions accepted from political action committees that are 8367  
established, financed, maintained, or controlled by, or that are, 8368  
the same corporation, organization, labor organization, continuing 8369  
association, or other person, including any parent, subsidiary, 8370  
division, or department of that corporation, organization, labor 8371  
organization, continuing association, or other person, are 8372  
considered to have been made by or accepted from a single 8373  
political action committee. 8374

(b) For purposes of the limitations prescribed in division 8375  
(B)(7) of this section and the limitations prescribed in divisions 8376

(C)(1), (2), (3), (4), (5), and (7)(b) of this section, whichever is applicable, all contributions made by and all contributions accepted from political contributing entities that are established, financed, maintained, or controlled by, or that 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, are considered to have been made by or accepted from a single political contributing entity.

(2) As used in divisions (B)(1)(a)(vii), (B)(3)(d), (B)(4)(a), and (C)(7) of this section, "political action committee" does not include a political action committee that is organized to support or oppose a ballot issue or question and that makes no contributions to or expenditures on behalf of a political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity. As used in divisions (B)(1)(a)(viii), (B)(3)(e), (B)(4)(a), and (C)(7) of this section, "political contributing entity" does not include a political contributing entity that is organized to support or oppose a ballot issue or question and that makes no contributions to or expenditures on behalf of a political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity.

(3) For purposes of the limitations prescribed in divisions (B)(4) and (C)(7)(a) of this section, all contributions made by and all contributions accepted from a national political party, a state political party, and a county political party are considered to have been made by or accepted from a single political party and shall be combined with each other to determine whether the limitations have been exceeded.

(E)(1) If a legislative campaign fund has kept a total amount



of contributions exceeding one hundred fifty thousand dollars at 8409  
the close of business on the seventh day before the postgeneral 8410  
election statement is required to be filed under section 3517.10 8411  
of the Revised Code, the legislative campaign fund shall comply 8412  
with division (E)(2) of this section. 8413

(2)(a) Any legislative campaign fund that has kept a total 8414  
amount of contributions in excess of the amount specified in 8415  
division (E)(1) of this section at the close of business on the 8416  
seventh day before the postgeneral election statement is required 8417  
to be filed under section 3517.10 of the Revised Code shall 8418  
dispose of the excess amount in the manner prescribed in division 8419  
(E)(2)(b)(i), (ii), or (iii) of this section not later than ninety 8420  
days after the day the postgeneral election statement is required 8421  
to be filed under section 3517.10 of the Revised Code. Any 8422  
legislative campaign fund that is required to dispose of an excess 8423  
amount of contributions under this division shall file a statement 8424  
on the ninetieth day after the postgeneral election statement is 8425  
required to be filed under section 3517.10 of the Revised Code 8426  
indicating the total amount of contributions the fund has at the 8427  
close of business on the seventh day before the postgeneral 8428  
election statement is required to be filed under section 3517.10 8429  
of the Revised Code and that the excess contributions were 8430  
disposed of pursuant to this division and division (E)(2)(b) of 8431  
this section. The statement shall be on a form prescribed by the 8432  
secretary of state and shall contain any additional information 8433  
the secretary of state considers necessary. 8434

(b) Any legislative campaign fund that is required to dispose 8435  
of an excess amount of contributions under division (E)(2) of this 8436  
section shall dispose of that excess amount by doing any of the 8437  
following: 8438

(i) Giving the amount to the treasurer of state for deposit 8439  
into the state treasury to the credit of the Ohio elections 8440

commission fund created by division (I) of section 3517.152 of the Revised Code; 8441  
8442

(ii) Giving the amount to individuals who made contributions to that legislative campaign fund as a refund of all or part of their contributions; 8443  
8444  
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(iii) Giving the amount to a corporation that is exempt from federal income taxation under subsection 501(a) and described in subsection 501(c) of the Internal Revenue Code. 8446  
8447  
8448

(F)(1) No legislative campaign fund shall fail to file a statement required by division (E) of this section. 8449  
8450

(2) No legislative campaign fund shall fail to dispose of excess contributions as required by division (E) of this section. 8451  
8452

(G) Nothing in this section shall affect, be used in determining, or supersede a limitation on campaign contributions as provided for in the Federal Election Campaign Act. 8453  
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8455

**Sec. 3517.103.** (A)~~(1)~~ For purposes of this section: 8456

~~(a)~~(1) "Statewide candidate" means the joint candidates for the offices of governor and lieutenant governor or a candidate for the office of secretary of state, auditor of state, treasurer of state, attorney general, or member of the state board of education. 8457  
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~~(b)~~(i)(2)(a) "Personal funds" means contributions to the campaign committee of a candidate by the candidate ~~or by the candidate's spouse, parents, children, sons in law, daughters in law, brothers, sisters, grandparents, mother in law, father in law, brothers in law, sisters in law, or grandparents by marriage.~~ 8462  
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~~(ii)~~(b) A loan obtained by, guaranteed by, or for the benefit of a statewide candidate, senate candidate, or house candidate shall be considered "personal funds" subject to the provisions of 8468  
8469  
8470

this section and ~~section 3517.1010 of the Revised Code~~ to the 8471  
extent that the loan is obtained or guaranteed by the candidate ~~or~~ 8472  
~~is for the benefit of the candidate and is obtained or guaranteed~~ 8473  
~~by the candidate's spouse, parents, children, sons in law,~~ 8474  
~~daughters in law, brothers, sisters, grandparents, mother in law,~~ 8475  
~~father in law, brothers in law, sisters in law, or grandparents by~~ 8476  
~~marriage.~~ A loan that is obtained or guaranteed and that is for 8477  
the benefit of a statewide candidate, senate candidate, or house 8478  
candidate shall not be considered "personal funds" for the 8479  
purposes of this section and ~~section 3517.1010 of the Revised Code~~ 8480  
but shall be considered to be a "contribution" for the purposes of 8481  
this chapter if the loan is obtained or guaranteed by anyone other 8482  
than the candidate ~~or the candidate's spouse, parents, children,~~ 8483  
~~sons in law, daughters in law, brothers, sisters, grandparents,~~ 8484  
~~mother in law, father in law, brothers in law, sisters in law, or~~ 8485  
~~grandparents by marriage.~~ 8486

~~(iii)(c)~~ When a debt or other obligation incurred by a 8487  
committee or by a candidate on behalf of the candidate's committee 8488  
~~described in division (C)(1) or (2) of this section~~ is to be paid 8489  
from "personal funds," those funds are considered to be expended 8490  
when the debt or other obligation is incurred, regardless of when 8491  
it is paid. 8492

~~(2)~~ For purposes of this chapter, a candidate is an 8493  
"opponent" when the candidate has indicated on the candidate's 8494  
most recently filed designation of treasurer that the candidate 8495  
seeks the same office at the same primary or general election as 8496  
another candidate whose campaign committee has filed a personal 8497  
funds notice required by ~~division (C)(1) or (2) of this section.~~ 8498

(B)(1) Except as otherwise provided in division (B)(2) of 8499  
this section, no statewide candidate or candidate for the office 8500  
of member of the general assembly shall make an expenditure of 8501  
personal funds to influence the results of an election for that 8502

candidate's nomination or election to office unless the personal 8503  
funds are first deposited into the campaign fund of that 8504  
candidate's campaign committee. 8505

(2) A statewide candidate or candidate for the office of 8506  
member of the general assembly may make an expenditure of personal 8507  
funds without first depositing those funds into the campaign 8508  
committee's funds as long as the aggregate total of those 8509  
expenditures does not exceed five hundred dollars at any time 8510  
during an election period. After the candidate's campaign 8511  
committee reimburses the candidate for any direct expenditure of 8512  
personal funds, the amount that was reimbursed is no longer 8513  
included in the aggregate total of expenditures of personal funds 8514  
subject to the five-hundred-dollar limit. 8515

~~(C)(1) If the campaign committee of any statewide candidate 8516  
has received or expended or expects to expend more than one 8517  
hundred thousand dollars of personal funds during a primary 8518  
election period or one hundred fifty thousand dollars of personal 8519  
funds during a general election period, the campaign committee 8520  
shall file a personal funds notice in the manner provided in 8521  
division (C)(3) of this section indicating that the committee has 8522  
received or expended or expects to expend more than that amount. 8523  
For the purpose of this division, a joint team of candidates for 8524  
governor and lieutenant governor shall be considered a single 8525  
candidate and their personal funds shall be combined. 8526~~

~~(2) If the campaign committee of any senate candidate or 8527  
house candidate has received or expended or expects to expend more 8528  
than twenty five thousand dollars of personal funds during a 8529  
primary election period or twenty five thousand dollars of 8530  
personal funds during a general election period, the campaign 8531  
committee shall file a personal funds notice in the manner 8532  
provided in division (C)(3) of this section indicating that the 8533  
committee has received or expended or expects to expend more than 8534~~

~~that amount. 8535~~

~~(3) The personal funds notice required in divisions (C)(1) 8536  
and (2) of this section and the declaration of no limits required 8537  
under division (D)(2) of this section shall be on a form 8538  
prescribed by the secretary of state. The personal funds notice 8539  
required in divisions (C)(1) and (2) of this section shall be 8540  
filed not later than the earlier of the following times: 8541~~

~~(a) One hundred twenty days before a primary election, in the 8542  
case of personal funds received, expended, or expected to be 8543  
expended during a primary election period, or not later than one 8544  
hundred twenty days before a general election, in the case of 8545  
personal funds received, expended, or expected to be expended 8546  
during a general election period; 8547~~

~~(b) Two business days after the candidate's campaign 8548  
committee receives or makes an expenditure of personal funds or 8549  
the candidate makes an expenditure of personal funds on behalf of 8550  
the candidate's campaign committee during that election period 8551  
that exceed, in the aggregate, the amount specified in division 8552  
(C)(1) or (2) of this section. 8553~~

~~The personal funds notice required under divisions (C)(1) and 8554  
(2) of this section and the declaration of no limits required 8555  
under division (D)(2) of this section shall be filed wherever the 8556  
campaign committee files statements of contributions and 8557  
expenditures under section 3517.11 of the Revised Code. The board 8558  
of elections shall send to the secretary of state a copy of any 8559  
personal funds notice or declaration of no limits filed by the 8560  
campaign committee of a senate candidate or house candidate under 8561  
division (C)(3) or (D)(2) of this section. 8562~~

~~(D)(1) Whenever a campaign committee files a notice under 8563  
division (C)(1) or (2) of this section, and the campaign committee 8564  
of an opponent files a declaration of no limits pursuant to 8565~~

~~division (D)(2) of this section within thirty days of the filing of the personal funds notice under division (C)(1) or (2) of this section, the contribution limitations prescribed in section 3517.102 of the Revised Code no longer apply to the campaign committee of the candidate's opponent.~~

~~(2) No campaign committee of a candidate described in division (D)(1) of this section shall accept any contribution or contributions from a contributor that exceed the limitations prescribed in section 3517.102 of the Revised Code until the committee files a declaration that the committee will accept contributions that exceed those limitations. This declaration shall be filed not later than thirty days after a candidate's opponent has filed a personal funds notice pursuant to division (C)(1) or (2) of section 3517.103 of the Revised Code, shall be referred to as the "declaration of no limits," and shall list all of the following:~~

~~(a) The amount of cash on hand in the candidate's campaign fund at the end of the day immediately preceding the day on which the candidate's campaign committee files the declaration of no limits;~~

~~(b) The value and description of all campaign assets worth five hundred dollars or more available to the candidate at the end of the day immediately preceding the day on which the candidate's campaign committee files the declaration of no limits.~~

~~(3) A candidate who was not an opponent of a candidate who filed the personal funds notice required under division (C)(3) of this section on the date the personal funds notice was filed may file the declaration of no limits pursuant to division (D)(2) of this section within thirty days after becoming an opponent of the candidate who filed the personal funds notice.~~

~~(4) If the candidate whose campaign committee filed a~~

~~personal funds notice under division (C)(1) or (2) of this section 8597  
fails to file a declaration of candidacy for the office listed on 8598  
the designation of treasurer filed under division (D) of section 8599  
3517.10 of the Revised Code or files a declaration of candidacy or 8600  
nominating petition for that office and dies or withdraws, both of 8601  
the following apply to the campaign committee of that candidate's 8602  
opponent if the opponent has filed a declaration of no limits 8603  
pursuant to division (D) of this section:~~ 8604

~~(a) No contribution from a contributor may thereafter be 8605  
accepted that, when added to the aggregate total of all 8606  
contributions received by that committee from that contributor 8607  
during the primary election period or general election period, 8608  
whichever is applicable, would cause that committee to exceed the 8609  
contribution limitations prescribed in section 3517.102 of the 8610  
Revised Code for the applicable election period.~~ 8611

~~(b) The statement of primary day finances or the year end 8612  
statement required to be filed under division (E) of section 8613  
3517.1010 of the Revised Code shall be filed not later than 8614  
fourteen days after the date the candidate's opponent fails to 8615  
file a declaration of candidacy or nominating petition by the 8616  
appropriate filing deadline, or dies or withdraws. For purposes of 8617  
calculating permitted funds under division (A)(4) of section 8618  
3517.1010 of the Revised Code, the primary or general election 8619  
period, whichever is applicable, shall be considered to have ended 8620  
on the filing deadline, in the case of an opponent who fails to 8621  
file a declaration of candidacy or nominating petition, or on the 8622  
date of the opponent's death or withdrawal. In such an event, the 8623  
filing of a statement of primary day finances or year end finances 8624  
and the disposing of any excess funds as required under division 8625  
(B) of section 3517.1010 of the Revised Code satisfies the 8626  
candidate's obligation to file such a statement for that election 8627  
period.~~ 8628

~~(E)(1) No campaign committee shall fail to file a personal funds notice as required under division (C)(1) or (2) of this section.~~ 8629  
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~~(2) No campaign committee shall accept any contribution in excess of the contribution limitations prescribed in section 3517.102 of the Revised Code.~~ 8632  
8633  
8634

~~(a) Unless a declaration of no limits has been filed under division (D)(2) of this section;~~ 8635  
8636

~~(b) In violation of division (D)(4) of this section once the candidate who filed a personal funds notice under division (C)(3) of this section fails to file a declaration of candidacy or nominating petition or that candidate dies or withdraws.~~ 8637  
8638  
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~~(3) No campaign committee that violates division (E)(1) of this section shall expend any personal funds in excess of the amount specified in division (C)(1) or (2) of this section, whichever is appropriate to the committee.~~ 8641  
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~~(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.~~ 8645  
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~~(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.~~ 8649  
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~~(2) Division (F)(1) of this section no longer applies to a~~ 8659



~~campaign committee after both of the following occur:~~ 8660

~~(a) The primary or general election period during which the 8661  
contribution limitations prescribed in section 3517.102 of the 8662  
Revised Code did not apply after being removed pursuant to 8663  
division (D) of this section has expired;~~ 8664

~~(b) When the campaign committee has disposed of all excess 8665  
funds and excess aggregate contributions as required under section 8666  
3517.1010 of the Revised Code.~~ 8667

**Sec. 3517.106.** (A) As used in this section: 8668

(1) "Statewide office" means any of the offices of governor, 8669  
lieutenant governor, secretary of state, auditor of state, 8670  
treasurer of state, attorney general, chief justice of the supreme 8671  
court, and justice of the supreme court. 8672

(2) "Addendum to a statement" includes an amendment or other 8673  
correction to that statement. 8674

(B)(1) The secretary of state shall store on computer the 8675  
information contained in statements of contributions and 8676  
expenditures and monthly statements required to be filed under 8677  
section 3517.10 of the Revised Code and in statements of 8678  
independent expenditures required to be filed under section 8679  
3517.105 of the Revised Code by any of the following: 8680

(a) The campaign committees of candidates for statewide 8681  
office; 8682

(b) The political action committees and political 8683  
contributing entities described in division (A)(1) of section 8684  
3517.11 of the Revised Code; 8685

(c) Legislative campaign funds; 8686

(d) State political parties; 8687

(e) Individuals, partnerships, corporations, labor 8688

organizations, or other entities that make independent 8689  
expenditures in support of or opposition to a statewide candidate 8690  
or a statewide ballot issue or question; 8691

(f) The campaign committees of candidates for the office of 8692  
member of the general assembly; 8693

(g) County political parties, with respect to their state 8694  
candidate funds. 8695

(2) The secretary of state shall store on computer the 8696  
information contained in disclosure of electioneering 8697  
communications statements required to be filed under section 8698  
3517.1011 of the Revised Code. 8699

(3) The secretary of state shall store on computer the 8700  
information contained in deposit and disbursement statements 8701  
required to be filed with the office of the secretary of state 8702  
under section 3517.1012 of the Revised Code. 8703

(4) The secretary of state shall store on computer the gift 8704  
and disbursement information contained in statements required to 8705  
be filed with the office of the secretary of state under section 8706  
3517.1013 of the Revised Code. 8707

(5) The secretary of state shall store on computer the 8708  
information contained in donation and disbursement statements 8709  
required to be filed with the office of the secretary of state 8710  
under section 3517.1014 of the Revised Code. 8711

(C)(1) The secretary of state shall make available to the 8712  
campaign committees, political action committees, political 8713  
contributing entities, legislative campaign funds, political 8714  
parties, individuals, partnerships, corporations, labor 8715  
organizations, treasurers of transition funds, and other entities 8716  
described in division (B) of this section, and to members of the 8717  
news media and other interested persons, for a reasonable fee, 8718  
computer programs that are compatible with the secretary of 8719

state's method of storing the information contained in the 8720  
statements. 8721

(2) The secretary of state shall make the information 8722  
required to be stored under division (B) of this section available 8723  
on computer at the secretary of state's office so that, to the 8724  
maximum extent feasible, individuals may obtain at the secretary 8725  
of state's office any part or all of that information for any 8726  
given year, subject to the limitation expressed in division (D) of 8727  
this section. 8728

(D) The secretary of state shall keep the information stored 8729  
on computer under division (B) of this section for at least six 8730  
years. 8731

(E)(1) Subject to division (L) of this section and subject to 8732  
the secretary of state having implemented, tested, and verified 8733  
the successful operation of any system the secretary of state 8734  
prescribes pursuant to division (H)(1) of this section and 8735  
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 8736  
Code for the filing of campaign finance statements by electronic 8737  
means of transmission, the campaign committee of each candidate 8738  
for statewide office may file the statements prescribed by section 8739  
3517.10 of the Revised Code by electronic means of transmission 8740  
or, if the total amount of the contributions received or the total 8741  
amount of the expenditures made by the campaign committee for the 8742  
applicable reporting period as specified in division (A) of 8743  
section 3517.10 of the Revised Code exceeds ten thousand dollars, 8744  
shall file those statements by electronic means of transmission. 8745

Except as otherwise provided in this division, within five 8746  
business days after a statement filed by a campaign committee of a 8747  
candidate for statewide office is received by the secretary of 8748  
state by electronic or other means of transmission, the secretary 8749  
of state shall make available online to the public through the 8750  
internet, as provided in division (I) of this section, the 8751

contribution and expenditure information in that statement. The 8752  
secretary of state shall not make available online to the public 8753  
through the internet any contribution or expenditure information 8754  
contained in a statement for any candidate until the secretary of 8755  
state is able to make available online to the public through the 8756  
internet the contribution and expenditure information for all 8757  
candidates for a particular office, or until the applicable filing 8758  
deadline for that statement has passed, whichever is sooner. As 8759  
soon as the secretary of state has available all of the 8760  
contribution and expenditure information for all candidates for a 8761  
particular office, or as soon as the applicable filing deadline 8762  
for a statement has passed, whichever is sooner, the secretary of 8763  
state shall simultaneously make available online to the public 8764  
through the internet the information for all candidates for that 8765  
office. 8766

If a statement filed by electronic means of transmission is 8767  
found to be incomplete or inaccurate after the examination of the 8768  
statement for completeness and accuracy pursuant to division 8769  
(B)(3)(a) of section 3517.11 of the Revised Code, the campaign 8770  
committee shall file by electronic means of transmission any 8771  
addendum to the statement that provides the information necessary 8772  
to complete or correct the statement or, if required by the 8773  
secretary of state under that division, an amended statement. 8774

Within five business days after the secretary of state 8775  
receives from a campaign committee of a candidate for statewide 8776  
office an addendum to the statement or an amended statement by 8777  
electronic or other means of transmission under this division or 8778  
division (B)(3)(a) of section 3517.11 of the Revised Code, the 8779  
secretary of state shall make the contribution and expenditure 8780  
information in the addendum or amended statement available online 8781  
to the public through the internet as provided in division (I) of 8782  
this section. 8783

(2) Subject to the secretary of state having implemented, 8784  
tested, and verified the successful operation of any system the 8785  
secretary of state prescribes pursuant to division (H)(1) of this 8786  
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 8787  
the Revised Code for the filing of campaign finance statements by 8788  
electronic means of transmission, a political action committee and 8789  
a political contributing entity described in division (B)(1)(b) of 8790  
this section, a legislative campaign fund, and a state political 8791  
party may file the statements prescribed by section 3517.10 of the 8792  
Revised Code by electronic means of transmission or, if the total 8793  
amount of the contributions received or the total amount of the 8794  
expenditures made by the political action committee, political 8795  
contributing entity, legislative campaign fund, or state political 8796  
party for the applicable reporting period as specified in division 8797  
(A) of section 3517.10 of the Revised Code exceeds ten thousand 8798  
dollars, shall file those statements by electronic means of 8799  
transmission. 8800

