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Am. Sub. S. B. No. 148

Senator Wagoner

**Cosponsors: Senators Hite, Bacon, Beagle, Coley, Daniels, Faber, Jones,
Jordan, Lehner, Manning, Niehaus, Widener**

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A B I L L

To amend sections 2101.44, 3501.01, 3501.02, 3501.05, 1
3501.051, 3501.053, 3501.11, 3501.13, 3501.17, 2
3501.18, 3501.20, 3501.22, 3501.26, 3501.27, 3
3501.28, 3501.29, 3501.30, 3501.301, 3501.31, 4
3501.32, 3501.33, 3501.35, 3501.37, 3501.38, 5
3503.02, 3503.06, 3503.10, 3503.14, 3503.15, 6
3503.16, 3503.18, 3503.19, 3503.21, 3503.24, 7
3503.26, 3503.28, 3504.02, 3504.04, 3504.05, 8
3505.07, 3505.08, 3505.11, 3505.13, 3505.16, 9
3505.17, 3505.18, 3505.181, 3505.182, 3505.183, 10
3505.20, 3505.21, 3505.23, 3505.24, 3505.26, 11
3505.28, 3505.29, 3505.30, 3505.31, 3506.05, 12
3506.12, 3506.15, 3509.01, 3509.03, 3509.031, 13
3509.04, 3509.05, 3509.06, 3509.07, 3509.08, 14
3509.09, 3511.02, 3511.04, 3511.05, 3511.06, 15
3511.07, 3511.08, 3511.09, 3511.10, 3511.11, 16
3511.13, 3511.14, 3513.02, 3513.131, 3513.18, 17
3513.19, 3513.21, 3513.30, 3513.31, 3515.04, 18
3517.01, 3517.012, 3517.992, 3519.01, 3519.16, 19
3599.07, 3599.17, 3599.19, 3599.31, 4301.32, 20
4301.334, 4303.29, and 4305.14, to enact new 21
section 3504.01 and sections 3501.111, 3501.302, 22

3501.40, 3503.05, 3503.20, 3503.22, 3505.05, 23
3506.021, 3509.051, and 3517.211, and to repeal 24
sections 3503.29, 3504.01, and 3506.16 of the 25
Revised Code to revise the Election Law. 26

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

Section 1. That sections 2101.44, 3501.01, 3501.02, 3501.05, 27
3501.051, 3501.053, 3501.11, 3501.13, 3501.17, 3501.18, 3501.20, 28
3501.22, 3501.26, 3501.27, 3501.28, 3501.29, 3501.30, 3501.301, 29
3501.31, 3501.32, 3501.33, 3501.35, 3501.37, 3501.38, 3503.02, 30
3503.06, 3503.10, 3503.14, 3503.15, 3503.16, 3503.18, 3503.19, 31
3503.21, 3503.24, 3503.26, 3503.28, 3504.02, 3504.04, 3504.05, 32
3505.07, 3505.08, 3505.11, 3505.13, 3505.16, 3505.17, 3505.18, 33
3505.181, 3505.182, 3505.183, 3505.20, 3505.21, 3505.23, 3505.24, 34
3505.26, 3505.28, 3505.29, 3505.30, 3505.31, 3506.05, 3506.12, 35
3506.15, 3509.01, 3509.03, 3509.031, 3509.04, 3509.05, 3509.06, 36
3509.07, 3509.08, 3509.09, 3511.02, 3511.04, 3511.05, 3511.06, 37
3511.07, 3511.08, 3511.09, 3511.10, 3511.11, 3511.13, 3511.14, 38
3513.02, 3513.131, 3513.18, 3513.19, 3513.21, 3513.30, 3513.31, 39
3515.04, 3517.01, 3517.012, 3517.992, 3519.01, 3519.16, 3599.07, 40
3599.17, 3599.19, 3599.31, 4301.32, 4301.334, 4303.29, and 4305.14 41
be amended and new section 3504.01 and sections 3501.111, 42
3501.302, 3501.40, 3503.05, 3503.20, 3503.22, 3505.05, 3506.021, 43
3509.051, and 3517.211 of the Revised Code be enacted to read as 44
follows: 45

Sec. 2101.44. The election upon the question of combining the 46
probate court and the court of common pleas shall be conducted as 47
provided for the election of county officers. 48

The board of ~~election~~ elections shall provide separate 49
ballots, ~~ballot boxes~~, tally sheets, blanks, stationery, and all 50
such other supplies as may be necessary in the conduct of such 51

election. 52

Ballots shall be printed with an affirmative and negative 53
statement thereon, as follows: 54

	The probate court and the court of common pleas shall be combined.	55 56
	The probate court and the court of common pleas shall not be combined.	57

Returns of said election shall be made and canvassed at the 58
same time and in the same manner as an election for county 59
officers. The board shall certify the result of said election to 60
the secretary of state, to the probate judge of said county, and 61
to the judge of the court of common pleas, and such result shall 62
be spread upon the journal of the probate court and of the court 63
of common pleas. 64
65

If a majority of the votes cast at such an election are in 66
favor of combining said courts, such courts shall stand combined 67
upon determination of the fact that a majority of the persons 68
voting upon the question of the combination of such courts voted 69
in favor of such combination. 70

Sec. 3501.01. As used in the sections of the Revised Code 71
relating to elections and political communications: 72

(A) "General election" means the election held on the first 73
Tuesday after the first Monday in each November. 74

(B) "Regular municipal election" means the election held on 75
the first Tuesday after the first Monday in November in each 76
odd-numbered year. 77

(C) "Regular state election" means the election held on the 78
first Tuesday after the first Monday in November in each 79
even-numbered year. 80

(D) "Special election" means any election other than those 81
elections defined in other divisions of this section. A special 82
election may be held only on the first Tuesday after the first 83
Monday in February, May, August, or November, or on the day 84
authorized by a particular municipal or county charter for the 85
holding of a ~~primary~~ an election, except that in any year in which 86
a presidential primary election is held, no special election shall 87
be held in February or May, except as authorized by a municipal or 88
county charter, but may be held on the first Tuesday after the 89
first Monday in March. 90

(E)(1) "Primary" or "primary election" means an election held 91
for the purpose of nominating persons as candidates of political 92
parties for election to offices, and for the purpose of electing 93
persons as members of the controlling committees of political 94
parties and as delegates and alternates to the conventions of 95
political parties. Primary elections shall be held on the first 96
Tuesday after the first Monday in May of each year except in years 97
in which a presidential primary election is held. 98

(2) "Presidential primary election" means a primary election 99
as defined by division (E)(1) of this section at which an election 100
is held for the purpose of choosing delegates and alternates to 101
the national conventions of the major political parties pursuant 102
to section 3513.12 of the Revised Code. Unless otherwise 103
specified, presidential primary elections are included in 104
references to primary elections. In years in which a presidential 105
primary election is held, all primary elections shall be held on 106
the first Tuesday after the first Monday in March except as 107
otherwise authorized by a municipal or county charter. 108

(F) "Political party" means any group of voters meeting the 109

requirements set forth in section 3517.01 of the Revised Code for 110
the formation and existence of a political party. 111

(1) "Major political party" means any political party 112
organized under the laws of this state whose candidate for 113
governor or nominees for presidential electors received no less 114
than twenty per cent of the total vote cast for such office at the 115
most recent regular state election. 116

(2) "Intermediate political party" means any political party 117
organized under the laws of this state whose candidate for 118
governor or nominees for presidential electors received less than 119
twenty per cent but not less than ten per cent of the total vote 120
cast for such office at the most recent regular state election. 121

(3) "Minor political party" means any political party 122
organized under the laws of this state whose candidate for 123
governor or nominees for presidential electors received less than 124
ten per cent but not less than five per cent of the total vote 125
cast for such office at the most recent regular state election or 126
~~which that~~ has filed petitions meeting the requirements of 127
division (A)(1) of section 3517.01 of the Revised Code with the 128
secretary of state, subsequent to any election in which it 129
received less than five per cent of such vote, ~~a petition signed~~ 130
~~by qualified electors equal in number to at least one per cent of~~ 131
~~the total vote cast for such office in the last preceding regular~~ 132
~~state election,~~ except that a newly formed political party shall 133
be known as a minor political party until the time of the first 134
election for governor or president which occurs not less than 135
twelve months subsequent to the formation of such party, after 136
which election the status of such party shall be determined by the 137
vote for the office of governor or president. 138

(G) "Dominant party in a precinct" or "dominant political 139
party in a precinct" means that political party whose candidate 140
for election to the office of governor at the most recent regular 141

state election at which a governor was elected received more votes 142
than any other person received for election to that office in such 143
precinct at such election. 144

(H) "Candidate" means any qualified person certified in 145
accordance with the provisions of the Revised Code for placement 146
on the official ballot of a primary, general, or special election 147
to be held in this state, or any qualified person who claims to be 148
a write-in candidate, or who knowingly assents to being 149
represented as a write-in candidate by another at either a 150
primary, general, or special election to be held in this state. 151

(I) "Independent candidate" means any candidate who claims 152
not to be affiliated with a political party, and whose name has 153
been certified on the office-type ballot at a general or special 154
election through the filing of a statement of candidacy and 155
nominating petition, as prescribed in section 3513.257 of the 156
Revised Code. 157

(J) "Nonpartisan candidate" means any candidate whose name is 158
required, pursuant to section 3505.04 of the Revised Code, to be 159
listed on the nonpartisan ballot, including all candidates for 160
judicial office, for member of any board of education, for 161
municipal or township offices in which primary elections are not 162
held for nominating candidates by political parties, and for 163
offices of municipal corporations having charters that provide for 164
separate ballots for elections for these offices. 165

(K) "Party candidate" means any candidate who claims to be a 166
member of a political party, whose name has been certified on the 167
office-type ballot at a general or special election through the 168
filing of a declaration of candidacy and petition of candidate, 169
and who has won the primary election of the candidate's party for 170
the public office the candidate seeks or is selected by party 171
committee in accordance with section 3513.31 of the Revised Code. 172

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

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

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

(O) "Voter" means an elector who votes at an election.

(P) "Voting residence" means that place of residence of an elector which shall determine the precinct in which the elector may vote.

(Q) "Precinct" means a district within a county established by the board of elections of such county within which all qualified electors having a voting residence therein may vote at the same polling place.

