

**As Concurred by the House**

**129th General Assembly**

**Regular Session**

**2011-2012**

**Am. Sub. H. B. No. 224**

**Representatives Dovilla, Stinziano**

**Cosponsors: Representatives Mecklenborg, Adams, J., Rosenberger, Pillich, Thompson, Wachtmann, Grossman, Combs, Murray, Butler, Maag, Uecker, Buchy, Celeste, Gardner, Huffman, Letson, Lundy, Patmon, Sprague, Adams, R., Amstutz, Anielski, Antonio, Ashford, Baker, Balderson, Barnes, Beck, Blair, Blessing, Boose, Boyd, Brenner, Bulp, Budish, Carney, Clyde, Conditt, Damschroder, DeGeeter, Derickson, Driehaus, Duffey, Garland, Gentile, Gerberry, Goyal, Hackett, Hagan, C., Hagan, R., Hall, Hayes, Heard, Henne, Hottinger, Johnson, Kozlowski, Landis, Mallory, Martin, McClain, McGregor, McKenney, Milkovich, Newbold, O'Brien, Peterson, Phillips, Reece, Roegner, Ruhl, Schuring, Sears, Slaby, Stautberg, Stebelton, Sykes, Szollosi, Weddington, Winburn, Young, Yuko Speaker Batchelder Senators Grendell, Turner, Brown, Jordan, Bacon, Coley, Daniels, Faber, Hite, Hughes, LaRose, Lehner, Manning, Niehaus, Oelslager, Patton, Sawyer, Schaffer, Wagoner, Widener, Wilson**

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**A B I L L**

To amend sections 3501.13, 3503.02, 3503.14, 3503.19, 1  
3503.191, 3503.28, 3505.18, 3505.181, 3505.183, 2  
3509.021, 3509.03, 3509.04, 3509.05, 3509.07, 3  
3511.01, 3511.02, 3511.021, 3511.04, 3511.05, 4  
3511.09, 3511.10, 3511.11, and 3511.14, to amend, 5  
for the purpose of adopting a new section number 6  
as indicated in parentheses, section 3511.01 7  
(3511.011), to enact new section 3511.01 and 8  
sections 3509.10, 3511.15, and 3511.16, and to 9

repeal sections 3503.20 and 3509.031 of the 10  
Revised Code to revise the law governing uniformed 11  
services and overseas voters, to specify that 12  
voters who provide a Social Security Number for 13  
election purposes only are required to provide the 14  
last four digits of that number, to revise the 15  
process for casting provisional ballots for voters 16  
without identification, to eliminate online voter 17  
registration, to require absent voter's ballot 18  
statements to include the voter's printed name, to 19  
make technical corrections to the laws governing 20  
elections, and to declare an emergency. 21

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

**Section 1.** That sections 3501.13, 3503.02, 3503.14, 3503.19, 22  
3503.191, 3503.28, 3505.18, 3505.181, 3505.183, 3509.021, 3509.03, 23  
3509.04, 3509.05, 3509.07, 3511.01, 3511.02, 3511.021, 3511.04, 24  
3511.05, 3511.09, 3511.10, 3511.11, and 3511.14 be amended, 25  
section 3511.01 (3511.011) be amended for the purpose of adopting 26  
a new section number as indicated in parentheses, and that new 27  
section 3511.01 and sections 3509.10, 3511.15, and 3511.16 of the 28  
Revised Code be enacted to read as follows: 29

**Sec. 3501.13.** (A) The director of the board of elections 30  
shall keep a full and true record of the proceedings of the board 31  
and of all moneys received and expended; file and preserve in the 32  
board's office all orders and records pertaining to the 33  
administration of registrations, primaries, and elections; receive 34  
and have the custody of all books, papers, and property belonging 35  
to the board; and perform other duties in connection with the 36  
office of director and the proper conduct of elections as the 37  
board determines. 38

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

(C) The director may administer oaths to persons required by law to file certificates or other papers with the board, to precinct election officials, to witnesses who are called to testify before the board, and to voters filling out blanks at the board's offices. Except as otherwise provided by state or federal law, the records of the board and papers and books filed in its office are public records and open to inspection under such reasonable regulations as shall be established by the board. The social security number or any part thereof of any elector or of any applicant for voter registration is not a public record. The board shall redact any such number from any record that it makes open to public inspection or copying under this section.

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

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

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

Sec. 3503.02. All registrars and judges of elections, in 71  
determining the residence of a person offering to register or 72  
vote, shall be governed by the following rules: 73

(A) That place shall be considered the residence of a person 74  
in which the person's habitation is fixed and to which, whenever 75  
the person is absent, the person has the intention of returning. 76

(B) A person shall not be considered to have lost the 77  
person's residence who leaves the person's home and goes into 78  
another state or county of this state, for temporary purposes 79  
only, with the intention of returning. 80

(C) A person shall not be considered to have gained a 81  
residence in any county of this state into which the person comes 82  
for temporary purposes only, without the intention of making such 83  
county the permanent place of abode. 84

(D) The place where the family of a married person resides 85  
shall be considered to be the person's place of residence; except 86  
that when the spouses have separated and live apart, the place 87  
where such a spouse resides the length of time required to entitle 88  
a person to vote shall be considered to be the spouse's place of 89  
residence. 90

(E) If a person removes to another state with the intention 91  
of making such state the person's residence, the person shall be 92  
considered to have lost the person's residence in this state. 93

(F) Except as otherwise provided in division (G) of this 94  
section, if a person removes from this state and continuously 95  
resides outside this state for a period of four years or more, the 96  
person shall be considered to have lost the person's residence in 97  
this state, notwithstanding the fact that the person may entertain 98  
an intention to return at some future period. 99

(G)(1) If a person removes from this state to engage in the 100

services of the United States government, the person shall not be 101  
considered to have lost the person's residence in this state 102  
~~during the period of such service~~, and likewise should the person 103  
enter the employment of the state, the place where such person 104  
resided at the time of the person's removal shall be considered to 105  
be the person's place of residence. 106

(2) If a person removes from this state to a location outside 107  
of the United States and the person does not become a resident of 108  
another state, the person shall not be considered to have lost the 109  
person's residence in this state. The place where the person 110  
resided at the time of the person's removal shall be considered to 111  
be the person's place of residence. 112

(3) If a person is eligible to vote in this state under 113  
division (D)(2) of section 3511.011 of the Revised Code, the place 114  
where the person's parent or legal guardian resided in this state 115  
prior to that parent or legal guardian's removal to a location 116  
outside of the United States shall be considered to be the 117  
person's place of residence. 118

(4) If an address that is considered to be a person's place 119  
of residence under division (G) of this section ceases to be a 120  
recognized residential address, the board of elections shall 121  
assign an address to the applicable person for voting purposes. 122

(H) If a person goes into another state and while there 123  
exercises the right of a citizen by voting, the person shall be 124  
considered to have lost the person's residence in this state. 125

(I) If a person does not have a fixed place of habitation, 126  
but has a shelter or other location at which the person has been a 127  
consistent or regular inhabitant and to which the person has the 128  
intention of returning, that shelter or other location shall be 129  
deemed the person's residence for the purpose of registering to 130  
vote. 131

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:

(a) The voter's driver's license number or state identification card number, if any;

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

(c) A copy of a current and valid photo identification, a copy of a military identification, a copy of a United States passport, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than 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 address.

(6) The voter's signature.

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

Except for forms prescribed by the secretary of state under section 3503.11 of the Revised Code, the secretary of state shall

permit boards of elections to produce forms that have subdivided 161  
spaces for each individual alphanumeric character of the 162  
information provided by the voter so as to accommodate the 163  
electronic reading and conversion of the voter's information to 164  
data and the subsequent electronic transfer of that data to the 165  
statewide voter registration database established under section 166  
3503.15 of the Revised Code. 167

(B) None of the following persons who are registering an 168  
applicant in the course of that official's or employee's normal 169  
duties shall sign the person's name, provide the person's address, 170  
or name the employer who is employing the person to register an 171  
applicant on a form prepared under this section: 172

- (1) An election official; 173
- (2) A county treasurer; 174
- (3) A deputy registrar of motor vehicles; 175
- (4) An employee of a designated agency; 176
- (5) An employee of a public high school; 177
- (6) An employee of a public vocational school; 178
- (7) An employee of a public library; 179
- (8) An employee of the office of a county treasurer; 180
- (9) An employee of the bureau of motor vehicles; 181
- (10) An employee of a deputy registrar of motor vehicles; 182
- (11) An employee of an election official. 183

(C) Except as provided in section 3501.382 of the Revised 184  
Code, any applicant who is unable to sign the applicant's own name 185  
shall make an "X," if possible, which shall be certified by the 186  
signing of the name of the applicant by the person filling out the 187  
form, who shall add the person's own signature. If an applicant is 188  
unable to make an "X," the applicant shall indicate in some manner 189

that the applicant desires to register to vote or to change the 190  
applicant's name or residence. The person registering the 191  
applicant shall sign the form and attest that the applicant 192  
indicated that the applicant desired to register to vote or to 193  
change the applicant's name or residence. 194

(D) No registration, change of residence, or change of name 195  
form shall be rejected solely on the basis that a person 196  
registering an applicant failed to sign the person's name or 197  
failed to name the employer who is employing that person to 198  
register the applicant as required under division (A) of this 199  
section. 200

(E) A voter registration application submitted online through 201  
the internet pursuant to section 3503.20 of the Revised Code is 202  
not required to contain a signature to be considered valid. The 203  
signature obtained under division (B) of that section shall be 204  
considered the applicant's signature for all election and 205  
signature-matching purposes. 206

(F) As used in this section, "registering an applicant" 207  
includes any effort, for compensation, to provide voter 208  
registration forms or to assist persons in completing or returning 209  
those forms. 210

**Sec. 3503.19.** (A) Persons qualified to register or to change 211  
their registration because of a change of address or change of 212  
name may register or change their registration in person or 213  
through another person at any state or local office of a 214  
designated agency, at the office of the registrar or any deputy 215  
registrar of motor vehicles, at a public high school or vocational 216  
school, at a public library, at the office of a county treasurer, 217  
or at a branch office established by the board of elections, or in 218  
person, through another person, or by mail at the office of the 219  
secretary of state or at the office of a board of elections. A 220

registered elector may also change the elector's registration on 221  
election day at any polling place where the elector is eligible to 222  
vote, in the manner provided under section 3503.16 of the Revised 223  
Code. 224