Within five business days after a statement filed by a 8801  
political action committee or a political contributing entity 8802  
described in division (B)(1)(b) of this section, a legislative 8803  
campaign fund, or a state political party is received by the 8804  
secretary of state by electronic or other means of transmission, 8805  
the secretary of state shall make available online to the public 8806  
through the internet, as provided in division (I) of this section, 8807  
the contribution and expenditure information in that statement. 8808

If a statement filed by electronic means of transmission is 8809  
found to be incomplete or inaccurate after the examination of the 8810  
statement for completeness and accuracy pursuant to division 8811  
(B)(3)(a) of section 3517.11 of the Revised Code, the political 8812  
action committee, political contributing entity, legislative 8813  
campaign fund, or state political party shall file by electronic 8814  
means of transmission any addendum to the statement that provides 8815

the information necessary to complete or correct the statement or, 8816  
if required by the secretary of state under that division, an 8817  
amended statement. 8818

Within five business days after the secretary of state 8819  
receives from a political action committee or a political 8820  
contributing entity described in division (B)(1)(b) of this 8821  
section, a legislative campaign fund, or a state political party 8822  
an addendum to the statement or an amended statement by electronic 8823  
or other means of transmission under this division or division 8824  
(B)(3)(a) of section 3517.11 of the Revised Code, the secretary of 8825  
state shall make the contribution and expenditure information in 8826  
the addendum or amended statement available online to the public 8827  
through the internet as provided in division (I) of this section. 8828

(3) Subject to the secretary of state having implemented, 8829  
tested, and verified the successful operation of any system the 8830  
secretary of state prescribes pursuant to division (H)(1) of this 8831  
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 8832  
the Revised Code for the filing of campaign finance statements by 8833  
electronic means of transmission, a county political party shall 8834  
file the statements prescribed by section 3517.10 of the Revised 8835  
Code with respect to its state candidate fund by electronic means 8836  
of transmission to the office of the secretary of state. 8837

Within five business days after a statement filed by a county 8838  
political party with respect to its state candidate fund is 8839  
received by the secretary of state by electronic means of 8840  
transmission, the secretary of state shall make available online 8841  
to the public through the internet, as provided in division (I) of 8842  
this section, the contribution and expenditure information in that 8843  
statement. 8844

If a statement is found to be incomplete or inaccurate after 8845  
the examination of the statement for completeness and accuracy 8846  
pursuant to division (B)(3)(a) of section 3517.11 of the Revised 8847

Code, a county political party shall file by electronic means of 8848  
transmission any addendum to the statement that provides the 8849  
information necessary to complete or correct the statement or, if 8850  
required by the secretary of state under that division, an amended 8851  
statement. 8852

Within five business days after the secretary of state 8853  
receives from a county political party an addendum to the 8854  
statement or an amended statement by electronic means of 8855  
transmission under this division or division (B)(3)(a) of section 8856  
3517.11 of the Revised Code, the secretary of state shall make the 8857  
contribution and expenditure information in the addendum or 8858  
amended statement available online to the public through the 8859  
internet as provided in division (I) of this section. 8860

(F)(1) Subject to division (L) of this section and subject to 8861  
the secretary of state having implemented, tested, and verified 8862  
the successful operation of any system the secretary of state 8863  
prescribes pursuant to division (H)(1) of this section and 8864  
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 8865  
Code for the filing of campaign finance statements by electronic 8866  
means of transmission, a campaign committee of a candidate for the 8867  
office of member of the general assembly or a campaign committee 8868  
of a candidate for the office of judge of a court of appeals may 8869  
file the statements prescribed by section 3517.10 of the Revised 8870  
Code in accordance with division (A)(2) of section 3517.11 of the 8871  
Revised Code or by electronic means of transmission to the office 8872  
of the secretary of state or, if the total amount of the 8873  
contributions received by the campaign committee for the 8874  
applicable reporting period as specified in division (A) of 8875  
section 3517.10 of the Revised Code exceeds ten thousand dollars, 8876  
shall file those statements by electronic means of transmission to 8877  
the office of the secretary of state. 8878

Except as otherwise provided in this division, within five 8879

business days after a statement filed by a campaign committee of a candidate for the office of member of the general assembly or a campaign committee of a candidate for the office of judge of a court of appeals is received by the secretary of state by electronic or other means of transmission, the secretary of state shall make available online to the public through the internet, as provided in division (I) of this section, the contribution and expenditure information in that statement. The secretary of state shall not make available online to the public through the internet any contribution or expenditure information contained in a statement for any candidate until the secretary of state is able to make available online to the public through the internet the contribution and expenditure information for all candidates for a particular office, or until the applicable filing deadline for that statement has passed, whichever is sooner. As soon as the secretary of state has available all of the contribution and expenditure information for all candidates for a particular office, or as soon as the applicable filing deadline for a statement has passed, whichever is sooner, the secretary of state shall simultaneously make available online to the public through the internet the information for all candidates for that office.

If a statement filed by electronic means of transmission is found to be incomplete or inaccurate after the examination of the statement for completeness and accuracy pursuant to division (B)(3)(a) of section 3517.11 of the Revised Code, the campaign committee shall file by electronic means of transmission to the office of the secretary of state any addendum to the statement that provides the information necessary to complete or correct the statement or, if required by the secretary of state under that division, an amended statement.

Within five business days after the secretary of state receives from a campaign committee of a candidate for the office



of member of the general assembly or a campaign committee of a 8912  
candidate for the office of judge of a court of appeals an 8913  
addendum to the statement or an amended statement by electronic or 8914  
other means of transmission under this division or division 8915  
(B)(3)(a) of section 3517.11 of the Revised Code, the secretary of 8916  
state shall make the contribution and expenditure information in 8917  
the addendum or amended statement available online to the public 8918  
through the internet as provided in division (I) of this section. 8919

(2) If a statement, addendum, or amended statement is not 8920  
filed by electronic means of transmission to the office of the 8921  
secretary of state but is filed by printed version only under 8922  
division (A)(2) of section 3517.11 of the Revised Code with the 8923  
appropriate board of elections, the campaign committee of a 8924  
candidate for the office of member of the general assembly or a 8925  
campaign committee of a candidate for the office of judge of a 8926  
court of appeals shall file two copies of the printed version of 8927  
the statement, addendum, or amended statement with the board of 8928  
elections. The board of elections shall send one of those copies 8929  
by ~~certified~~ mail or an electronic copy to the secretary of state 8930  
before the close of business on the day the board of elections 8931  
receives the statement, addendum, or amended statement. 8932

(G) Subject to the secretary of state having implemented, 8933  
tested, and verified the successful operation of any system the 8934  
secretary of state prescribes pursuant to division (H)(1) of this 8935  
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 8936  
the Revised Code for the filing of campaign finance statements by 8937  
electronic means of transmission, any individual, partnership, or 8938  
other entity that makes independent expenditures in support of or 8939  
opposition to a statewide candidate or a statewide ballot issue or 8940  
question as provided in division (B)(2)(b) or (C)(2)(b) of section 8941  
3517.105 of the Revised Code may file the statement specified in 8942  
that division by electronic means of transmission or, if the total 8943

amount of independent expenditures made during the reporting 8944  
period under that division exceeds ten thousand dollars, shall 8945  
file the statement specified in that division by electronic means 8946  
of transmission. 8947

Within five business days after a statement filed by an 8948  
individual, partnership, or other entity is received by the 8949  
secretary of state by electronic or other means of transmission, 8950  
the secretary of state shall make available online to the public 8951  
through the internet, as provided in division (I) of this section, 8952  
the expenditure information in that statement. 8953

If a statement filed by electronic means of transmission is 8954  
found to be incomplete or inaccurate after the examination of the 8955  
statement for completeness and accuracy pursuant to division 8956  
(B)(3)(a) of section 3517.11 of the Revised Code, the individual, 8957  
partnership, or other entity shall file by electronic means of 8958  
transmission any addendum to the statement that provides the 8959  
information necessary to complete or correct the statement or, if 8960  
required by the secretary of state under that division, an amended 8961  
statement. 8962

Within five business days after the secretary of state 8963  
receives from an individual, partnership, or other entity 8964  
described in division (B)(2)(b) or (C)(2)(b) of section 3517.105 8965  
of the Revised Code an addendum to the statement or an amended 8966  
statement by electronic or other means of transmission under this 8967  
division or division (B)(3)(a) of section 3517.11 of the Revised 8968  
Code, the secretary of state shall make the expenditure 8969  
information in the addendum or amended statement available online 8970  
to the public through the internet as provided in division (I) of 8971  
this section. 8972

(H)(1) The secretary of state, by rule adopted pursuant to 8973  
section 3517.23 of the Revised Code, shall prescribe one or more 8974  
techniques by which a person who executes and transmits by 8975

electronic means a statement of contributions and expenditures, a 8976  
statement of independent expenditures, a disclosure of 8977  
electioneering communications statement, a deposit and 8978  
disbursement statement, a gift and disbursement statement, or a 8979  
donation and disbursement statement, an addendum to any of those 8980  
statements, an amended statement of contributions and 8981  
expenditures, an amended statement of independent expenditures, an 8982  
amended disclosure of electioneering communications statement, an 8983  
amended deposit and disbursement statement, an amended gift and 8984  
disbursement statement, or an amended donation and disbursement 8985  
statement, under this section or section 3517.10, 3517.105, 8986  
3517.1011, 3517.1012, 3517.1013, or 3517.1014 of the Revised Code 8987  
shall electronically sign the statement, addendum, or amended 8988  
statement. Any technique prescribed by the secretary of state 8989  
pursuant to this division shall create an electronic signature 8990  
that satisfies all of the following: 8991

(a) It is unique to the signer. 8992

(b) It objectively identifies the signer. 8993

(c) It involves the use of a signature device or other means 8994  
or method that is under the sole control of the signer and that 8995  
cannot be readily duplicated or compromised. 8996

(d) It is created and linked to the electronic record to 8997  
which it relates in a manner that, if the record or signature is 8998  
intentionally or unintentionally changed after signing, the 8999  
electronic signature is invalidated. 9000

(2) An electronic signature prescribed by the secretary of 9001  
state under division (H)(1) of this section shall be attached to 9002  
or associated with the statement of contributions and 9003  
expenditures, the statement of independent expenditures, the 9004  
disclosure of electioneering communications statement, the deposit 9005  
and disbursement statement, the gift and disbursement statement, 9006

or the donation and disbursement statement, the addendum to any of 9007  
those statements, the amended statement of contributions and 9008  
expenditures, the amended statement of independent expenditures, 9009  
the amended disclosure of electioneering communications statement, 9010  
the amended deposit and disbursement statement, the amended gift 9011  
and disbursement statement, or the amended donation and 9012  
disbursement statement that is executed and transmitted by 9013  
electronic means by the person to whom the electronic signature is 9014  
attributed. The electronic signature that is attached to or 9015  
associated with the statement, addendum, or amended statement 9016  
under this division shall be binding on all persons and for all 9017  
purposes under the campaign finance reporting law as if the 9018  
signature had been handwritten in ink on a printed form. 9019

(I) The secretary of state shall make the contribution and 9020  
expenditure, the contribution and disbursement, the deposit and 9021  
disbursement, the gift and disbursement, or the donation and 9022  
disbursement information in all statements, all addenda to the 9023  
statements, and all amended statements that are filed with the 9024  
secretary of state by electronic or other means of transmission 9025  
under this section or section 3517.10, 3517.105, 3517.1011, 9026  
3517.1012, 3517.1013, 3517.1014, or 3517.11 of the Revised Code 9027  
available online to the public by any means that are searchable, 9028  
viewable, and accessible through the internet. 9029

(J)(1) As used in this division, "library" means a library 9030  
that is open to the public and that is one of the following: 9031

(a) A library that is maintained and regulated under section 9032  
715.13 of the Revised Code; 9033

(b) A library that is created, maintained, and regulated 9034  
under Chapter 3375. of the Revised Code. 9035

(2) The secretary of state shall notify all libraries of the 9036  
location on the internet at which the contribution and 9037

expenditure, contribution and disbursement, deposit and 9038  
disbursement, gift and disbursement, or donation and disbursement 9039  
information in campaign finance statements required to be made 9040  
available online to the public through the internet pursuant to 9041  
division (I) of this section may be accessed. 9042

If that location is part of the world wide web and if the 9043  
secretary of state has notified a library of that world wide web 9044  
location as required by this division, the library shall include a 9045  
link to that world wide web location on each internet-connected 9046  
computer it maintains that is accessible to the public. 9047

(3) If the system the secretary of state prescribes for the 9048  
filing of campaign finance statements by electronic means of 9049  
transmission pursuant to division (H)(1) of this section and 9050  
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 9051  
Code includes filing those statements through the internet via the 9052  
world wide web, the secretary of state shall notify all libraries 9053  
of the world wide web location at which those statements may be 9054  
filed. 9055

If those statements may be filed through the internet via the 9056  
world wide web and if the secretary of state has notified a 9057  
library of that world wide web location as required by this 9058  
division, the library shall include a link to that world wide web 9059  
location on each internet-connected computer it maintains that is 9060  
accessible to the public. 9061

(K) It is an affirmative defense to a complaint or charge 9062  
brought against any campaign committee, political action 9063  
committee, political contributing entity, legislative campaign 9064  
fund, or political party, any individual, partnership, or other 9065  
entity, any person making disbursements to pay the direct costs of 9066  
producing or airing electioneering communications, or any 9067  
treasurer of a transition fund, for the failure to file by 9068  
electronic means of transmission a campaign finance statement as 9069

required by this section or section 3517.10, 3517.105, 3517.1011, 9070  
3517.1012, 3517.1013, or 3517.1014 of the Revised Code that all of 9071  
the following apply to the campaign committee, political action 9072  
committee, political contributing entity, legislative campaign 9073  
fund, or political party, the individual, partnership, or other 9074  
entity, the person making disbursements to pay the direct costs of 9075  
producing or airing electioneering communications, or the 9076  
treasurer of a transition fund that failed to so file: 9077

(1) The campaign committee, political action committee, 9078  
political contributing entity, legislative campaign fund, or 9079  
political party, the individual, partnership, or other entity, the 9080  
person making disbursements to pay the direct costs of producing 9081  
or airing electioneering communications, or the treasurer of a 9082  
transition fund attempted to file by electronic means of 9083  
transmission the required statement prior to the deadline set 9084  
forth in the applicable section. 9085

(2) The campaign committee, political action committee, 9086  
political contributing entity, legislative campaign fund, or 9087  
political party, the individual, partnership, or other entity, the 9088  
person making disbursements to pay the direct costs of producing 9089  
or airing electioneering communications, or the treasurer of a 9090  
transition fund was unable to file by electronic means of 9091  
transmission due to an expected or unexpected shutdown of the 9092  
whole or part of the electronic campaign finance statement-filing 9093  
system, such as for maintenance or because of hardware, software, 9094  
or network connection failure. 9095

(3) The campaign committee, political action committee, 9096  
political contributing entity, legislative campaign fund, or 9097  
political party, the individual, partnership, or other entity, the 9098  
person making disbursements to pay the direct costs of producing 9099  
or airing electioneering communications, or the treasurer of a 9100  
transition fund filed by electronic means of transmission the 9101

required statement within a reasonable period of time after being 9102  
unable to so file it under the circumstance described in division 9103  
(K)(2) of this section. 9104

(L)(1) The secretary of state shall adopt rules pursuant to 9105  
Chapter 119. of the Revised Code to permit a campaign committee of 9106  
a candidate for statewide office that makes expenditures of less 9107  
than twenty-five thousand dollars during the filing period or a 9108  
campaign committee for the office of member of the general 9109  
assembly or the office of judge of a court of appeals that would 9110  
otherwise be required to file campaign finance statements by 9111  
electronic means of transmission under division (E) or (F) of this 9112  
section to file those statements by paper with the office of the 9113  
secretary of state. Those rules shall provide for all of the 9114  
following: 9115

(a) An eligible campaign committee that wishes to file a 9116  
campaign finance statement by paper instead of by electronic means 9117  
of transmission shall file the statement on paper with the office 9118  
of the secretary of state not sooner than twenty-four hours after 9119  
the end of the filing period set forth in section 3517.10 of the 9120  
Revised Code that is covered by the applicable statement. 9121

(b) The statement shall be accompanied by a fee, the amount 9122  
of which the secretary of state shall determine by rule. The 9123  
amount of the fee established under this division shall not exceed 9124  
the data entry and data verification costs the secretary of state 9125  
will incur to convert the information on the statement to an 9126  
electronic format as required under division (I) of this section. 9127

(c) The secretary of state shall arrange for the information 9128  
in campaign finance statements filed pursuant to division (L) of 9129  
this section to be made available online to the public through the 9130  
internet in the same manner, and at the same times, as information 9131  
is made available under divisions (E), (F), and (I) of this 9132  
section for candidates whose campaign committees file those 9133

statements by electronic means of transmission. 9134

(d) The candidate of an eligible campaign committee that 9135  
intends to file a campaign finance statement pursuant to division 9136  
(L) of this section shall file a notice indicating that the 9137  
candidate's campaign committee intends to so file and stating that 9138  
filing the statement by electronic means of transmission would 9139  
constitute a hardship for the candidate or for the eligible 9140  
campaign committee. 9141

(e) An eligible campaign committee that files a campaign 9142  
finance statement on paper pursuant to division (L) of this 9143  
section shall review the contribution and information made 9144  
available online by the secretary of state with respect to that 9145  
paper filing and shall notify the secretary of state of any errors 9146  
with respect to that filing that appear in the data made available 9147  
on that web site. 9148

(f) If an eligible campaign committee whose candidate has 9149  
filed a notice in accordance with rules adopted under division 9150  
(L)(1)(d) of this section subsequently fails to file that 9151  
statement on paper by the applicable deadline established in rules 9152  
adopted under division (L)(1)(a) of this section, penalties for 9153  
the late filing of the campaign finance statement shall apply to 9154  
that campaign committee for each day after that paper filing 9155  
deadline, as if the campaign committee had filed the statement 9156  
after the applicable deadline set forth in division (A) of section 9157  
3517.10 of the Revised Code. 9158

(2) The process for permitting campaign committees that would 9159  
otherwise be required to file campaign finance statements by 9160  
electronic means of transmission to file those statements on paper 9161  
with the office of the secretary of state that is required to be 9162  
developed under division (L)(1) of this section shall be in effect 9163  
and available for use by eligible campaign committees for all 9164  
campaign finance statements that are required to be filed on or 9165



after June 30, 2005. Notwithstanding any provision of the Revised Code to the contrary, if the process the secretary of state is required to develop under division (L)(1) of this section is not in effect and available for use on and after June 30, 2005, all penalties for the failure of campaign committees to file campaign finance statements by electronic means of transmission shall be suspended until such time as that process is in effect and available for use.

(3) Notwithstanding any provision of the Revised Code to the contrary, any eligible campaign committee that files campaign finance statements on paper with the office of the secretary of state pursuant to division (L)(1) of this section shall be deemed to have filed those campaign finance statements by electronic means of transmission to the office of the secretary of state.

**Sec. 3517.107.** (A) As used in this section, "federal political committee" means a political committee, as defined in the Federal Election Campaign Act, that is registered with the federal election commission under that act.

(B) Any federal political committee may make contributions, expenditures, or independent expenditures from its federal account in connection with any state or local election in Ohio. Prior to making any such contribution, expenditure, or independent expenditure, the federal political committee shall register with the secretary of state by filing a copy of its most recent federal statement of organization. A federal political committee registered with the secretary of state under this division shall file with the secretary of state any amendment to its statement of organization that is required under the Federal Election Campaign Act to be reported to the federal election commission.

(C) When, during any federal reporting period under the Federal Election Campaign Act, a federal political committee makes

a contribution, expenditure, or independent expenditure from its federal account in connection with a state or local election in Ohio, the committee shall file with the secretary of state not later than the date on which its report is required to be filed with the appropriate federal office or officer under the Federal Election Campaign Act, copies of the following pages from that report:

(1) The summary page;

(2) The detailed summary page;

(3) The page or pages that contain an itemized list of the contributions, expenditures, and independent expenditures made in connection with state and local elections in Ohio.

The total amount of contributions, expenditures, and independent expenditures made in connection with state and local elections in Ohio shall be reflected on the summary page or on a form that the secretary of state shall prescribe.