(R) "Polling place" means that place provided for each precinct at which the electors having a voting residence in such precinct may vote.

(S) "Board" or "board of elections" means the board of elections appointed in a county pursuant to section 3501.06 of the Revised Code.

(T) "Political subdivision" means a county, township, city, village, or school district.

(U) "Election officer" or "election official" means any of the following:

(1) Secretary of state;

(2) Employees of the secretary of state serving the division	203
of elections in the capacity of attorney, administrative officer,	204
administrative assistant, elections administrator, office manager,	205
or clerical supervisor;	206
(3) Director of a board of elections;	207
(4) Deputy director of a board of elections;	208
(5) Member of a board of elections;	209
(6) Employees of a board of elections;	210
(7) Precinct polling place judges <u>election officials</u> ;	211
(8) Employees appointed by the boards of elections on a	212
temporary or part-time basis.	213
(V) "Acknowledgment notice" means a notice sent by a board of	214
elections, on a form prescribed by the secretary of state,	215
informing a voter registration applicant or an applicant who	216
wishes to change the applicant's residence or name of the status	217
of the application; the information necessary to complete or	218
update the application, if any; and if the application is	219
complete, the precinct in which the applicant is to vote.	220
(W) "Confirmation notice" means a notice sent by a board of	221
elections, on a form prescribed by the secretary of state, to a	222
registered elector to confirm the registered elector's current	223
address.	224
(X) "Designated agency" means an office or agency in the	225
state that provides public assistance or that provides	226
state-funded programs primarily engaged in providing services to	227
persons with disabilities and that is required by the National	228
Voter Registration Act of 1993 to implement a program designed and	229
administered by the secretary of state for registering voters, or	230
any other public or government office or agency that implements a	231
program designed and administered by the secretary of state for	232

registering voters, including the department of job and family 233
services, the program administered under section 3701.132 of the 234
Revised Code by the department of health, the department of mental 235
health, the department of developmental disabilities, the 236
rehabilitation services commission, and any other agency the 237
secretary of state designates. "Designated agency" does not 238
include public high schools and vocational schools, public 239
libraries, or the office of a county treasurer. 240

(Y) "National Voter Registration Act of 1993" means the 241
"National Voter Registration Act of 1993," 107 Stat. 77, 42 242
U.S.C.A. 1973gg. 243

(Z) "Voting Rights Act of 1965" means the "Voting Rights Act 244
of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. 245

(AA) "Photo identification" means a document that meets each 246
of the following requirements: 247

(1) It shows the name of the individual to whom it was 248
issued, which shall conform to the name in the poll list or 249
signature pollbook. 250

(2) It shows the current address of the individual to whom it 251
was issued, which shall conform to the address in the poll list or 252
signature pollbook, except for a driver's license or a state 253
identification card issued under section 4507.50 of the Revised 254
Code, which may show either the current or former address of the 255
individual to whom it was issued, regardless of whether that 256
address conforms to the address in the poll list or signature 257
pollbook. 258

(3) It shows a photograph of the individual to whom it was 259
issued. 260

(4) It ~~includes~~ shall have on it an expiration date that has 261
not passed. 262

(5) It was issued by the government of the United States or 263
this state. 264

Sec. 3501.02. General elections in the state and its 265
political subdivisions shall be held as follows: 266

(A) For the election of electors of president and 267
vice-president of the United States, in the year of 1932 and every 268
four years thereafter; 269

(B) For the election of a member of the senate of the United 270
States, in the years 1932 and 1934, and every six years after each 271
of such years; except as otherwise provided for filling vacancies; 272

(C) For the election of representatives in the congress of 273
the United States and of elective state and county officers 274
including elected members of the state board of education, in the 275
even-numbered years; except as otherwise provided for filling 276
vacancies; 277

(D) For municipal and township officers, members of boards of 278
education, judges and clerks of municipal courts, in the 279
odd-numbered years; 280

(E) (1) Proposed constitutional amendments or proposed 281
measures submitted ~~by the general assembly or~~ by initiative or 282
referendum petitions to the voters of the state at large may be 283
submitted to the general election in any year occurring at least 284
~~sixty days, in case of a referendum, and ninety one hundred~~ 285
~~twenty-five days, in the case of an initiated measure,~~ subsequent 286
to the filing of the petitions therefor. ~~Proposed~~ 287

(2) Proposed constitutional amendments submitted by the 288
general assembly to the voters of the state at large may be 289
submitted at a special election or general election in any year 290
occurring at least ninety days after the resolution is filed with 291
the secretary of state. The proposed constitutional amendment may 292

be submitted to the voters at a special election occurring on the 293
day in any year specified by division (E) of section 3501.01 of 294
the Revised Code for the holding of a primary election, ~~when~~ if a 295
special election on that date is designated by the general 296
assembly in the resolution adopting the proposed constitutional 297
amendment. 298

No special election shall be held on a day other than the day 299
of a general election, unless a law or charter provides otherwise, 300
regarding the submission of a question or issue to the voters of a 301
county, township, city, village, or school district. 302

(F)(1) Notwithstanding any provision of the Revised Code to 303
the contrary, any question or issue, except a candidacy, to be 304
voted upon at an election shall be certified, for placement upon 305
the ballot, to the board of elections not later than four p.m. of 306
the ninetieth day before the day of the election. 307

(2) Any question or issue that is certified for placement on 308
a ballot on or after ~~the effective date of this amendment~~ July 2, 309
2010, shall be certified not later than the ninetieth day before 310
the day of the applicable election, notwithstanding any deadlines 311
appearing in any section of the Revised Code governing the 312
placement of that question or issue on the ballot. 313

Sec. 3501.05. (A) The secretary of state shall do all of the 314
following: 315

~~(A)~~(1) Appoint all members of boards of elections; 316

~~(B)~~(2) Issue instructions by directives and advisories in 317
accordance with section 3501.053 of the Revised Code to members of 318
the boards as to the proper methods of conducting elections. 319

~~(C)~~(3) Prepare rules and instructions for the conduct of 320
elections; 321

~~(D)~~(4) Publish and furnish to the boards from time to time a 322

sufficient number of indexed copies of all election laws then in force;	323 324
(E) <u>(5)</u> Edit and issue all pamphlets concerning proposed laws or amendments required by law to be submitted to the voters;	325 326
(F) <u>(6)</u> Prescribe the form of registration cards, blanks, and records;	327 328
(G) <u>(7)</u> Determine and prescribe the forms of ballots and the forms of all blanks, cards of instructions, pollbooks, tally sheets, certificates of election, and forms and blanks required by law for use by candidates, committees, and boards;	329 330 331 332
(H) <u>(8)</u> Prepare the ballot title or statement to be placed on the ballot for any proposed law or amendment to the constitution to be submitted to the voters of the state;	333 334 335
(I) <u>(9)</u> Except as otherwise provided in section 3519.08 of the Revised Code, certify to the several boards the forms of ballots and names of candidates for state offices, and the form and wording of state referendum questions and issues, as they shall appear on the ballot;	336 337 338 339 340
(J) <u>(10)</u> Except as otherwise provided in division (I)(2)(b) of section 3501.38 of the Revised Code, give final approval to ballot language for any local question or issue approved and transmitted by boards of elections under section 3501.11 of the Revised Code;	341 342 343 344
(K) <u>(11)</u> Receive all initiative and referendum petitions on state questions and issues and determine and certify to the sufficiency of those petitions;	345 346 347
(L) <u>(12)</u> Require such reports from the several boards as are provided by law, or as the secretary of state considers necessary;	348 349
(M) <u>(13)</u> Compel the observance by election officers in the several counties of the requirements of the election laws;	350 351
(N) <u>(1)</u> <u>(14)</u> <u>(a)</u> Except as otherwise provided in division	352

~~(N)(2)(A)(14)(b)~~ of this section, investigate the administration 353
of election laws, frauds, and irregularities in elections in any 354
county, and report violations of election laws to the attorney 355
general or prosecuting attorney, or both, for prosecution; 356

~~(2)(b)~~ On and after August 24, 1995, report a failure to 357
comply with or a violation of a provision in sections 3517.08 to 358
3517.13, 3517.17, 3517.18, 3517.20 to 3517.22, 3599.03, or 359
3599.031 of the Revised Code, whenever the secretary of state has 360
or should have knowledge of a failure to comply with or a 361
violation of a provision in one of those sections, by filing a 362
complaint with the Ohio elections commission under section 363
3517.153 of the Revised Code. 364

~~(O)(15)~~ Make an annual report to the governor containing the 365
results of elections, the cost of elections in the various 366
counties, a tabulation of the votes in the several political 367
subdivisions, and other information and recommendations relative 368
to elections the secretary of state considers desirable; 369

~~(P)(16)~~ Prescribe and distribute to boards of elections a 370
list of instructions indicating all legal steps necessary to 371
petition successfully for local option elections under sections 372
4301.32 to 4301.41, 4303.29, 4305.14, and 4305.15 of the Revised 373
Code; 374

~~(Q)(17)~~ Adopt rules pursuant to Chapter 119. of the Revised 375
Code for the removal ~~by boards of elections~~ of ineligible voters 376
from the statewide voter registration database and, if applicable, 377
from the poll list or signature pollbook used in each precinct, 378
which rules shall provide for all of the following: 379

~~(1)(a)~~ A process for the removal of voters who have changed 380
residence, which shall be uniform, nondiscriminatory, and in 381
compliance with the Voting Rights Act of 1965 and the National 382
Voter Registration Act of 1993, including a program that uses the 383

national change of address service provided by the United States 384
postal system through its licensees; 385

~~(2)~~(b) A process for the removal of ineligible voters under 386
section 3503.21 of the Revised Code; 387

~~(3)~~(c) A uniform system for marking or removing the name of a 388
voter who is ineligible to vote from the statewide voter 389
registration database and, if applicable, from the poll list or 390
signature pollbook used in each precinct and noting the reason for 391
that mark or removal. 392

~~(R)~~(18) Prescribe a general program for registering voters or 393
updating voter registration information, such as name and 394
residence changes, by boards of elections, designated agencies, 395
offices of deputy registrars of motor vehicles, public high 396
schools and vocational schools, public libraries, and offices of 397
county treasurers consistent with the requirements of section 398
3503.09 of the Revised Code; 399