Any state or local office of a designated agency, the office 225  
of the registrar or any deputy registrar of motor vehicles, a 226  
public high school or vocational school, a public library, or the 227  
office of a county treasurer shall transmit any voter registration 228  
application or change of registration form that it receives to the 229  
board of elections of the county in which the state or local 230  
office is located, within five business days after receiving the 231  
voter registration application or change of registration form. 232

An otherwise valid voter registration application that is 233  
returned to the appropriate office other than by mail must be 234  
received by a state or local office of a designated agency, the 235  
office of the registrar or any deputy registrar of motor vehicles, 236  
a public high school or vocational school, a public library, the 237  
office of a county treasurer, the office of the secretary of 238  
state, or the office of a board of elections no later than the 239  
thirtieth day preceding a primary, special, or general election 240  
for the person to qualify as an elector eligible to vote at that 241  
election. An otherwise valid registration application received 242  
after that day entitles the elector to vote at all subsequent 243  
elections. 244

Any state or local office of a designated agency, the office 245  
of the registrar or any deputy registrar of motor vehicles, a 246  
public high school or vocational school, a public library, or the 247  
office of a county treasurer shall date stamp a registration 248  
application or change of name or change of address form it 249  
receives using a date stamp that does not disclose the identity of 250  
the state or local office that receives the registration. 251

Voter registration applications, if otherwise valid, that are 252

returned by mail to the office of the secretary of state or to the 253  
office of a board of elections must be postmarked no later than 254  
the thirtieth day preceding a primary, special, or general 255  
election in order for the person to qualify as an elector eligible 256  
to vote at that election. If an otherwise valid voter registration 257  
application that is returned by mail does not bear a postmark or a 258  
legible postmark, the registration shall be valid for that 259  
election if received by the office of the secretary of state or 260  
the office of a board of elections no later than twenty-five days 261  
preceding any special, primary, or general election. 262

(B)(1) Any person may apply in person, by telephone, by mail, 263  
or through another person for voter registration forms to the 264  
office of the secretary of state or the office of a board of 265  
elections. An individual who is eligible to vote as a uniformed 266  
services voter or an overseas voter in accordance with 42 U.S.C. 267  
1973ff-6 also may apply for voter registration forms by electronic 268  
means to the office of the secretary of state or to the board of 269  
elections of the county in which the person's voting residence is 270  
located pursuant to section 3503.191 of the Revised Code. 271

(2)(a) An applicant may return the applicant's completed 272  
registration form in person or through another person to any state 273  
or local office of a designated agency, to a public high school or 274  
vocational school, to a public library, to the office of a county 275  
treasurer, to the office of the secretary of state, or to the 276  
office of a board of elections. An applicant who is eligible to 277  
vote as a uniformed services voter or an overseas voter in 278  
accordance with 42 U.S.C. 1973ff-6 also may return the applicant's 279  
completed voter registration form electronically to the office of 280  
the secretary of state or to the board of elections of the county 281  
in which the person's voting residence is located pursuant to 282  
section 3503.191 of the Revised Code. 283

(b) Subject to division (B)(2)(c) of this section, an 284

applicant may return the applicant's completed registration form 285  
by mail or through another person to any board of elections or the 286  
office of the secretary of state. 287

(c) A person who receives compensation for registering a 288  
voter shall return any registration form entrusted to that person 289  
by an applicant to any board of elections or to the office of the 290  
secretary of state. 291

(d) If a board of elections or the office of the secretary of 292  
state receives a registration form under division (B)(2)(b) or (c) 293  
of this section before the thirtieth day before an election, the 294  
board or the office of the secretary of state, as applicable, 295  
shall forward the registration to the board of elections of the 296  
county in which the applicant is seeking to register to vote 297  
within ten days after receiving the application. If a board of 298  
elections or the office of the secretary of state receives a 299  
registration form under division (B)(2)(b) or (c) of this section 300  
on or after the thirtieth day before an election, the board or the 301  
office of the secretary of state, as applicable, shall forward the 302  
registration to the board of elections of the county in which the 303  
applicant is seeking to register to vote within thirty days after 304  
that election. 305

(C)(1) A board of elections that receives a voter 306  
registration application and is satisfied as to the truth of the 307  
statements made in the registration form shall register the 308  
applicant not later than twenty business days after receiving the 309  
application, unless that application is received during the thirty 310  
days immediately preceding the day of an election. The board shall 311  
promptly notify the applicant in writing of each of the following: 312

(a) The applicant's registration; 313

(b) The precinct in which the applicant is to vote; 314

(c) In bold type as follows: 315

"Voters must bring identification to the polls in order to 316  
verify identity. Identification may include a current and valid 317  
photo identification, a military identification, a United States 318  
passport, or a copy of a current utility bill, bank statement, 319  
government check, paycheck, or other government document, other 320  
than this notification, that shows the voter's name and current 321  
address. Voters who do not provide one of these documents will 322  
still be able to vote ~~by providing the voter's social security~~ 323  
~~number and~~ by casting a provisional ballot." 324

The notification shall be by nonforwardable mail. If the mail 325  
is returned to the board, it shall investigate and cause the 326  
notification to be delivered to the correct address. 327

(2) If, after investigating as required under division (C)(1) 328  
of this section, the board is unable to verify the voter's correct 329  
address, it shall cause the voter's name in the official 330  
registration list and in the poll list or signature pollbook to be 331  
marked to indicate that the voter's notification was returned to 332  
the board. 333

At the first election at which a voter whose name has been so 334  
marked appears to vote, the voter shall be required to provide 335  
identification to the election officials and to vote by 336  
provisional ballot under section 3505.181 of the Revised Code. If 337  
the provisional ballot is counted pursuant to division (B)(3) of 338  
section 3505.183 of the Revised Code, the board shall correct that 339  
voter's registration, if needed, and shall remove the indication 340  
that the voter's notification was returned from that voter's name 341  
on the official registration list and on the poll list or 342  
signature pollbook. If the provisional ballot is not counted 343  
pursuant to division (B)(4)(a)(i) or (v) of section 3505.183 of 344  
the Revised Code, the voter's registration shall be canceled. The 345  
board shall notify the voter by United States mail of the 346  
cancellation. 347

(3) If a notice of the disposition of an otherwise valid 348  
registration application is sent by nonforwardable mail and is 349  
returned undelivered, the person shall be registered as provided 350  
in division (C)(2) of this section and sent a confirmation notice 351  
by forwardable mail. If the person fails to respond to the 352  
confirmation notice, update the person's registration, or vote by 353  
provisional ballot as provided in division (C)(2) of this section 354  
in any election during the period of two federal elections 355  
subsequent to the mailing of the confirmation notice, the person's 356  
registration shall be canceled. 357

**Sec. 3503.191.** (A) The secretary of state shall establish 358  
procedures that allow any person who is eligible to vote as a 359  
uniformed services voter or an overseas voter in accordance with 360  
~~42 U.S.C. 1973ff-6~~ Chapter 3511. of the Revised Code to request 361  
voter registration forms electronically from the office of the 362  
secretary of state or the board of elections of the county in 363  
which the person's voting residence is located. 364

(B) The procedures shall allow such a person to express a 365  
preference for the manner in which the person will receive the 366  
requested voter registration forms, whether by mail, 367  
electronically, or in person. The registration forms shall be 368  
transmitted by the preferred method. If the requestor does not 369  
express a preferred method, the registration forms shall be 370  
delivered via standard mail. 371

(C) The secretary of state shall, by rule, establish and 372  
maintain reasonable procedures necessary to protect the security, 373  
confidentiality, and integrity of personal information that is 374  
confidential under state or federal law that is collected, stored, 375  
or otherwise used in the electronic voter registration form 376  
request process established under this section. To the extent 377  
practicable, the procedures shall protect the security and 378

integrity of the electronic voter registration form request 379  
process and protect the privacy of the identity and personal data 380  
of the person when such forms are requested, processed, and sent. 381

(D) In establishing procedures under this section, the 382  
secretary of state shall designate at least one means of 383  
electronic communication for use by such persons to request voter 384  
registration forms, for use by the state to send voter 385  
registration forms to those who have requested electronic 386  
delivery, and for providing public election and voting 387  
information. Such designated means of electronic communication 388  
shall be identified on all information and instructional materials 389  
that accompany balloting materials. 390

**Sec. 3503.28.** (A) The secretary of state shall develop an 391  
information brochure regarding voter registration. The brochure 392  
shall include, but is not limited to, all of the following 393  
information: 394

(1) The applicable deadlines for registering to vote or for 395  
returning an applicant's completed registration form; 396

(2) The applicable deadline for returning an applicant's 397  
completed registration form if the person returning the form is 398  
being compensated for registering voters; 399

(3) The locations to which a person may return an applicant's 400  
completed registration form; 401

(4) The location to which a person who is compensated for 402  
registering voters may return an applicant's completed 403  
registration form; 404

(5) A notice, which shall be written in bold type, stating as 405  
follows: 406

"Voters must bring identification to the polls in order to 407  
verify identity. Identification may include a current and valid 408

photo identification, a military identification, a United States 409  
passport, or a copy of a current utility bill, bank statement, 410  
government check, paycheck, or other government document, other 411  
than a voter registration notification sent by a board of 412  
elections, that shows the voter's name and current address. Voters 413  
who do not provide one of these documents will still be able to 414  
vote ~~by providing the voter's social security number and by~~ 415  
casting a provisional ballot." 416

(B)(1) The secretary of state shall provide the information 417  
required to be included in the brochure developed under division 418  
(A) of this section to any person who prints a voter registration 419  
form that is made available on a web site of the office of the 420  
secretary of state. 421

(2) If a board of elections operates and maintains a web 422  
site, the board shall provide the information required to be 423  
included in the brochure developed under division (A) of this 424  
section to any person who prints a voter registration form that is 425  
made available on that web site. 426

(C) As used in this section, "registering voters" includes 427  
any effort, for compensation, to provide voter registration forms 428  
or to assist persons in completing or returning those forms. 429

**Sec. 3505.18.** (A)(1) When an elector appears in a polling 430  
place to vote, the elector shall announce to the precinct election 431  
officials the elector's full name and current address and provide 432  
proof of the elector's identity in the form of a current and valid 433  
photo identification, a military identification, a United States 434  
passport, or a copy of a current utility bill, bank statement, 435  
government check, paycheck, or other government document, other 436  
than a notice of voter registration mailed by a board of elections 437  
under section 3503.19 of the Revised Code, that shows the name and 438  
current address of the elector. 439

(2) If an elector does not have or is unable to provide to the precinct election officials any of the forms of identification required under division (A)(1) of this section, the elector may cast a provisional ballot under section 3505.181 of the Revised Code ~~and do either of the following:~~

~~(a) Appear at the office of the board of elections not later than the close of the polls on the day of the election and provide the identification required under division (A)(1) of this section;~~  
~~or~~

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

(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 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 signature in the poll list or signature pollbook, the elector may make the elector's mark at the place intended for the elector's 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 signature in the poll list or signature pollbook in accordance with that section.