(D) When, during any calendar year, a federal political committee makes a contribution from its federal account in connection with a state or local election in Ohio to a state or local political action committee that is required under section 3517.11 of the Revised Code to file any statement prescribed by section 3517.10 of the Revised Code, and the federal political committee and state or local political action committee are established, financed, maintained, or controlled by the same corporation, organization, continuing association, or other person, including any parent, subsidiary, division, department, or unit of that corporation, organization, continuing association, or other person, the federal political committee shall file a statement with the secretary of state not later than the last business day of January of the next calendar year. The statement shall be on a form prescribed by the secretary of state and shall

include a list of the names and addresses of contributors that are 9228  
residents of Ohio that made contributions to the federal political 9229  
committee during the calendar year covered by the statement and, 9230  
for each name listed, the aggregate total amount contributed by 9231  
each contributor during the reporting period. 9232

(E) The filing requirements of divisions (B) and (C) of this 9233  
section shall not apply to the federal political committee of a 9234  
member of, or a candidate to become a member of, the United States 9235  
congress representing Ohio or any district in Ohio. 9236

**Sec. 3517.1011.** (A) As used in this section: 9237

(1) "Address" has the same meaning as in section 3517.10 of 9238  
the Revised Code. 9239

(2) "Broadcast, cable, or satellite communication" means a 9240  
communication that is publicly distributed by a television 9241  
station, radio station, cable television system, or satellite 9242  
system. 9243

(3) "Candidate" has the same meaning as in section 3501.01 of 9244  
the Revised Code. 9245

(4) "Contribution" means any loan, gift, deposit, forgiveness 9246  
of indebtedness, donation, advance, payment, or transfer of funds 9247  
or of anything of value, including a transfer of funds from an 9248  
inter vivos or testamentary trust or decedent's estate, and the 9249  
payment by any person other than the person to whom the services 9250  
are rendered for the personal services of another person, that is 9251  
made, received, or used to pay the direct costs of producing or 9252  
airing electioneering communications. 9253

(5)(a) "Coordinated electioneering communication" means any 9254  
electioneering communication that is made pursuant to any 9255  
arrangement, coordination, or direction by a candidate or a 9256  
candidate's campaign committee, by an officer, agent, employee, or 9257

consultant of a candidate or a candidate's campaign committee, or 9258  
by a former officer, former agent, former employee, or former 9259  
consultant of a candidate or a candidate's campaign committee 9260  
prior to the airing, broadcasting, or cablecasting of the 9261  
communication. An electioneering communication is presumed to be a 9262  
"coordinated electioneering communication" when it is either of 9263  
the following: 9264

(i) Based on information about a candidate's plans, projects, 9265  
or needs provided to the person making the disbursement by the 9266  
candidate or the candidate's campaign committee, by an officer, 9267  
agent, employee, or consultant of the candidate or the candidate's 9268  
campaign committee, or by a former officer, former agent, former 9269  
employee, or former consultant of the candidate or the candidate's 9270  
campaign committee, with a view toward having the communication 9271  
made; 9272

(ii) Made by or through any person who is, or has been, 9273  
authorized to raise or expend funds on behalf of a candidate or 9274  
the candidate's campaign committee, who is, or has been, an 9275  
officer, agent, employee, or consultant of the candidate or of the 9276  
candidate's campaign committee, or who is, or has been, receiving 9277  
any form of compensation or reimbursement from the candidate or 9278  
the candidate's campaign committee or from an officer, agent, 9279  
employee, or consultant of the candidate or of the candidate's 9280  
campaign committee. 9281

(b) An electioneering communication shall not be presumed to 9282  
be a "coordinated electioneering communication" under division 9283  
(A)(5)(a)(ii) of this section if the communication is made through 9284  
any person who provides a service that does not affect the content 9285  
of the communication, such as communications placed through the 9286  
efforts of a media buyer, unless that person also affects the 9287  
content of the communication. 9288

(6) "Disclosure date" means both of the following: 9289

(a) The first date during any calendar year by which a person 9290  
makes disbursements for the direct costs of producing or airing 9291  
electioneering communications aggregating in excess of ten 9292  
thousand dollars; 9293

(b) The same day of the week of each remaining week in the 9294  
same calendar year as the day of the week of the initial 9295  
disclosure date established under division (A)(6)(a) of this 9296  
section, if, during that remaining week, the person makes 9297  
disbursements for the direct costs of producing or airing 9298  
electioneering communications aggregating in excess of one dollar. 9299

(7)(a) "Electioneering communication" means any broadcast, 9300  
cable, or satellite communication that refers to a clearly 9301  
identified candidate and that is made during either of the 9302  
following periods of time: 9303

(i) If the person becomes a candidate before the day of the 9304  
primary election at which candidates will be nominated for 9305  
election to that office, between the date that the person becomes 9306  
a candidate and the thirtieth day prior to that primary election, 9307  
and between the date of the primary election and the thirtieth day 9308  
prior to the general election at which a candidate will be elected 9309  
to that office; 9310

(ii) If the person becomes a candidate after the day of the 9311  
primary election at which candidates were nominated for election 9312  
to that office, between the date of the primary election and the 9313  
thirtieth day prior to the general election at which a candidate 9314  
will be elected to that office. 9315

(b) "Electioneering communication" does not include any of 9316  
the following: 9317

(i) A communication that is publicly disseminated through a 9318  
means of communication other than a broadcast, cable, or satellite 9319  
television or radio station. For example, "electioneering 9320

communication" does not include communications appearing in print 9321  
media, including a newspaper or magazine, handbill, brochure, 9322  
bumper sticker, yard sign, poster, billboard, and other written 9323  
materials, including mailings; communications over the internet, 9324  
including electronic mail; or telephone communications. 9325

(ii) A communication that appears in a news story, 9326  
commentary, public service announcement, bona fide news 9327  
programming, or editorial distributed through the facilities of 9328  
any broadcast, cable, or satellite television or radio station, 9329  
unless those facilities are owned or controlled by any political 9330  
party, political committee, or candidate; 9331

(iii) A communication that constitutes an expenditure or an 9332  
independent expenditure under section 3517.01 of the Revised Code; 9333

(iv) A communication that constitutes a candidate debate or 9334  
forum or that solely promotes a candidate debate or forum and is 9335  
made by or on behalf of the person sponsoring the debate or forum. 9336

(8) "Filing date" has the same meaning as in section 3517.109 9337  
of the Revised Code. 9338

(9) "Immigration and Nationality Act" means the Immigration 9339  
and Nationality Act, 110 Stat. 309 (1996), 8 U.S.C. 1101 et seq., 9340  
as amended. 9341

(10) "Person" has the same meaning as in section 1.59 of the 9342  
Revised Code and includes any political organization considered 9343  
exempt from income taxation under section 527 of the Internal 9344  
Revenue Code. 9345

(11) "Political committee" means any of the following: 9346

(a) Any committee, club, association, or other group of 9347  
persons that receives contributions aggregating in excess of one 9348  
thousand dollars during a calendar year or that makes expenditures 9349  
aggregating in excess of one thousand dollars during a calendar 9350

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| year;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 9351 |
| (b) Any separate segregated fund;                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 9352 |
| (c) Any state, county, or local committee of a political party that does any of the following:                                                                                                                                                                                                                                                                                                                                                                                        | 9353 |
| (i) Receives contributions aggregating in excess of five thousand dollars during a calendar year;                                                                                                                                                                                                                                                                                                                                                                                     | 9355 |
| (ii) Makes payments that do not constitute contributions or expenditures aggregating in excess of five thousand dollars during a calendar year;                                                                                                                                                                                                                                                                                                                                       | 9356 |
| (iii) Makes contributions or expenditures aggregating in excess of one thousand dollars during a calendar year.                                                                                                                                                                                                                                                                                                                                                                       | 9357 |
| (12) "Publicly distributed" means aired, broadcast, cablecast, or otherwise disseminated for a fee.                                                                                                                                                                                                                                                                                                                                                                                   | 9358 |
| (13) "Refers to a clearly identified candidate" means that the candidate's name, nickname, photograph, or drawing appears, or the identity of the candidate is otherwise apparent through an unambiguous reference to the person such as "the chief justice," "the governor," "member of the Ohio senate," "member of the Ohio house of representatives," "county auditor," "mayor," or "township trustee" or through an unambiguous reference to the person's status as a candidate. | 9359 |
| (B) For the purposes of this section, a person shall be considered to have made a disbursement if the person has entered into a contract to make the disbursement.                                                                                                                                                                                                                                                                                                                    | 9360 |
| (C) Any person intending to make a disbursement or disbursements for the direct costs of producing or airing electioneering communications, prior to making the first disbursement for the direct costs of producing or airing an electioneering communication, shall file a notice with the office of the secretary of state that the person is intending to make                                                                                                                    | 9361 |
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such disbursements. 9381

(D)(1) Every person that makes a disbursement or 9382  
disbursements for the direct costs of producing and airing 9383  
electioneering communications aggregating in excess of ten 9384  
thousand dollars during any calendar year shall file, within 9385  
twenty-four hours of each disclosure date, a disclosure of 9386  
electioneering communications statement containing the following 9387  
information: 9388

(a) The full name and address of the person making the 9389  
disbursement, of any person sharing or exercising direction or 9390  
control over the activities of the person making the disbursement, 9391  
and of the custodian of the books and accounts of the person 9392  
making the disbursement; 9393

(b) The principal place of business of the person making the 9394  
disbursement, if not an individual; 9395

(c) The amount of each disbursement of more than one dollar 9396  
during the period covered by the statement and the identity of the 9397  
person to whom the disbursement was made; 9398

(d) The nominations or elections to which the electioneering 9399  
communications pertain and the names, if known, of the candidates 9400  
identified or to be identified; 9401

(e) If the disbursements were paid out of a segregated bank 9402  
account that consists of funds contributed solely by individuals 9403  
who are United States citizens or nationals or lawfully admitted 9404  
for permanent residence as defined in section 101(a)(20) of the 9405  
Immigration and Nationality Act directly to the account for 9406  
electioneering communications, the information specified in 9407  
division (D)(2) of this section for all contributors who 9408  
contributed an aggregate amount of two hundred dollars or more to 9409  
the segregated bank account and whose contributions were used for 9410  
making the disbursement or disbursements required to be reported 9411



under division (D) of this section during the period covered by 9412  
the statement. Nothing in this division prohibits or shall be 9413  
construed to prohibit the use of funds in such a segregated bank 9414  
account for a purpose other than electioneering communications. 9415

(f) If the disbursements were paid out of funds not described 9416  
in division (D)(1)(e) of this section, the information specified 9417  
in division (D)(2) of this section for all contributors who 9418  
contributed an aggregate amount of two hundred dollars or more to 9419  
the person making the disbursement and whose contributions were 9420  
used for making the disbursement or disbursements required to be 9421  
reported under division (D) of this section during the period 9422  
covered by the statement. 9423

(2) For each contributor for which information is required to 9424  
be reported under division (D)(1)(e) or (f) of this section, all 9425  
of the following shall be reported: 9426

(a) The month, day, and year that the contributor made the 9427  
contribution or contributions aggregating two hundred dollars or 9428  
more; 9429

(b)(i) The full name and address of the contributor, and, if 9430  
the contributor is a political action committee, the registration 9431  
number assigned to the political action committee under division 9432  
(D)(1) of section 3517.10 of the Revised Code; 9433

(ii) If the contributor is an individual, the name of the 9434  
individual's current employer, if any, or, if the individual is 9435  
self-employed, the individual's occupation and the name of the 9436  
individual's business, if any; 9437

(iii) If the contribution is transmitted pursuant to section 9438  
3599.031 of the Revised Code from amounts deducted from the wages 9439  
and salaries of two or more employees that exceed in the aggregate 9440  
one hundred dollars during the period specified in division 9441  
(D)(1)(e) or (f) of this section, as applicable, the full name of 9442

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.

Within five business days after the secretary of state receives a disclosure of electioneering communications statement under this division, the secretary of state shall make available online to the public through the internet, as provided in division (I) of section 3517.106 of the Revised Code, the contribution and disbursement information in that statement.

If a filed disclosure of electioneering communications statement is found to be incomplete or inaccurate after its examination for completeness and accuracy pursuant to division (B)(3)(a) of section 3517.11 of the Revised Code, the person shall file by electronic means of transmission to the office of the secretary of state any addendum, amendment, or other correction to the statement that provides the information necessary to complete or correct the statement or, if required by the secretary of state under that division, an amended statement.

Within five business days after the secretary of state receives an addendum, amendment, or other correction to a disclosure of electioneering communications statement or an

amended statement by electronic means of transmission under this 9474  
division or division (B)(3)(a) of section 3517.11 of the Revised 9475  
Code, the secretary of state shall make the contribution and 9476  
disbursement information in the addendum, amendment, or other 9477  
correction to the statement or amended statement available online 9478  
to the public through the internet as provided in division (I) of 9479  
section 3517.106 of the Revised Code. 9480

(E)(1) Any person who makes a contribution for the purpose of 9481  
funding the direct costs of producing or airing an electioneering 9482  
communication under this section shall provide the person's full 9483  
name and address to the recipient of the contribution at the time 9484  
the contribution is made. 9485

(2) Any individual who makes a contribution or contributions 9486  
aggregating two hundred dollars or more for the purpose of funding 9487  
the direct costs of producing or airing an electioneering 9488  
communication under this section shall provide the name of the 9489  
individual's current employer, if any, or, if the individual is 9490  
self-employed, the individual's occupation and the name of the 9491  
individual's business, if any, to the recipient of the 9492  
contribution at the time the contribution is made. 9493

(F) In each electioneering communication, a statement shall 9494  
appear or be presented in a clear and conspicuous manner that does 9495  
both of the following: 9496

(1) Clearly indicates that the electioneering communication 9497  
is not authorized by the candidate or the candidate's campaign 9498  
committee; 9499

(2) Clearly identifies the person making the disbursement for 9500  
the electioneering communication in accordance with section 9501  
3517.20 of the Revised Code. 9502

(G) Any coordinated electioneering communication is an 9503  
in-kind contribution, subject to the applicable contribution 9504

limits prescribed in section 3517.102 of the Revised Code, to the 9505  
candidate by the person making disbursements to pay the direct 9506  
costs of producing or airing the communication. 9507

~~(H) No person shall make, during the thirty days preceding a 9508  
primary election or during the thirty days preceding a general 9509  
election, any broadcast, cable, or satellite communication that 9510  
refers to a clearly identified candidate using any contributions 9511  
received from a corporation or labor organization. 9512~~

**Sec. 3517.11.** (A)(1) Campaign committees of candidates for 9513  
statewide office or the state board of education, political action 9514  
committees or political contributing entities that make 9515  
contributions to campaign committees of candidates that are 9516  
required to file the statements prescribed by section 3517.10 of 9517  
the Revised Code with the secretary of state, political action 9518  
committees or political contributing entities that make 9519  
contributions to campaign committees of candidates for member of 9520  
the general assembly, political action committees or political 9521  
contributing entities that make contributions to state and 9522  
national political parties and to legislative campaign funds, 9523  
political action committees or political contributing entities 9524  
that receive contributions or make expenditures in connection with 9525  
a statewide ballot issue, political action committees or political 9526  
contributing entities that make contributions to other political 9527  
action committees or political contributing entities, political 9528  
parties, and campaign committees, except as set forth in division 9529  
(A)(3) of this section, legislative campaign funds, and state and 9530  
national political parties shall file the statements prescribed by 9531  
section 3517.10 of the Revised Code with the secretary of state. 9532

(2)(a) Except as otherwise provided in division (F) of 9533  
section 3517.106 of the Revised Code, campaign committees of 9534  
candidates for all other offices shall file the statements 9535

prescribed by section 3517.10 of the Revised Code with the board 9536  
of elections where their candidates are required to file their 9537  
petitions or other papers for nomination or election. 9538

(b) A campaign committee of a candidate for office of member 9539  
of the general assembly or a campaign committee of a candidate for 9540  
the office of judge of a court of appeals shall file two copies of 9541  
the printed version of any statement, addendum, or amended 9542  
statement if the committee does not file pursuant to division 9543  
(F)(1) or (L) of section 3517.106 of the Revised Code but files by 9544  
printed version only with the appropriate board of elections. The 9545  
board of elections shall send one of those copies by ~~certified~~ 9546  
mail or an electronic copy to the secretary of state before the 9547  
close of business on the day the board of elections receives the 9548  
statement, addendum, or amended statement. 9549

(3) Political action committees or political contributing 9550  
entities that only contribute to a county political party, 9551  
contribute to campaign committees of candidates whose nomination 9552  
or election is to be submitted only to electors within a county, 9553  
subdivision, or district, excluding candidates for member of the 9554  
general assembly, and receive contributions or make expenditures 9555  
in connection with ballot questions or issues to be submitted only 9556  
to electors within a county, subdivision, or district shall file 9557  
the statements prescribed by section 3517.10 of the Revised Code 9558  
with the board of elections in that county or in the county 9559  
contained in whole or part within the subdivision or district 9560  
having a population greater than that of any other county 9561  
contained in whole or part within that subdivision or district, as 9562  
the case may be. 9563

(4) Except as otherwise provided in division (E)(3) of 9564  
section 3517.106 of the Revised Code with respect to state 9565  
candidate funds, county political parties shall file the 9566  
statements prescribed by section 3517.10 of the Revised Code with 9567

the board of elections of their respective counties. 9568

(B)(1) The official with whom petitions and other papers for 9569  
nomination or election to public office are filed shall furnish 9570  
each candidate at the time of that filing a copy of sections 9571  
3517.01, 3517.08 to 3517.11, 3517.13 to 3517.993, 3599.03, and 9572  
3599.031 of the Revised Code and any other materials that the 9573  
secretary of state may require. Each candidate receiving the 9574  
materials shall acknowledge their receipt in writing. 9575

(2) On or before the tenth day before the dates on which 9576  
statements are required to be filed by section 3517.10 of the 9577  
Revised Code, every candidate subject to the provisions of this 9578  
section and sections 3517.10 and 3517.106 of the Revised Code 9579  
shall be notified of the requirements and applicable penalties of 9580  
those sections. The secretary of state, by certified mail, return 9581  
receipt requested, shall notify all candidates required to file 9582  
those statements with the secretary of state's office. The board 9583  
of elections of every county shall notify by first class mail any 9584  
candidate who has personally appeared at the office of the board 9585  
on or before the tenth day before the statements are required to 9586  
be filed and signed a form, to be provided by the secretary of 9587  
state, attesting that the candidate has been notified of the 9588  
candidate's obligations under the campaign finance law. The board 9589  
shall forward the completed form to the secretary of state. The 9590  
board shall use certified mail, return receipt requested, to 9591  
notify all other candidates required to file those statements with 9592  
it. 9593

(3)(a) Any statement required to be filed under sections 9594  
3517.081 to 3517.17 of the Revised Code that is found to be 9595  
incomplete or inaccurate by the officer to whom it is submitted 9596  
shall be accepted on a conditional basis, and the person who filed 9597  
it shall be notified by certified mail as to the incomplete or 9598  
inaccurate nature of the statement. The secretary of state may 9599

examine statements filed for candidates for the office of member 9600  
of the general assembly and candidates for the office of judge of 9601  
a court of appeals for completeness and accuracy. The secretary of 9602  
state shall examine for completeness and accuracy statements that 9603  
campaign committees of candidates for the office of member of the 9604  
general assembly and campaign committees of candidates for the 9605  
office of judge of a court of appeals file pursuant to division 9606  
(F) or (L) of section 3517.106 of the Revised Code. If an officer 9607  
at the board of elections where a statement filed for a candidate 9608  
for the office of member of the general assembly or for a 9609  
candidate for the office of judge of a court of appeals was 9610  
submitted finds the statement to be incomplete or inaccurate, the 9611  
officer shall immediately notify the secretary of state of its 9612  
incomplete or inaccurate nature. If either an officer at the board 9613  
of elections or the secretary of state finds a statement filed for 9614  
a candidate for the office of member of the general assembly or 9615  
for a candidate for the office of judge of a court of appeals to 9616  
be incomplete or inaccurate, only the secretary of state shall 9617  
send the notification as to the incomplete or inaccurate nature of 9618  
the statement. 9619

Within twenty-one days after receipt of the notice, in the 9620  
case of a pre-election statement, a postelection statement, a 9621  
monthly statement, an annual statement, or a semiannual statement 9622  
prescribed by section 3517.10, an annual statement prescribed by 9623  
section 3517.101, or a statement prescribed by division (B)(2)(b) 9624  
or (C)(2)(b) of section 3517.105 or section 3517.107 of the 9625  
Revised Code, the recipient shall file an addendum, amendment, or 9626  
other correction to the statement providing the information 9627  
necessary to complete or correct the statement. The secretary of 9628  
state may require that, in lieu of filing an addendum, amendment, 9629  
or other correction to a statement that is filed by electronic 9630  
means of transmission to the office of the secretary of state 9631  
pursuant to section 3517.106 of the Revised Code, the recipient of 9632

the notice described in this division file by electronic means of 9633  
transmission an amended statement that incorporates the 9634  
information necessary to complete or correct the statement. 9635

The secretary of state shall determine by rule when an 9636  
addendum, amendment, or other correction to any of the following 9637  
or when an amended statement of any of the following shall be 9638  
filed: 9639

(i) A two-business-day statement prescribed by section 9640  
3517.10 of the Revised Code; 9641

(ii) A disclosure of electioneering communications statement 9642  
prescribed by division (D) of section 3517.1011 of the Revised 9643  
Code; 9644

(iii) A deposit and disbursement statement prescribed under 9645  
division (B) of section 3517.1012 of the Revised Code; 9646

(iv) A gift and disbursement statement prescribed under 9647  
section 3517.1013 of the Revised Code; 9648

(v) A donation and disbursement statement prescribed under 9649  
section 3517.1014 of the Revised Code. 9650

An addendum, amendment, or other correction to a statement 9651  
that is filed by electronic means of transmission pursuant to 9652  
section 3517.106 of the Revised Code shall be filed in the same 9653  
manner as the statement. 9654

The provisions of sections 3517.10, 3517.106, 3517.1011, 9655  
3517.1012, 3517.1013, and 3517.1014 of the Revised Code pertaining 9656  
to the filing of statements of contributions and expenditures, 9657  
statements of independent expenditures, disclosure of 9658  
electioneering communications statements, deposit and disbursement 9659  
statements, gift and disbursement statements, and donation and 9660  
disbursement statements by electronic means of transmission apply 9661  
to the filing of addenda, amendments, or other corrections to 9662



those statements by electronic means of transmission and the 9663  
filing of amended statements by electronic means of transmission. 9664