~~(S)~~(19) Prescribe a program of distribution of voter 400
registration forms through boards of elections, designated 401
agencies, offices of the registrar and deputy registrars of motor 402
vehicles, public high schools and vocational schools, public 403
libraries, and offices of county treasurers; 404

~~(T)~~(20) To the extent feasible, provide copies, at no cost 405
and upon request, of the voter registration form in post offices 406
in this state; 407

~~(U)~~(21) Adopt rules pursuant to section 111.15 of the Revised 408
Code for the purpose of implementing the program for registering 409
voters through boards of elections, designated agencies, and the 410
offices of the registrar and deputy registrars of motor vehicles 411
consistent with this chapter; 412

~~(V)~~(22) Establish the full-time position of Americans with 413
Disabilities Act coordinator within the office of the secretary of 414

state to do all of the following: 415

~~(1)~~(a) Assist the secretary of state with ensuring that there 416
is equal access to polling places for persons with disabilities; 417

~~(2)~~(b) Assist the secretary of state with ensuring that each 418
voter may cast the voter's ballot in a manner that provides the 419
same opportunity for access and participation, including privacy 420
and independence, as for other voters; 421

~~(3)~~(c) Advise the secretary of state in the development of 422
standards for the certification of voting machines, marking 423
devices, and automatic tabulating equipment. 424

~~(W)~~(23) Establish and maintain a computerized statewide 425
database of all legally registered voters under section 3503.15 of 426
the Revised Code that complies with the requirements of the "Help 427
America Vote Act of 2002," Pub. L. No. 107-252, 116 Stat. 1666, 428
and provide training in the operation of that system; 429

~~(X)~~(24) Ensure that all directives, advisories, other 430
instructions, or decisions issued or made during or as a result of 431
any conference or teleconference call with a board of elections to 432
discuss the proper methods and procedures for conducting 433
elections, to answer questions regarding elections, or to discuss 434
the interpretation of directives, advisories, or other 435
instructions issued by the secretary of state are posted on a web 436
site of the office of the secretary of state as soon as is 437
practicable after the completion of the conference or 438
teleconference call, but not later than the close of business on 439
the same day as the conference or teleconference call takes place. 440

~~(Y)~~(25) Publish a report on a web site of the office of the 441
secretary of state not later than one month after the completion 442
of the canvass of the election returns for each primary and 443
general election, identifying, by county, the number of absent 444
voter's ballots cast and the number of those ballots that were 445

counted, and the number of provisional ballots cast and the number 446
of those ballots that were counted, for that election. The 447
secretary of state shall maintain the information on the web site 448
in an archive format for each subsequent election. 449

~~(Z)~~(26) Conduct voter education outlining voter 450
identification, absent voters ballot, provisional ballot, and 451
other voting requirements; 452

~~(AA)~~(27) Establish a procedure by which a registered elector 453
may make available to a board of elections a more recent signature 454
to be used in the poll list or signature pollbook produced by the 455
board of elections of the county in which the elector resides; 456

~~(BB)~~(28) Disseminate information, which may include all or 457
part of the official explanations and arguments, by means of 458
direct mail or other written publication, broadcast, or other 459
means or combination of means, as directed by the Ohio ballot 460
board under division (F) of section 3505.062 of the Revised Code, 461
in order to inform the voters as fully as possible concerning each 462
proposed constitutional amendment, proposed law, or referendum; 463

~~(CC)~~(29) Be the single state office responsible for the 464
implementation of the "Uniformed and Overseas Citizens Absentee 465
Voting Act," Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 1973ff, 466
et seq., as amended, in this state. The secretary of state may 467
delegate to the boards of elections responsibilities for the 468
implementation of that act, including responsibilities arising 469
from amendments to that act made by the "Military and Overseas 470
Voter Empowerment Act," Subtitle H of the National Defense 471
Authorization Act for Fiscal Year 2010, Pub. L. No. 111-84, 123 472
Stat. 3190. 473

~~(DD)~~(30) Compile, from the boards of elections, the voting 474
history of each registered elector who cast a ballot in an 475
election, for inclusion in the statewide voter registration 476

database. The secretary of state shall determine, by rule, the 477
length of an elector's voting history that shall be included in 478
the database; 479

(31) Adopt rules, under Chapter 119. of the Revised Code, to 480
establish procedures and standards for determining when a board of 481
elections shall be placed under the official oversight of the 482
secretary of state, placing a board of elections under the 483
official oversight of the secretary of state, a board that is 484
under official oversight to transition out of official oversight, 485
and the secretary of state to supervise a board of elections that 486
is under official oversight of the secretary of state. 487

(32) Perform other duties required by law. 488

(B) Whenever a primary election is held under section 3513.32 489
of the Revised Code or a special election is held under section 490
3521.03 of the Revised Code to fill a vacancy in the office of 491
representative to congress, the secretary of state shall establish 492
a deadline, notwithstanding any other deadline required under the 493
Revised Code, by which any or all of the following shall occur: 494
the filing of a declaration of candidacy and petitions or a 495
statement of candidacy and nominating petition together with the 496
applicable filing fee; the filing of protests against the 497
candidacy of any person filing a declaration of candidacy or 498
nominating petition; the filing of a declaration of intent to be a 499
write-in candidate; the filing of campaign finance reports; the 500
preparation of, and the making of corrections or challenges to, 501
precinct voter registration lists; the receipt of applications for 502
absent voter's ballots or ~~armed service~~ uniformed services or 503
overseas absent voter's ballots; the supplying of election 504
materials to precincts by boards of elections; the holding of 505
hearings by boards of elections to consider challenges to the 506
right of a person to appear on a voter registration list; and the 507
scheduling of programs to instruct or reinstruct election 508

officers. 509

(C) In the performance of the secretary of state's duties as 510
the chief election officer, the secretary of state may administer 511
oaths, issue subpoenas, summon witnesses, compel the production of 512
books, papers, records, and other evidence, and fix the time and 513
place for hearing any matters relating to the administration and 514
enforcement of the election laws. 515

(D) In any controversy involving or arising out of the 516
adoption of registration or the appropriation of funds for 517
registration, the secretary of state may, through the attorney 518
general, bring an action in the name of the state in the court of 519
common pleas of the county where the cause of action arose or in 520
an adjoining county, to adjudicate the question. 521

In any action involving the laws in Title XXXV of the Revised 522
Code wherein the interpretation of those laws is in issue in such 523
a manner that the result of the action will affect the lawful 524
duties of the secretary of state or of any board of elections, the 525
secretary of state may, on the secretary of state's motion, be 526
made a party. 527

The secretary of state may apply to any court that is hearing 528
a case in which the secretary of state is a party, for a change of 529
venue as a substantive right, and the change of venue shall be 530
allowed, and the case removed to the court of common pleas of an 531
adjoining county named in the application or, if there are cases 532
pending in more than one jurisdiction that involve the same or 533
similar issues, the court of common pleas of Franklin county. 534

(E) Public high schools and vocational schools, public 535
libraries, and the office of a county treasurer shall implement 536
voter registration programs as directed by the secretary of state 537
pursuant to this section. 538

Sec. 3501.051. (A) Notwithstanding any other section of the 539
Revised Code, the secretary of state may authorize, in one or more 540
precincts in one or more counties, a program allowing individuals 541
under the age of eighteen to enter the polling place and vote in a 542
simulated election held at the same time as a general election. 543
Any individual working in or supervising at a simulated election 544
may enter the polling place and remain within it during the entire 545
period the polls are open. 546

(B) A program established under division (A) of this section 547
shall require all of the following: 548

(1) That the duties imposed on ~~judges of precinct~~ election 549
officials and peace officers under section 3501.33 of the Revised 550
Code be performed by those ~~judges~~ officials and officers in regard 551
to simulated elections and all activities related to simulated 552
elections; 553

(2) That volunteers provide the personnel necessary to 554
conduct the simulated election, except that employees of the 555
secretary of state, employees or members of boards of elections, 556
and precinct election officials may aid in operating the program 557
to the extent permitted by the secretary of state; 558

(3) That individuals under the age of fourteen be accompanied 559
to the simulated election by an individual eighteen years of age 560
or over; 561

(4) Any other requirements the secretary of state considers 562
necessary for the orderly administration of the election process. 563

Sec. 3501.053. (A) The secretary of state may issue 564
instructions as to the proper method of conducting elections to 565
members of the boards of elections by permanent or temporary 566
directives. 567

(1) The secretary of state shall establish a process to allow 568

public review and public comment of proposed directives. Prior to 569
issuing any permanent directive, the secretary of state shall 570
provide reasonable notice of the issuance of the directive and 571
allow a reasonable amount of time for public review and public 572
comment of the proposed directive under this division. 573

No permanent directive shall be issued during the period 574
beginning ninety days prior to the day of an election and ending 575
on the fortieth day following the day of that election. 576

(2) Temporary directives shall only be issued, and shall only 577
have effect, during the period beginning ~~ninety~~ thirty days prior 578
to the day of an election and ending on the ~~fortieth~~ thirtieth day 579
following the day of that election. Temporary directives shall not 580
be subject to public review and public comment under division 581
(A)(1) of this section. 582

A temporary directive shall not become a permanent directive 583
unless the temporary directive is proposed as a permanent 584
directive and subject to public review and public comment under 585
division (A)(1) of this section. 586

If the situation prompting the establishment of a temporary 587
directive appears likely to recur, the secretary of state shall 588
establish a permanent directive addressing the situation. 589

(B) In addition to any other publication of directives and 590
advisories issued by the secretary of state, the secretary of 591
state shall publish those directives and advisories on a web site 592
of the office of the secretary of state as soon as is practicable 593
after they are issued, but not later than the close of business on 594
the same day as a directive or advisory is issued. The secretary 595
of state shall not remove from the web site any directives and 596
advisories so posted. The secretary of state shall provide on that 597
web site access to all directives and advisories currently in 598
effect and maintain an archive of all directives and advisories 599

previously published on that web site. 600

Sec. 3501.11. Each board of elections shall exercise by a 601
majority vote all powers granted to the board by Title XXXV of the 602
Revised Code, shall perform all the duties imposed by law, and 603
shall do all of the following: 604

(A) Establish, define, provide, rearrange, and combine 605
election precincts; 606

(B) Fix and provide the places for registration and for 607
holding primaries and elections; 608