The elector's signature in the poll list or signature pollbook then shall be compared with the elector's signature on

the elector's registration form or a digitized signature list as 472  
provided for in section 3503.13 of the Revised Code, and if, in 473  
the opinion of a majority of the precinct election officials, the 474  
signatures are the signatures of the same person, the election 475  
officials shall enter the date of the election on the registration 476  
form or shall record the date by other means prescribed by the 477  
secretary of state. The validity of an attorney in fact's 478  
signature on behalf of an elector shall be determined in 479  
accordance with section 3501.382 of the Revised Code. 480

If the right of the elector to vote is not then challenged, 481  
or, if being challenged, the elector establishes the elector's 482  
right to vote, the elector shall be allowed to proceed to use the 483  
voting machine. If voting machines are not being used in that 484  
precinct, the judge in charge of ballots shall then detach the 485  
next ballots to be issued to the elector from Stub B attached to 486  
each ballot, leaving Stub A attached to each ballot, hand the 487  
ballots to the elector, and call the elector's name and the stub 488  
number on each of the ballots. The judge shall enter the stub 489  
numbers opposite the signature of the elector in the pollbook. The 490  
elector shall then retire to one of the voting compartments to 491  
mark the elector's ballots. No mark shall be made on any ballot 492  
which would in any way enable any person to identify the person 493  
who voted the ballot. 494

**Sec. 3505.181.** (A) All of the following individuals shall be 495  
permitted to cast a provisional ballot at an election: 496

(1) An individual who declares that the individual is a 497  
registered voter in the jurisdiction in which the individual 498  
desires to vote and that the individual is eligible to vote in an 499  
election, but the name of the individual does not appear on the 500  
official list of eligible voters for the polling place or an 501  
election official asserts that the individual is not eligible to 502

vote;	503
(2) An individual who does not have or is unable to provide to the election officials any of the forms of identification required under division (A)(1) of section 3505.18 of the Revised Code;	504 505 506 507
(3) An individual whose name in the poll list or signature pollbook has been marked under section 3509.09 or 3511.13 of the Revised Code as having requested an absent voter's ballot or a uniformed services or overseas absent voter's ballot for that election and who appears to vote at the polling place;	508 509 510 511 512
(4) An individual whose notification of registration has been returned undelivered to the board of elections and whose name in the official registration list and in the poll list or signature pollbook has been marked under division (C)(2) of section 3503.19 of the Revised Code;	513 514 515 516 517
(5) An individual who is challenged under section 3505.20 of the Revised Code and the election officials determine that the person is ineligible to vote or are unable to determine the person's eligibility to vote;	518 519 520 521
(6) An individual who moves from one precinct to another within a county, moves from one precinct to another and changes the individual's name, moves from one county to another within the state, or moves from one county to another and changes the individual's name and completes and signs the required forms and statements under division (B) or (C) of section 3503.16 of the Revised Code;	522 523 524 525 526 527 528
(7) An individual whose signature, in the opinion of the precinct officers under section 3505.22 of the Revised Code, is not that of the person who signed that name in the registration forms;	529 530 531 532
(8) An individual who is challenged under section 3513.20 of	533

the Revised Code who refuses to make the statement required under 534  
that section, or who a majority of the precinct officials find 535  
lacks any of the qualifications to make the individual a qualified 536  
elector, ~~or who a majority of the precinct officials find is not~~ 537  
~~affiliated with or a member of the political party whose ballot~~ 538  
~~the individual desires to vote;~~ 539

(9) An individual who is casting a ballot after the time for 540  
the closing of the polls under section 3501.32 of the Revised Code 541  
pursuant to a court order extending the time for the closing of 542  
the polls. 543

(B) An individual who is eligible to cast a provisional 544  
ballot under division (A) of this section shall be permitted to 545  
cast a provisional ballot as follows: 546

(1) An election official at the polling place shall notify 547  
the individual that the individual may cast a provisional ballot 548  
in that election. 549

(2) The individual shall be permitted to cast a provisional 550  
ballot at that polling place upon the execution of a written 551  
affirmation by the individual before an election official at the 552  
polling place stating that the individual is both of the 553  
following: 554

(a) A registered voter in the jurisdiction in which the 555  
individual desires to vote; 556

(b) Eligible to vote in that election. 557

If the individual declines to execute the affirmation, the 558  
election official shall not record any of the information required 559  
to be provided by the individual on the affirmation. The election 560  
official shall explain to the individual that the provisional 561  
ballot will not be counted. 562

(3) An election official at the polling place shall transmit 563

the ballot cast by the individual and the voter information 564  
contained in the written affirmation executed by the individual 565  
under division (B)(2) of this section to an appropriate local 566  
election official for verification. 567

(4)(a) At the time that an individual casts a provisional 568  
ballot, the appropriate local election official shall give the 569  
individual written information that states that any individual who 570  
casts a provisional ballot will be able to ascertain under the 571  
system established under division (B)(4)(b) of this section 572  
whether the vote was counted, and, if the vote was not counted, 573  
the reason that the vote was not counted. 574

(b) The appropriate state or local election official shall 575  
establish a free access system, in the form of a toll-free 576  
telephone number, that any individual who casts a provisional 577  
ballot may access to discover whether the vote of that individual 578  
was counted, and, if the vote was not counted, the reason that the 579  
vote was not counted. The free access system established under 580  
this division also shall provide to an individual whose 581  
provisional ballot was not counted information explaining how that 582  
individual may contact the board of elections to register to vote 583  
or to resolve problems with the individual's voter registration. 584

The appropriate state or local election official shall 585  
establish and maintain reasonable procedures necessary to protect 586  
the security, confidentiality, and integrity of personal 587  
information collected, stored, or otherwise used by the free 588  
access system established under this division. Access to 589  
information about an individual ballot shall be restricted to the 590  
individual who cast the ballot. 591

(C)(1) If an individual declares that the individual is 592  
eligible to vote in a jurisdiction other than the jurisdiction in 593  
which the individual desires to vote, or if, upon review of the 594  
precinct voting location guide using the residential street 595

address provided by the individual, an election official at the 596  
polling place at which the individual desires to vote determines 597  
that the individual is not eligible to vote in that jurisdiction, 598  
the election official may direct the individual to the polling 599  
place for the jurisdiction in which the individual appears to be 600  
eligible to vote, explain that the individual may cast a 601  
provisional ballot at the current location but the ballot will not 602  
be counted if it is cast in the wrong precinct, and provide the 603  
telephone number of the board of elections in case the individual 604  
has additional questions. It is the duty of the individual casting 605  
the ballot to ensure that the individual is casting that ballot in 606  
the correct precinct. 607

(2) The individual may travel to the polling place for the 608  
correct jurisdiction or to the office of the board of elections to 609  
cast a ballot, or the individual shall be permitted to vote a 610  
provisional ballot at that jurisdiction in accordance with 611  
division (B) of this section. 612

(3) If an election official attempts to direct an individual 613  
to the correct precinct under division (C)(1) of this section, and 614  
the individual subsequently casts a ballot in the wrong precinct, 615  
both of the following apply: 616

(a) That ballot shall not be counted. 617

(b) The ballot being cast in the wrong precinct shall not be 618  
considered to be caused by an error on the part of the election 619  
official. 620

(D) The appropriate local election official shall cause 621  
voting information to be publicly posted at each polling place on 622  
the day of each election. 623

(E) As used in this section and sections 3505.182 and 624  
3505.183 of the Revised Code: 625

(1) "Jurisdiction" means the precinct in which a person is a 626

legally qualified elector. 627

(2) "Precinct voting location guide" means either of the 628  
following: 629

(a) An electronic or paper record that lists the correct 630  
jurisdiction and polling place for either each specific 631  
residential street address in the county or the range of 632  
residential street addresses located in each neighborhood block in 633  
the county; 634

(b) Any other method that a board of elections creates that 635  
allows a precinct election official or any elector who is at a 636  
polling place in that county to determine the correct jurisdiction 637  
and polling place of any qualified elector who resides in the 638  
county. 639

(3) "Voting information" means all of the following: 640

(a) A sample version of the ballot that will be used for that 641  
election; 642

(b) Information regarding the date of the election and the 643  
hours during which polling places will be open; 644

(c) Instructions on how to vote, including how to cast a vote 645  
and how to cast a provisional ballot; 646

(d) Instructions for mail-in registrants and first-time 647  
voters under applicable federal and state laws; 648

(e) General information on voting rights under applicable 649  
federal and state laws, including information on the right of an 650  
individual to cast a provisional ballot and instructions on how to 651  
contact the appropriate officials if these rights are alleged to 652  
have been violated; 653

(f) General information on federal and state laws regarding 654  
prohibitions against acts of fraud and misrepresentation. 655

(F) Nothing in this section or section 3505.183 of the 656

Revised Code is in derogation of section 3505.24 of the Revised Code, which permits a blind, disabled, or illiterate elector to receive assistance in the marking of the elector's ballot by two precinct election officials of different political parties. A blind, disabled, or illiterate elector may receive assistance in marking that elector's provisional ballot and in completing the required affirmation in the same manner as an elector may receive assistance on the day of an election under that section.