(b) Within five business days after the secretary of state 9665  
receives, by electronic or other means of transmission, an 9666  
addendum, amendment, or other correction to a statement or an 9667  
amended statement under division (B)(3)(a) of this section, the 9668  
secretary of state, pursuant to divisions (E), (F), (G), and (I) 9669  
of section 3517.106 or division (D) of section 3517.1011 of the 9670  
Revised Code, shall make the contribution and expenditure, 9671  
contribution and disbursement, deposit and disbursement, gift and 9672  
disbursement, or donation and disbursement information in that 9673  
addendum, amendment, correction, or amended statement available 9674  
online to the public through the internet. 9675

(4)(a) The secretary of state or the board of elections shall 9676  
examine all statements for compliance with sections 3517.08 to 9677  
3517.17 of the Revised Code. 9678

(b) The secretary of state may contract with an individual or 9679  
entity not associated with the secretary of state and experienced 9680  
in interpreting the campaign finance law of this state to conduct 9681  
examinations of statements filed by any statewide candidate, as 9682  
defined in section 3517.103 of the Revised Code. 9683

(c) The examination shall be conducted by a person or entity 9684  
qualified to conduct it. The results of the examination shall be 9685  
available to the public, and, when the examination is conducted by 9686  
an individual or entity not associated with the secretary of 9687  
state, the results of the examination shall be reported to the 9688  
secretary of state. 9689

(C)(1) In the event of a failure to file or a late filing of 9690  
a statement required to be filed under sections 3517.081 to 9691  
3517.17 of the Revised Code, or if a filed statement or any 9692  
addendum, amendment, or other correction to a statement or any 9693

amended statement, if an addendum, amendment, or other correction 9694  
or an amended statement is required to be filed, is incomplete or 9695  
inaccurate or appears to disclose a failure to comply with or a 9696  
violation of law, the official whose duty it is to examine the 9697  
statement shall promptly file a complaint with the Ohio elections 9698  
commission under section 3517.153 of the Revised Code if the law 9699  
is one over which the commission has jurisdiction to hear 9700  
complaints, or the official shall promptly report the failure or 9701  
violation to the board of elections and the board shall promptly 9702  
report it to the prosecuting attorney in accordance with division 9703  
(J) of section 3501.11 of the Revised Code. If the official files 9704  
a complaint with the commission, the commission shall proceed in 9705  
accordance with sections 3517.154 to 3517.157 of the Revised Code. 9706

(2) For purposes of division (C)(1) of this section, a 9707  
statement or an addendum, amendment, or other correction to a 9708  
statement or an amended statement required to be filed under 9709  
sections 3517.081 to 3517.17 of the Revised Code is incomplete or 9710  
inaccurate under this section if the statement, addendum, 9711  
amendment, other correction, or amended statement fails to 9712  
disclose substantially all contributions, gifts, or donations that 9713  
are received or deposits that are made that are required to be 9714  
reported under sections 3517.10, 3517.107, 3517.108, 3517.1011, 9715  
3517.1012, 3517.1013, and 3517.1014 of the Revised Code or if the 9716  
statement, addendum, amendment, other correction, or amended 9717  
statement fails to disclose at least ninety per cent of the total 9718  
contributions, gifts, or donations received or deposits made or of 9719  
the total expenditures or disbursements made during the reporting 9720  
period. 9721

(D) No certificate of nomination or election shall be issued 9722  
to a person, and no person elected to an office shall enter upon 9723  
the performance of the duties of that office, until that person or 9724  
that person's campaign committee, as appropriate, has fully 9725

complied with this section and sections 3517.08, 3517.081, 9726  
3517.10, and 3517.13 of the Revised Code. 9727

**Sec. 3517.153.** (A) Upon the filing of a complaint with the 9728  
Ohio elections commission, which shall be made by affidavit of any 9729  
person, on personal knowledge, and subject to the penalties for 9730  
perjury, or upon the filing of a complaint made by the secretary 9731  
of state or an official at the board of elections, setting forth a 9732  
failure to comply with or a violation of any provision in sections 9733  
3517.08 to 3517.13, 3517.17, 3517.18, 3517.20 to 3517.22, 3599.03, 9734  
or 3599.031 of the Revised Code, the commission shall proceed in 9735  
accordance with sections 3517.154 to 3517.157 of the Revised Code. 9736

(B) The commission shall prescribe the form for complaints 9737  
made under division (A) of this section. The secretary of state 9738  
and boards of elections shall furnish the information that the 9739  
commission requests. The commission or a member of the commission 9740  
may administer oaths, and the commission may issue subpoenas to 9741  
any person in the state compelling the attendance of witnesses and 9742  
the production of relevant papers, books, accounts, and reports. 9743  
Section 101.42 of the Revised Code governs the issuance of 9744  
subpoenas insofar as applicable. Upon the refusal of any person to 9745  
obey a subpoena or to be sworn or to answer as a witness, the 9746  
commission may apply to the court of common pleas of Franklin 9747  
county under section 2705.03 of the Revised Code. The court shall 9748  
hold proceedings in accordance with Chapter 2705. of the Revised 9749  
Code. 9750

(C) No prosecution shall commence for a violation of a 9751  
provision in sections 3517.08 to 3517.13, 3517.17, 3517.18, 9752  
3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised Code 9753  
unless a complaint has been filed with the commission under this 9754  
section and all proceedings of the commission or a panel of the 9755  
commission, as appropriate, under sections 3517.154 to 3517.157 of 9756

the Revised Code are completed. 9757

(D) The commission may recommend legislation and render 9758  
advisory opinions concerning sections 3517.08, 3517.082, 3517.092, 9759  
3517.102, ~~3517.103~~, 3517.105, 3517.1014, 3517.13, 3517.18, 3517.20 9760  
to 3517.22, 3599.03, and 3599.031 of the Revised Code for persons 9761  
over whose acts it has or may have jurisdiction. When the 9762  
commission renders an advisory opinion relating to a specific set 9763  
of circumstances involving any of those sections stating that 9764  
there is no violation of a provision in those sections, the person 9765  
to whom the opinion is directed or a person who is similarly 9766  
situated may reasonably rely on the opinion and is immune from 9767  
criminal prosecution and a civil action, including, without 9768  
limitation, a civil action for removal from public office or 9769  
employment, based on facts and circumstances covered by the 9770  
opinion. 9771

(E) The commission shall establish a web site on which it 9772  
shall post, at a minimum, all decisions and advisory opinions 9773  
issued by the commission and copies of each election law as it is 9774  
amended by the general assembly. The commission shall update the 9775  
web site regularly to reflect any changes to those decisions and 9776  
advisory opinions and any new decisions and advisory opinions. 9777

**Sec. 3517.154.** (A)(1) The full-time attorney for the Ohio 9778  
elections commission shall review each complaint filed with the 9779  
commission under section 3517.153 of the Revised Code, shall 9780  
determine the nature of the complaint, and, unless division 9781  
(A)(2)(a) of this section requires that the complaint receive an 9782  
automatic expedited hearing, shall make a recommendation to the 9783  
commission for its disposition, in accordance with this section. 9784  
The attorney shall make the determination and the recommendation, 9785  
if required, not later than one business day after the complaint 9786  
is filed. 9787

(2)(a) If the attorney determines that the complaint sets forth a violation of division (B) of section 3517.21 or division (B) of section 3517.22 of the Revised Code and that the complaint is filed during one of the periods of time specified in division (B)(1) of section 3517.156 of the Revised Code, ~~or that the complaint sets forth a violation of section 3517.103 of the Revised Code or a violation described in division (D) of section 3517.1010 of the Revised Code,~~ the complaint shall receive an automatic expedited hearing under section 3517.156 of the Revised Code.

(b) If the attorney determines that the complaint sets forth a failure to comply with or a violation of division (G), (I), (J), (O), (P), or (Q) of section 3517.13, division (A) of section 3517.21, or division (A) of section 3517.22 of the Revised Code and that the complaint is filed during one of the periods of time specified in division (B)(1) of section 3517.156 of the Revised Code, the attorney shall recommend to the commission that the complaint receive an expedited hearing under section 3517.156 of the Revised Code, and the complaint shall receive such a hearing.

(c) If the attorney determines that the complaint sets forth a failure to comply with or a violation of a section of the Revised Code over which the commission has jurisdiction to hear complaints other than the sections described in divisions (A)(2)(a) and (b) of this section, and unless the attorney makes a determination as provided for in division (A)(3) of this section, the attorney shall recommend to the commission that the complaint be submitted to the commission under section 3517.155 of the Revised Code. After the attorney makes that recommendation, the attorney shall notify all parties to the complaint of the attorney's recommendation.

(3)(a) If a complaint sets forth a failure to comply with or a violation of a section of the Revised Code over which the

commission has jurisdiction to hear complaints other than the 9820  
sections described in divisions (A)(2)(a) and (b) of this section 9821  
and if the complaint is filed during one of the periods of time 9822  
specified in division (B)(1) of section 3517.156 of the Revised 9823  
Code, the attorney may determine that the complaint should receive 9824  
an expedited hearing under that section. The attorney shall make 9825  
that determination by considering one or more of the following: 9826

(i) The number of prior failures to comply with or violations 9827  
of Title XXXV of the Revised Code that the person or entity 9828  
against whom the complaint has been brought has committed and any 9829  
prior penalties the commission has imposed on the person or 9830  
entity; 9831

(ii) If the complaint involves a statement required to be 9832  
filed under section 3517.10, division (E) of section 3517.102, or 9833  
section ~~3517.103~~, 3517.105, 3517.107, 3517.108, 3517.109, 9834  
3517.1011, 3517.1012, or 3517.1014 of the Revised Code or an 9835  
addendum required to be filed under section 3517.11 of the Revised 9836  
Code that is filed late, how late the filing is and how much time 9837  
has elapsed between the deadline for filing the statement or 9838  
addendum and the filing of the complaint; 9839

(iii) If the complaint involves contributions and 9840  
expenditures, contributions and disbursements, deposits and 9841  
disbursements, gifts and disbursements, or donations and 9842  
disbursements required to be reported under section 3517.10, 9843  
division (E) of section 3517.102, or section 3517.105, 3517.107, 9844  
3517.108, 3517.109, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 9845  
of the Revised Code that are either not reported or reported late, 9846  
the number of contributions and expenditures, contributions and 9847  
disbursements, deposits and disbursements, gifts and 9848  
disbursements, or donations and disbursements not reported or how 9849  
late they were reported; 9850

(iv) If the complaint involves contributions required to be 9851

reported by a campaign committee under section 3517.10, division 9852  
(E) of section 3517.102, or section 3517.105, 3517.107, 3517.108, 9853  
or 3517.109 of the Revised Code that are not reported, whether any 9854  
of the contributors of the contributions not reported have a 9855  
personal or professional relationship with the campaign 9856  
committee's candidate; 9857

(v) If the complaint involves a statement required to be 9858  
filed under section 3517.10, division (E) of section 3517.102, or 9859  
section ~~3517.103~~, 3517.105, 3517.107, 3517.108, 3517.109, 9860  
3517.1011, 3517.1012, 3517.1013, or 3517.1014 of the Revised Code 9861  
that is incomplete, the degree to which it is incomplete; 9862

(vi) If the complaint involves the receipt of contributions 9863  
in violation of section 3599.03 of the Revised Code, the dollar 9864  
amount and number of contributions received in violation of that 9865  
section; 9866

(vii) If the complaint involves a failure to make the 9867  
identification or a misstatement of the identification required 9868  
under section 3517.105 or 3517.20 of the Revised Code, whether the 9869  
failure or misstatement was purposely made; 9870

(viii) If the complaint sets forth a failure to comply with 9871  
or a violation of a section of the Revised Code described in 9872  
division (A)(2)(c) of this section, whether the person or entity 9873  
against whom the complaint has been made has committed more than 9874  
one such failure or violation within a reasonable amount of time, 9875  
or whether the cumulative nature of the failures or violations 9876  
indicates a systematic disregard for the law. 9877

(b) Prior to making a determination under division (A)(3)(a) 9878  
of this section that the complaint should receive an expedited 9879  
hearing under section 3517.156 of the Revised Code, the attorney 9880  
shall take into consideration the number of panels of the 9881  
commission that have cases pending before them and the number of 9882

cases pending before the panels and shall not make a determination 9883  
that will place an undue burden on a panel of the commission. 9884

(c) If the attorney determines that the complaint should 9885  
receive an expedited hearing under section 3517.156 of the Revised 9886  
Code, the attorney shall recommend to the commission that the 9887  
complaint receive an expedited hearing, and, if a majority of the 9888  
members of the commission agrees with the recommendation, the 9889  
complaint shall receive an expedited hearing under that section. 9890

(4) The attorney may join two or more complaints if the 9891  
attorney determines that the allegations in each complaint are of 9892  
the same or similar character, are based on the same act or 9893  
failure to act, or are based on two or more acts or failures to 9894  
act constituting parts of a common scheme or plan. If one 9895  
complaint contains two or more allegations, the attorney may 9896  
separate the allegations if they are not of the same or similar 9897  
character, if they are not based on the same act or failure to 9898  
act, or if they are not based on two or more acts or failures to 9899  
act constituting parts of a common scheme or plan. If the attorney 9900  
separates the allegations in a complaint, the attorney may make 9901  
separate recommendations under division (A)(2) or (3) of this 9902  
section for each allegation. 9903

(B) Whenever a person or other entity files a complaint with 9904  
the commission setting forth a failure to comply with or a 9905  
violation of a section of the Revised Code as described in 9906  
division (A)(2)(c) of this section and the complaint is filed 9907  
during one of the periods of time specified in division (B)(1) of 9908  
section 3517.156 of the Revised Code, the person or entity may 9909  
request an expedited hearing under that section at the time the 9910  
complaint is filed. The attorney for the commission shall inform 9911  
the members of the commission of that request at the time the 9912  
attorney makes a recommendation under division (A) of this 9913  
section. The commission may grant the request for an expedited 9914



hearing under this division if it determines that an expedited 9915  
hearing is practicable. 9916

**Sec. 3517.155.** (A)(1) Except as otherwise provided in 9917  
division (B) of this section, the Ohio elections commission shall 9918  
hold its first hearing on a complaint filed with it, other than a 9919  
complaint that receives an expedited hearing under section 9920  
3517.156 of the Revised Code, not later than ninety business days 9921  
after the complaint is filed unless the commission has good cause 9922  
to hold the hearing after that time, in which case it shall hold 9923  
the hearing not later than one hundred eighty business days after 9924  
the complaint is filed. At the hearing, the commission shall 9925  
determine whether or not the failure to act or the violation 9926  
alleged in the complaint has occurred and shall do only one of the 9927  
following, except as otherwise provided in division (B) of this 9928  
section or in division (B) of section 3517.151 of the Revised 9929  
Code: 9930

(a) Enter a finding that good cause has been shown not to 9931  
impose a fine or not to refer the matter to the appropriate 9932  
prosecutor; 9933

(b) Impose a fine under section 3517.993 of the Revised Code; 9934

(c) Refer the matter to the appropriate prosecutor; 9935

~~(d) Direct the secretary of state or appropriate board of 9936  
elections with the authority to certify a candidate to the ballot 9937  
to remove a candidate's name from the ballot if the candidate is 9938  
barred from the ballot under division (D) of section 3517.1010 of 9939  
the Revised Code. 9940~~

(2) As used in division (A) of this section, "appropriate 9941  
prosecutor" means a prosecutor as defined in section 2935.01 of 9942  
the Revised Code and either of the following: 9943

(a) In the case of a failure to comply with or a violation of 9944

law involving a campaign committee or the committee's candidate, a 9945  
political party, a legislative campaign fund, a political action 9946  
committee, or a political contributing entity, that is required to 9947  
file a statement of contributions and expenditures with the 9948  
secretary of state under division (A) of section 3517.11 of the 9949  
Revised Code, the prosecutor of Franklin county; 9950

(b) In the case of a failure to comply with or a violation of 9951  
law involving any other campaign committee or committee's 9952  
candidate, or any other political party, political action 9953  
committee, or political contributing entity either of the 9954  
following as determined by the commission: 9955

(i) The prosecutor of Franklin county; 9956

(ii) The prosecutor of the county in which the candidacy or 9957  
ballot question or issue is submitted to the electors or, if it is 9958  
submitted in more than one county, the most populous of those 9959  
counties. 9960

(B) If the commission decides that the evidence is 9961  
insufficient for it to determine whether or not the failure to act 9962  
or the violation alleged in the complaint has occurred, the 9963  
commission, by the affirmative vote of five members, may request 9964  
that an investigatory attorney investigate the complaint. Upon 9965  
that request, an investigatory attorney shall make an 9966  
investigation in order to produce sufficient evidence for the 9967  
commission to decide the matter. If the commission requests an 9968  
investigation under this division, for good cause shown by the 9969  
investigatory attorney, the commission may extend by sixty days 9970  
the deadline for holding its first hearing on the complaint as 9971  
required in division (A) of this section. 9972

(C) The commission shall take one of the actions required 9973  
under division (A) of this section not later than thirty days 9974  
after the close of all the evidence presented. 9975

(D)(1) The commission shall make any finding of a failure to 9976  
comply with or a violation of law in regard to a complaint that 9977  
alleges a violation of ~~division (D) of section 3517.1010~~, division 9978  
(A) or (B) of section 3517.21, or division (A) or (B) of section 9979  
3517.22 of the Revised Code by clear and convincing evidence. The 9980  
commission shall make any finding of a failure to comply with or a 9981  
violation of law in regard to any other complaint by a 9982  
preponderance of the evidence. 9983

(2) If the commission finds a violation of division (B) of 9984  
section 3517.21 or division (B) of section 3517.22 of the Revised 9985  
Code, it shall refer the matter to the appropriate prosecutor 9986  
under division (A)(1)(c) of this section and shall not impose a 9987  
fine under division (A)(1)(b) of this section or section 3517.993 9988  
of the Revised Code. 9989

(E) In an action before the commission or a panel of the 9990  
commission, if the allegations of the complainant are not proved, 9991  
and the commission takes the action described in division 9992  
(A)(1)(a) of this section or a panel of the commission takes the 9993  
action described in division (C)(1) of section 3517.156 of the 9994  
Revised Code, the commission or a panel of the commission may find 9995  
that the complaint is frivolous, and, if the commission or panel 9996  
so finds, the commission shall order the complainant to pay 9997  
reasonable attorney's fees and to pay the costs of the commission 9998  
or panel as determined by a majority of the members of the 9999  
commission. The costs paid to the commission or panel under this 10000  
division shall be deposited into the Ohio elections commission 10001  
fund. 10002

Sec. 3517.211. (A) No elected official of a county, township, 10003  
municipal corporation, board of education, governing board of an 10004  
educational service center, or other local political subdivision 10005  
shall, during the ninety days before that elected official's name 10006

appears on the ballot at an election, produce or disseminate any 10007  
mass mailing or any form of advertising mailed from the official's 10008  
office or advertised in a periodical, on radio, internet, on 10009  
television, or through another similar medium that includes the 10010  
name or photograph of the elected official. A document or any form 10011  
of advertising produced or disseminated during the ninety-day 10012  
restricted period may include the name of the office the official 10013  
holds, but shall not include the name or photograph of the 10014  
official. 10015

(B) No violation of division (A) of this section occurs, and 10016  
no fine shall be imposed under section 3517.992 of the Revised 10017  
Code, if an elected official who is subject to the provisions of 10018  
division (A) of this section sends out daily and regular office 10019  
correspondence from the official's actual office or associated 10020  
with the duties of that public office, and not including any other 10021  
board or commission that the elected official serves on, in the 10022  
ordinary course of business that is issued on a regular schedule 10023  
throughout each year and directly necessary for the conduct of 10024  
business by the office, such as tax bills, and that normal 10025  
correspondence is sent during the ninety days before the date of 10026  
any election at which the elected official's name will appear on 10027  
the ballot. 10028

**Sec. 3517.992.** This section establishes penalties only with 10029  
respect to acts or failures to act that occur on and after August 10030  
24, 1995. 10031

(A)(1) A candidate whose campaign committee violates division 10032  
(A), (B), (C), (D), or (V) of section 3517.13 of the Revised Code, 10033  
or a treasurer of a campaign committee who violates any of those 10034  
divisions, shall be fined not more than one hundred dollars for 10035  
each day of violation. 10036

(2) Whoever violates division (E) or (X)(5) of section 10037  
3517.13 or division (E)(1) of section 3517.1014 of the Revised 10038  
Code shall be fined not more than one hundred dollars for each day 10039  
of violation. 10040

(B) A political party that violates division (F)(1) of 10041  
section 3517.101 of the Revised Code shall be fined not more than 10042  
one hundred dollars for each day of violation. 10043

(C) Whoever violates division (F)(2) of section 3517.101, 10044  
division (G) of section 3517.13, or division (E)(2) or (3) of 10045  
section 3517.1014 of the Revised Code shall be fined not more than 10046  
ten thousand dollars or, if the offender is a person who was 10047  
nominated or elected to public office, shall forfeit the 10048  
nomination or the office to which the offender was elected, or 10049  
both. 10050

(D) Whoever violates division (F) of section 3517.13 of the 10051  
Revised Code shall be fined not more than three times the amount 10052  
contributed. 10053

(E) Whoever violates division (H) of section 3517.13 of the 10054  
Revised Code shall be fined not more than one hundred dollars. 10055