(C) Provide for the purchase, preservation, and maintenance 609
of booths, ballot boxes, books, maps, flags, blanks, cards of 610
instructions, and other forms, papers, and equipment used in 611
registration, nominations, and elections; 612

(D) Appoint and remove its director, deputy director, and 613
employees and all registrars, ~~judges~~ precinct election officials, 614
and other officers of elections, fill vacancies, and designate the 615
ward or district and precinct in which each shall serve; 616

(E) Make and issue rules and instructions, not inconsistent 617
with law or the rules, directives, or advisories issued by the 618
secretary of state, as it considers necessary for the guidance of 619
election officers and voters; 620

(F) Advertise and contract for the printing of all ballots 621
and other supplies used in registrations and elections; 622

(G) Provide for the issuance of all notices, advertisements, 623
and publications concerning elections, except as otherwise 624
provided in division (G) of section 3501.17 and divisions (F) and 625
(G) of section 3505.062 of the Revised Code; 626

(H) Provide for the delivery of ballots, pollbooks, and other 627
required papers and material to the polling places; 628

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

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

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

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

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

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

(O) Prepare and submit to the proper appropriating officer a budget estimating the cost of elections for the ensuing fiscal

year; 660

(P) Perform other duties as prescribed by law or the rules, 661
directives, or advisories of the secretary of state; 662

(Q) Investigate and determine the residence qualifications of 663
electors; 664

(R) Administer oaths in matters pertaining to the 665
administration of the election laws; 666

(S) Prepare and submit to the secretary of state, whenever 667
the secretary of state requires, a report containing the names and 668
residence addresses of all incumbent county, municipal, township, 669
and board of education officials serving in their respective 670
counties; 671

(T) Establish and maintain a voter registration database of 672
all qualified electors in the county who offer to register; 673

(U) Maintain voter registration records, make reports 674
concerning voter registration as required by the secretary of 675
state, and remove ineligible electors from voter registration 676
lists in accordance with law and directives of the secretary of 677
state; 678

(V) Give approval to ballot language for any local question 679
or issue and transmit the language to the secretary of state for 680
the secretary of state's final approval; 681

(W) Prepare and cause the following notice to be displayed in 682
a prominent location in every polling place: 683

"NOTICE 684

Ohio law prohibits any person from voting or attempting to 685
vote more than once at the same election. 686

Violators are guilty of a felony of the fourth degree and 687
shall be imprisoned and additionally may be fined in accordance 688
with law." 689

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

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

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

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

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

Sec. 3501.111. A board of elections may contract with another board of elections in this state, with a county automatic data processing board, or with an educational service center for the

provision of election services, including any duties imposed upon 721
the board of elections under section 3501.11 of the Revised Code. 722
Any contract entered into pursuant to this section shall be 723
approved by the boards of county commissioners of the affected 724
counties. 725

Sec. 3501.13. (A) The director of the board of elections 726
shall keep a full and true record of the proceedings of the board 727
and of all moneys received and expended; file and preserve in the 728
board's office all orders and records pertaining to the 729
administration of registrations, primaries, and elections; receive 730
and have the custody of all books, papers, and property belonging 731
to the board; and perform other duties in connection with the 732
office of director and the proper conduct of elections as the 733
board determines. 734

(B) Before entering upon the duties of the office, the 735
director shall subscribe to an oath that the director will support 736
the Constitution of the United States and the Ohio Constitution, 737
perform all the duties of the office to the best of the director's 738
ability, enforce the election laws, and preserve all records, 739
documents, and other property pertaining to the conduct of 740
elections placed in the director's custody. 741

(C) The director may administer oaths to persons required by 742
law to file certificates or other papers with the board, to ~~judges~~ 743
~~of elections~~ precinct election officials, to witnesses who are 744
called to testify before the board, and to voters filling out 745
blanks at the board's offices. Except as otherwise provided by 746
state or federal law, the records of the board and papers and 747
books filed in its office are public records and open to 748
inspection under such reasonable regulations as shall be 749
established by the board. The social security number of any 750
elector or of any applicant for voter registration is not a public 751

record. The board shall redact any such number from any record 752
that it makes open to public inspection or copying under this 753
section. 754

The following notice shall be posted in a prominent place at 755
each board office: 756

"Except as otherwise provided by state or federal law, 757
records filed in this office of the board of elections are open to 758
public inspection during normal office hours, pursuant to the 759
following reasonable regulations: (the board shall here list its 760
regulations). Whoever prohibits any person from inspecting the 761
public records of this board is subject to the penalties of 762
section 3599.161 of the Revised Code." 763

(D) Upon receipt of a written declaration of intent to retire 764
as provided for in section 145.38 of the Revised Code, the 765
director shall provide a copy to each member of the board of 766
elections. 767

Sec. 3501.17. (A) The expenses of the board of elections 768
shall be paid from the county treasury, in pursuance of 769
appropriations by the board of county commissioners, in the same 770
manner as other county expenses are paid. If the board of county 771
commissioners fails to appropriate an amount sufficient to provide 772
for the necessary and proper expenses of the board of elections 773
pertaining to the conduct of elections, the board of elections may 774
apply to the court of common pleas within the county, which shall 775
fix the amount necessary to be appropriated and the amount shall 776
be appropriated. Payments shall be made upon vouchers of the board 777
of elections certified to by its chairperson or acting chairperson 778
and the director or deputy director, upon warrants of the county 779
auditor. 780

The board of elections shall not incur any obligation 781
involving the expenditure of money unless there are moneys 782

sufficient in the funds appropriated therefor to meet the 783
obligation. If the board of elections requests a transfer of funds 784
from one of its appropriation items to another, the board of 785
county commissioners shall adopt a resolution providing for the 786
transfer except as otherwise provided in section 5705.40 of the 787
Revised Code. The expenses of the board of elections shall be 788
apportioned among the county and the various subdivisions as 789
provided in this section, and the amount chargeable to each 790
subdivision shall be paid as provided in division (J) of this 791
section or withheld by the auditor from the moneys payable thereto 792
at the time of the next tax settlement. At the time of submitting 793
budget estimates in each year, the board of elections shall submit 794
to the taxing authority of each subdivision, upon the request of 795
the subdivision, an estimate of the amount to be paid or withheld 796
from the subdivision during the current or next fiscal year. 797

(B) Except as otherwise provided in division (F) of this 798
section, the compensation of the members of the board of elections 799
and of the director, deputy director, and regular employees in the 800
board's offices, other than compensation for overtime worked; the 801
expenditures for the rental, furnishing, and equipping of the 802
office of the board and for the necessary office supplies for the 803
use of the board; the expenditures for the acquisition, repair, 804
care, and custody of the polling places, booths, guardrails, and 805
other equipment for polling places; the cost of tally sheets, 806
maps, flags, ballot boxes, and all other permanent records and 807
equipment; the cost of all elections held in and for the state and 808
county; and all other expenses of the board which are not 809
chargeable to a political subdivision in accordance with this 810
section shall be paid in the same manner as other county expenses 811
are paid. 812

(C) The compensation of ~~judges of elections~~ precinct election 813
officials and intermittent employees in the board's offices; the 814

cost of renting, moving, heating, and lighting polling places and 815
of placing and removing ballot boxes and other fixtures and 816
equipment thereof, including voting machines, marking devices, and 817
automatic tabulating equipment; the cost of printing and 818
delivering ballots, cards of instructions, registration lists 819
required under section 3503.23 of the Revised Code, and other 820
election supplies, including the supplies required to comply with 821
division (H) of section 3506.01 of the Revised Code; the cost of 822
contractors engaged by the board to prepare, program, test, and 823
operate voting machines, marking devices, and automatic tabulating 824
equipment; and all other expenses of conducting primaries and 825
elections in the odd-numbered years shall be charged to the 826
subdivisions in and for which such primaries or elections are 827
held. The charge for each primary or general election in 828
odd-numbered years for each subdivision shall be determined in the 829
following manner: first, the total cost of all chargeable items 830
used in conducting such elections shall be ascertained; second, 831
the total charge shall be divided by the number of precincts 832
participating in such election, in order to fix the cost per 833
precinct; third, the cost per precinct shall be prorated by the 834
board of elections to the subdivisions conducting elections for 835
the nomination or election of offices in such precinct; fourth, 836
the total cost for each subdivision shall be determined by adding 837
the charges prorated to it in each precinct within the 838
subdivision. 839

(D) The entire cost of special elections held on a day other 840
than the day of a primary or general election, both in 841
odd-numbered or in even-numbered years, shall be charged to the 842
subdivision. Where a special election is held on the same day as a 843
primary or general election in an even-numbered year, the 844
subdivision submitting the special election shall be charged only 845
for the cost of ballots and advertising. Where a special election 846
is held on the same day as a primary or general election in an 847

odd-numbered year, the subdivision submitting the special election 848
shall be charged for the cost of ballots and advertising for such 849
special election, in addition to the charges prorated to such 850
subdivision for the election or nomination of candidates in each 851
precinct within the subdivision, as set forth in the preceding 852
paragraph. 853

(E) Where a special election is held on the day specified by 854
division (E) of section 3501.01 of the Revised Code for the 855
holding of a primary election, for the purpose of submitting to 856
the voters of the state constitutional amendments proposed by the 857
general assembly, and a subdivision conducts a special election on 858
the same day, the entire cost of the special election shall be 859
divided proportionally between the state and the subdivision based 860
upon a ratio determined by the number of issues placed on the 861
ballot by each, except as otherwise provided in division (G) of 862
this section. Such proportional division of cost shall be made 863
only to the extent funds are available for such purpose from 864
amounts appropriated by the general assembly to the secretary of 865
state. If a primary election is also being conducted in the 866
subdivision, the costs shall be apportioned as otherwise provided 867
in this section. 868

(F) When a precinct is open during a general, primary, or 869
special election solely for the purpose of submitting to the 870
voters a statewide ballot issue, the state shall bear the entire 871
cost of the election in that precinct and shall reimburse the 872
county for all expenses incurred in opening the precinct. 873

(G)(1) The state shall bear the entire cost of advertising in 874
newspapers statewide ballot issues, explanations of those issues, 875
and arguments for or against those issues, as required by Section 876
1g of Article II and Section 1 of Article XVI, Ohio Constitution, 877
and any other section of law. Appropriations made to the 878
controlling board shall be used to reimburse the secretary of 879

state for all expenses the secretary of state incurs for such 880
advertising under division (G) of section 3505.062 of the Revised 881
Code. 882