**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.

(B)(1) To determine whether a provisional ballot is valid and entitled to be counted, the board shall examine 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 who cast the provisional ballot under division (B)(2) of section 3505.181 of the Revised Code. ~~If the provisional voter provided identification at the board of elections prior to the close of the polls under division (A)(2)(a) of section 3505.18 of the Revised Code, the board of elections shall match that voter's provisional ballot envelope with the corresponding voter's identification and consider that provisional voter to have provided the required~~

~~identification at the polling place at the time the ballot was 689  
cast when determining the validity of the provisional ballot. If 690  
the provisional voter provided the individual's social security 691  
number on the provisional ballot envelope under division (A)(2)(b) 692  
of that section, the board of elections shall verify that voter's 693  
social security number with records maintained by the bureau of 694  
motor vehicles. If those records correspond, the board of 695  
elections shall consider that provisional voter to have provided 696  
the required identification at the polling place at the time the 697  
ballot was cast. 698~~

The following information shall be included by the 699  
provisional voter in the written affirmation in order for the 700  
provisional ballot to be eligible to be counted: 701

- (a) The individual's printed name; 702
- (b) The individual's signature; 703
- (c) The individual's date of birth; 704
- (d) One of the following: 705
  - (i) The last four digits of the individual's social security 706  
number; 707
  - (ii) The individual's driver's license number; 708
  - (iii) The individual's state identification card number; 709
  - (iv) ~~Except as otherwise provided in division (B)(1) of this 710  
section, an An affirmative notation that the individual provided 711  
the required identification under division (A)(1) of section 712  
3505.18 of the Revised Code; 713~~
- (e) The individual's residence address; 714
- (f) A statement that the individual is a registered voter in 715  
the jurisdiction in which the provisional ballot is being voted; 716
- (g) A statement that the individual is eligible to vote in 717

the election in which the provisional ballot is being voted. 718

(2) If, in examining a provisional ballot affirmation and 719  
comparing the information required under division (B)(1) of this 720  
section with the elector's information in the statewide voter 721  
registration database, the board determines that all of the 722  
following apply, the provisional ballot envelope shall be opened, 723  
and the ballot shall be placed in a ballot box to be counted: 724

(a) The individual named on the affirmation is properly 725  
registered to vote. 726

(b) The individual named on the affirmation is eligible to 727  
cast a ballot in the precinct and for the election in which the 728  
individual cast the provisional ballot. 729

(c) The individual provided all of the information required 730  
under division (B)(1) of this section in the affirmation that the 731  
individual executed at the time the individual cast the 732  
provisional ballot, ~~or the individual provided all of the~~ 733  
~~information required under division (B)(1) of this section with~~ 734  
~~the exception of the required identification, which identification~~ 735  
~~was provided at the board of elections prior to the close of the~~ 736  
~~polls or verified by matching the social security number provided~~ 737  
~~on the voter's provisional ballot envelope records maintained by~~ 738  
~~the bureau of motor vehicles.~~ 739

(d) The last four digits of the elector's social security 740  
number or the elector's driver's license number or state 741  
identification number are not different from the last four digits 742  
of the elector's social security number or the elector's driver's 743  
license number or state identification number contained in the 744  
statewide voter registration database. 745

(3)(a) If, in examining a provisional ballot affirmation and 746  
comparing the information required under division (B)(1) of this 747  
section with the elector's information in the statewide voter 748

registration database, the board determines that any of the 749  
following applies, the provisional ballot envelope shall not be 750  
opened, and the ballot shall not be counted: 751

(i) The individual named on the affirmation is not qualified 752  
or is not properly registered to vote. 753

(ii) The individual named on the affirmation is not eligible 754  
to cast a ballot in the precinct or for the election in which the 755  
individual cast the provisional ballot. 756

(iii) ~~Except as otherwise provided in division (B)(1) of this~~ 757  
~~section, the~~ The individual did not provide all of the information 758  
required under division (B)(1) of this section in the affirmation 759  
that the individual executed at the time the individual cast the 760  
provisional ballot. 761

(iv) The individual has already cast a ballot for the 762  
election in which the individual cast the provisional ballot. 763

(v) ~~The elector cast a provisional ballot under division~~ 764  
~~(A)(2) of section 3505.181 of the Revised Code and failed to~~ 765  
~~provide the required identification under division (A)(2)(a) of~~ 766  
~~section 3505.18 of the Revised Code, failed to provide the~~ 767  
~~elector's social security number under division (A)(2)(b) of that~~ 768  
~~section, or could not be positively identified because the~~ 769  
~~elector's social security number did not match the records~~ 770  
~~maintained by the bureau of motor vehicles under that division~~ 771  
last four digits of the elector's social security number or the 772  
elector's driver's license number or state identification number 773  
are different from the last four digits of the elector's social 774  
security number or the elector's driver's license number or state 775  
identification number contained in the statewide voter 776  
registration database. 777

(b) If, in examining a provisional ballot affirmation and 778  
comparing the information required under division (B)(1) of this 779

section with the elector's information in the statewide voter registration database, the board is unable to determine either of the following, the provisional ballot envelope shall not be opened, and the ballot shall not be counted:

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

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

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

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

(D) Provisional ballots that the board determines are eligible to be counted under division (B)(2) of this section shall be counted in the same manner as provided for other ballots under section 3505.27 of the Revised Code. No provisional ballots shall be counted in a particular county until the board determines the eligibility to be counted of all provisional ballots cast in that county under division (B) of this section for that election. Observers, as provided in section 3505.21 of the Revised Code, may be present at all times that the board is determining the

eligibility of provisional ballots to be counted and counting 811  
those provisional ballots determined to be eligible. No person 812  
shall recklessly disclose the count or any portion of the count of 813  
provisional ballots in such a manner as to jeopardize the secrecy 814  
of any individual ballot. 815

(E) Nothing in this section shall prevent a board of 816  
elections from examining provisional ballot affirmations to 817  
determine the eligibility of provisional ballots to be counted 818  
during the ten days after the day of an election. 819

**Sec. 3509.021.** ~~Except as provided in section 3509.031 of the~~ 820  
~~Revised Code~~ All identification envelopes containing absent 821  
voter's ballots for former resident voters who are entitled to 822  
vote for presidential and vice-presidential electors only, shall 823  
have printed or stamped thereon the words, "Presidential Ballot." 824

**Sec. 3509.03.** Except as provided in ~~section 3509.031 or~~ 825  
division (B) of section 3509.08 of the Revised Code, any qualified 826  
elector desiring to vote absent voter's ballots at an election 827  
shall make written application for those ballots to the board of 828  
elections of the county in which the elector's voting residence is 829  
located. The application need not be in any particular form but 830  
shall contain all of the following: 831

(A) The elector's name; 832

(B) The elector's signature; 833

(C) The address at which the elector is registered to vote; 834

(D) The elector's date of birth; 835

(E) One of the following: 836

(1) The elector's driver's license number or state 837  
identification card number; 838

(2) The last four digits of the elector's social security 839

number; 840

(3) A copy of the elector's current and valid photo 841  
identification, a copy of a military identification, a copy of a 842  
United States passport, or a copy of a current utility bill, bank 843  
statement, government check, paycheck, or other government 844  
document, other than a notice of voter registration mailed by a 845  
board of elections under section 3503.19 of the Revised Code, that 846  
shows the name and address of the elector. 847

(F) A statement identifying the election for which absent 848  
voter's ballots are requested; 849

(G) A statement that the person requesting the ballots is a 850  
qualified elector; 851

(H) If the request is for primary election ballots, the 852  
elector's party affiliation; 853

(I) If the elector desires ballots to be mailed to the 854  
elector, the address to which those ballots shall be mailed. 855

Each application for absent voter's ballots shall be 856  
delivered to the board not earlier than the first day of January 857  
of the year of the elections for which the absent voter's ballots 858  
are requested or not earlier than ninety days before the day of 859  
the election at which the ballots are to be voted, whichever is 860  
earlier, and not later than twelve noon of the third day before 861  
the day of the election at which the ballots are to be voted, or 862  
not later than ~~the close of regular business hours~~ six p.m. on the 863  
~~day~~ last Friday before the day of the election at which the 864  
ballots are to be voted if the application is delivered in person 865  
to the office of the board. 866

A board of elections shall not mail any unsolicited 867  
applications for absent voter's ballots. A board shall only mail 868  
an absent voter's ballot application to an elector who has 869  
requested such an application from the board. A board of elections 870

that mails an absent voter's ballot application to an elector 871  
under this section shall not prepay the return postage for that 872  
application. 873

**Sec. 3509.04.** (A) If a board of elections receives an 874  
application for absent voter's ballots that does not contain all 875  
of the required information, the board promptly shall notify the 876  
applicant of the additional information required to be provided by 877  
the applicant to complete that application. 878

(B) Upon receipt by the board of elections of an application 879  
for absent voter's ballots that contains all of the required 880  
information, as provided by ~~sections~~ section 3509.03 ~~and 3509.031~~ 881  
and division (G) of section 3503.16 of the Revised Code, the 882  
board, if the board finds that the applicant is a qualified 883  
elector, shall deliver to the applicant in person or mail directly 884  
to the applicant by special delivery mail, air mail, or regular 885  
mail, postage prepaid, proper absent voter's ballots. The board 886  
shall deliver or mail with the ballots an unsealed identification 887  
envelope upon the face of which shall be printed a form 888  
substantially as follows: 889

"Identification Envelope Statement of Voter 890

I, .....(Name of voter), declare under 891  
penalty of election falsification that the within ballot or 892  
ballots contained no voting marks of any kind when I received 893  
them, and I caused the ballot or ballots to be marked, enclosed in 894  
the identification envelope, and sealed in that envelope. 895

My voting residence in Ohio is 896

..... 897

(Street and Number, if any, or Rural Route and Number) 898

of ..... (City, Village, or Township) 899

Ohio, which is in Ward ..... Precinct ..... 900

in that city, village, or township. 901

The primary election ballots, if any, within this envelope 902  
are primary election ballots of the ..... Party. 903

Ballots contained within this envelope are to be voted at the 904  
..... (general, special, or primary) election to be held on 905  
the ..... day of ....., .... 906

My date of birth is ..... (Month and Day), 907  
..... (Year). 908

(Voter must provide one of the following:) 909

My driver's license number is ..... (Driver's 910  
license number). 911

My state identification card number is ..... (Ohio 912  
identification card number). 913

~~My~~ The last four digits of my Social Security Number ~~is~~ are 914  
..... (Last four digits of Social Security Number). 915

..... In lieu of providing a driver's license number, state 916  
identification card number, or the last four digits of my Social 917  
Security Number, I am enclosing a copy of one of the following in 918  
the return envelope in which this identification envelope will be 919  
mailed: a current and valid photo identification, a military 920  
identification, a United States passport, or a current utility 921  
bill, bank statement, government check, paycheck, or other 922  
government document, other than a notice of voter registration 923  
mailed by a board of elections, that shows my name and address. 924

I hereby declare, under penalty of election falsification, 925  
that the statements above are true, as I verily believe. 926

..... 927  
(Signature of Voter) 928

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 929  
THE FIFTH DEGREE." 930