(F) Whoever violates division (O), (P), or (Q) of section 10056  
3517.13 of the Revised Code is guilty of a misdemeanor of the 10057  
first degree. 10058

(G) A state or county committee of a political party that 10059  
violates division (B)(1) of section 3517.18 of the Revised Code 10060  
shall be fined not more than twice the amount of the improper 10061  
expenditure. 10062

(H) A state or county political party that violates division 10063  
(G) of section 3517.101 of the Revised Code shall be fined not 10064  
more than twice the amount of the improper expenditure or use. 10065

(I)(1) Any individual who violates division (B)(1) of section 10066

3517.102 of the Revised Code and knows that the contribution the 10067  
individual makes violates that division shall be fined an amount 10068  
equal to three times the amount contributed in excess of the 10069  
amount permitted by that division. 10070

(2) Any political action committee that violates division 10071  
(B)(2) of section 3517.102 of the Revised Code shall be fined an 10072  
amount equal to three times the amount contributed in excess of 10073  
the amount permitted by that division. 10074

(3) Any campaign committee that violates division (B)(3) or 10075  
(5) of section 3517.102 of the Revised Code shall be fined an 10076  
amount equal to three times the amount contributed in excess of 10077  
the amount permitted by that division. 10078

(4)(a) Any legislative campaign fund that violates division 10079  
(B)(6) of section 3517.102 of the Revised Code shall be fined an 10080  
amount equal to three times the amount transferred or contributed 10081  
in excess of the amount permitted by that division, as applicable. 10082

(b) Any state political party, county political party, or 10083  
state candidate fund of a state political party or county 10084  
political party that violates division (B)(6) of section 3517.102 10085  
of the Revised Code shall be fined an amount equal to three times 10086  
the amount transferred or contributed in excess of the amount 10087  
permitted by that division, as applicable. 10088

(c) Any political contributing entity that violates division 10089  
(B)(7) of section 3517.102 of the Revised Code shall be fined an 10090  
amount equal to three times the amount contributed in excess of 10091  
the amount permitted by that division. 10092

(5) Any political party that violates division (B)(4) of 10093  
section 3517.102 of the Revised Code shall be fined an amount 10094  
equal to three times the amount contributed in excess of the 10095  
amount permitted by that division. 10096

(6) Notwithstanding divisions (I)(1), (2), (3), (4), and (5) 10097

of this section, no violation of division (B) of section 3517.102 10098  
of the Revised Code occurs, and the secretary of state shall not 10099  
refer parties to the Ohio elections commission, if the amount 10100  
transferred or contributed in excess of the amount permitted by 10101  
that division meets either of the following conditions: 10102

(a) It is completely refunded within five business days after 10103  
it is accepted. 10104

(b) It is completely refunded on or before the tenth business 10105  
day after notification to the recipient of the excess transfer or 10106  
contribution by the board of elections or the secretary of state 10107  
that a transfer or contribution in excess of the permitted amount 10108  
has been received. 10109

(J)(1) Any campaign committee that violates division (C)(1), 10110  
(2), (3), or (6) of section 3517.102 of the Revised Code shall be 10111  
fined an amount equal to three times the amount accepted in excess 10112  
of the amount permitted by that division. 10113

(2)(a) Any county political party that violates division 10114  
(C)(4)(a)(ii) or (iii) of section 3517.102 of the Revised Code 10115  
shall be fined an amount equal to three times the amount accepted. 10116

(b) Any county political party that violates division 10117  
(C)(4)(a)(i) of section 3517.102 of the Revised Code shall be 10118  
fined an amount from its state candidate fund equal to three times 10119  
the amount accepted in excess of the amount permitted by that 10120  
division. 10121

(c) Any state political party that violates division 10122  
(C)(4)(b) of section 3517.102 of the Revised Code shall be fined 10123  
an amount from its state candidate fund equal to three times the 10124  
amount accepted in excess of the amount permitted by that 10125  
division. 10126

(3) Any legislative campaign fund that violates division 10127  
(C)(5) of section 3517.102 of the Revised Code shall be fined an 10128

amount equal to three times the amount accepted in excess of the 10129  
amount permitted by that division. 10130

(4) Any political action committee or political contributing 10131  
entity that violates division (C)(7) of section 3517.102 of the 10132  
Revised Code shall be fined an amount equal to three times the 10133  
amount accepted in excess of the amount permitted by that 10134  
division. 10135

(5) Notwithstanding divisions (J)(1), (2), (3), and (4) of 10136  
this section, no violation of division (C) of section 3517.102 of 10137  
the Revised Code occurs, and the secretary of state shall not 10138  
refer parties to the Ohio elections commission, if the amount 10139  
transferred or contributed in excess of the amount permitted to be 10140  
accepted by that division meets either of the following 10141  
conditions: 10142

(a) It is completely refunded within five business days after 10143  
its acceptance. 10144

(b) It is completely refunded on or before the tenth business 10145  
day after notification to the recipient of the excess transfer or 10146  
contribution by the board of elections or the secretary of state 10147  
that a transfer or contribution in excess of the permitted amount 10148  
has been received. 10149

(K)(1) Any legislative campaign fund that violates division 10150  
(F)(1) of section 3517.102 of the Revised Code shall be fined 10151  
twenty-five dollars for each day of violation. 10152

(2) Any legislative campaign fund that violates division 10153  
(F)(2) of section 3517.102 of the Revised Code shall give to the 10154  
treasurer of state for deposit into the state treasury to the 10155  
credit of the Ohio elections commission fund all excess 10156  
contributions not disposed of as required by division (E) of 10157  
section 3517.102 of the Revised Code. 10158

(L) Whoever violates section 3517.105 of the Revised Code 10159



shall be fined one thousand dollars. 10160

(M)(1) Whoever solicits a contribution in violation of 10161  
section 3517.092 or violates division (B) of section 3517.09 of 10162  
the Revised Code is guilty of a misdemeanor of the first degree. 10163

(2) Whoever knowingly accepts a contribution in violation of 10164  
division (B) or (C) of section 3517.092 of the Revised Code shall 10165  
be fined an amount equal to three times the amount accepted in 10166  
violation of either of those divisions and shall return to the 10167  
contributor any amount so accepted. Whoever unknowingly accepts a 10168  
contribution in violation of division (B) or (C) of section 10169  
3517.092 of the Revised Code shall return to the contributor any 10170  
amount so accepted. 10171

(N) Whoever violates division (S) of section 3517.13 of the 10172  
Revised Code shall be fined an amount equal to three times the 10173  
amount of funds transferred or three times the value of the assets 10174  
transferred in violation of that division. 10175

(O) Any campaign committee that accepts a contribution or 10176  
contributions in violation of section 3517.108 of the Revised 10177  
Code, uses a contribution in violation of that section, or fails 10178  
to dispose of excess contributions in violation of that section 10179  
shall be fined an amount equal to three times the amount accepted, 10180  
used, or kept in violation of that section. 10181

(P) Any political party, state candidate fund, legislative 10182  
candidate fund, or campaign committee that violates division (T) 10183  
of section 3517.13 of the Revised Code shall be fined an amount 10184  
equal to three times the amount contributed or accepted in 10185  
violation of that section. 10186

(Q) A treasurer of a committee or another person who violates 10187  
division (U) of section 3517.13 of the Revised Code shall be fined 10188  
not more than two hundred fifty dollars. 10189

(R) Whoever violates division (I) or (J) of section 3517.13 10190

of the Revised Code shall be fined not more than one thousand 10191  
dollars. Whenever a person is found guilty of violating division 10192  
(I) or (J) of section 3517.13 of the Revised Code, the contract 10193  
awarded in violation of either of those divisions shall be 10194  
rescinded if its terms have not yet been performed. 10195

(S) A candidate whose campaign committee violates or a 10196  
treasurer of a campaign committee who violates section 3517.081 of 10197  
the Revised Code, and a candidate whose campaign committee 10198  
violates or a treasurer of a campaign committee or another person 10199  
who violates division (C) of section 3517.10 of the Revised Code, 10200  
shall be fined not more than five hundred dollars. 10201

(T) A candidate whose campaign committee violates or a 10202  
treasurer of a committee who violates division (B) of section 10203  
3517.09 of the Revised Code, or a candidate whose campaign 10204  
committee violates or a treasurer of a campaign committee or 10205  
another person who violates division (C) of section 3517.09 of the 10206  
Revised Code shall be fined not more than one thousand dollars. 10207

(U) Whoever violates section 3517.20 of the Revised Code 10208  
shall be fined not more than five hundred dollars. 10209

(V) Whoever violates section 3517.21 or section 3517.22 of 10210  
the Revised Code shall be imprisoned for not more than six months 10211  
or fined not more than five thousand dollars, or both. 10212

(W) A campaign committee that is required to file a 10213  
declaration of no limits under division (D)(2) of section 3517.103 10214  
of the Revised Code that, before filing that declaration, accepts 10215  
a contribution or contributions that exceed the limitations 10216  
prescribed in section 3517.102 of the Revised Code, shall return 10217  
that contribution or those contributions to the contributor. 10218

(X) Any campaign committee that fails to file the declaration 10219  
of filing-day finances required by division (F) of section 10220  
3517.109 ~~or the declaration of primary day finances or declaration~~ 10221

~~of year end finances required by division (E) of section 3517.1010~~ 10222  
of the Revised Code shall be fined twenty-five dollars for each 10223  
day of violation. 10224

(Y)(1) Any campaign committee that fails to dispose of excess 10225  
funds or excess aggregate contributions under division (B) of 10226  
section 3517.109 of the Revised Code in the manner required by 10227  
division (C) of that section ~~or under division (B) of section~~ 10228  
~~3517.1010 of the Revised Code in the manner required by division~~ 10229  
~~(C) of that section~~ shall give to the treasurer of state for 10230  
deposit into the Ohio elections commission fund created under 10231  
division (I) of section 3517.152 of the Revised Code all funds not 10232  
disposed of pursuant to ~~those divisions~~ that division. 10233

(2) Any treasurer of a transition fund that fails to dispose 10234  
of assets remaining in the transition fund as required under 10235  
division (H)(1) or (2) of section 3517.1014 of the Revised Code 10236  
shall give to the treasurer of state for deposit into the Ohio 10237  
elections commission fund all assets not disposed of pursuant to 10238  
that division. 10239

(Z) Any individual, campaign committee, political action 10240  
committee, political contributing entity, legislative campaign 10241  
fund, political party, treasurer of a transition fund, or other 10242  
entity that violates any provision of sections 3517.09 to 3517.12 10243  
of the Revised Code for which no penalty is provided for under any 10244  
other division of this section shall be fined not more than one 10245  
thousand dollars. 10246

(AA)(1) Whoever knowingly violates division (W)(1) of section 10247  
3517.13 of the Revised Code shall be fined an amount equal to 10248  
three times the amount contributed, expended, or promised in 10249  
violation of that division or ten thousand dollars, whichever 10250  
amount is greater. 10251

(2) Whoever knowingly violates division (W)(2) of section 10252

3517.13 of the Revised Code shall be fined an amount equal to 10253  
three times the amount solicited or accepted in violation of that 10254  
division or ten thousand dollars, whichever amount is greater. 10255

(BB) Whoever knowingly violates division (C) or (D) of 10256  
section 3517.1011 of the Revised Code shall be fined not more than 10257  
ten thousand dollars plus not more than one thousand dollars for 10258  
each day of violation. 10259

~~(CC)(1) Subject to division (CC)(2) of this section, whoever 10260  
violates division (H) of section 3517.1011 of the Revised Code 10261  
shall be fined an amount up to three times the amount disbursed 10262  
for the direct costs of airing the communication made in violation 10263  
of that division. 10264~~

~~(2) Whoever has been ordered by the Ohio elections commission 10265  
or by a court of competent jurisdiction to cease making 10266  
communications in violation of division (H) of section 3517.1011 10267  
of the Revised Code who again violates that division shall be 10268  
fined an amount equal to three times the amount disbursed for the 10269  
direct costs of airing the communication made in violation of that 10270  
division. 10271~~

~~(DD)~~(1) Any corporation or labor organization that violates 10272  
division (X)(3)(a) of section 3517.13 of the Revised Code shall be 10273  
fined an amount equal to three times the amount given in excess of 10274  
the amount permitted by that division. 10275

(2) Any state or county political party that violates 10276  
division (X)(3)(b) of section 3517.13 of the Revised Code shall be 10277  
fined an amount equal to three times the amount accepted in excess 10278  
of the amount permitted by that division. 10279

~~(EE)~~(DD)(1) Any campaign committee or person who violates 10280  
division (C)(1)(b) or (c) of section 3517.1014 of the Revised Code 10281  
shall be fined an amount equal to three times the amount donated 10282  
in excess of the amount permitted by that division. 10283

(2) Any officeholder or treasurer of a transition fund who 10284  
violates division (C)(3)(a) or (b) of section 3517.1014 of the 10285  
Revised Code shall be fined an amount equal to three times the 10286  
amount accepted in excess of the amount permitted by that 10287  
division. 10288

**Sec. 3519.01.** (A) Only one proposal of law or constitutional 10289  
amendment to be proposed by initiative petition shall be contained 10290  
in an initiative petition to enable the voters to vote on that 10291  
proposal separately. A petition shall include the text of any 10292  
existing statute or constitutional provision that would be amended 10293  
or repealed if the proposed law or constitutional amendment is 10294  
adopted. 10295

Whoever seeks to propose a law or constitutional amendment by 10296  
initiative petition shall, by a written petition signed by one 10297  
thousand qualified electors, submit the proposed law or 10298  
constitutional amendment and a summary of it to the attorney 10299  
general for examination. Within ten days after the receipt of the 10300  
written petition and the summary of it, the attorney general shall 10301  
conduct an examination of the summary. If, in the opinion of the 10302  
attorney general, the summary is a fair and truthful statement of 10303  
the proposed law or constitutional amendment, the attorney general 10304  
shall so certify and then forward the submitted petition to the 10305  
Ohio ballot board for its approval under division (A) of section 10306  
3505.062 of the Revised Code. If the Ohio ballot board returns the 10307  
submitted petition to the attorney general with its certification 10308  
as described in that division, the attorney general shall then 10309  
file with the secretary of state a verified copy of the proposed 10310  
law or constitutional amendment together with its summary and the 10311  
attorney general's certification. 10312

Whenever the Ohio ballot board divides an initiative petition 10313  
into individual petitions containing only one proposed law or 10314

constitutional amendment under division (A) of section 3505.062 of 10315  
the Revised Code resulting in the need for the petitioners to 10316  
resubmit to the attorney general appropriate summaries for each of 10317  
the individual petitions arising from the board's division of the 10318  
initiative petition, the attorney general shall review the 10319  
resubmitted summaries, within ten days after their receipt, to 10320  
determine if they are a fair and truthful statement of the 10321  
respective proposed laws or constitutional amendments and, if so, 10322  
certify them. These resubmissions shall contain no new 10323  
explanations or arguments. Then, the attorney general shall file 10324  
with the secretary of state a verified copy of each of the 10325  
proposed laws or constitutional amendments together with their 10326  
respective summaries and the attorney general's certification of 10327  
each. 10328

(B)(1) Whoever seeks to file a referendum petition against 10329  
any law, section, or item in any law shall, by a written petition 10330  
signed by one thousand qualified electors, submit the measure to 10331  
be referred and a summary of it to the secretary of state and, on 10332  
the same day or within one business day before or after that day, 10333  
submit a copy of the petition, measure, and summary to the 10334  
attorney general. 10335

(2) Not later than ten business days after receiving the 10336  
petition, measure, and summary, the secretary of state shall do 10337  
both of the following: 10338

(a) Have the validity of the signatures on the petition 10339  
verified; 10340

(b) After comparing the text of the measure to be referred 10341  
with the copy of the enrolled act on file in the secretary of 10342  
state's office containing the law, section, or item of law, 10343  
determine whether the text is correct and, if it is, so certify. 10344

(3) Not later than ten business days after receiving a copy 10345

of the petition, measure, and summary, the attorney general shall 10346  
examine the summary and, if in the attorney general's opinion, the 10347  
summary is a fair and truthful statement of the measure to be 10348  
referred, so certify. 10349

(C) Any person who is aggrieved by a certification decision 10350  
under division (A) or (B) of this section may challenge the 10351  
certification or failure to certify of the attorney general in the 10352  
supreme court, which shall have exclusive, original jurisdiction 10353  
in all challenges of those certification decisions. 10354

~~Sec. 3519.16. The circulator of any part petition, the 10355  
committee interested in the petition, or any elector may file with 10356  
the board of elections a protest against the board's findings made 10357  
pursuant to section 3519.15 of the Revised Code. Protests shall be 10358  
in writing and shall specify reasons for the protest. Protests for 10359  
all initiative and referendum petitions other than those to be 10360  
voted on by electors throughout the entire state shall be filed 10361  
not later than four p.m. of the seventy fourth day before the day 10362  
of the election. Once a protest is filed, the board shall proceed 10363  
to establish the sufficiency or insufficiency of the signatures 10364  
and of the verification of those signatures in an action before 10365  
the court of common pleas in the county. The action shall be 10366  
brought within three days after the protest is filed, and it shall 10367  
be heard forthwith by a judge of that court, whose decision shall 10368  
be certified to the board. The signatures that are adjudged 10369  
sufficient or the part petitions that are adjudged properly 10370  
verified shall be included with the others by the board, and those 10371  
found insufficient and all those part petitions that are adjudged 10372  
not properly verified shall not be included. (A) Pursuant to 10373  
Section 1g of Article II, Ohio Constitution, the supreme court of 10374  
Ohio shall have original, exclusive jurisdiction in all challenges 10375  
to initiative and referendum petitions. 10376~~

(B) The petitioner 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 petitioner 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 county and the number of signatures on each part-petition;

(3) An index of the electronic copy.

(C) For a request made under Chapter 149. of the Revised Code for the inspection or copying of the original petition filed with the secretary of state, the request is fulfilled when the secretary of state provides inspection of or copies of the electronic copy filed by the petitioner of the petition. This section applies from the time of the initial filing of the petition with the secretary of state and remains applicable until the part-petitions are returned to the secretary of state from the local board of elections after a determination of sufficiency of the petition pursuant to section 3519.15 of the Revised Code.

(D) Discrepancies between the electronic copy filed under division (B)(1) of this section and the original paper petitions as filed with the secretary of state shall not render the petition invalid. Discrepancies between a filed electronic copy and the original paper petition, if the product of fraud, shall be subject to criminal penalties under section 3599.36 of the Revised Code.

