

As Introduced

**129th General Assembly
Regular Session
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H. B. No. 291

Representatives Stinziano, Reece

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A B I L L

To amend sections 3509.03 and 3509.031 of the Revised Code to restore local control to Ohio's election process and increase voter participation by permitting an individual who wishes to vote by absent voter's ballots to request those ballots via electronic mail, through the internet, if internet delivery is offered by a board of elections or the Secretary of State, by permitting a board of elections to mail unsolicited applications for absent voter's ballots, and by requiring the General Assembly to appropriate funds, and requiring the Secretary of State to reimburse boards, for costs incurred in sending unsolicited applications for general elections held in an even-numbered year.

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

Section 1. That sections 3509.03 and 3509.031 of the Revised Code be amended to read as follows:

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

shall make written application for those ballots to the director 21
of elections of the county in which the elector's voting residence 22
is located. The elector may personally deliver the application to 23
the director or may mail it to the director, send it to the 24
director by electronic mail, through internet delivery if internet 25
delivery is offered by the board of elections or the secretary of 26
state. The application need not be in any particular form but 27
shall contain all of the following: 28

- (A) The elector's name; 29
- (B) The elector's signature; 30
- (C) The address at which the elector is registered to vote; 31
- (D) The elector's date of birth; 32
- (E) One of the following: 33
 - (1) The elector's driver's license number; 34
 - (2) The last four digits of the elector's social security 35
number; 36
 - (3) A copy of the elector's current and valid photo 37
identification, a copy of a military identification, or a copy of 38
a current utility bill, bank statement, government check, 39
paycheck, or other government document, other than a notice of an 40
election mailed by a board of elections under section 3501.19 of 41
the Revised Code or a notice of voter registration mailed by a 42
board of elections under section 3503.19 of the Revised Code, that 43
shows the name and address of the elector. 44
- (F) A statement identifying the election for which absent 45
voter's ballots are requested; 46
- (G) A statement that the person requesting the ballots is a 47
qualified elector; 48
- (H) If the request is for primary election ballots, the 49
elector's party affiliation; 50

(I) If the elector desires ballots to be mailed to the 51
elector, the address to which those ballots shall be mailed. 52

Each application for absent voter's ballots shall be 53
delivered to the director not earlier than the first day of 54
January of the year of the elections for which the absent voter's 55
ballots are requested or not earlier than ninety days before the 56
day of the election at which the ballots are to be voted, 57
whichever is earlier, and not later than twelve noon of the third 58
day before the day of the election at which the ballots are to be 59
voted, or not later than the close of regular business hours on 60
the day before the day of the election at which the ballots are to 61
be voted if the application is delivered in person to the office 62
of the board. 63

A board of elections may mail unsolicited applications for 64
absent voter's ballots to any person registered to vote in the 65
applicable county. The general assembly shall appropriate funds to 66
the secretary of state to pay costs incurred for mailing those 67
applications for a general election conducted in an even-numbered 68
year. The secretary of state shall use those funds to reimburse 69
the boards of elections for any costs the boards incur to mail 70
unsolicited applications for absent voter's ballots for a general 71
election conducted in an even-numbered year. 72

Sec. 3509.031. (A) Any qualified elector who is a member of 73
the organized militia called to active duty within the state and 74
who will be unable to vote on election day on account of that 75
active duty may make written application for absent voter's 76
ballots to the director of elections for the county in which the 77
elector's voting residence is located. The elector may personally 78
deliver the application to the director or may mail it to the 79
director, send it ~~by facsimile machine, or otherwise send it to~~ 80
~~the director~~ to the director by electronic mail, through internet 81

<u>delivery if internet delivery is offered by the board of elections</u>	82
<u>or the secretary of state.</u> The application need not be in any	83
particular form but shall contain all of the following:	84
(1) The elector's name;	85
(2) The elector's signature;	86
(3) The address at which the elector is registered to vote;	87
(4) The elector's date of birth;	88
(5) One of the following:	89
(a) The elector's driver's license number;	90
(b) The last four digits of the elector's social security	91
number;	92
(c) A copy of the elector's current and valid photo	93
identification, a copy of a military identification, or a copy of	94
a current utility bill, bank statement, government check,	95
paycheck, or other government document, other than a notice of an	96
election mailed by a board of elections under section 3501.19 of	97
the Revised Code or a notice of voter registration mailed by a	98
board of elections under section 3503.19 of the Revised Code, that	99
shows the name and address of the elector.	100
(6) A statement identifying the election for which absent	101
voter's ballots are requested;	102
(7) A statement that the person requesting the ballots is a	103
qualified elector;	104
(8) A statement that the elector is a member of the organized	105
militia serving on active duty within the state;	106
(9) If the request is for primary election ballots, the	107
elector's party affiliation;	108
(10) If the elector desires ballots to be mailed to the	109
elector, the address to which those ballots shall be mailed;	110