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

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

If the elector does not provide the elector's driver's license number, state identification card number, or the last four digits of the elector's social security number on the statement of voter on the identification envelope, the elector also shall include in the return envelope with the identification envelope a copy of the elector's current valid photo identification, a copy of a military identification, a copy of a United States passport, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of voter registration mailed by a board of elections under section

3503.19 of the Revised Code, that shows the name and address of 963  
the elector. 964

The elector shall mail the identification envelope to the 965  
board of elections from which it was received in the return 966  
envelope, postage prepaid, or the elector may personally deliver 967  
it to the office of the board, or the spouse of the elector, the 968  
father, mother, father-in-law, mother-in-law, grandfather, 969  
grandmother, brother, or sister of the whole or half blood, or the 970  
son, daughter, adopting parent, adopted child, stepparent, 971  
stepchild, uncle, aunt, nephew, or niece of the elector may 972  
deliver it to the board. The return envelope shall be transmitted 973  
to the board in no other manner, except as provided in section 974  
3509.08 of the Revised Code. 975

When absent voter's ballots are delivered to an elector at 976  
the office of the board, the elector may retire to a voting 977  
compartment provided by the board and there mark the ballots. 978  
Thereupon, the elector shall fold them, place them in the 979  
identification envelope provided, seal the envelope, fill in and 980  
sign the statement on the envelope under penalty of election 981  
falsification, and deliver the envelope to the board. 982

Except as otherwise provided in division (B) of this section, 983  
all other envelopes containing marked absent voter's ballots shall 984  
be delivered to the board not later than the close of the polls on 985  
the day of an election. Absent voter's ballots delivered to the 986  
board later than the times specified shall not be counted, but 987  
shall be kept by the board in the sealed identification envelopes 988  
in which they are delivered to the board, until the time provided 989  
by section 3505.31 of the Revised Code for the destruction of all 990  
other ballots used at the election for which ballots were 991  
provided, at which time they shall be destroyed. 992

(B)(1) Except as otherwise provided in division (B)(2) of 993  
this section, any return envelope that is postmarked prior to the 994

day of the election shall be delivered to the board prior to the 995  
eleventh day after the election. Ballots delivered in envelopes 996  
postmarked prior to the day of the election that are received 997  
after the close of the polls on election day through the tenth day 998  
thereafter shall be counted on the eleventh day at the board of 999  
elections in the manner provided in divisions (C) and (D) of 1000  
section 3509.06 of the Revised Code. Any such ballots that are 1001  
received by the board later than the tenth day following the 1002  
election shall not be counted, but shall be kept by the board in 1003  
the sealed identification envelopes as provided in division (A) of 1004  
this section. 1005

(2) Division (B)(1) of this section shall not apply to any 1006  
mail that is postmarked using a postage evidencing system, 1007  
including a postage meter, as defined in 39 C.F.R. 501.1. 1008

(C) Upon receipt of any return envelope prior to the eleventh 1009  
day after the day of any election, the board of elections shall 1010  
open it but shall not open the identification envelope contained 1011  
in it. If, upon so opening the return envelope, the board finds 1012  
ballots in it that are not enclosed in and properly sealed in the 1013  
identification envelope, the board shall not look at the markings 1014  
upon the ballots and shall promptly place them in the 1015  
identification envelope and promptly seal it. If, upon so opening 1016  
the return envelope, the board finds that ballots are enclosed in 1017  
the identification envelope but that it is not properly sealed, 1018  
the board shall not look at the markings upon the ballots and 1019  
shall promptly seal the identification envelope. 1020

**Sec. 3509.07.** If election officials find that the statement 1021  
accompanying an absent voter's ballot or absent voter's 1022  
presidential ballot is insufficient, that the signatures do not 1023  
correspond with the person's registration signature, that the 1024  
elector has not included the elector's birth date or printed name 1025

on the identification envelope statement of voter, that the 1026  
applicant is not a qualified elector in the precinct, that the 1027  
ballot envelope contains more than one ballot of any one kind, or 1028  
any voted ballot that the elector is not entitled to vote, that 1029  
Stub A is not included in the envelope with the absent voter's 1030  
ballot or absent voter's presidential ballot, or that the elector 1031  
has not included with the elector's ballot any identification 1032  
required under section 3509.05 or 3511.09 of the Revised Code, the 1033  
vote shall not be accepted or counted. The vote of any absent 1034  
voter may be challenged for cause in the same manner as other 1035  
votes are challenged, and the election officials shall determine 1036  
the legality of that ballot. Every ballot not counted shall be 1037  
endorsed on its back "Not Counted" with the reasons the ballot was 1038  
not counted, and shall be enclosed and returned to or retained by 1039  
the board of elections along with the contested ballots. 1040

Sec. 3509.10. If a board of elections receives an application 1041  
for absent voter's ballots under this chapter and it is apparent 1042  
to the board that the absent voter is a uniformed services voter 1043  
or overseas voter, as defined in section 3511.01 of the Revised 1044  
Code, the board shall consider that applicant to have applied for 1045  
uniformed services or overseas ballots under Chapter 3511. of the 1046  
Revised Code and shall provide those ballots to that voter in 1047  
accordance with the timelines and procedures applicable to 1048  
uniformed services and overseas absent voters. 1049

Sec. 3511.01. As used in this chapter: 1050

(A) "Dependent" means a person who is recognized as a 1051  
dependent by one of the uniformed services. 1052

(B) "Overseas voter" means any of the following: 1053

(1) A person who is outside of the United States and who, 1054  
before leaving the United States, was last eligible to vote in 1055

this state, who may be considered a state resident using the 1056  
standards for residency established in sections 3503.02 and 1057  
3511.011 of the Revised Code, and who otherwise satisfies the 1058  
requirements to vote in this state; 1059

(2) A person who is outside of the United States and who, 1060  
before leaving the United States, would have been eligible to vote 1061  
in this state had the person then been eighteen years of age or 1062  
older, who may be considered a state resident using the standards 1063  
for residency established in sections 3503.02 and 3511.011 of the 1064  
Revised Code, and who otherwise satisfies the requirements to vote 1065  
in this state; 1066

(3) A person who was born outside of the United States, who 1067  
may be considered a state resident using the standards for 1068  
residency established in sections 3503.02 and 3511.011 of the 1069  
Revised Code, and who otherwise satisfies the requirements to vote 1070  
in this state, if both of the following apply: 1071

(a) The last place where the person's parent or legal 1072  
guardian was, or would have been, eligible to vote before leaving 1073  
the United States is within this state; and 1074

(b) The person has not previously registered to vote in any 1075  
other state. 1076

(C) "Uniformed services" means: 1077

(1) Active and reserve components of the army, navy, air 1078  
force, marine corps, or coast guard of the United States; 1079

(2) The merchant marine, the commissioned corps of the public 1080  
health service, or the commissioned corps of the national oceanic 1081  
and atmospheric administration of the United States; 1082

(3) The national guard and the organized militia. 1083

(D) "Uniformed services voter" means an individual who is 1084  
qualified to vote in this state and who is: 1085

(1) A member of one of the uniformed services described in 1086  
division (C)(1) or (2) of this section; 1087

(2) A member of one of the uniformed services described in 1088  
division (C)(3) of this section who is on activated status. 1089

(3) A spouse or dependent of a uniformed services voter. 1090

**Sec. ~~3511.01~~ 3511.011.** Any section of the Revised Code to the 1091  
contrary notwithstanding, any person who qualifies as a uniformed 1092  
services voter or an overseas voter, ~~as defined in 42 U.S.C.~~ 1093  
~~1973ff-6,~~ who will be eighteen years of age or more on the day of 1094  
a general or special election and who is a citizen of the United 1095  
States, may vote uniformed services or overseas absent voter's 1096  
ballots in such general or special election as follows: 1097

(A) If an absent uniformed services member is the voter, the 1098  
service member may vote only in the precinct in which the service 1099  
member has a voting residence in the state, and that voting 1100  
residence shall be that place in the precinct in which the service 1101  
member resided immediately preceding the commencement of such 1102  
service, provided that the time during which the service member 1103  
continuously resided in the state immediately preceding the 1104  
commencement of such service plus the time subsequent to such 1105  
commencement and prior to the day of such general, special, or 1106  
primary election is equal to or exceeds thirty days. 1107

(B) If the spouse or dependent of an absent uniformed 1108  
services member is the voter, the spouse or dependent may vote 1109  
only in the precinct in which the spouse or dependent has a voting 1110  
residence in the state, and that voting residence shall be that 1111  
place in the precinct in which the spouse or dependent resided 1112  
immediately preceding the time of leaving the state for the 1113  
purpose of being with or near the service member, provided that 1114  
the time during which the spouse or dependent continuously resided 1115  
in the state immediately preceding the time of leaving the state 1116

for the purpose of being with or near the service member plus the 1117  
time subsequent to such leaving and prior to the day of such 1118  
general, special, or primary election is equal to or exceeds 1119  
thirty days. 1120

(C) If an absent uniformed services member or the service 1121  
member's spouse or dependent establishes a permanent residence in 1122  
a precinct other than the precinct in which the person resided 1123  
immediately preceding the commencement of the service member's 1124  
service, the voting residence of both the service member and the 1125  
service member's spouse or dependent shall be the precinct of such 1126  
permanent residence, provided that the time during which the 1127  
service member continuously resided in the state immediately 1128  
preceding the commencement of such service plus the time 1129  
subsequent to such commencement and prior to the day of such 1130  
general, special, or primary election is equal to or exceeds 1131  
thirty days. 1132

(D) ~~If~~ (1) Except as otherwise provided in division (D)(2) of 1133  
this section, if an overseas voter who is not an absent uniformed 1134  
services voter or the spouse or dependent of an absent uniformed 1135  
services voter is the voter, the overseas voter may vote only in 1136  
the precinct in which the overseas voter has a voting residence in 1137  
the state, and that voting residence shall be that place in the 1138  
precinct in which the overseas voter resided immediately before 1139  
leaving the United States, provided that the time during which the 1140  
overseas voter continuously resided in the state immediately 1141  
preceding such departure and prior to the day of such general, 1142  
special, or primary election is equal to or exceeds thirty days. 1143

(2) A person who was born outside of the United States and 1144  
who meets the definition of "overseas voter" under division (B)(3) 1145  
of section 3511.01 of the Revised Code shall be deemed to have a 1146  
voting residence in this state at that place in the precinct in 1147  
which the person's parent or guardian last resided immediately 1148

before leaving the United States, provided that the time during 1149  
which the person's parent or guardian continuously resided in the 1150  
state immediately preceding such departure and prior to the day of 1151  
the general, special, or primary election is equal to or exceeds 1152  
thirty days. 1153