(E) The properly verified part-petitions, together with the report of the board, shall be returned to the secretary of state



~~not less than sixty days before the election, provided that, in~~ 10408  
~~the case of an initiated law to be presented to the general~~ 10409  
~~assembly, the boards shall promptly check and return the petitions~~ 10410  
~~together with their report.~~ The secretary of state shall notify, 10411  
by certified mail, the chairperson each member of the committee in 10412  
charge of the circulation as to the sufficiency or insufficiency 10413  
of the petition and the extent of the insufficiency. 10414

If the petition is found insufficient because of an 10415  
insufficient number of valid signatures, the committee shall be 10416  
allowed ten additional days after the ~~notification by first member~~ 10417  
of the committee receives notice of the petition's insufficiency 10418  
by certified mail from the secretary of state for the filing of 10419  
additional signatures to the petition. No additional signatures 10420  
may be collected by the circulator of the petition until the 10421  
secretary of state determines the sufficiency of the signatures 10422  
that the circulator originally filed with the secretary of state 10423  
The part-petitions of the supplementary petition that appear to 10424  
the secretary of state to be properly verified, upon their receipt 10425  
by the secretary of state, shall forthwith be forwarded to the 10426  
boards of the several counties together with the part-petitions of 10427  
the original petition that have been properly verified. They shall 10428  
be immediately examined and passed upon as to the validity and 10429  
sufficiency of the signatures on them by each of the boards and 10430  
returned within five days to the secretary of state with the 10431  
report of each board. No signature on a supplementary 10432  
part-petition that is the same as a signature on an original 10433  
part-petition shall be counted. The number of signatures in both 10434  
the original and supplementary petitions, properly verified, shall 10435  
be used by the secretary of state in determining the total number 10436  
of signatures to the petition that the secretary of state shall 10437  
record and announce. If they are sufficient, the amendment, 10438  
proposed law, or law shall be placed on the ballot as required by 10439  
law. If the petition is found insufficient, the secretary of state 10440

shall notify the committee in charge of the circulation of the 10441  
petition. 10442

**Sec. 3599.03.** (A)(1) ~~Except to carry on activities specified~~ 10443  
~~in sections 3517.082 and 3517.1011, division (A)(2) of section~~ 10444  
~~3517.1012, division (B) of section 3517.1013, division (C)(1) of~~ 10445  
~~section 3517.1014, and section 3599.031 of the Revised Code and~~ 10446  
~~except as provided in divisions (D), (E), and (F)~~ (a) Subject to 10447  
division (A)(1)(b) of this section, no corporation, no nonprofit 10448  
corporation, and no labor organization, directly or indirectly, 10449  
shall pay or use, or offer, advise, consent, or agree to pay or 10450  
use, the corporation's money or property, or the labor 10451  
organization's money, including dues, initiation fees, or other 10452  
assessments paid by members, or property, ~~for or in aid of or~~ 10453  
~~opposition to make a contribution~~ to a political party, a 10454  
candidate for election or nomination to public office, a political 10455  
action committee including a political action committee of the 10456  
corporation or labor organization, a legislative campaign fund, or 10457  
any organization that supports or opposes any such candidate, ~~or~~ 10458  
~~for any partisan political purpose,~~ shall violate any law 10459  
requiring the filing of an affidavit or statement respecting such 10460  
use of those funds, or shall pay or use the corporation's or labor 10461  
organization's money for the expenses of a social fund-raising 10462  
event for its political action committee if an employee's or labor 10463  
organization member's right to attend such an event is predicated 10464  
on the employee's or member's contribution to the corporation's or 10465  
labor organization's political action committee. 10466

(b) Nothing in this section prohibits a labor organization 10467  
from making a contribution to a candidate's campaign committee or 10468  
to another political entity or from making an independent 10469  
expenditure. 10470

(2) Whoever violates division (A)(1)(a) of this section shall 10471

be fined not less than five hundred nor more than five thousand 10472  
dollars. 10473

(B)(1) No officer, stockholder, attorney, or agent of a 10474  
corporation or nonprofit corporation, no member, including an 10475  
officer, attorney, or agent, of a labor organization, and no 10476  
candidate, political party official, or other individual shall 10477  
knowingly aid, advise, solicit, or receive money or other property 10478  
in violation of division (A)(1)(a) of this section. 10479

(2) Whoever violates division (B)(1) of this section shall be 10480  
fined not more than one thousand dollars, or imprisoned not more 10481  
than one year, or both. 10482

(C) A corporation, a nonprofit corporation, or a labor 10483  
organization may use its funds or property for or in aid of or 10484  
opposition to a proposed or certified ballot issue. Such use of 10485  
funds or property shall be reported on a form prescribed by the 10486  
secretary of state. Reports of contributions in connection with 10487  
statewide ballot issues shall be filed with the secretary of 10488  
state. Reports of contributions in connection with local issues 10489  
shall be filed with the board of elections of the most populous 10490  
county of the district in which the issue is submitted or to be 10491  
submitted to the electors. Reports made pursuant to this division 10492  
shall be filed by the times specified in divisions (A)(1) and (2) 10493  
of section 3517.10 of the Revised Code. 10494

(D)(1) Any gift made pursuant to section 3517.101 of the 10495  
Revised Code does not constitute a violation of this section or of 10496  
any other section of the Revised Code. 10497

(2) Any gift made pursuant to division (A)(2) of section 10498  
3517.1012 of the Revised Code does not constitute a violation of 10499  
this section. 10500

(3) Any gift made pursuant to division (B) of section 10501  
3517.1013 of the Revised Code does not constitute a violation of 10502

this section. 10503

(4) Any donation made pursuant to division (C)(1) of section 10504  
3517.1014 of the Revised Code does not constitute a violation of 10505  
this section. 10506

(E) Any compensation or fees paid by a financial institution 10507  
to a state political party for services rendered pursuant to 10508  
division (B) of section 3517.19 of the Revised Code do not 10509  
constitute a violation of this section or of any other section of 10510  
the Revised Code. 10511

(F)(1) The use by a nonprofit corporation of its money or 10512  
property for communicating information for a purpose specified in 10513  
division (A) of this section is not a violation of that division 10514  
if the stockholders, members, donors, trustees, or officers of the 10515  
nonprofit corporation are the predominant recipients of the 10516  
communication. 10517

(2) The placement of a campaign sign on the property of a 10518  
corporation, nonprofit corporation, or labor organization is not a 10519  
use of property in violation of division (A) of this section by 10520  
that corporation, nonprofit corporation, or labor organization. 10521

(3) The use by a corporation or labor organization of its 10522  
money or property for communicating information for a purpose 10523  
specified in division (A) of this section is not a violation of 10524  
that division if it is not a communication made by mass broadcast 10525  
such as radio or television or made by advertising in a newspaper 10526  
of general circulation but is a communication sent exclusively to 10527  
members, employees, officers, or trustees of that labor 10528  
organization or shareholders, employees, officers, or directors of 10529  
that corporation or to members of the immediate families of any 10530  
such individuals or if the communication intended to be so sent 10531  
exclusively is unintentionally sent as well to a de minimis number 10532  
of other individuals. 10533

(G) In addition to the laws listed in division (A) of section 10534  
4117.10 of the Revised Code that prevail over conflicting 10535  
agreements between employee organizations and public employers, 10536  
this section prevails over any conflicting provisions of 10537  
agreements between labor organizations and public employers that 10538  
are entered into on or after March 31, 2005, pursuant to Chapter 10539  
4117. of the Revised Code. 10540

(H) As used in this section, "labor organization" has the 10541  
same meaning as in section 3517.01 of the Revised Code. 10542

**Sec. 3599.07.** No ~~judge of elections~~ precinct election 10543  
official, observer, or police officer admitted into the polling 10544  
rooms at the election, at any time while the polls are open, shall 10545  
have in the individual's possession, distribute, or give out any 10546  
ballot or ticket to any person on any pretense during the 10547  
receiving, counting, or certifying of the votes, or have any 10548  
ballot or ticket in the individual's possession or control, except 10549  
in the proper discharge of the individual's official duty in 10550  
receiving, counting, or canvassing the votes. This section does 10551  
not prevent the lawful exercise by a ~~judge of elections~~ precinct 10552  
election official or observer of the individual right to vote at 10553  
such election. 10554

**Sec. 3599.17.** (A) No elections official serving as a 10555  
registrar or ~~judge of elections~~ precinct election official shall 10556  
do any of the following: 10557

(1) Fail to appear before the board of elections, or its 10558  
representative, after notice has been served personally upon the 10559  
official or left at the official's usual place of residence, for 10560  
examination as to the official's qualifications; 10561

(2) Fail to appear at the polling place to which the official 10562  
is assigned at the hour and during the hours set for the 10563

|                                                                                                                                                                                                                                                                                  |                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| registration or election;                                                                                                                                                                                                                                                        | 10564                            |
| (3) Fail to take the oath prescribed by section 3501.31 of the Revised Code, unless excused by such board;                                                                                                                                                                       | 10565<br>10566                   |
| (4) Refuse or sanction the refusal of another registrar or <del>judge of elections</del> <u>precinct election official</u> to administer an oath required by law;                                                                                                                | 10567<br>10568<br>10569          |
| (5) Fail to send notice to the board of the appointment of a <del>judge</del> <u>precinct election official</u> to fill a vacancy;                                                                                                                                               | 10570<br>10571                   |
| (6) Act as registrar or <del>judge</del> <u>precinct election official</u> without having been appointed and having received a certificate of appointment, except a <del>judge</del> <u>precinct election official</u> appointed to fill a vacancy caused by absence or removal; | 10572<br>10573<br>10574<br>10575 |
| (7) Fail in any other way to perform any duty imposed by law.                                                                                                                                                                                                                    | 10576                            |
| (B) Whoever violates division (A) of this section is guilty of a misdemeanor of the first degree.                                                                                                                                                                                | 10577<br>10578                   |
| <b>Sec. 3599.19.</b> (A) No <del>judge of elections</del> <u>precinct election official</u> shall knowingly do any of the following:                                                                                                                                             | 10579<br>10580                   |
| (1) Unlawfully open or permit to be opened the sealed package containing registration lists, ballots, blanks, pollbooks, and other papers and material to be used in an election;                                                                                                | 10581<br>10582<br>10583          |
| (2) Unlawfully misplace, carry away, negligently lose or permit to be taken from the <del>judge</del> <u>precinct election official</u> , fail to deliver, or destroy any such packages, papers, or material;                                                                    | 10584<br>10585<br>10586          |
| (3) Receive or sanction the reception of a ballot from a person not a qualified elector or from a person who refused to answer a question in accordance with the election law;                                                                                                   | 10587<br>10588<br>10589          |
| (4) Refuse to receive or sanction the rejection of a ballot from a person, knowing that person to be a qualified elector;                                                                                                                                                        | 10590<br>10591                   |
| (5) Permit a fraudulent ballot to be placed in the ballot                                                                                                                                                                                                                        | 10592                            |

|                                                                                                                                                                                                                                                                                                                                             |                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|
| box;                                                                                                                                                                                                                                                                                                                                        | 10593                                     |
| (6) Place or permit to be placed in any ballot box any ballot known by the <del>judge</del> <u>precinct election official</u> to be improperly or falsely marked;                                                                                                                                                                           | 10594<br>10595<br>10596                   |
| (7) Count or permit to be counted any illegal or fraudulent ballot;                                                                                                                                                                                                                                                                         | 10597<br>10598                            |
| (8) Mislead an elector who is physically unable to prepare the elector's ballot, mark a ballot for such elector otherwise than as directed by that elector, or disclose to any person, except when legally required to do so, how such elector voted;                                                                                       | 10599<br>10600<br>10601<br>10602          |
| (9) Alter or mark or permit any alteration or marking on any ballot when counting the ballots;                                                                                                                                                                                                                                              | 10603<br>10604                            |
| (10) Unlawfully count or tally or sanction the wrongful counting or tallying of votes;                                                                                                                                                                                                                                                      | 10605<br>10606                            |
| (11) After the counting of votes commences, as required by law, postpone or sanction the postponement of the counting of votes, adjourn at any time or to any place, or remove the ballot box from the place of voting, or from the custody or presence of all the <del>judges of such elections</del> <u>precinct election officials</u> ; | 10607<br>10608<br>10609<br>10610<br>10611 |
| (12) Permit any ballot to remain or to be in the ballot box at the opening of the polls, or to be put in the box during the counting of the ballots, or to be left in the box without being counted;                                                                                                                                        | 10612<br>10613<br>10614<br>10615          |
| (13) Admit or sanction the admission to the polling room at an election during the receiving, counting, and certifying of votes of any person not qualified by law to be so admitted;                                                                                                                                                       | 10616<br>10617<br>10618                   |
| (14) Refuse to admit or sanction the refusal to admit any person, upon lawful request for admission, who is legally qualified to be present;                                                                                                                                                                                                | 10619<br>10620<br>10621                   |
| (15) Permit or sanction the counting of the ballots contrary                                                                                                                                                                                                                                                                                | 10622                                     |

to the manner prescribed by law; 10623

(16) Neglect or unlawfully execute any duty enjoined upon the 10624  
~~judge~~ precinct election official by law. 10625

(B) Whoever violates division (A) of this section is guilty 10626  
of a misdemeanor of the first degree. 10627

**Sec. 3599.30.** No school operated by a school district, no 10628  
community school established under Chapter 3314. of the Revised 10629  
Code, no STEM school established under Chapter 3326. of the 10630  
Revised Code, and no chartered nonpublic school shall, during the 10631  
regular school day, transport one or more students to a polling 10632  
place or board of elections for the purpose of casting a ballot. 10633

**Sec. 3599.31.** No officer of the law shall fail to obey 10634  
forthwith an order of the ~~presiding judge~~ voting location manager 10635  
and aid in enforcing a lawful order of the ~~presiding judges~~ voting 10636  
location manager at an election, against persons unlawfully 10637  
congregating or loitering within one hundred feet of a polling 10638  
place, hindering or delaying an elector from reaching or leaving 10639  
the polling place, soliciting or attempting, within one hundred 10640  
feet of the polling place, to influence an elector in casting the 10641  
elector's vote, or interfering with the registration of voters or 10642  
casting and counting of the ballots. 10643

Whoever violates this section is guilty of a misdemeanor of 10644  
the first degree. 10645

**Section 2.** That existing sections 7.101, 511.27, 1545.21, 10646  
2101.44, 3501.01, 3501.05, 3501.051, 3501.053, 3501.10, 3501.11, 10647  
3501.13, 3501.14, 3501.17, 3501.18, 3501.20, 3501.22, 3501.26, 10648  
3501.27, 3501.28, 3501.29, 3501.30, 3501.301, 3501.31, 3501.32, 10649  
3501.33, 3501.35, 3501.37, 3501.38, 3503.02, 3503.06, 3503.14, 10650  
3503.15, 3503.16, 3503.18, 3503.19, 3503.21, 3503.24, 3503.26, 10651



3503.28, 3504.02, 3504.04, 3504.05, 3505.07, 3505.08, 3505.11, 10652  
3505.13, 3505.16, 3505.17, 3505.18, 3505.181, 3505.182, 3505.183, 10653  
3505.20, 3505.21, 3505.23, 3505.24, 3505.26, 3505.28, 3505.29, 10654  
3505.30, 3505.31, 3506.05, 3506.12, 3506.15, 3509.01, 3509.02, 10655  
3509.03, 3509.031, 3509.04, 3509.05, 3509.06, 3509.07, 3509.08, 10656  
3509.09, 3511.02, 3511.04, 3511.05, 3511.06, 3511.07, 3511.08, 10657  
3511.09, 3511.10, 3511.11, 3511.13, 3511.14, 3513.02, 3513.05, 10658  
3513.12, 3513.131, 3513.18, 3513.19, 3513.21, 3513.262, 3513.30, 10659  
3515.04, 3517.01, 3517.012, 3517.014, 3517.051, 3517.10, 3517.102, 10660  
3517.103, 3517.106, 3517.107, 3517.1011, 3517.11, 3517.153, 10661  
3517.154, 3517.155, 3517.992, 3519.01, 3519.16, 3599.03, 3599.07, 10662  
3599.17, 3599.19, and 3599.31 and sections 3503.29, 3504.01, 10663  
3506.16, 3517.016, and 3517.1010 of the Revised Code are hereby 10664  
repealed. 10665

**Section 3.** That sections 3.02, 302.09, 305.02, 503.24, 10666  
733.31, 1901.10, 2301.02, 3501.02, and 3513.31 of the Revised Code 10667  
be amended to read as follows, to make those sections consistent 10668  
with the requirements of the Ohio Constitution: 10669

**Sec. 3.02.** (A) When an elective office becomes vacant and is 10670  
filled by appointment, such appointee shall hold the office until 10671  
the appointee's successor is elected and qualified; and such 10672  
successor shall be elected for the unexpired term, at the first 10673  
general election for the office which is vacant that occurs more 10674  
than ~~fifty-six~~ forty days after the vacancy has occurred; provided 10675  
that when the unexpired term ends within one year immediately 10676  
following the date of such general election, an election to fill 10677  
such unexpired term shall not be held and the appointment shall be 10678  
for such unexpired term. 10679

(B) When an elective office becomes vacant and is filled by 10680  
appointment, the appointing authority shall, immediately but no 10681

later than seven days after making the appointment, certify it to 10682  
the board of elections and to the secretary of state. The board of 10683  
elections or, in the case of an appointment to a statewide office, 10684  
the secretary of state shall issue a certificate of appointment to 10685  
the appointee. Certificates of appointment shall be in such form 10686  
as the secretary of state shall prescribe. 10687

(C) When an elected candidate fails to qualify for the office 10688  
to which the candidate has been elected, the office shall be 10689  
filled as in the case of a vacancy. Until so filled, the incumbent 10690  
officer shall continue to hold office. This section does not 10691  
postpone the time for such election beyond that at which it would 10692  
have been held had no such vacancy occurred, or affect the 10693  
official term, or the time for the commencement thereof, of any 10694  
person elected to such office before the occurrence of such 10695  
vacancy. 10696

**Sec. 302.09.** When a vacancy occurs in the board of county 10697  
commissioners or in the office of county auditor, county 10698  
treasurer, prosecuting attorney, clerk of the court of common 10699  
pleas, sheriff, county recorder, county engineer, or coroner more 10700  
than ~~fifty-six~~ forty days before the next general election for 10701  
state and county officers, the vacancy shall be filled as provided 10702  
for in divisions (A) and (B) of section 305.02 of the Revised 10703  
Code. 10704

**Sec. 305.02.** (A) If a vacancy in the office of county 10705  
commissioner, prosecuting attorney, county auditor, county 10706  
treasurer, clerk of the court of common pleas, sheriff, county 10707  
recorder, county engineer, or coroner occurs more than ~~fifty-six~~ 10708  
forty days before the next general election for state and county 10709  
officers, a successor shall be elected at such election for the 10710  
unexpired term unless such term expires within one year 10711  
immediately following the date of such general election. 10712

In either event, the vacancy shall be filled as provided in 10713  
this section, and the appointee shall hold office until a 10714  
successor is elected and qualified. 10715

(B) If a vacancy occurs from any cause in any of the offices 10716  
named in division (A) of this section, the county central 10717  
committee of the political party with which the last occupant of 10718  
the office was affiliated shall appoint a person to hold the 10719  
office and to perform the duties thereof until a successor is 10720  
elected and has qualified, except that if such vacancy occurs 10721  
because of the death, resignation, or inability to take the office 10722  
of an officer-elect whose term has not yet begun, an appointment 10723  
to take such office at the beginning of the term shall be made by 10724  
the central committee of the political party with which such 10725  
officer-elect was affiliated. 10726

(C) Not less than five nor more than forty-five days after a 10727  
vacancy occurs, the county central committee shall meet for the 10728  
purpose of making an appointment under this section. Not less than 10729  
four days before the date of such meeting the chairperson or 10730  
secretary of such central committee shall send by first class mail 10731  
to every member of such central committee a written notice which 10732  
shall state the time and place of such meeting and the purpose 10733  
thereof. A majority of the members of the central committee 10734  
present at such meeting may make the appointment. 10735

(D) If the last occupant of the office or the officer-elect 10736  
was elected as an independent candidate, the board of county 10737  
commissioners shall make such appointment at the time when the 10738  
vacancy occurs, except where the vacancy is in the office of 10739  
county commissioner, in which case the prosecuting attorney and 10740  
the remaining commissioners or a majority of them shall make the 10741  
appointment. 10742

(E) Appointments made under this section shall be certified 10743  
by the appointing county central committee or by the board of 10744

county commissioners to the county board of elections and to the 10745  
secretary of state, and the persons so appointed and certified 10746  
shall be entitled to all remuneration provided by law for the 10747  
offices to which they are appointed. 10748

(F) The board of county commissioners may appoint a person to 10749  
hold any of the offices named in division (A) of this section as 10750  
an acting officer and to perform the duties thereof between the 10751  
occurrence of the vacancy and the time when the officer appointed 10752  
by the central committee qualifies and takes the office. 10753

(G) A person appointed prosecuting attorney or assistant 10754  
prosecuting attorney shall give bond and take the oath of office 10755  
prescribed by section 309.03 of the Revised Code for the 10756  
prosecuting attorney. 10757

**Sec. 503.24.** If there is a vacancy by reason of the 10758  
nonacceptance, death, or removal of a person chosen to an office 10759  
in any township at the regular election, or if there is a vacancy 10760  
from any other cause, the board of township trustees shall appoint 10761  
a person having the qualifications of an elector to fill such 10762  
vacancy for the unexpired term or until a successor is elected. 10763

If a township is without a board or if no appointment is made 10764  
within thirty days after the occurrence of a vacancy, a majority 10765  
of the persons designated as the committee of five on the 10766  
last-filed nominating petition of the township officer whose 10767  
vacancy is to be filled who are residents of the township shall 10768  
appoint a person having the qualifications of an elector to fill 10769  
the vacancy for the unexpired term or until a successor is 10770  
elected. If at least three of the committee members who are 10771  
residents of the township cannot be found, or if that number of 10772  
such members fails to make an appointment within ten days after 10773  
the thirty-day period in which the board of township trustees is 10774  
authorized to make an appointment, then the presiding probate 10775

judge of the county shall appoint a suitable person having the 10776  
qualifications of an elector in the township to fill the vacancy 10777  
for the unexpired term or until a successor is elected. 10778

If a vacancy occurs in a township elective office more than 10779  
~~fifty six~~ forty days before the next general election for 10780  
municipal and township officers a successor shall be chosen at 10781  
that election to fill the unexpired term, provided the term does 10782  
not expire within one year from the day of the election. If the 10783  
term expires within one year from the day of the next general 10784  
election for municipal and township officers, a successor 10785  
appointed pursuant to this section shall serve out the unexpired 10786  
term. 10787

**Sec. 733.31.** (A) Unless otherwise provided by law, vacancies 10788  
arising in appointive and elective offices of villages shall be 10789  
filled by appointment by the mayor for the remainder of the 10790  
unexpired term, provided that: 10791

(1) Vacancies in the office of mayor shall be filled in the 10792  
manner provided by section 733.25 of the Revised Code; 10793

(2) Vacancies in the membership of the legislative authority 10794  
shall be filled in the manner provided by section 731.43 of the 10795  
Revised Code; 10796

(3) Vacancies in the office of president pro tempore of a 10797  
village legislative authority shall be filled in the manner 10798  
provided by section 731.11 of the Revised Code. 10799

In the event of a vacancy in the office of village clerk or 10800  
treasurer, the mayor may appoint a person to serve as an acting 10801  
officer to perform the duties of the office until a permanent 10802  
officer is appointed to fill the vacancy. 10803

(B) Unless otherwise provided by law, vacancies arising in 10804  
appointive offices of cities shall be filled by appointment by the 10805

mayor for the remainder of the unexpired term. 10806

(C) A vacancy in the office of president of the legislative 10807  
authority of a city shall be filled in the same manner as provided 10808  
in division (D) of this section. Vacancies in the office of mayor 10809  
of a city shall be filled in the manner provided in section 733.08 10810  
of the Revised Code. Vacancies in the membership of the 10811  
legislative authority of a city shall be filled in the manner 10812  
provided in section 731.43 of the Revised Code. 10813