(2) There is hereby created in the state treasury the 883
statewide ballot advertising fund. The fund shall receive 884
transfers approved by the controlling board, and shall be used by 885
the secretary of state to pay the costs of advertising state 886
ballot issues as required under division (G)(1) of this section. 887
Any such transfers may be requested from and approved by the 888
controlling board prior to placing the advertising, in order to 889
facilitate timely provision of the required advertising. 890

(H) The cost of renting, heating, and lighting registration 891
places; the cost of the necessary books, forms, and supplies for 892
the conduct of registration; and the cost of printing and posting 893
precinct registration lists shall be charged to the subdivision in 894
which such registration is held. 895

(I) At the request of a majority of the members of the board 896
of elections, the board of county commissioners may, by 897
resolution, establish an elections revenue fund. Except as 898
otherwise provided in this division, the purpose of the fund shall 899
be to accumulate revenue withheld by or paid to the county under 900
this section for the payment of any expense related to the duties 901
of the board of elections specified in section 3501.11 of the 902
Revised Code, upon approval of a majority of the members of the 903
board of elections. The fund shall not accumulate any revenue 904
withheld by or paid to the county under this section for the 905
compensation of the members of the board of elections or of the 906
director, deputy director, or other regular employees in the 907
board's offices, other than compensation for overtime worked. 908

Notwithstanding sections 5705.14, 5705.15, and 5705.16 of the 909
Revised Code, the board of county commissioners may, by 910
resolution, transfer money to the elections revenue fund from any 911

other fund of the political subdivision from which such payments 912
lawfully may be made. Following an affirmative vote of a majority 913
of the members of the board of elections, the board of county 914
commissioners may, by resolution, rescind an elections revenue 915
fund established under this division. If an elections revenue fund 916
is rescinded, money that has accumulated in the fund shall be 917
transferred to the county general fund. 918

(J)(1) Not less than fifteen business days before the 919
deadline for submitting a question or issue for placement on the 920
ballot at a special election, the board of elections shall prepare 921
and file with the board of county commissioners and the office of 922
the secretary of state the estimated cost, based on the factors 923
enumerated in this section, for preparing for and conducting an 924
election on one question or issue, one nomination for office, or 925
one election to office in each precinct in the county at that 926
special election and shall divide that cost by the number of 927
registered voters in the county. 928

(2) The board of elections shall provide to a political 929
subdivision seeking to submit a question or issue, a nomination 930
for office, or an election to office for placement on the ballot 931
at a special election with the estimated cost for preparing for 932
and conducting that election, which shall be calculated either by 933
multiplying the number of registered voters in the political 934
subdivision with the cost calculated under division (J)(1) of this 935
section or by multiplying the cost per precinct with the number or 936
precincts in the political subdivision. A political subdivision 937
submitting a question or issue, a nomination for office, or an 938
election to office for placement on the ballot at that special 939
election shall pay to the county elections revenue fund seventy 940
per cent of the estimated cost of the election not less than ten 941
business days after the deadline for submitting a question or 942
issue for placement on the ballot for that special election. 943

(3) Not later than sixty days after the date of a special election, the board of elections shall provide to each political subdivision the true and accurate cost for the question or issue, nomination for office, or election to office that the subdivision submitted to the voters on the special election ballots. If the board of elections determines that a subdivision paid less for the cost of preparing and conducting a special election under division (J)(2) of this section than the actual cost calculated under this division, the subdivision shall remit to the county elections revenue fund the difference between the payment made under division (J)(2) of this section and the final cost calculated under this division within thirty days after being notified of the final cost. If the board of elections determines that a subdivision paid more for the cost of preparing and conducting a special election under division (J)(2) of this section than the actual cost calculated under this division, the board of elections promptly shall notify the board of county commissioners of that difference. The board of county commissioners shall remit from the county elections revenue fund to the political subdivision the difference between the payment made under division (J)(2) of this section and the final cost calculated under this division within thirty days after receiving that notification.

(K) As used in this section:

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

(2) "Statewide ballot issue" means any ballot issue, whether proposed by the general assembly or by initiative or referendum,

that is submitted to the voters throughout the state. 976

Sec. 3501.18. (A) The board of elections may divide a 977
political subdivision within its jurisdiction into precincts, 978
establish, define, divide, rearrange, and combine the several 979
election precincts within its jurisdiction, and change the 980
location of the polling place for each precinct when it is 981
necessary to maintain the requirements as to the number of voters 982
in a precinct and to provide for the convenience of the voters and 983
the proper conduct of elections. No change in the number of 984
precincts or in precinct boundaries shall be made during the 985
twenty-five days immediately preceding a primary or general 986
election or between the first day of January and the day on which 987
the members of county central committees are elected in the years 988
in which those committees are elected. Except as otherwise 989
provided in section 3501.20 of the Revised Code and in division 990
(C) of this section, each precinct shall contain a number of 991
electors, not to exceed one thousand four hundred and, if the 992
precinct is located in a municipal corporation, not less than five 993
hundred, that the board of elections determines to be a reasonable 994
number after taking into consideration the type and amount of 995
available equipment, prior voter turnout, the size and location of 996
each selected polling place, available parking, availability of an 997
adequate number of poll workers, and handicap accessibility and 998
other accessibility to the polling place. 999

If the board changes the boundaries of a precinct after the 1000
filing of a local option election petition pursuant to sections 1001
4301.32 to 4301.41, 4303.29, or 4305.14 of the Revised Code that 1002
calls for a local option election to be held in that precinct, the 1003
local option election shall be held in the area that constituted 1004
the precinct at the time the local option petition was filed, 1005
regardless of the change in the boundaries. 1006

If the board changes the boundaries of a precinct in order to meet the requirements of division (B)(1) of this section in a manner that causes a member of a county central committee to no longer qualify as a representative of an election precinct in the county, of a ward of a city in the county, or of a township in the county, the member shall continue to represent the precinct, ward, or township for the remainder of the member's term, regardless of the change in boundaries.

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

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

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

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

the reason for the waiver request, and include a map illustrating 1039
where the census units will be split because of the requested 1040
waiver. If the secretary of state approves the waiver and so 1041
notifies the board of elections in writing, the board may change a 1042
precinct boundary as necessary under this section, notwithstanding 1043
the requirement in division (B)(1) of this section. 1044

(C) The board of elections may apply to the secretary of 1045
state for a waiver from the requirement of division (A) of this 1046
section regarding the number of electors in a precinct when the 1047
use of geographical units used by the United States department of 1048
commerce, bureau of the census, will cause a precinct to contain 1049
more than one thousand four hundred electors. The board shall 1050
identify the affected precincts and census units, explain the 1051
reason for the waiver request, and include a map illustrating 1052
where census units will be split because of the requested waiver. 1053
If the secretary of state approves the waiver and so notifies the 1054
board of elections in writing, the board may change a precinct 1055
boundary as necessary to meet the requirements of division (B)(1) 1056
of this section. 1057

(D) A board of elections does not violate division (A) of 1058
this section if its minimum precinct size varies from the minimum 1059
precinct size established in that division by five per cent or 1060
less. 1061

(E) The board of elections may apply to the secretary of 1062
state for a waiver from the minimum precinct size requirements of 1063
division (A) of this section. The board shall identify the 1064
affected precincts and explain the reason for the waiver request. 1065
If the secretary of state approves the waiver and so notifies the 1066
board of elections in writing, the board may change a precinct 1067
boundary in the manner specified in the waiver request. 1068

Sec. 3501.20. The Notwithstanding the minimum precinct size 1069

established under section 3501.18 of the Revised Code, the lands 1070
used for a state or national home for disabled soldiers shall 1071
constitute a separate election precinct, and, if necessary, may be 1072
divided and rearranged within such limits as other precincts are 1073
arranged and divided. 1074

Sec. 3501.22. (A) ~~On~~ (1) Except as otherwise provided in 1075
division (A)(2) of this section, on or before the fifteenth day of 1076
September in each year, the board of elections by a majority vote 1077
shall, after careful examination and investigation as to their 1078
qualifications, appoint for each election precinct four residents 1079
of the county in which the precinct is located, as ~~judges precinct~~ 1080
election officials. Except as otherwise provided in division (C) 1081
of this section, all ~~judges of precinct~~ election officials shall 1082
be qualified electors. The ~~judges precinct election officials~~ 1083
shall constitute the election officers of the precinct. Not more 1084
than one-half of the total number of ~~judges precinct election~~ 1085
officials shall be members of the same political party. The term 1086
of such precinct officers shall be for one year. The board may, at 1087
any time, designate any number of election officers, not more than 1088
one-half of whom shall be members of the same political party, to 1089
perform their duties at any precinct in any election. The board 1090
may appoint additional officials, ~~equally divided between the two~~ 1091
~~major political parties~~, when necessary to expedite voting. If the 1092
board of elections determines that four precinct election 1093
officials are not required in a precinct for a special election, 1094
the board of elections may select two of the precinct's election 1095
officers, who are not members of the same political party, to 1096
serve as the precinct election officials for that precinct in that 1097
special election. 1098

Vacancies for unexpired terms shall be filled by the board. 1099
When new precincts have been created, the board shall appoint 1100
~~judges precinct election officials~~ for those precincts for the 1101

unexpired term. Any ~~judge~~ precinct election official may be 1102
summarily removed from office at any time by the board for neglect 1103
of duty, malfeasance, or misconduct in office or for any other 1104
good and sufficient reason. 1105

Precinct election officials shall perform all of the duties 1106
provided by law for receiving the ballots and supplies, opening 1107
and closing the polls, and overseeing the casting of ballots 1108
during the time the polls are open, and any other duties required 1109
by section 3501.26 of the Revised Code. 1110

A board of elections may designate two precinct election 1111
officials as counting officials to count and tally the votes cast 1112
and certify the results of the election at each precinct, and 1113
perform other duties as provided by law. To expedite the counting 1114
of votes at each precinct, the board may appoint additional 1115
officials, not more than one-half of whom shall be members of the 1116
same political party. 1117