**Sec. 3511.02.** Notwithstanding any section of the Revised Code 1154  
to the contrary, whenever any person applies for registration as a 1155  
voter on a form adopted in accordance with federal regulations 1156  
relating to the "Uniformed and Overseas Citizens Absentee Voting 1157  
Act," 100 Stat. 924, 42 U.S.C.A. 1973ff (1986), this application 1158  
shall be sufficient for voter registration and as a request for an 1159  
absent voter's ballot. Uniformed services or overseas absent 1160  
voter's ballots may be obtained by any person meeting the 1161  
requirements of section ~~3511.01~~ 3511.011 of the Revised Code by 1162  
applying electronically to the secretary of state or to the board 1163  
of elections of the county in which the person's voting residence 1164  
is located in accordance with section 3511.021 of the Revised Code 1165  
or by applying to the board of elections of the county in which 1166  
the person's voting residence is located, in one of the following 1167  
ways: 1168

(A) That person may make written application for those 1169  
ballots. The person may personally deliver the application to the 1170  
board or may mail it, send it by facsimile machine, send it by 1171  
electronic mail, send it through internet delivery if such 1172  
delivery is offered by the board of elections or the secretary of 1173  
state, or otherwise send it to the board. The application need not 1174  
be in any particular form but shall contain all of the following 1175  
information: 1176

(1) The elector's name; 1177

(2) The elector's signature; 1178

(3) The address at which the elector is registered to vote; 1179

(4) The elector's date of birth;	1180
(5) One of the following:	1181
(a) The elector's driver's license number or state identification card number;	1182 1183
(b) The <u>last four digits of the</u> elector's social security number;	1184 1185
(c) A copy of the elector's current and valid photo identification, a copy of a military identification, a copy of a United States passport, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the name and address of the elector.	1186 1187 1188 1189 1190 1191 1192
(6) A statement identifying the election for which absent voter's ballots are requested;	1193 1194
(7) A statement that the person requesting the ballots is a qualified elector;	1195 1196
(8) A statement that the elector is an absent uniformed services voter or overseas voter as defined in 42 U.S.C. 1973ff-6;	1197 1198
(9) A statement of the elector's length of residence in the state immediately preceding the commencement of service, immediately preceding the date of leaving to be with or near the service member, or immediately preceding leaving the United States, <u>or a statement that the elector's parent or legal guardian resided in this state long enough to establish residency for voting purposes immediately preceding leaving the United States,</u> whichever is applicable;	1199 1200 1201 1202 1203 1204 1205 1206
(10) If the request is for primary election ballots, the elector's party affiliation;	1207 1208
(11) If the elector desires ballots to be mailed to the	1209

elector, the address to which those ballots shall be mailed; 1210

(12) If the elector desires ballots to be sent to the elector 1211  
by facsimile machine, the telephone number to which they shall be 1212  
so sent; 1213

(13) If the elector desires ballots to be sent to the elector 1214  
by electronic mail or, if offered by the board of elections or the 1215  
secretary of state, through internet delivery, the elector's 1216  
electronic mail address or other internet contact information. 1217

(B) A voter or any relative of a voter listed in division (C) 1218  
of this section may use a single federal post card application to 1219  
apply for uniformed services or overseas absent voter's ballots 1220  
for use at the primary and general elections in a given year and 1221  
any special election to be held on the day in that year specified 1222  
by division (E) of section 3501.01 of the Revised Code for the 1223  
holding of a primary election, designated by the general assembly 1224  
for the purpose of submitting constitutional amendments proposed 1225  
by the general assembly to the voters of the state. A single 1226  
federal postcard application shall be processed by the board of 1227  
elections pursuant to section 3511.04 of the Revised Code the same 1228  
as if the voter had applied separately for uniformed services or 1229  
overseas absent voter's ballots for each election. 1230

(C) Application to have uniformed services or overseas absent 1231  
voter's ballots mailed or sent by facsimile machine to such a 1232  
person may be made by the spouse, father, mother, father-in-law, 1233  
mother-in-law, grandfather, grandmother, brother or sister of the 1234  
whole blood or half blood, son, daughter, adopting parent, adopted 1235  
child, stepparent, stepchild, daughter-in-law, son-in-law, uncle, 1236  
aunt, nephew, or niece of such a person. The application shall be 1237  
in writing upon a blank form furnished only by the board of 1238  
elections or on a single federal post card as provided in division 1239  
(B) of this section. The form of the application shall be 1240  
prescribed by the secretary of state. The board shall furnish that 1241

blank form to any of the relatives specified in this division 1242  
desiring to make the application, only upon the request of such a 1243  
relative made in person at the office of the board or upon the 1244  
written request of such a relative mailed to the office of the 1245  
board. The application, subscribed and sworn to by the applicant, 1246  
shall contain all of the following: 1247

(1) The full name of the elector for whom ballots are 1248  
requested; 1249

(2) A statement that the elector is an absent uniformed 1250  
services voter or overseas voter as defined in 42 U.S.C. 1973ff-6; 1251

(3) The address at which the elector is registered to vote; 1252

(4) A statement identifying the elector's length of residence 1253  
in the state immediately preceding the commencement of service, 1254  
immediately preceding the date of leaving to be with or near a 1255  
service member, or immediately preceding leaving the United 1256  
States, or a statement that the elector's parent or legal guardian 1257  
resided in this state long enough to establish residency for 1258  
voting purposes immediately preceding leaving the United States, 1259  
as the case may be; 1260

(5) The elector's date of birth; 1261

(6) One of the following: 1262

(a) The elector's driver's license number or state 1263  
identification card number; 1264

(b) The last four digits of the elector's social security 1265  
number; 1266

(c) A copy of the elector's current and valid photo 1267  
identification, a copy of a military identification, a copy of a 1268  
United States passport, or a copy of a current utility bill, bank 1269  
statement, government check, paycheck, or other government 1270  
document, other than a notice of voter registration mailed by a 1271

board of elections under section 3503.19 of the Revised Code, that 1272  
shows the name and address of the elector. 1273

(7) A statement identifying the election for which absent 1274  
voter's ballots are requested; 1275

(8) A statement that the person requesting the ballots is a 1276  
qualified elector; 1277

(9) If the request is for primary election ballots, the 1278  
elector's party affiliation; 1279

(10) A statement that the applicant bears a relationship to 1280  
the elector as specified in division (C) of this section; 1281

(11) The address to which ballots shall be mailed ~~or~~, the 1282  
telephone number to which ballots shall be sent by facsimile 1283  
machine, the electronic mail address to which ballots shall be 1284  
sent by electronic mail, or, if internet delivery is offered by 1285  
the board of elections or the secretary of state, the internet 1286  
contact information to which ballots shall be sent through 1287  
internet delivery; 1288

(12) The signature and address of the person making the 1289  
application. 1290

Each application for uniformed services or overseas absent 1291  
voter's ballots shall be delivered to the board not earlier than 1292  
the first day of January of the year of the elections for which 1293  
the uniformed services or overseas absent voter's ballots are 1294  
requested or not earlier than ninety days before the day of the 1295  
election at which the ballots are to be voted, whichever is 1296  
earlier, and not later than twelve noon of the third day preceding 1297  
the day of the election, or not later than ~~the close of regular~~ 1298  
~~business hours~~ six p.m. on the day last Friday before the day of 1299  
the election at which those ballots are to be voted if the 1300  
application is delivered in person to the office of the board. 1301

(D) If the voter for whom the application is made is entitled 1302  
to vote for presidential and vice-presidential electors only, the 1303  
applicant shall submit to the board in addition to the 1304  
requirements of divisions (A), (B), and (C) of this section, a 1305  
statement to the effect that the voter is qualified to vote for 1306  
presidential and vice-presidential electors and for no other 1307  
offices. 1308

**Sec. 3511.021.** (A)(1) The secretary of state shall establish 1309  
procedures that allow any person who is eligible to vote as a 1310  
uniformed services voter or an overseas voter in accordance with 1311  
42 U.S.C. 1973ff-6 to apply by electronic means to the office of 1312  
the secretary of state or to the board of elections of the county 1313  
in which the person's voting residence is located for a uniformed 1314  
services or overseas absent voter's ballot. 1315

(2) The procedures shall allow such a person who requests a 1316  
uniformed services or overseas absent voter's ballot application 1317  
to express a preference for the manner in which the person will 1318  
receive the requested application, whether by mail ~~or~~ 1319  
electronically, facsimile transmission, electronic mail, or, if 1320  
offered by the board of elections or the secretary of state, 1321  
through internet delivery. If the person completes and timely 1322  
returns the application and the applicant is eligible to receive a 1323  
ballot, the procedures shall allow the applicant to express a 1324  
preference for the manner in which the person will receive the 1325  
requested blank, unvoted ballots, whether by mail ~~or~~ 1326  
electronically, facsimile transmission, electronic mail, or, if 1327  
offered by the board of elections or the secretary of state, 1328  
through internet delivery. The requested items shall be 1329  
transmitted by the board of elections of the county in which the 1330  
person's voting residence is located by the preferred method. If 1331  
the requestor does not express a preferred method, the requested 1332  
items shall be delivered via standard mail. 1333

(3) To the extent practicable, the procedures shall protect the security and integrity of the ballot request and delivery process, and protect the privacy of the identity and personal data of the person when such applications and ballots are requested, processed, and sent.

(4) No person shall return by electronic means to the secretary of state, a board of elections, or any other entity a completed or voted uniformed services or overseas absent voter's ballot. If a ballot is so returned, the ballot shall not be accepted, processed, or counted.

(B)(1) The secretary of state, in coordination with the boards of elections, shall establish a free access system by which an absent uniformed services voter or overseas voter may determine the following:

(a) Whether that person's request for a uniformed services or overseas absent voter's ballot was received and processed;

(b) If the person's request was received and processed, when the uniformed services or overseas absent voter's ballot was sent;

(c) Whether any uniformed services or overseas absent voter's ballot returned by that person has been received by election officials;

(d) Whether the board of elections found any error on the identification envelope containing the person's returned uniformed services or overseas absent voter's ballot and, if so, how the person may correct any error within ten days after the day of an election; and

(e) Whether the person's uniformed services or overseas absent voter's ballot was counted.