(D) In case of the death, resignation, removal, or disability 10814  
of the director of law, auditor, or treasurer of a city and such 10815  
vacancy occurs more than ~~fifty-six~~ forty days before the next 10816  
general election for such office, a successor shall be elected at 10817  
such election for the unexpired term unless such term expires 10818  
within one year immediately following the date of such general 10819  
election. In either event, the vacancy shall be filled as provided 10820  
in this section and the appointee shall hold office until a 10821  
successor is elected and qualified. 10822

(1) The county central committee of the political party with 10823  
which the last occupant of the office was affiliated, acting 10824  
through its members who reside in the city where the vacancy 10825  
occurs, shall appoint a person to hold the office and to perform 10826  
the duties thereof until a successor is elected and has qualified, 10827  
except that if such vacancy occurs because of the death, 10828  
resignation, or inability to take the office of an officer-elect 10829  
whose term has not yet begun, an appointment to take such office 10830  
at the beginning of the term shall be made by the members of the 10831  
central committee who reside in the city where the vacancy occurs. 10832

(2) Not less than five nor more than forty-five days after a 10833  
vacancy occurs, the county central committee, acting through its 10834  
members who reside in the city where the vacancy occurs, shall 10835  
meet for the purpose of making an appointment. Not less than four 10836  
days before the date of the meeting the chairperson or secretary 10837

of the central committee shall send by first class mail to every 10838  
member of such central committee who resides in the city where the 10839  
vacancy occurs a written notice which shall state the time and 10840  
place of such meeting and the purpose thereof. A majority of the 10841  
members of the central committee present at such meeting may make 10842  
the appointment. 10843

(E) If the last occupant of the office or the officer-elect, 10844  
as provided in division (D) of this section, was elected as an 10845  
independent candidate, the mayor of the city shall make the 10846  
appointment at the time the vacancy occurs. 10847

(F) Appointments made under this section shall be certified 10848  
by the appointing county central committee or by the mayor of the 10849  
municipal corporation to the county board of elections and to the 10850  
secretary of state. The persons so appointed and certified shall 10851  
be entitled to all remuneration provided by law for the offices to 10852  
which they are appointed. 10853

(G) The mayor of the city may appoint a person to hold the 10854  
city office of director of law, auditor, or treasurer as an acting 10855  
officer and to perform the duties thereof between the occurrence 10856  
of the vacancy and the time when the person appointed by the 10857  
central committee qualifies and takes the office. 10858

**Sec. 1901.10.** (A)(1)(a) The judges of the municipal court and 10859  
officers of the court shall take an oath of office as provided in 10860  
section 3.23 of the Revised Code. The office of judge of the 10861  
municipal court is subject to forfeiture, and the judge may be 10862  
removed from office, for the causes and by the procedure provided 10863  
in sections 3.07 to 3.10 of the Revised Code. A vacancy in the 10864  
office of judge exists upon the death, resignation, forfeiture, 10865  
removal from office, or absence from official duties for a period 10866  
of six consecutive months, as determined under this section, of 10867  
the judge and also by reason of the expiration of the term of an 10868

incumbent when no successor has been elected or qualified. The 10869  
chief justice of the supreme court may designate a judge of 10870  
another municipal court to act until that vacancy is filled in 10871  
accordance with section 107.08 of the Revised Code. A vacancy 10872  
resulting from the absence of a judge from official duties for a 10873  
period of six consecutive months shall be determined and declared 10874  
by the legislative authority. 10875

(b) If a vacancy occurs in the office of judge or clerk of 10876  
the municipal court after the one-hundredth day before the first 10877  
Tuesday after the first Monday in May and prior to the ~~fifty-sixth~~ 10878  
fortieth day before the day of the general election, all 10879  
candidates for election to the unexpired term of the judge or 10880  
clerk shall file nominating petitions with the board of elections 10881  
not later than four p.m. on the tenth day following the day on 10882  
which the vacancy occurs, except that, when the vacancy occurs 10883  
fewer than ~~four~~ six days before the ~~fifty-sixth~~ fortieth day 10884  
before the general election, the deadline for filing shall be four 10885  
p.m. on the ~~fiftieth~~ thirty-sixth day before the day of the 10886  
general election. 10887

(c) Each nominating petition referred to in division 10888  
(A)(1)(b) of this section shall be in the form prescribed in 10889  
section 3513.261 of the Revised Code and shall be signed by at 10890  
least fifty qualified electors of the territory of the municipal 10891  
court. No nominating petition shall be accepted for filing or 10892  
filed if it appears on its face to contain signatures aggregating 10893  
in number more than twice the minimum aggregate number of 10894  
signatures required by this section. 10895

(2) If a judge of a municipal court that has only one judge 10896  
is temporarily absent, incapacitated, or otherwise unavailable, 10897  
the judge may appoint a substitute who has the qualifications 10898  
required by section 1901.06 of the Revised Code or a retired judge 10899  
of a court of record who is a qualified elector and a resident of 10900



the territory of the court. If the judge is unable to make the 10901  
appointment, the chief justice of the supreme court shall appoint 10902  
a substitute. The appointee shall serve during the absence, 10903  
incapacity, or unavailability of the incumbent, shall have the 10904  
jurisdiction and powers conferred upon the judge of the municipal 10905  
court, and shall be styled "acting judge." During that time of 10906  
service, the acting judge shall sign all process and records and 10907  
shall perform all acts pertaining to the office, except that of 10908  
removal and appointment of officers of the court. All courts shall 10909  
take judicial notice of the selection and powers of the acting 10910  
judge. The incumbent judge shall establish the amount of 10911  
compensation of an acting judge upon either a per diem, hourly, or 10912  
other basis, but the rate of pay shall not exceed the per diem 10913  
amount received by the incumbent judge. 10914

(B) When the volume of cases pending in any municipal court 10915  
necessitates an additional judge, the chief justice of the supreme 10916  
court, upon the written request of the judge or presiding judge of 10917  
that municipal court, may designate a judge of another municipal 10918  
court or county court to serve for any period of time that the 10919  
chief justice may prescribe. The compensation of a judge so 10920  
designated shall be paid from the city treasury or, in the case of 10921  
a county-operated municipal court, from the county treasury. In 10922  
addition to the annual salary provided for in section 1901.11 of 10923  
the Revised Code and in addition to any compensation under 10924  
division (A)(5) or (6) of section 141.04 of the Revised Code to 10925  
which the judge is entitled in connection with the judge's own 10926  
court, a full-time or part-time judge while holding court outside 10927  
the judge's territory on the designation of the chief justice 10928  
shall receive actual and necessary expenses and compensation as 10929  
follows: 10930

(1) A full-time judge shall receive thirty dollars for each 10931  
day of the assignment. 10932

(2) A part-time judge shall receive for each day of the assignment the per diem compensation of the judges of the court to which the judge is assigned, less the per diem amount paid to those judges pursuant to section 141.04 of the Revised Code, calculated on the basis of two hundred fifty working days per year.

If a request is made by a judge or the presiding judge of a municipal court to designate a judge of another municipal court because of the volume of cases in the court for which the request is made and the chief justice reports, in writing, that no municipal or county court judge is available to serve by designation, the judges of the court requesting the designation may appoint a substitute as provided in division (A)(2) of this section, who may serve for any period of time that is prescribed by the chief justice. The substitute judge shall be paid in the same manner and at the same rate as the incumbent judges, except that, if the substitute judge is entitled to compensation under division (A)(5) or (6) of section 141.04 of the Revised Code, then section 1901.121 of the Revised Code shall govern its payment.

**Sec. 2301.02.** The number of judges of the court of common pleas for each county, the time for the next election of the judges in the several counties, and the beginning of their terms shall be as follows:

(A) In Adams, Ashland, Fayette, and Pike counties, one judge, elected in 1956, term to begin February 9, 1957;

In Brown, Crawford, Defiance, Highland, Holmes, Morgan, Ottawa, and Union counties, one judge, to be elected in 1954, term to begin February 9, 1955;

In Auglaize county, one judge, to be elected in 1956, term to begin January 9, 1957;

|                                                                    |       |
|--------------------------------------------------------------------|-------|
| In Coshocton, Darke, Fulton, Gallia, Guernsey, Hardin,             | 10963 |
| Jackson, Knox, Madison, Mercer, Monroe, Paulding, Vinton, and      | 10964 |
| Wyandot counties, one judge, to be elected in 1956, term to begin  | 10965 |
| January 1, 1957;                                                   | 10966 |
| In Morrow county, two judges, one to be elected in 1956, term      | 10967 |
| to begin January 1, 1957, and one to be elected in 2006, term to   | 10968 |
| begin January 1, 2007;                                             | 10969 |
| In Logan county, two judges, one to be elected in 1956, term       | 10970 |
| to begin January 1, 1957, and one to be elected in 2004, term to   | 10971 |
| begin January 2, 2005;                                             | 10972 |
| In Carroll, Clinton, Hocking, Meigs, Pickaway, Preble,             | 10973 |
| Shelby, Van Wert, and Williams counties, one judge, to be elected  | 10974 |
| in 1952, term to begin January 1, 1953;                            | 10975 |
| In Champaign county, two judges, one to be elected in 1952,        | 10976 |
| term to begin January 1, 1953, and one to be elected in 2008, term | 10977 |
| to begin February 10, 2009.                                        | 10978 |
| In Harrison and Noble counties, one judge, to be elected in        | 10979 |
| 1954, term to begin April 18, 1955;                                | 10980 |
| In Henry county, two judges, one to be elected in 1956, term       | 10981 |
| to begin May 9, 1957, and one to be elected in 2004, term to begin | 10982 |
| January 1, 2005;                                                   | 10983 |
| In Putnam county, one judge, to be elected in 1956, term to        | 10984 |
| begin May 9, 1957;                                                 | 10985 |
| In Huron county, one judge, to be elected in 1952, term to         | 10986 |
| begin May 14, 1953;                                                | 10987 |
| In Perry county, one judge, to be elected in 1954, term to         | 10988 |
| begin July 6, 1956;                                                | 10989 |
| In Sandusky county, two judges, one to be elected in 1954,         | 10990 |
| term to begin February 10, 1955, and one to be elected in 1978,    | 10991 |
| term to begin January 1, 1979;                                     | 10992 |

(B) In Allen county, three judges, one to be elected in 1956, 10993  
term to begin February 9, 1957, the second to be elected in 1958, 10994  
term to begin January 1, 1959, and the third to be elected in 10995  
1992, term to begin January 1, 1993; 10996

In Ashtabula county, three judges, one to be elected in 1954, 10997  
term to begin February 9, 1955, one to be elected in 1960, term to 10998  
begin January 1, 1961, and one to be elected in 1978, term to 10999  
begin January 2, 1979; 11000

In Athens county, two judges, one to be elected in 1954, term 11001  
to begin February 9, 1955, and one to be elected in 1990, term to 11002  
begin July 1, 1991; 11003

In Erie county, four judges, one to be elected in 1956, term 11004  
to begin January 1, 1957, the second to be elected in 1970, term 11005  
to begin January 2, 1971, the third to be elected in 2004, term to 11006  
begin January 2, 2005, and the fourth to be elected in 2008, term 11007  
to begin February 9, 2009; 11008

In Fairfield county, three judges, one to be elected in 1954, 11009  
term to begin February 9, 1955, the second to be elected in 1970, 11010  
term to begin January 1, 1971, and the third to be elected in 11011  
1994, term to begin January 2, 1995; 11012

In Geauga county, two judges, one to be elected in 1956, term 11013  
to begin January 1, 1957, and the second to be elected in 1976, 11014  
term to begin January 6, 1977; 11015

In Greene county, four judges, one to be elected in 1956, 11016  
term to begin February 9, 1957, the second to be elected in 1960, 11017  
term to begin January 1, 1961, the third to be elected in 1978, 11018  
term to begin January 2, 1979, and the fourth to be elected in 11019  
1994, term to begin January 1, 1995; 11020

In Hancock county, two judges, one to be elected in 1952, 11021  
term to begin January 1, 1953, and the second to be elected in 11022  
1978, term to begin January 1, 1979; 11023

In Lawrence county, two judges, one to be elected in 1954, 11024  
term to begin February 9, 1955, and the second to be elected in 11025  
1976, term to begin January 1, 1977; 11026

In Marion county, three judges, one to be elected in 1952, 11027  
term to begin January 1, 1953, the second to be elected in 1976, 11028  
term to begin January 2, 1977, and the third to be elected in 11029  
1998, term to begin February 9, 1999; 11030

In Medina county, three judges, one to be elected in 1956, 11031  
term to begin January 1, 1957, the second to be elected in 1966, 11032  
term to begin January 1, 1967, and the third to be elected in 11033  
1994, term to begin January 1, 1995; 11034

In Miami county, two judges, one to be elected in 1954, term 11035  
to begin February 9, 1955, and one to be elected in 1970, term to 11036  
begin on January 1, 1971; 11037

In Muskingum county, three judges, one to be elected in 1968, 11038  
term to begin August 9, 1969, one to be elected in 1978, term to 11039  
begin January 1, 1979, and one to be elected in 2002, term to 11040  
begin January 2, 2003; 11041

In Portage county, three judges, one to be elected in 1956, 11042  
term to begin January 1, 1957, the second to be elected in 1960, 11043  
term to begin January 1, 1961, and the third to be elected in 11044  
1986, term to begin January 2, 1987; 11045

In Ross county, two judges, one to be elected in 1956, term 11046  
to begin February 9, 1957, and the second to be elected in 1976, 11047  
term to begin January 1, 1977; 11048

In Scioto county, three judges, one to be elected in 1954, 11049  
term to begin February 10, 1955, the second to be elected in 1960, 11050  
term to begin January 1, 1961, and the third to be elected in 11051  
1994, term to begin January 2, 1995; 11052

In Seneca county, two judges, one to be elected in 1956, term 11053

to begin January 1, 1957, and the second to be elected in 1986, 11054  
term to begin January 2, 1987; 11055

In Warren county, four judges, one to be elected in 1954, 11056  
term to begin February 9, 1955, the second to be elected in 1970, 11057  
term to begin January 1, 1971, the third to be elected in 1986, 11058  
term to begin January 1, 1987, and the fourth to be elected in 11059  
2004, term to begin January 2, 2005; 11060

In Washington county, two judges, one to be elected in 1952, 11061  
term to begin January 1, 1953, and one to be elected in 1986, term 11062  
to begin January 1, 1987; 11063

In Wood county, three judges, one to be elected in 1968, term 11064  
beginning January 1, 1969, the second to be elected in 1970, term 11065  
to begin January 2, 1971, and the third to be elected in 1990, 11066  
term to begin January 1, 1991; 11067

In Belmont and Jefferson counties, two judges, to be elected 11068  
in 1954, terms to begin January 1, 1955, and February 9, 1955, 11069  
respectively; 11070

In Clark county, four judges, one to be elected in 1952, term 11071  
to begin January 1, 1953, the second to be elected in 1956, term 11072  
to begin January 2, 1957, the third to be elected in 1986, term to 11073  
begin January 3, 1987, and the fourth to be elected in 1994, term 11074  
to begin January 2, 1995. 11075

In Clermont county, five judges, one to be elected in 1956, 11076  
term to begin January 1, 1957, the second to be elected in 1964, 11077  
term to begin January 1, 1965, the third to be elected in 1982, 11078  
term to begin January 2, 1983, the fourth to be elected in 1986, 11079  
term to begin January 2, 1987; and the fifth to be elected in 11080  
2006, term to begin January 3, 2007; 11081

In Columbiana county, two judges, one to be elected in 1952, 11082  
term to begin January 1, 1953, and the second to be elected in 11083  
1956, term to begin January 1, 1957; 11084

In Delaware county, two judges, one to be elected in 1990, 11085  
term to begin February 9, 1991, the second to be elected in 1994, 11086  
term to begin January 1, 1995; 11087

In Lake county, six judges, one to be elected in 1958, term 11088  
to begin January 1, 1959, the second to be elected in 1960, term 11089  
to begin January 2, 1961, the third to be elected in 1964, term to 11090  
begin January 3, 1965, the fourth and fifth to be elected in 1978, 11091  
terms to begin January 4, 1979, and January 5, 1979, respectively, 11092  
and the sixth to be elected in 2000, term to begin January 6, 11093  
2001; 11094

In Licking county, four judges, one to be elected in 1954, 11095  
term to begin February 9, 1955, one to be elected in 1964, term to 11096  
begin January 1, 1965, one to be elected in 1990, term to begin 11097  
January 1, 1991, and one to be elected in 2004, term to begin 11098  
January 1, 2005; 11099

In Lorain county, nine judges, two to be elected in 1952, 11100  
terms to begin January 1, 1953, and January 2, 1953, respectively, 11101  
one to be elected in 1958, term to begin January 3, 1959, one to 11102  
be elected in 1968, term to begin January 1, 1969, two to be 11103  
elected in 1988, terms to begin January 4, 1989, and January 5, 11104  
1989, respectively, two to be elected in 1998, terms to begin 11105  
January 2, 1999, and January 3, 1999, respectively; and one to be 11106  
elected in 2006, term to begin January 6, 2007; 11107

In Butler county, eleven judges, one to be elected in 1956, 11108  
term to begin January 1, 1957; two to be elected in 1954, terms to 11109  
begin January 1, 1955, and February 9, 1955, respectively; one to 11110  
be elected in 1968, term to begin January 2, 1969; one to be 11111  
elected in 1986, term to begin January 3, 1987; two to be elected 11112  
in 1988, terms to begin January 1, 1989, and January 2, 1989, 11113  
respectively; one to be elected in 1992, term to begin January 4, 11114  
1993; two to be elected in 2002, terms to begin January 2, 2003, 11115  
and January 3, 2003, respectively; and one to be elected in 2006, 11116

term to begin January 3, 2007; 11117

In Richland county, four judges, one to be elected in 1956, 11118  
term to begin January 1, 1957, the second to be elected in 1960, 11119  
term to begin February 9, 1961, the third to be elected in 1968, 11120  
term to begin January 2, 1969, and the fourth to be elected in 11121  
2004, term to begin January 3, 2005; 11122

In Tuscarawas county, two judges, one to be elected in 1956, 11123  
term to begin January 1, 1957, and the second to be elected in 11124  
1960, term to begin January 2, 1961; 11125

In Wayne county, two judges, one to be elected in 1956, term 11126  
beginning January 1, 1957, and one to be elected in 1968, term to 11127  
begin January 2, 1969; 11128

In Trumbull county, six judges, one to be elected in 1952, 11129  
term to begin January 1, 1953, the second to be elected in 1954, 11130  
term to begin January 1, 1955, the third to be elected in 1956, 11131  
term to begin January 1, 1957, the fourth to be elected in 1964, 11132  
term to begin January 1, 1965, the fifth to be elected in 1976, 11133  
term to begin January 2, 1977, and the sixth to be elected in 11134  
1994, term to begin January 3, 1995; 11135

(C) In Cuyahoga county, thirty-nine judges; eight to be 11136  
elected in 1954, terms to begin on successive days beginning from 11137  
January 1, 1955, to January 7, 1955, and February 9, 1955, 11138  
respectively; eight to be elected in 1956, terms to begin on 11139  
successive days beginning from January 1, 1957, to January 8, 11140  
1957; three to be elected in 1952, terms to begin from January 1, 11141  
1953, to January 3, 1953; two to be elected in 1960, terms to 11142  
begin on January 8, 1961, and January 9, 1961, respectively; two 11143  
to be elected in 1964, terms to begin January 4, 1965, and January 11144  
5, 1965, respectively; one to be elected in 1966, term to begin on 11145  
January 10, 1967; four to be elected in 1968, terms to begin on 11146  
successive days beginning from January 9, 1969, to January 12, 11147



1969; two to be elected in 1974, terms to begin on January 18, 11148  
1975, and January 19, 1975, respectively; five to be elected in 11149  
1976, terms to begin on successive days beginning January 6, 1977, 11150  
to January 10, 1977; two to be elected in 1982, terms to begin 11151  
January 11, 1983, and January 12, 1983, respectively; and two to 11152  
be elected in 1986, terms to begin January 13, 1987, and January 11153  
14, 1987, respectively; 11154

In Franklin county, twenty-two judges; two to be elected in 11155  
1954, terms to begin January 1, 1955, and February 9, 1955, 11156  
respectively; four to be elected in 1956, terms to begin January 11157  
1, 1957, to January 4, 1957; four to be elected in 1958, terms to 11158  
begin January 1, 1959, to January 4, 1959; three to be elected in 11159  
1968, terms to begin January 5, 1969, to January 7, 1969; three to 11160  
be elected in 1976, terms to begin on successive days beginning 11161  
January 5, 1977, to January 7, 1977; one to be elected in 1982, 11162  
term to begin January 8, 1983; one to be elected in 1986, term to 11163  
begin January 9, 1987; two to be elected in 1990, terms to begin 11164  
July 1, 1991, and July 2, 1991, respectively; one to be elected in 11165  
1996, term to begin January 2, 1997; and one to be elected in 11166  
2004, term to begin July 1, 2005; 11167

In Hamilton county, twenty-one judges; eight to be elected in 11168  
1966, terms to begin January 1, 1967, January 2, 1967, and from 11169  
February 9, 1967, to February 14, 1967, respectively; five to be 11170  
elected in 1956, terms to begin from January 1, 1957, to January 11171  
5, 1957; one to be elected in 1964, term to begin January 1, 1965; 11172  
one to be elected in 1974, term to begin January 15, 1975; one to 11173  
be elected in 1980, term to begin January 16, 1981; two to be 11174  
elected at large in the general election in 1982, terms to begin 11175  
April 1, 1983; one to be elected in 1990, term to begin July 1, 11176  
1991; and two to be elected in 1996, terms to begin January 3, 11177  
1997, and January 4, 1997, respectively; 11178