The board shall designate one of the precinct election 1118
officials ~~who is a member of the dominant political party~~ to serve 1119
as a ~~presiding judge~~, whose voting location manager. The voting 1120
location manager shall be a member of the political party whose 1121
candidate received the highest number of votes for governor in the 1122
precincts whose polling places are located at the applicable 1123
voting location, when tallying the combined vote for governor for 1124
all such precincts. It is the duty ~~it is~~ of the voting location 1125
manager to deliver the returns of the election and all supplies to 1126
the office of the board. For these services, the ~~presiding judge~~ 1127
voting location manager shall receive additional compensation in 1128
an amount, consistent with section 3501.28 of the Revised Code, 1129
determined by the board of elections. 1130

The board shall issue to each precinct election official a 1131
certificate of appointment, which the official shall present to 1132
the ~~presiding judge~~ voting location manager at the time the polls 1133

are opened. 1134

(2) If the board of elections, by majority vote, opts to use 1135
multiple precinct polling locations in lieu of any or all 1136
individual precinct polling locations, the board may appoint 1137
precinct election officials for the multiple precinct polling 1138
locations as follows: 1139

(a) For the first precinct combined in a multiple precinct 1140
polling location, the board shall appoint four precinct election 1141
officials, not more than one-half of whom shall be members of the 1142
same political party. 1143

(b) For each additional precinct combined in a multiple 1144
precinct polling location, the board shall appoint two precinct 1145
election officials, not more than one of whom shall be a member of 1146
the same political party. 1147

(c) The board shall designate one of the precinct election 1148
officials appointed under division (A)(2)(a) or (b) of this 1149
section who is a member of the political party whose candidate for 1150
governor received the highest number of votes in the most recent 1151
general election for that office in the precincts combined in the 1152
multiple precinct polling location as the single voting location 1153
manager for the multiple precinct polling location. 1154

(B) If the board of elections determines that not enough 1155
qualified electors in a precinct are available to serve as 1156
precinct officers, it may appoint persons to serve as precinct 1157
officers at a primary, special, or general election who are at 1158
least seventeen years of age and are registered to vote in 1159
accordance with section 3503.07 of the Revised Code. 1160

(C)(1) A board of elections, in conjunction with the board of 1161
education of a city, local, or exempted village school district, 1162
the governing authority of a community school established under 1163
Chapter 3314. of the Revised Code, or the chief administrator of a 1164

nonpublic school may establish a program permitting certain high 1165
school students to apply and, if appointed by the board of 1166
elections, to serve as precinct officers at a primary, special, or 1167
general election. 1168

In addition to the requirements established by division 1169
(C)(2) of this section, a board of education, governing authority, 1170
or chief administrator that establishes a program under this 1171
division in conjunction with a board of elections may establish 1172
additional criteria that students shall meet to be eligible to 1173
participate in that program. 1174

(2)(a) To be eligible to participate in a program established 1175
under division (C)(1) of this section, a student shall be a United 1176
States citizen, a resident of the county, at least seventeen years 1177
of age, and enrolled in the senior year of high school. 1178

(b) Any student applying to participate in a program 1179
established under division (C)(1) of this section, as part of the 1180
student's application process, shall declare the student's 1181
political party affiliation with the board of elections. 1182

(3) No student appointed as a precinct officer pursuant to a 1183
program established under division (C)(1) of this section shall be 1184
designated as a ~~presiding judge~~ voting location manager. 1185

(4) Any student participating in a program established under 1186
division (C)(1) of this section shall be excused for that 1187
student's absence from school on the day of an election at which 1188
the student is serving as a precinct officer. 1189

(D) In any precinct with six or more precinct officers, up to 1190
two students participating in a program established under division 1191
(C)(1) of this section who are under eighteen years of age may 1192
serve as precinct officers. Not more than one precinct officer in 1193
any given precinct with fewer than six precinct officers shall be 1194
under eighteen years of age. 1195

Sec. 3501.26. When the polls are closed after a primary, 1196
general, or special election, the receiving officials shall, in 1197
the presence of the counting officials and attending observers, 1198
proceed as follows: 1199

(A) Count the number of electors who voted, as shown on the 1200
poll books; 1201

(B) Count the unused ballots without removing stubs; 1202

(C) Count the soiled and defaced ballots; 1203

(D) Insert the totals of divisions (A), (B), and (C) of this 1204
section on the report forms provided therefor in the poll books; 1205

(E) Count the voted ballots. If the number of voted ballots 1206
exceeds the number of voters whose names appear upon the poll 1207
books, the ~~presiding judge~~ voting location manager shall enter on 1208
the poll books an explanation of that discrepancy, and that 1209
explanation, if agreed to, shall be subscribed to by all of the 1210
~~judges~~ precinct election officials. Any ~~judge~~ precinct official 1211
having a different explanation shall enter it in the poll books 1212
and subscribe to it. 1213

(F) Put the unused ballots with stubs attached, and soiled 1214
and defaced ballots with stubs attached, in the envelopes or 1215
containers provided therefor, and certify the number. 1216

The receiving officials shall deliver to and place in the 1217
custody of the counting officials all the supplies provided for 1218
the conduct of that election and the ballots that are to be 1219
counted and tallied, and take a receipt for the same, which 1220
receipt shall appear in and be a part of the poll books of such 1221
precinct. Having performed their duties, the receiving officials 1222
shall immediately depart. 1223

Having receipted for the ballots, the counting officials 1224
shall proceed to count and tally the vote as cast in the manner 1225

prescribed by section 3505.27 of the Revised Code and certify the 1226
result of the election to the board of elections. 1227

Sec. 3501.27. (A) All ~~judges of~~ precinct election officials 1228
shall complete a program of instruction pursuant to division (B) 1229
of this section. No person who has been convicted of a felony or 1230
any violation of the election laws, who is unable to read and 1231
write the English language readily, or who is a candidate for an 1232
office to be voted for by the voters of the precinct in which the 1233
person is to serve shall serve as an election officer. A person 1234
when appointed as an election officer shall receive from the board 1235
of elections a certificate of appointment that may be revoked at 1236
any time by the board for good and sufficient reasons. The 1237
certificate shall be in the form the board prescribes and shall 1238
specify the precinct, ward, or district in and for which the 1239
person to whom it is issued is appointed to serve, the date of 1240
appointment, and the expiration of the person's term of service. 1241

(B)(1) Each board shall establish a program as prescribed by 1242
the secretary of state for the instruction of election officers in 1243
the rules, procedures, and law relating to elections. In each 1244
program, the board shall use training materials prepared by the 1245
secretary of state and may use additional materials prepared by or 1246
on behalf of the board. The board may use the services of unpaid 1247
volunteers in conducting its program and may reimburse those 1248
volunteers for necessary and actual expenses incurred in 1249
participating in the program. 1250

~~The~~ Subject to division (B)(2) of this section, the board 1251
shall train each new election officer before the new officer 1252
participates in the first election in that capacity. The board 1253
shall instruct election officials who have been trained previously 1254
only when the board or secretary of state considers that 1255
instruction necessary, but the board shall reinstruct such 1256

persons, other than ~~presiding judges~~ voting location managers, at 1257
least once in every three years and shall reinstruct ~~presiding~~ 1258
~~judges~~ voting location managers before the primary election in 1259
even-numbered years. The board shall schedule any program of 1260
instruction within sixty days prior to the election in which the 1261
officials to be trained will participate. 1262

(2) In addition to the training required under division 1263
(B)(1) of this section, the secretary of state may mandate 1264
additional training for election officials on a continuing basis 1265
in an effort to achieve election uniformity. 1266

(C) The duties of a ~~judge of an~~ precinct election official in 1267
each polling place shall be performed only by an individual who 1268
has successfully completed the requirements of the program, unless 1269
such an individual is unavailable after reasonable efforts to 1270
obtain such services. 1271

(D) The secretary of state shall establish a program for the 1272
instruction of members of boards of elections and employees of 1273
boards in the rules, procedures, and law relating to elections. 1274
Each member and employee shall complete the training program 1275
within six months after the member's or employee's original 1276
appointment or employment, and thereafter each member and employee 1277
shall complete a training program to update their knowledge once 1278
every four years or more often as determined by the secretary of 1279
state. 1280

(E) The secretary of state shall reimburse each county for 1281
the cost of programs established pursuant to division (B) of this 1282
section, once the secretary of state has received an itemized 1283
statement of expenses for such instruction programs from the 1284
county. The itemized statement shall be in a form prescribed by 1285
the secretary of state. 1286

Sec. 3501.28. (A) As used in this section: 1287

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

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

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

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

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

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

~~(E)~~(D)(1)(a) No board of elections shall increase the pay of a ~~judge of an~~ precinct election official under this section during a calendar year unless the board has given written notice of the proposed increase to the board of county commissioners not later than the first day of October of the preceding calendar year.

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

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

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

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

board of elections, whichever is less. 1351

~~(G)(F)~~(1) Except as otherwise provided in divisions ~~(G)(F)~~(4) 1352
to (6) of this section, any employee of the state or of any 1353
political subdivision of the state may serve as a ~~judge of~~ 1354
~~elections~~ precinct election official on the day of an election 1355
without loss of the employee's regular compensation for that day 1356
as follows: 1357

(a) For employees of a county office, department, commission, 1358
board, or other entity, or of a court of common pleas, county 1359
court, or county-operated municipal court, as defined in section 1360
1901.03 of the Revised Code, the employee's appointing authority 1361
may permit leave with pay for this service in accordance with a 1362
resolution setting forth the terms and conditions for that leave 1363
passed by the board of county commissioners. 1364

(b) For all other employees of a political subdivision of the 1365
state, leave with pay for this service shall be subject to the 1366
terms and conditions set forth in an ordinance or a resolution 1367
passed by the legislative authority of the applicable political 1368
subdivision. 1369

(c) For state employees, leave with pay for this service 1370
shall be subject to the terms and conditions set forth by the head 1371
of the state agency, as defined in section 1.60 of the Revised 1372
Code, by which the person is employed. 1373

(2) Any terms and conditions set forth by a board of county 1374
commissioners, legislative authority of a political subdivision, 1375
or head of a state agency under division ~~(G)(F)~~(1) of this section 1376
shall include a standard procedure for deciding which employees 1377
are permitted to receive leave with pay if multiple employees of 1378
an entity or court described in division ~~(G)(F)~~(1)(a) of this 1379
section, of an entity of a political subdivision described in 1380
division ~~(G)(F)~~(1)(b) of this section, or of a state agency as 1381

defined in section 1.60 of the Revised Code apply to serve as a 1382
~~judge of elections~~ precinct election official on the day of an 1383
election. This procedure shall be applied uniformly to all 1384
similarly situated employees. 1385