(2) The appropriate state or local election official shall establish and maintain reasonable procedures necessary to protect

the security, confidentiality, and integrity of personal 1364  
information that is confidential under state or federal law that 1365  
is collected, stored, or otherwise used by the free access system 1366  
established under division (B) of this section. Access to 1367  
information about the votes cast on an individual ballot shall be 1368  
restricted to the person who cast the ballot. To the extent 1369  
practicable, the procedures shall protect the security and 1370  
integrity of the process and protect the privacy of the identity 1371  
and personal data of the person. 1372

**Sec. 3511.04.** (A) If a board of elections receives an 1373  
application for uniformed services or overseas absent voter's 1374  
ballots that does not contain all of the required information, the 1375  
board promptly shall notify the applicant of the additional 1376  
information required to be provided by the applicant to complete 1377  
that application. 1378

(B) Not later than the forty-fifth day before the day of each 1379  
general or primary election, and at the earliest possible time 1380  
before the day of a special election held on a day other than the 1381  
day on which a general or primary election is held, the board of 1382  
elections shall mail, send by facsimile machine, send by 1383  
electronic mail, send through internet delivery if such delivery 1384  
is offered by the board of elections or the secretary of state, or 1385  
otherwise send uniformed services or overseas absent voter's 1386  
ballots then ready for use as provided for in section 3511.03 of 1387  
the Revised Code and for which the board has received valid 1388  
applications prior to that time. Thereafter, and until twelve noon 1389  
of the third day preceding the day of election, the board shall 1390  
promptly, upon receipt of valid applications for them, mail, send 1391  
by facsimile machine, send by electronic mail, send through 1392  
internet delivery if such delivery is offered by the board of 1393  
elections or the secretary of state, or otherwise send to the 1394  
proper persons all uniformed services or overseas absent voter's 1395

ballots then ready for use. 1396

If, after the seventieth day before the day of a general or 1397  
primary election, any other question, issue, or candidacy is 1398  
lawfully ordered submitted to the electors voting at the general 1399  
or primary election, the board shall promptly provide a separate 1400  
official issue, special election, or other election ballot for 1401  
submitting the question, issue, or candidacy to those electors and 1402  
promptly mail ~~or~~, send by facsimile machine, send by electronic 1403  
mail, send through internet delivery if such delivery is offered 1404  
by the board of elections or the secretary of state, or otherwise 1405  
send each such separate ballot to each person to whom the board 1406  
has previously mailed or sent ~~by facsimile machine~~ other uniformed 1407  
services or overseas absent voter's ballots. 1408

In mailing uniformed services or overseas absent voter's 1409  
ballots, the board shall use the fastest mail service available, 1410  
but the board shall not mail them by certified mail. 1411

**Sec. 3511.05.** (A) The board of elections shall place 1412  
uniformed services or overseas absent voter's ballots sent by mail 1413  
in an unsealed identification envelope, gummed ready for sealing. 1414  
The board shall include with uniformed services or overseas absent 1415  
voter's ballots sent electronically, including by facsimile 1416  
machine, an instruction sheet for preparing a gummed envelope in 1417  
which the ballots shall be returned. The envelope for returning 1418  
ballots sent by either means shall have printed or written on its 1419  
face a form substantially as follows: 1420

"Identification Envelope Statement of Voter 1421

I, .....(Name of voter), declare under 1422  
penalty of election falsification that the within ballot or 1423  
ballots contained no voting marks of any kind when I received 1424  
them, and I caused the ballot or ballots to be marked, enclosed in 1425  
the identification envelope, and sealed in that envelope. 1426

My voting residence in Ohio is	1427
.....	1428
(Street and Number, if any, or Rural Route and Number)	1429
of ..... (City, Village, or Township)	1430
Ohio, which is in Ward ..... Precinct .....	1431
in that city, village, or township.	1432
The primary election ballots, if any, within this envelope	1433
are primary election ballots of the ..... Party.	1434
Ballots contained within this envelope are to be voted at the	1435
..... (general, special, or primary) election to be held on	1436
the ..... day of ....., ....	1437
My date of birth is ..... (Month and Day),	1438
..... (Year).	1439
(Voter must provide one of the following:)	1440
My driver's license number is ..... (Driver's	1441
license number).	1442
My state identification card number is ..... (Ohio	1443
identification card number).	1444
<del>My</del> <u>The last four digits of my Social Security Number</u> <del>is</del> <u>are</u>	1445
..... ( <u>Last four digits of</u> Social Security Number).	1446
..... In lieu of providing a driver's license number, state	1447
identification card number, or <u>the last four digits of</u> my Social	1448
Security Number, I am enclosing a copy of one of the following in	1449
the return envelope in which this identification envelope will be	1450
mailed: a current and valid photo identification, a military	1451
identification, a United States passport, or a current utility	1452
bill, bank statement, government check, paycheck, or other	1453
government document, other than a notice of voter registration	1454
mailed by a board of elections, that shows my name and address.	1455
I hereby declare, under penalty of election falsification,	1456

that the statements above are true, as I verily believe. 1457

..... 1458

(Signature of Voter) 1459

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 1460

THE FIFTH DEGREE." 1461

(B) The board shall also mail with the ballots and the 1462

unsealed identification envelope sent by mail an unsealed return 1463

envelope, gummed, ready for sealing, for use by the voter in 1464

returning the voter's marked ballots to the board. The board shall 1465

send with the ballots and the instruction sheet for preparing a 1466

gummed envelope sent electronically, including by facsimile 1467

machine, an instruction sheet for preparing a second gummed 1468

envelope as described in this division, for use by the voter in 1469

returning that voter's marked ballots to the board. The return 1470

envelope shall have two parallel lines, each one quarter of an 1471

inch in width, printed across its face paralleling the top, with 1472

an intervening space of one quarter of an inch between such lines. 1473

The top line shall be one and one-quarter inches from the top of 1474

the envelope. Between the parallel lines shall be printed: 1475

"OFFICIAL ELECTION UNIFORMED SERVICES OR OVERSEAS ABSENT VOTER'S 1476

BALLOTS -- VIA AIR MAIL." Three blank lines shall be printed in 1477

the upper left corner on the face of the envelope for the use by 1478

the voter in placing the voter's complete military, naval, or 1479

mailing address on these lines, and beneath these lines there 1480

shall be printed a box beside the words "check if out-of-country." 1481

The voter shall check this box if the voter will be outside the 1482

United States on the day of the election. The official title and 1483

the post-office address of the board to which the envelope shall 1484

be returned shall be printed on the face of such envelope in the 1485

lower right portion below the bottom parallel line. 1486

(C) On the back of each identification envelope and each 1487

return envelope shall be printed the following: 1488

"Instructions to voter:	1489
If the flap on this envelope is so firmly stuck to the back	1490
of the envelope when received by you as to require forcible	1491
opening in order to use it, open the envelope in the manner least	1492
injurious to it, and, after marking your ballots and enclosing	1493
same in the envelope for mailing them to the board of elections,	1494
reclose the envelope in the most practicable way, by sealing or	1495
otherwise, and sign the blank form printed below.	1496
The flap on this envelope was firmly stuck to the back of the	1497
envelope when received, and required forced opening before sealing	1498
and mailing.	1499
.....	1500
(Signature of voter)"	1501
(D) Division (C) of this section does not apply when absent	1502
voter's ballots are sent electronically, including by facsimile	1503
machine.	1504
<b>Sec. 3511.09.</b> Upon receiving uniformed services or overseas	1505
absent voter's ballots, the elector shall cause the questions on	1506
the face of the identification envelope to be answered, and, by	1507
writing the elector's usual signature in the proper place on the	1508
identification envelope, the elector shall declare under penalty	1509
of election falsification that the answers to those questions are	1510
true and correct to the best of the elector's knowledge and	1511
belief. Then, the elector shall note whether there are any voting	1512
marks on the ballot. If there are any voting marks, the ballot	1513
shall be returned immediately to the board of elections;	1514
otherwise, the elector shall cause the ballot to be marked, folded	1515
separately so as to conceal the markings on it, deposited in the	1516
identification envelope, and securely sealed in the identification	1517
envelope. The elector then shall cause the identification envelope	1518
to be placed within the return envelope, sealed in the return	1519

envelope, and mailed to the board of elections to whom it is 1520  
addressed, postage prepaid. The ballot shall be submitted for 1521  
mailing not later than 12:01 a.m. at the place where the voter 1522  
completes the ballot, on the date of the election. If the elector 1523  
does not provide the elector's driver's license number, state 1524  
identification card number, or the last four digits of the 1525  
elector's social security number on the statement of voter on the 1526  
identification envelope, the elector also shall include in the 1527  
return envelope with the identification envelope a copy of the 1528  
elector's current valid photo identification, a copy of a military 1529  
identification, a copy of a United States passport, or a copy of a 1530  
current utility bill, bank statement, government check, paycheck, 1531  
or other government document, other than a notice of voter 1532  
registration mailed by a board of elections under section 3503.19 1533  
of the Revised Code, that shows the name and address of the 1534  
elector. Each elector who will be outside the United States on the 1535  
day of the election shall check the box on the return envelope 1536  
indicating this fact and shall mail the return envelope to the 1537  
board prior to the close of the polls on election day. 1538

Every uniformed services or overseas absent voter's ballot 1539  
identification envelope shall be accompanied by the following 1540  
statement in boldface capital letters: WHOEVER COMMITS ELECTION 1541  
FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. 1542

**Sec. 3511.10.** If, during the time that absent voter's ballots 1543  
may be cast in person before an election, a valid application for 1544  
uniformed services or overseas absent voter's ballots is delivered 1545  
to the office of the board of elections by a person making the 1546  
application on the person's own behalf, the board shall forthwith 1547  
deliver to the person all uniformed services or overseas absent 1548  
voter's ballots then ready for use, together with an 1549  
identification envelope. The person shall then immediately retire 1550  
to a voting booth in the office of the board, and mark the 1551

ballots. The person shall then fold each ballot separately so as 1552  
to conceal the person's markings thereon, and deposit all of the 1553  
ballots in the identification envelope and securely seal it. 1554  
Thereupon the person shall fill in answers to the questions on the 1555  
face of the identification envelope, and by writing the person's 1556  
usual signature in the proper place thereon, the person shall 1557  
declare under penalty of election falsification that the answers 1558  
to those questions are true and correct to the best of that 1559  
person's knowledge and belief. The person shall then deliver the 1560  
identification envelope to the board. If thereafter, and before 1561  
the third day preceding such election, the board provides 1562  
additional separate official issue or special election ballots, as 1563  
provided for in section 3511.04 of the Revised Code, the board 1564  
shall promptly, and not later than twelve noon of the third day 1565  
preceding the day of election, mail such additional ballots to 1566  
such person at the address specified by that person for that 1567  
purpose. 1568