In Lucas county, fourteen judges; two to be elected in 1954, 11179

terms to begin January 1, 1955, and February 9, 1955, 11180  
respectively; two to be elected in 1956, terms to begin January 1, 11181  
1957, and October 29, 1957, respectively; two to be elected in 11182  
1952, terms to begin January 1, 1953, and January 2, 1953, 11183  
respectively; one to be elected in 1964, term to begin January 3, 11184  
1965; one to be elected in 1968, term to begin January 4, 1969; 11185  
two to be elected in 1976, terms to begin January 4, 1977, and 11186  
January 5, 1977, respectively; one to be elected in 1982, term to 11187  
begin January 6, 1983; one to be elected in 1988, term to begin 11188  
January 7, 1989; one to be elected in 1990, term to begin January 11189  
2, 1991; and one to be elected in 1992, term to begin January 2, 11190  
1993; 11191

In Mahoning county, seven judges; three to be elected in 11192  
1954, terms to begin January 1, 1955, January 2, 1955, and 11193  
February 9, 1955, respectively; one to be elected in 1956, term to 11194  
begin January 1, 1957; one to be elected in 1952, term to begin 11195  
January 1, 1953; one to be elected in 1968, term to begin January 11196  
2, 1969; and one to be elected in 1990, term to begin July 1, 11197  
1991; 11198

In Montgomery county, fifteen judges; three to be elected in 11199  
1954, terms to begin January 1, 1955, January 2, 1955, and January 11200  
3, 1955, respectively; four to be elected in 1952, terms to begin 11201  
January 1, 1953, January 2, 1953, July 1, 1953, and July 2, 1953, 11202  
respectively; one to be elected in 1964, term to begin January 3, 11203  
1965; one to be elected in 1968, term to begin January 3, 1969; 11204  
three to be elected in 1976, terms to begin on successive days 11205  
beginning January 4, 1977, to January 6, 1977; two to be elected 11206  
in 1990, terms to begin July 1, 1991, and July 2, 1991, 11207  
respectively; and one to be elected in 1992, term to begin January 11208  
1, 1993. 11209

In Stark county, eight judges; one to be elected in 1958, 11210  
term to begin on January 2, 1959; two to be elected in 1954, terms 11211

to begin on January 1, 1955, and February 9, 1955, respectively; 11212  
two to be elected in 1952, terms to begin January 1, 1953, and 11213  
April 16, 1953, respectively; one to be elected in 1966, term to 11214  
begin on January 4, 1967; and two to be elected in 1992, terms to 11215  
begin January 1, 1993, and January 2, 1993, respectively; 11216

In Summit county, thirteen judges; four to be elected in 11217  
1954, terms to begin January 1, 1955, January 2, 1955, January 3, 11218  
1955, and February 9, 1955, respectively; three to be elected in 11219  
1958, terms to begin January 1, 1959, January 2, 1959, and May 17, 11220  
1959, respectively; one to be elected in 1966, term to begin 11221  
January 4, 1967; one to be elected in 1968, term to begin January 11222  
5, 1969; one to be elected in 1990, term to begin May 1, 1991; one 11223  
to be elected in 1992, term to begin January 6, 1993; and two to 11224  
be elected in 2008, terms to begin January 5, 2009, and January 6, 11225  
2009, respectively. 11226

Notwithstanding the foregoing provisions, in any county 11227  
having two or more judges of the court of common pleas, in which 11228  
more than one-third of the judges plus one were previously elected 11229  
at the same election, if the office of one of those judges so 11230  
elected becomes vacant more than ~~fifty-six~~ forty days prior to the 11231  
second general election preceding the expiration of that judge's 11232  
term, the office that that judge had filled shall be abolished as 11233  
of the date of the next general election, and a new office of 11234  
judge of the court of common pleas shall be created. The judge who 11235  
is to fill that new office shall be elected for a six-year term at 11236  
the next general election, and the term of that judge shall 11237  
commence on the first day of the year following that general 11238  
election, on which day no other judge's term begins, so that the 11239  
number of judges that the county shall elect shall not be reduced. 11240

Judges of the probate division of the court of common pleas 11241  
are judges of the court of common pleas but shall be elected 11242  
pursuant to sections 2101.02 and 2101.021 of the Revised Code, 11243

except in Adams, Harrison, Henry, Morgan, Noble, and Wyandot 11244  
counties in which the judge of the court of common pleas elected 11245  
pursuant to this section also shall serve as judge of the probate 11246  
division, except in Lorain county in which the judges of the 11247  
domestic relations division of the Lorain county court of common 11248  
pleas elected pursuant to this section also shall perform the 11249  
duties and functions of the judge of the probate division from 11250  
February 9, 2009, through September 28, 2009, and except in Morrow 11251  
county in which the judges of the court of common pleas elected 11252  
pursuant to this section also shall perform the duties and 11253  
functions of the judge of the probate division. 11254

**Sec. 3501.02.** General elections in the state and its 11255  
political subdivisions shall be held as follows: 11256

(A) For the election of electors of president and 11257  
vice-president of the United States, in the year of 1932 and every 11258  
four years thereafter; 11259

(B) For the election of a member of the senate of the United 11260  
States, in the years 1932 and 1934, and every six years after each 11261  
of such years; except as otherwise provided for filling vacancies; 11262

(C) For the election of representatives in the congress of 11263  
the United States and of elective state and county officers 11264  
including elected members of the state board of education, in the 11265  
even-numbered years; except as otherwise provided for filling 11266  
vacancies; 11267

(D) For municipal and township officers, members of boards of 11268  
education, judges and clerks of municipal courts, in the 11269  
odd-numbered years; 11270

(E) (1) Proposed constitutional amendments or proposed 11271  
measures submitted ~~by the general assembly or~~ by initiative or 11272  
referendum petitions to the voters of the state at large may be 11273

submitted to the general election in any year occurring at least 11274  
~~sixty days, in case of a referendum, and ninety one hundred~~ 11275  
~~twenty-five days, in the case of an initiated measure,~~ subsequent 11276  
to the filing of the petitions therefor. ~~Proposed~~ 11277

(2) ~~Proposed~~ constitutional amendments submitted by the 11278  
general assembly to the voters of the state at large may be 11279  
submitted at a special election or general election in any year 11280  
occurring at least ninety days after the resolution is filed with 11281  
the secretary of state. The proposed constitutional amendment may 11282  
be submitted to the voters at a special election occurring on the 11283  
day in any year specified by division (E) of section 3501.01 of 11284  
the Revised Code for the holding of a primary election, ~~when~~ if a 11285  
special election on that date is designated by the general 11286  
assembly in the resolution adopting the proposed constitutional 11287  
amendment. 11288

No special election shall be held on a day other than the day 11289  
of a general election, unless a law or charter provides otherwise, 11290  
regarding the submission of a question or issue to the voters of a 11291  
county, township, city, village, or school district. 11292

(F)(1) Notwithstanding any provision of the Revised Code to 11293  
the contrary, any question or issue, except a candidacy, to be 11294  
voted upon at an election shall be certified, for placement upon 11295  
the ballot, to the board of elections not later than four p.m. of 11296  
the ninetieth day before the day of the election. 11297

(2) Any question or issue that is certified for placement on 11298  
a ballot on or after ~~the effective date of this amendment~~ July 2, 11299  
2010, shall be certified not later than the ninetieth day before 11300  
the day of the applicable election, notwithstanding any deadlines 11301  
appearing in any section of the Revised Code governing the 11302  
placement of that question or issue on the ballot. 11303

**Sec. 3513.31.** (A) If a person nominated in a primary election 11304

as a candidate for election at the next general election, whose 11305  
candidacy is to be submitted to the electors of the entire state, 11306  
withdraws as that candidate or is disqualified as that candidate 11307  
under section 3513.052 of the Revised Code, the vacancy in the 11308  
party nomination so created may be filled by the state central 11309  
committee of the major political party that made the nomination at 11310  
the primary election, if the committee's chairperson and secretary 11311  
certify the name of the person selected to fill the vacancy by the 11312  
time specified in this division, at a meeting called for that 11313  
purpose. The meeting shall be called by the chairperson of that 11314  
committee, who shall give each member of the committee at least 11315  
two days' notice of the time, place, and purpose of the meeting. 11316  
If a majority of the members of the committee are present at the 11317  
meeting, a majority of those present may select a person to fill 11318  
the vacancy. The chairperson and secretary of the meeting shall 11319  
certify in writing and under oath to the secretary of state, not 11320  
later than the eighty-sixth day before the day of the general 11321  
election, the name of the person selected to fill the vacancy. The 11322  
certification must be accompanied by the written acceptance of the 11323  
nomination by the person whose name is certified. A vacancy that 11324  
may be filled by an intermediate or minor political party shall be 11325  
filled in accordance with the party's rules by authorized 11326  
officials of the party. Certification must be made as in the 11327  
manner provided for a major political party. 11328

11329  
(B) If a person nominated in a primary election as a party 11330  
candidate for election at the next general election, whose 11331  
candidacy is to be submitted to the electors of a district 11332  
comprised of more than one county but less than all of the 11333  
counties of the state, withdraws as that candidate or is 11334  
disqualified as that candidate under section 3513.052 of the 11335  
Revised Code, the vacancy in the party nomination so created may 11336  
be filled by a district committee of the major political party 11337

that made the nomination at the primary election, if the 11338  
committee's chairperson and secretary certify the name of the 11339  
person selected to fill the vacancy by the time specified in this 11340  
division, at a meeting called for that purpose. The district 11341  
committee shall consist of the chairperson and secretary of the 11342  
county central committee of such political party in each county in 11343  
the district. The district committee shall be called by the 11344  
chairperson of the county central committee of such political 11345  
party of the most populous county in the district, who shall give 11346  
each member of the district committee at least two days' notice of 11347  
the time, place, and purpose of the meeting. If a majority of the 11348  
members of the district committee are present at the district 11349  
committee meeting, a majority of those present may select a person 11350  
to fill the vacancy. The chairperson and secretary of the meeting 11351  
shall certify in writing and under oath to the board of elections 11352  
of the most populous county in the district, not later than four 11353  
p.m. of the eighty-sixth day before the day of the general 11354  
election, the name of the person selected to fill the vacancy. The 11355  
certification must be accompanied by the written acceptance of the 11356  
nomination by the person whose name is certified. A vacancy that 11357  
may be filled by an intermediate or minor political party shall be 11358  
filled in accordance with the party's rules by authorized 11359  
officials of the party. Certification must be made as in the 11360  
manner provided for a major political party. 11361

(C) If a person nominated in a primary election as a party 11362  
candidate for election at the next general election, whose 11363  
candidacy is to be submitted to the electors of a county, 11364  
withdraws as that candidate or is disqualified as that candidate 11365  
under section 3513.052 of the Revised Code, the vacancy in the 11366  
party nomination so created may be filled by the county central 11367  
committee of the major political party that made the nomination at 11368  
the primary election, or by the county executive committee if so 11369  
authorized, if the committee's chairperson and secretary certify 11370

the name of the person selected to fill the vacancy by the time 11371  
specified in this division, at a meeting called for that purpose. 11372  
The meeting shall be called by the chairperson of that committee, 11373  
who shall give each member of the committee at least two days' 11374  
notice of the time, place, and purpose of the meeting. If a 11375  
majority of the members of the committee are present at the 11376  
meeting, a majority of those present may select a person to fill 11377  
the vacancy. The chairperson and secretary of the meeting shall 11378  
certify in writing and under oath to the board of that county, not 11379  
later than four p.m. of the eighty-sixth day before the day of the 11380  
general election, the name of the person selected to fill the 11381  
vacancy. The certification must be accompanied by the written 11382  
acceptance of the nomination by the person whose name is 11383  
certified. A vacancy that may be filled by an intermediate or 11384  
minor political party shall be filled in accordance with the 11385  
party's rules by authorized officials of the party. Certification 11386  
must be made as in the manner provided for a major political 11387  
party. 11388

(D) If a person nominated in a primary election as a party 11389  
candidate for election at the next general election, whose 11390  
candidacy is to be submitted to the electors of a district within 11391  
a county, withdraws as that candidate or is disqualified as that 11392  
candidate under section 3513.052 of the Revised Code, the vacancy 11393  
in the party nomination so created may be filled by a district 11394  
committee consisting of those members of the county central 11395  
committee or, if so authorized, those members of the county 11396  
executive committee in that county of the major political party 11397  
that made the nomination at the primary election who represent the 11398  
precincts or the wards and townships within the district, if the 11399  
committee's chairperson and secretary certify the name of the 11400  
person selected to fill the vacancy by the time specified in this 11401  
division, at a meeting called for that purpose. The district 11402  
committee meeting shall be called by the chairperson of the county 11403



central committee or executive committee, as appropriate, who 11404  
shall give each member of the district committee at least two 11405  
days' notice of the time, place, and purpose of the meeting. If a 11406  
majority of the members of the district committee are present at 11407  
the district committee meeting, a majority of those present may 11408  
select a person to fill the vacancy. The chairperson and secretary 11409  
of the district committee meeting shall certify in writing and 11410  
under oath to the board of the county, not later than four p.m. of 11411  
the eighty-sixth day before the day of the general election, the 11412  
name of the person selected to fill the vacancy. The certification 11413  
must be accompanied by the written acceptance of the nomination by 11414  
the person whose name is certified. A vacancy that may be filled 11415  
by an intermediate or minor political party shall be filled in 11416  
accordance with the party's rules by authorized officials of the 11417  
party. Certification must be made as in the manner provided for a 11418  
major political party. 11419

(E) If a person nominated in a primary election as a party 11420  
candidate for election at the next general election, whose 11421  
candidacy is to be submitted to the electors of a subdivision 11422  
within a county, withdraws as that candidate or is disqualified as 11423  
that candidate under section 3513.052 of the Revised Code, the 11424  
vacancy in the party nomination so created may be filled by a 11425  
subdivision committee consisting of those members of the county 11426  
central committee or, if so authorized, those members of the 11427  
county executive committee in that county of the major political 11428  
party that made the nomination at that primary election who 11429  
represent the precincts or the wards and townships within that 11430  
subdivision, if the committee's chairperson and secretary certify 11431  
the name of the person selected to fill the vacancy by the time 11432  
specified in this division, at a meeting called for that purpose. 11433

The subdivision committee meeting shall be called by the 11434  
chairperson of the county central committee or executive 11435

committee, as appropriate, who shall give each member of the 11436  
subdivision committee at least two days' notice of the time, 11437  
place, and purpose of the meeting. If a majority of the members of 11438  
the subdivision committee are present at the subdivision committee 11439  
meeting, a majority of those present may select a person to fill 11440  
the vacancy. The chairperson and secretary of the subdivision 11441  
committee meeting shall certify in writing and under oath to the 11442  
board of the county, not later than four p.m. of the eighty-sixth 11443  
day before the day of the general election, the name of the person 11444  
selected to fill the vacancy. The certification must be 11445  
accompanied by the written acceptance of the nomination by the 11446  
person whose name is certified. A vacancy that may be filled by an 11447  
intermediate or minor political party shall be filled in 11448  
accordance with the party's rules by authorized officials of the 11449  
party. Certification must be made in the manner provided for a 11450  
major political party. 11451

(F) If a person nominated by petition as an independent or 11452  
nonpartisan candidate for election at the next general election 11453  
withdraws as that candidate or is disqualified as that candidate 11454  
under section 3513.052 of the Revised Code, the vacancy so created 11455  
may be filled by a majority of the committee of five, as 11456  
designated on the candidate's nominating petition, if a member of 11457  
that committee certifies in writing and under oath to the election 11458  
officials with whom the candidate filed the candidate's nominating 11459  
petition, not later than the eighty-sixth day before the day of 11460  
the general election, the name of the person selected to fill the 11461  
vacancy. The certification shall be accompanied by the written 11462  
acceptance of the nomination by the person whose name is certified 11463  
and shall be made in the manner provided for a major political 11464  
party. 11465

(G) If a person nominated in a primary election as a party 11466  
candidate for election at the next general election dies, the 11467

vacancy so created may be filled by the same committee in the same 11468  
manner as provided in this section for the filling of similar 11469  
vacancies created by withdrawals or disqualifications under 11470  
section 3513.052 of the Revised Code, except that the 11471  
certification, when filling a vacancy created by death, may not be 11472  
filed with the secretary of state, or with a board of the most 11473  
populous county of a district, or with the board of a county in 11474  
which the major portion of the population of a subdivision is 11475  
located, later than four p.m. of the tenth day before the day of 11476  
such general election, or with any other board later than four 11477  
p.m. of the fifth day before the day of such general election. 11478

(H) If a person nominated by petition as an independent or 11479  
nonpartisan candidate for election at the next general election 11480  
dies prior to the tenth day before the day of that general 11481  
election, the vacancy so created may be filled by a majority of 11482  
the committee of five designated in the nominating petition to 11483  
represent the candidate named in it. To fill the vacancy a member 11484  
of the committee shall, not later than four p.m. of the fifth day 11485  
before the day of the general election, file with the election 11486  
officials with whom the petition nominating the person was filed, 11487  
a certificate signed and sworn to under oath by a majority of the 11488  
members, designating the person they select to fill the vacancy. 11489  
The certification must be accompanied by the written acceptance of 11490  
the nomination by the person whose name is so certified. 11491

(I) If a person holding an elective office dies or resigns 11492  
subsequent to the one hundred fifteenth day before the day of a 11493  
primary election and prior to the eighty-sixth day before the day 11494  
of the next general election, and if, under the laws of this 11495  
state, a person may be elected at that general election to fill 11496  
the unexpired term of the person who has died or resigned, the 11497  
appropriate committee of each political party, acting as in the 11498  
case of a vacancy in a party nomination, as provided in divisions 11499

(A) to (D) of this section, may select a person as the party candidate for election for such unexpired term at that general election, and certify the person's name to the appropriate election official not later than four p.m. on the eighty-sixth day before the day of that general election, or on the tenth day following the day on which the vacancy occurs, whichever is later. When the vacancy occurs on or subsequent to the eighty-sixth day and six or more days prior to the ~~fifty-sixth~~ fortieth day before the general election, the appropriate committee may select a person as the party candidate and certify the person's name, as provided in the preceding sentence, not later than four p.m. on the ~~fiftieth~~ tenth day following the day on which the vacancy occurs. When the vacancy occurs fewer than six days before the fortieth day before the general election, the deadline for filing shall be four p.m. on the thirty-sixth day before the general election. Thereupon the name shall be printed as the party candidate under proper titles and in the proper place on the proper ballots for use at the election. If a person has been nominated in a primary election, the authorized committee of that political party shall not select and certify a person as the party candidate.

(J) Each person desiring to become an independent candidate to fill the unexpired term shall file a statement of candidacy and nominating petition, as provided in section 3513.261 of the Revised Code, with the appropriate election official not later than four p.m. on the tenth day following the day on which the vacancy occurs, provided that when the vacancy occurs fewer than six days before the fifty-sixth day before the general election, the deadline for filing shall be four p.m. on the fiftieth day before the general election. The nominating petition shall contain at least seven hundred fifty signatures and no more than one thousand five hundred signatures of qualified electors of the district, political subdivision, or portion of a political

subdivision in which the office is to be voted upon, or the amount 11533  
provided for in section 3513.257 of the Revised Code, whichever is 11534  
less. 11535

(K) When a person nominated as a candidate by a political 11536  
party in a primary election or by nominating petition for an 11537  
elective office for which candidates are nominated at a party 11538  
primary election withdraws, dies, or is disqualified under section 11539  
3513.052 of the Revised Code prior to the general election, the 11540  
appropriate committee of any other major political party or 11541  
committee of five that has not nominated a candidate for that 11542  
office, or whose nominee as a candidate for that office has 11543  
withdrawn, died, or been disqualified without the vacancy so 11544  
created having been filled, may, acting as in the case of a 11545  
vacancy in a party nomination or nomination by petition as 11546  
provided in divisions (A) to (F) of this section, whichever is 11547  
appropriate, select a person as a candidate of that party or of 11548  
that committee of five for election to the office. 11549

**Section 4.** That existing sections 3.02, 302.09, 305.02, 11550  
503.24, 733.31, 1901.10, 2301.02, 3501.02, and 3513.31 of the 11551  
Revised Code are hereby repealed. 11552

**Section 5.** Directives 2011-01 and 2009-21 issued by the 11553  
secretary of state are hereafter void and shall not be enforced or 11554  
have effect on or after the effective date of sections 3517.01 and 11555  
3517.012 of the Revised Code, as amended by this act. 11556

**Section 6.** A board of elections shall rearrange and combine 11557  
precincts within the applicable county as necessary to comply with 11558  
the minimum precinct size requirements established in section 11559  
3501.18 of the Revised Code, as amended by this act, not later 11560  
than December 31, 2011. 11561

**Section 7.** The amendment of section 3517.01 of the Revised 11562

|                                                                  |       |
|------------------------------------------------------------------|-------|
| Code by Sections 1 and 2 of this act shall supersede the         | 11563 |
| provisions of rule 111-3-05 of the Administrative Code. On and   | 11564 |
| after the effective date of section 3517.01 of the Revised Code, | 11565 |
| as amended by this act, rule 111-3-05 of the Administrative Code | 11566 |
| shall be void and have no further effect.                        | 11567 |