(3) Any employee who is eligible for leave with pay under 1386
division ~~(G)~~(F)(1) of this section shall receive, in addition to 1387
the employee's regular compensation, the compensation paid to the 1388
~~judge of an~~ precinct election official under division (B) ~~or~~ (C) ~~or~~ 1389
~~(D)~~ of this section. 1390

(4) Division ~~(G)~~(F)(1) of this section does not apply to 1391
either of the following: 1392

(a) Election officials; 1393

(b) Public school teachers. 1394

(5) Nothing in division ~~(G)~~(F)(1) of this section supersedes 1395
or negates any provision of a collective bargaining agreement in 1396
effect under Chapter 4117. of the Revised Code. 1397

(6) If a board of county commissioners, legislative authority 1398
of a political subdivision, or head of a state agency fails to set 1399
forth any terms and conditions under division ~~(G)~~(F)(1) of this 1400
section, an employee of an entity or court described in division 1401
~~(G)~~(F)(1)(a) of this section, of an entity of a political 1402
subdivision described in division ~~(G)~~(F)(1)(b) of this section, or 1403
of a state agency as defined in section 1.60 of the Revised Code 1404
may use personal leave, vacation leave, or compensatory time, or 1405
take unpaid leave, to serve as a ~~judge of elections~~ precinct
election official on the day of an election. 1406
1407

~~(H)~~(G) The board of elections may withhold the compensation 1408
of any precinct election official for failure to obey the 1409
instructions of the board or to comply with the law relating to 1410
the duties of ~~such a~~ precinct judge election official. Any payment 1411
a ~~judge of an~~ precinct election official is entitled to receive 1412

under section 3501.36 of the Revised Code is in addition to the 1413
compensation the ~~judge~~ official is entitled to receive under this 1414
section. 1415

Sec. 3501.29. (A) The board of elections shall provide for 1416
each precinct a polling place and provide adequate facilities at 1417
each polling place for conducting the election. The board shall 1418
provide a sufficient number of screened or curtained voting 1419
compartments to which electors may retire and conveniently mark 1420
their ballots, protected from the observation of others. Each 1421
voting compartment shall be provided at all times with writing 1422
implements, instructions how to vote, and other necessary 1423
conveniences for marking the ballot. The ~~presiding judge~~ voting
location manager shall ensure that the voting compartments at all 1424
times are adequately lighted and contain the necessary supplies. 1425
The board shall utilize, in so far as practicable, rooms in public 1426
schools and other public buildings for polling places. Upon 1427
application of the board of elections, the authority which has the 1428
control of any building or grounds supported by taxation under the 1429
laws of this state, shall make available the necessary space 1430
therein for the purpose of holding elections and adequate space 1431
for the storage of voting machines, without charge for the use 1432
thereof. A reasonable sum may be paid for necessary janitorial 1433
service. When polling places are established in private buildings, 1434
the board may pay a reasonable rental therefor, and also the cost 1435
of liability insurance covering the premises when used for 1436
election purposes, or the board may purchase a single liability 1437
policy covering the board and the owners of the premises when used 1438
for election purposes. When removable buildings are supplied by 1439
the board, they shall be constructed under the contract let to the 1440
lowest and best bidder, and the board shall observe all ordinances 1441
and regulations then in force as to safety. The board shall remove 1442
all such buildings from streets and other public places within 1443
1444

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

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

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

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

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

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

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

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

(D) The secretary of state shall: 1476

(1) Work with other state agencies to facilitate the 1477
distribution of information and technical assistance to boards of 1478
elections to meet the requirements of division (B) of this 1479
section; 1480

(2) Work with organizations that represent or provide 1481
services to handicapped, disabled, or elderly citizens to effect a 1482
wide dissemination of information about the availability of 1483
absentee voting, voting in the voter's vehicle or at the door of 1484
the polling place, or other election services to handicapped, 1485
disabled, or elderly citizens. 1486

(E) Before the day of an election, the director of the board 1487
of elections of each county shall sign a statement verifying that 1488
each polling place that will be used in that county at that 1489
election meets the requirements of division (B)(1)(b) of this 1490
section. The signed statement shall be sent to the secretary of 1491
state by certified mail. 1492

(F) As used in this section, "handicapped" means having lost 1493
the use of one or both legs, one or both arms, or any combination 1494
thereof, or being blind or so severely disabled as to be unable to 1495
move about without the aid of crutches or a wheelchair. 1496

Sec. 3501.30. (A) The board of elections shall provide for 1497
each polling place the necessary ballot ~~boxes~~ box, official 1498
ballots, cards of instructions, registration forms, pollbooks or 1499
poll lists, tally sheets, forms on which to make summary 1500
statements, writing implements, paper, and all other supplies 1501
necessary for casting and counting the ballots and recording the 1502
results of the voting at the polling place. The pollbooks or poll 1503
lists shall have certificates appropriately printed on them for 1504
the signatures of all the precinct officials, by which they shall 1505
certify that, to the best of their knowledge and belief, the 1506

pollbooks or poll lists correctly show the names of all electors 1507
who voted in the polling place at the election indicated in the 1508
pollbooks or poll lists. 1509

All of the following shall be included among the supplies 1510
provided to each polling place: 1511

(1) A large map of each appropriate precinct, which shall be 1512
displayed prominently to assist persons who desire to register or 1513
vote on election day. Each map shall show all streets within the 1514
precinct and contain identifying symbols of the precinct in bold 1515
print. 1516

(2) Any materials, postings, or instructions required to 1517
comply with state or federal laws; 1518

(3) A flag of the United States approximately two and 1519
one-half feet in length along the top, which shall be displayed 1520
outside the entrance to the polling place during the time it is 1521
open for voting; 1522

(4) Two or more small flags of the United States 1523
approximately fifteen inches in length along the top, which shall 1524
be placed at a distance of one hundred feet from the polling place 1525
on the thoroughfares or walkways leading to the polling place, to 1526
mark the distance within which persons other than election 1527
officials, observers, police officers, and electors waiting to 1528
mark, marking, or casting their ballots shall not loiter, 1529
congregate, or engage in any kind of election campaigning. Where 1530
small flags cannot reasonably be placed one hundred feet from the 1531
polling place, the ~~presiding election judge~~ voting location 1532
manager shall place the flags as near to one hundred feet from the 1533
entrance to the polling place as is physically possible. Police 1534
officers and all election officials shall see that this 1535
prohibition against loitering and congregating is enforced. 1536

When the period of time during which the polling place is 1537

open for voting expires, all of the flags described in this 1538
division shall be taken into the polling place and shall be 1539
returned to the board together with all other election supplies 1540
required to be delivered to the board. 1541

(B) The board of elections shall follow the instructions and 1542
advisories of the secretary of state in the production and use of 1543
polling place supplies. 1544

Sec. 3501.301. A contract involving a cost in excess of ~~ten~~ 1545
twenty-five thousand dollars for printing and furnishing the 1546
supplies, other than the official ballots, required in section 1547
3501.30 of the Revised Code, shall not be let until the board of 1548
elections has caused notice to be published once in a newspaper of 1549
general circulation within the county or upon notice given by 1550
mail, addressed to the responsible suppliers within the state. The 1551
board of elections may require that each bid be accompanied by a 1552
bond, with at least two individual sureties, or a surety company, 1553
satisfactory to the board, in a sum double the amount of the bid, 1554
conditioned upon the faithful performance of the contract awarded 1555
and for the payment as damages by such bidder to the board of any 1556
excess of cost over the bid which it may be required to pay for 1557
such work by reason of the failure of the bidder to complete the 1558
contract. The contract shall be let to the lowest and best bidder. 1559

Sec. 3501.302. The secretary of state may enter into 1560
agreements for the bulk purchase of election supplies in order to 1561
reduce the costs for such purchases by individual boards of 1562
elections. A board of elections desiring to participate in such 1563
purchase agreements shall file with the secretary of state a 1564
written request for inclusion. A request for inclusion shall 1565
include an agreement to be bound by such terms and conditions as 1566
the secretary of state prescribes and to make direct payments to 1567
the vendor under each purchase agreement. 1568

Sec. 3501.31. The board of elections shall mail to each 1569
precinct election official notice of the date, hours, and place of 1570
holding each election in the official's respective precinct at 1571
which it desires the official to serve. Each of such officials 1572
shall notify the board immediately upon receipt of such notice of 1573
any inability to serve. 1574

The election official designated as ~~presiding judge~~ voting 1575
location manager under section 3501.22 of the Revised Code shall 1576
call at the office of the board at such time before the day of the 1577
election, not earlier than the tenth day before the day of the 1578
election, as the board designates to obtain the ballots, 1579
pollbooks, registration forms and lists, and other material to be 1580
used in the official's polling place on election day. 1581

The board may also provide for the delivery of such materials 1582
to polling places in a municipal corporation by members of the 1583
police department of such municipal corporation; or the board may 1584
provide for the delivery of such materials to the ~~presiding judge~~ 1585
voting location manager not earlier than the tenth day before the 1586
election, in any manner it finds to be advisable. 1587

On election day the precinct election officials shall 1588
punctually attend the polling place ~~one-half hour before~~ at the 1589
time ~~fixed for opening the polls~~ determined by the board of 1590
elections. Each of the precinct election officials shall thereupon 1591
make and subscribe to a statement which shall be as follows: 1592

"State of Ohio 1593

County of 1594

I do solemnly swear under the penalty of perjury that I will 1595
support the constitution of the United States of America and the 1596
constitution of the state of Ohio and its laws; that I have not 1597
been convicted of a felony or any violation of the election laws; 1598

that I will discharge to the best of my ability the duties of 1599
~~judge of precinct~~ election official in and for precinct 1600
..... in the (township) or 1601
(ward and city or village) in the county of 1602
....., in the election to be held on the 1603
day of,, as required by law and the rules 1604
and instructions of the board of elections of said county; and 1605
that I will endeavor to prevent fraud in such election, and will 1606
report immediately to said board any violations of the election 1607
laws which come to my attention, and will not disclose any 1608
information as to how any elector voted which is gained by me in 1609
the discharge of my official duties. 1610