In the event any person serving in the armed forces of the 1569  
United States is discharged after the closing date of 1570  
registration, and that person or that person's spouse, or both, 1571  
meets all the other qualifications set forth in section ~~3511.01~~ 1572  
3511.011 of the Revised Code, the person or spouse shall be 1573  
permitted to vote prior to the date of the election in the office 1574  
of the board in the person's or spouse's county, as set forth in 1575  
this section. 1576

**Sec. 3511.11.** (A) Upon receipt of any return envelope bearing 1577  
the designation "Official Election Uniformed Services or Overseas 1578  
Absent Voter's Ballot" prior to the eleventh day after the day of 1579  
any election, the board of elections shall open it but shall not 1580  
open the identification envelope contained in it. If, upon so 1581  
opening the return envelope, the board finds ballots in it that 1582  
are not enclosed in and properly sealed in the identification 1583

envelope, the board shall not look at the markings upon the 1584  
ballots and shall promptly place them in the identification 1585  
envelope and promptly seal it. If, upon so opening the return 1586  
envelope, the board finds that ballots are enclosed in the 1587  
identification envelope but that it is not properly sealed, the 1588  
board shall not look at the markings upon the ballots and shall 1589  
promptly seal the identification envelope. 1590

(B) Uniformed services or overseas absent voter's ballots 1591  
delivered to the board not later than the close of the polls on 1592  
election day shall be counted in the manner provided in section 1593  
3509.06 of the Revised Code. 1594

(C) A return envelope ~~that indicates that the voter will be~~ 1595  
~~outside of the United States on the day of an election~~ is not 1596  
required to be postmarked in order for a uniformed services or 1597  
overseas absent voter's ballot contained in it to be valid. Except 1598  
as otherwise provided in this division, whether or not the return 1599  
envelope containing the ballot is postmarked, contains a late 1600  
postmark, or contains an illegible postmark, a uniformed services 1601  
or overseas absent voter's ballot that is received after the close 1602  
of the polls on election day through the tenth day after the 1603  
election day ~~and that is delivered in a return envelope that~~ 1604  
~~indicates that the voter will be outside the United States on the~~ 1605  
~~day of the election~~ shall be counted on the eleventh day after the 1606  
election day at the office of the board of elections in the manner 1607  
provided in divisions (C) and (D) of section 3509.06 of the 1608  
Revised Code, if the voter signed the identification envelope by 1609  
the time specified in section 3511.09 of the Revised Code. 1610  
However, if a return envelope containing a uniformed services or 1611  
overseas absent voter's ballot is so received and so indicates, 1612  
but ~~it is postmarked, or~~ the identification envelope in it is 1613  
signed, after the close of the polls on election day, the 1614  
uniformed services or overseas absent voter's ballot shall not be 1615

counted. 1616

~~(D)(1) Except as otherwise provided in division (D)(2) of 1617  
this section, any return envelope containing a uniformed services 1618  
or overseas absent voter's ballot that is postmarked within the 1619  
United States prior to the day of the election shall be delivered 1620  
to the board prior to the eleventh day after the election. 1621  
Uniformed services or overseas absent voter's ballots delivered in 1622  
envelopes postmarked prior to the day of the election that are 1623  
received after the close of the polls on election day through the 1624  
tenth day thereafter shall be counted on the eleventh day at the 1625  
board of elections in the manner provided in divisions (C) and (D) 1626  
of section 3509.06 of the Revised Code. Any such ballots that are 1627  
received by the board later than the tenth day following the 1628  
election shall not be counted, but shall be kept by the board in 1629  
the sealed identification envelopes as provided in division (A) of 1630  
this section. 1631~~

~~(2) Division (D)(1) of this section shall not apply to any 1632  
mail that is postmarked using a postage evidencing system, 1633  
including a postage meter, as defined in 39 C.F.R. 501.1. 1634~~

~~(E) The following types of uniformed services or overseas 1635  
absent voter's ballots shall not be counted: 1636~~

~~(1) Uniformed services or overseas absent voter's ballots 1637  
contained in return envelopes that bear the designation "Official 1638  
Election Uniformed Services or Overseas Absent Voter's Ballots," 1639  
that are received by the board after the close of the polls on the 1640  
day of the election, and that either are postmarked, or contain an 1641  
identification envelope that is signed, on or after election day 1642  
the time specified in section 3511.09 of the Revised Code; 1643~~

~~(2) Uniformed services or overseas absent voter's ballots 1644  
contained in return envelopes that bear that designation, that do 1645  
not indicate they are from voters who will be outside the United 1646~~

~~States on the day of the election, and that are received after the~~ 1647  
~~tenth day following the election.~~ 1648

~~(3) Uniformed services or overseas absent voter's ballots~~ 1649  
~~contained in return envelopes that bear that designation, that are~~ 1650  
~~received by the board within ten days after the day of the~~ 1651  
~~election, and that were postmarked before the day of the election~~ 1652  
~~using a postage evidencing system, including a postage meter, as~~ 1653  
~~defined in 39 C.F.R. 501.1.~~ 1654

The uncounted ballots shall be preserved in their 1655  
identification envelopes unopened until the time provided by 1656  
section 3505.31 of the Revised Code for the destruction of all 1657  
other ballots used at the election for which ballots were 1658  
provided, at which time they shall be destroyed. 1659

**Sec. 3511.14.** (A) A board of elections shall accept and 1660  
process federal write-in absentee ballots for all elections for 1661  
federal, state, and or local elections conducted office and for 1662  
all ballot questions and issues in any year as required under "The 1663  
Uniformed and Overseas Citizens Absentee Voting Act," Pub. L. No. 1664  
99-410, 100 Stat. 924, 42 U.S.C. 1973ff, et seq., as amended. 1665

(B) A uniformed services or overseas voter may use the 1666  
declaration accompanying a federal write-in absentee ballot to 1667  
apply to register to vote simultaneously with the submission of 1668  
the federal write-in absentee ballot, if the declaration is 1669  
received not later than thirty days before the day of the 1670  
election. If the declaration is received after that date, the 1671  
declaration shall be considered an application to register to vote 1672  
for all subsequent elections. 1673

**Sec. 3511.15.** If an international, national, state, or local 1674  
emergency or other situation arises that makes substantial 1675  
compliance with the "Uniformed and Overseas Citizens Absentee 1676

Voting Act," 42 U.S.C. 1973ff, et seq., as amended, impossible or 1677  
impracticable, as confirmed by the existence of armed conflict 1678  
involving United States armed forces or the mobilization of those 1679  
forces, including Ohio national guard and reserve component 1680  
members of this state, or by the occurrence of a natural disaster 1681  
or the existence of a state of emergency, civil unrest, war, or 1682  
other exigency in a foreign country, or by an official declaration 1683  
by the governor that a state of emergency exists, the governor 1684  
directly, or by delegation to the secretary of state, may 1685  
prescribe, by emergency order or rule, a special procedure or 1686  
requirement as may be necessary to facilitate absent voting by 1687  
those absent uniformed services voters or overseas voters directly 1688  
affected who are eligible to vote in this state. The secretary of 1689  
state shall take reasonable steps to provide absent uniformed 1690  
services or overseas voters with timely notice of any special 1691  
procedure or requirement prescribed under this section. 1692

**Sec. 3511.16.** (A) At least one hundred days before the day of 1693  
a regularly scheduled election and as soon as practicable before 1694  
an election that is not regularly scheduled, the board of 1695  
elections of each county shall prepare an election notice for each 1696  
precinct in which the election is to be conducted, to be used in 1697  
conjunction with a federal write-in absentee ballot. The election 1698  
notice shall contain a list of all of the ballot questions and 1699  
issues and all federal, state, and local offices that, as of that 1700  
date, the board expects to be on the ballot at that election. The 1701  
notice also shall contain specific instructions on how a uniformed 1702  
services or overseas voter is to indicate on the federal write-in 1703  
absentee ballot the voter's choice for each office to be filled 1704  
and for each ballot question and issue to be contested. 1705

(B) A uniformed services or overseas voter may request a copy 1706  
of an election notice prepared under division (A) of this section. 1707

The board of elections shall send the notice to the voter by 1708  
facsimile transmission, electronic mail, or regular mail, as the 1709  
voter requests. 1710

(C) As soon as the form of the ballot is certified, and not 1711  
later than the date uniformed services and overseas ballots are 1712  
required to be transmitted to voters under section 3509.01 of the 1713  
Revised Code, the board shall update the notice with the certified 1714  
candidates for each office and ballot questions and issues and 1715  
make the updated notice publicly available. 1716

(D) A board of elections that maintains an internet web site 1717  
shall make the election notice prepared under division (A) of this 1718  
section and updated versions of the election notice regularly 1719  
available on that web site. 1720

**Section 2.** That existing sections 3501.13, 3503.02, 3503.14, 1721  
3503.19, 3503.191, 3503.28, 3505.18, 3505.181, 3505.183, 3509.021, 1722  
3509.03, 3509.04, 3509.05, 3509.07, 3511.01, 3511.02, 3511.021, 1723  
3511.04, 3511.05, 3511.09, 3511.10, 3511.11, and 3511.14 and 1724  
sections 3503.20 and 3509.031 of the Revised Code are hereby 1725  
repealed. 1726

**Section 3.** Notwithstanding any provision of Am. Sub. H.B. 194 1727  
of the 129th General Assembly to the contrary, on and after the 1728  
effective date of that act all provisions of Title XXXV of the 1729  
Revised Code that refer to an elector providing the elector's 1730  
Social Security Number on any document under the Election Law 1731  
shall require only the last four digits of the elector's Social 1732  
Security Number to be provided. 1733

**Section 4.** Sections 3 and 4 of this act are hereby declared 1734  
to be emergency measures necessary for the immediate preservation 1735  
of the public peace, health, and safety. The reason for such 1736  
necessity is to ensure that Ohio voters are not disenfranchised by 1737

a temporary change to the number of digits of the elector's Social	1738
Security Number to be included on election-related documents.	1739
Therefore, Sections 3 and 4 of this act go into immediate effect.	1740