(11) If the elector desires ballots to be sent to the elector 111
by facsimile machine, the telephone number to which they shall be 112
so sent. 113

(B) Application to have absent voter's ballots mailed or sent 114
by facsimile machine to a qualified elector who is a member of the 115
organized militia called to active duty within the state and who 116
will be unable to vote on election day on account of that active 117
duty may be made by the spouse of the militia member or the 118
father, mother, father-in-law, mother-in-law, grandfather, 119
grandmother, brother or sister of the whole blood or half blood, 120
son, daughter, adopting parent, adopted child, stepparent, 121
stepchild, uncle, aunt, nephew, or niece of the militia member. 122
The application shall be in writing upon a blank form furnished 123
only by the director. The form of the application shall be 124
prescribed by the secretary of state. The director shall furnish 125
that blank form to any of the relatives specified in this division 126
desiring to make the application, only upon the request of such a 127
relative in person at the office of the board or upon the written 128
request of such a relative mailed to the office of the board. The 129
application, subscribed and sworn to by the applicant, shall 130
contain all of the following: 131

(1) The full name of the elector for whom ballots are 132
requested; 133

(2) A statement that such person is a qualified elector in 134
the county; 135

(3) The address at which the elector is registered to vote; 136

(4) The elector's date of birth; 137

(5) One of the following: 138

(a) The elector's driver's license number; 139

(b) The last four digits of the elector's social security 140

number;	141
(c) A copy of the elector's current and valid photo	142
identification, a copy of a military identification, or a copy of	143
a current utility bill, bank statement, government check,	144
paycheck, or other government document, other than a notice of an	145
election mailed by a board of elections under section 3501.19 of	146
the Revised Code or a notice of voter registration mailed by a	147
board of elections under section 3503.19 of the Revised Code, that	148
shows the name and address of the elector.	149
(6) A statement identifying the election for which absent	150
voter's ballots are requested;	151
(7) A statement that the elector is a member of the organized	152
militia serving on active duty within the state;	153
(8) If the request is for primary election ballots, the	154
elector's party affiliation;	155
(9) A statement that the applicant bears a relationship to	156
the elector as specified in division (B) of this section;	157
(10) The address to which ballots shall be mailed or	158
telephone number to which ballots shall be sent by facsimile	159
machine;	160
(11) The signature and address of the person making the	161
application.	162
(C) Applications to have absent voter's ballots mailed or	163
sent by facsimile machine shall not be valid if dated, postmarked,	164
or received by the director prior to the ninetieth day before the	165
day of the election for which ballots are requested or if	166
delivered to the director later than twelve noon of the third day	167
preceding the day of such election. If, after the ninetieth day	168
and before four p.m. of the day before the day of an election, a	169
valid application for absent voter's ballots is delivered to the	170

director of elections at the office of the board by a militia 171
member making application in the militia member's own behalf, the 172
director shall forthwith deliver to the militia member all absent 173
voter's ballots then ready for use, together with an 174
identification envelope. The militia member shall then vote the 175
absent voter's ballots in the manner provided in section 3509.05 176
of the Revised Code. 177

(D) A board of elections may mail unsolicited applications 178
for absent voter's ballots to any person registered to vote in the 179
applicable county. The general assembly shall appropriate funds to 180
the secretary of state to pay costs incurred for mailing those 181
applications for a general election conducted in an even-numbered 182
year. The secretary of state shall use those funds to reimburse 183
the boards of elections for any costs the boards incur to mail 184
unsolicited applications for absent voter's ballots for a general 185
election conducted in an even-numbered year. 186

Section 2. That existing sections 3509.03 and 3509.031 of the 187
Revised Code are hereby repealed. 188