..... 1611
..... 1612
..... 1613
..... 1614
..... 1615
..... 1616
(Signatures of precinct election officials)" 1617

If any of the other precinct election officials is absent at 1618
that time, the ~~presiding judge~~ voting location manager, with the 1619
concurrence of a majority of the precinct election officials 1620
present, shall appoint a qualified elector who is a member of the 1621
same political party as the political party of which such absent 1622
precinct election official is a member to fill the vacancy until 1623
the board appoints a person to fill such vacancy and the person so 1624
appointed reports for duty at the polling place. The ~~presiding~~ 1625
~~judge~~ voting location manager shall promptly notify the board of 1626
such vacancy by telephone or otherwise. The ~~presiding judge~~ voting 1627
location manager also shall assign the precinct election officials 1628
to their respective duties and shall have general charge of the 1629

polling place. 1630

Sec. 3501.32. (A) Except as otherwise provided in division 1631
(B) of this section, on the day of the election the polls shall be 1632
opened by proclamation by the ~~presiding judge~~ voting location 1633
manager, or in ~~his~~ the manager's absence by a ~~presiding judge~~ 1634
voting location manager chosen by the ~~judges~~ precinct election 1635
officials, at six-thirty a.m. and shall be closed by proclamation 1636
at seven-thirty p.m. unless there are voters waiting in line to 1637
cast their ballots, in which case the polls shall be kept open 1638
until such waiting voters have voted. 1639

(B) On the day of the election, any polling place located on 1640
an island not connected to the mainland by a highway or a bridge 1641
may close earlier than seven-thirty p.m. if all registered voters 1642
in the precinct have voted. When a polling place closes under 1643
division (B) of this section the ~~presiding judge~~ voting location 1644
manager shall immediately notify the board of elections of the 1645
closing. 1646

Sec. 3501.33. All ~~judges~~ of precinct election officials shall 1647
enforce peace and good order in and about the place of 1648
registration or election. They shall especially keep the place of 1649
access of the electors to the polling place open and unobstructed 1650
and prevent and stop any improper practices or attempts tending to 1651
obstruct, intimidate, or interfere with any elector in registering 1652
or voting. They shall protect observers against molestation and 1653
violence in the performance of their duties, and may eject from 1654
the polling place any observer for violation of any provision of 1655
Title XXXV of the Revised Code. They shall prevent riots, 1656
violence, tumult, or disorder. In the discharge of these duties, 1657
they may call upon the sheriff, police, or other peace officers to 1658
aid them in enforcing the law. They may order the arrest of any 1659
person violating Title XXXV of the Revised Code, but such an 1660

arrest shall not prevent the person from registering or voting if 1661
the person is entitled to do so. The sheriff, all constables, 1662
police officers, and other officers of the peace shall immediately 1663
obey and aid in the enforcement of any lawful order made by the 1664
precinct election officials in the enforcement of Title XXXV of 1665
the Revised Code. 1666

Sec. 3501.35. (A)(1) During an election and the counting of 1667
the ballots, no person shall do any of the following: 1668

~~(1) (a) Loiter, congregate, or engage in any kind of election 1669
campaigning within the area between the polling place and the 1670
small flags of the United States placed on the thoroughfares and 1671
walkways leading to the polling place, and if the line of electors 1672
waiting to vote extends beyond those small flags, within ten fifty 1673
feet of any elector in that line the entrance to a polling place; 1674~~

~~(2) (b) In any manner hinder or delay an elector in reaching 1675
or leaving the place fixed for casting the elector's ballot; 1676~~

~~(3) (c) Give, tender, or exhibit any ballot or ticket to any 1677
person other than the elector's own ballot to the ~~judge of~~ 1678
precinct election officials within the area between the polling 1679
place and the small flags of the United States placed on the 1680
thoroughfares and walkways leading to the polling place, and if 1681
the line of electors waiting to vote extends beyond those small 1682
flags, within ten feet of any elector in that line; 1683~~

~~(4) (d) Exhibit any ticket or ballot which the elector 1684
intends to cast; 1685~~

~~(5) (e) Solicit or in any manner attempt to influence any 1686
elector in casting the elector's vote. 1687~~

(2) Whoever violates division (A)(1)(a) of this section is 1688
guilty of a minor misdemeanor; if the person refuses to comply 1689
with the judges of election or law enforcement officers who are 1690

enforcing that division, the person is guilty of a misdemeanor of 1691
the first degree. 1692

(B)(1) Except as otherwise provided in division (B)(2) of 1693
this section and division (C) of section 3503.23 of the Revised 1694
Code, no person who is not an election official, employee, 1695
observer, or police officer shall be allowed to enter the polling 1696
place during the election, except for the purpose of voting or 1697
assisting another person to vote as provided in section 3505.24 of 1698
the Revised Code. 1699

(2) Notwithstanding any provision of this section to the 1700
contrary, a journalist shall be allowed reasonable access to a 1701
polling place during an election. As used in this division, 1702
"journalist" has the same meaning as in division (B)(9) of section 1703
149.43 of the Revised Code. 1704

(C) No more electors shall be allowed to approach the voting 1705
shelves at any time than there are voting shelves provided. 1706

(D) The line of waiting voters and persons loitering, 1707
congregating, or campaigning near that line shall not impede the 1708
normal flow of traffic or access to the entrance or exit of any 1709
business or organization in the vicinity. 1710

(E) The ~~judges of~~ precinct election officials and the police 1711
officer shall strictly enforce the observance of this section. 1712

Sec. 3501.37. After each election, the ~~judges of elections~~ 1713
precinct election officials of each precinct, except when the 1714
board of elections assumes the duty, shall see that the movable 1715
booths and other equipment are returned for safekeeping to the 1716
fiscal officer of the township or to the clerk or auditor of the 1717
municipal corporation in which the precinct is situated. The 1718
fiscal officer, clerk, or auditor shall have booths and equipment 1719
on hand and in place at the polling places in each precinct before 1720

the time for opening the polls on election days, and for this 1721
service the board may allow the necessary expenses incurred. In 1722
cities, this duty shall devolve on the board. 1723

Sec. 3501.38. All declarations of candidacy, nominating 1724
petitions, or other petitions presented to or filed with the 1725
secretary of state or a board of elections or with any other 1726
public office for the purpose of becoming a candidate for any 1727
nomination or office or for the holding of an election on any 1728
issue shall, in addition to meeting the other specific 1729
requirements prescribed in the sections of the Revised Code 1730
relating to them, be governed by the following rules: 1731

(A) Only electors qualified to vote on the candidacy or issue 1732
which is the subject of the petition shall sign a petition. Each 1733
signer shall be a registered elector pursuant to section ~~3503.11~~ 1734
3503.01 of the Revised Code. The facts of qualification shall be 1735
determined as of the date when the petition is filed. 1736

(B) Signatures shall be affixed in ink. Each signer may also 1737
print the signer's name, so as to clearly identify the signer's 1738
signature. 1739

(C) Each signer shall place on the petition after the 1740
signer's name the date of signing and the location of the signer's 1741
voting residence, including the street and number if in a 1742
municipal corporation or the rural route number, post office 1743
address, or township if outside a municipal corporation. The 1744
voting address given on the petition shall be the address 1745
appearing in the registration records at the board of elections. 1746

(D) Except as otherwise provided in section 3501.382 of the 1747
Revised Code, no person shall write any name other than the 1748
person's own on any petition. Except as otherwise provided in 1749
section 3501.382 of the Revised Code, no person may authorize 1750
another to sign for the person. If a petition contains the 1751

signature of an elector two or more times, only the first 1752
signature shall be counted. 1753

(E)(1) On each petition paper, the circulator shall indicate 1754
the number of signatures contained on it, and shall sign a 1755
statement made under penalty of election falsification that the 1756
circulator witnessed the affixing of every signature, that all 1757
signers were to the best of the circulator's knowledge and belief 1758
qualified to sign, and that every signature is to the best of the 1759
circulator's knowledge and belief the signature of the person 1760
whose signature it purports to be or of an attorney in fact acting 1761
pursuant to section 3501.382 of the Revised Code. On the 1762
circulator's statement for a declaration of candidacy or 1763
nominating petition for a person seeking to become a statewide 1764
candidate or for a statewide initiative or a statewide referendum 1765
petition, the circulator shall identify the circulator's name, the 1766
address of the circulator's permanent residence, and the name and 1767
address of the person employing the circulator to circulate the 1768
petition, if any. 1769

(2) As used in division (E) of this section, "statewide 1770
candidate" means the joint candidates for the offices of governor 1771
and lieutenant governor or a candidate for the office of secretary 1772
of state, auditor of state, treasurer of state, or attorney 1773
general. 1774

(F) Except as otherwise provided in section 3501.382 of the 1775
Revised Code, if a circulator knowingly permits an unqualified 1776
person to sign a petition paper or permits a person to write a 1777
name other than the person's own on a petition paper, that 1778
petition paper is invalid; otherwise, the signature of a person 1779
not qualified to sign shall be rejected but shall not invalidate 1780
the other valid signatures on the paper. 1781

(G) The circulator of a petition may, before filing it in a 1782
public office, strike from it any signature the circulator does 1783

not wish to present as a part of the petition. 1784

(H) Any signer of a petition or an attorney in fact acting 1785
pursuant to section 3501.382 of the Revised Code on behalf of a 1786
signer may remove the signer's signature from that petition at any 1787
time before the petition is filed in a public office by striking 1788
the signer's name from the petition; no signature may be removed 1789
after the petition is filed in any public office. 1790

(I)(1) No alterations, corrections, or additions may be made 1791
to a petition after it is filed in a public office. 1792

(2)(a) No declaration of candidacy, nominating petition, or 1793
other petition for the purpose of becoming a candidate may be 1794
withdrawn after it is filed in a public office. Nothing in this 1795
division prohibits a person from withdrawing as a candidate as 1796
otherwise provided by law. 1797

(b) No petition presented to or filed with the secretary of 1798
state, a board of elections, or any other public office for the 1799
purpose of the holding of an election on any question or issue may 1800
be resubmitted after it is withdrawn from a public office. Nothing 1801
in this division prevents a question or issue petition from being 1802
withdrawn by the filing of a written notice of the withdrawal by a 1803
majority of the members of the petitioning committee with the same 1804
public office with which the petition was filed prior to the 1805
sixtieth day before the election at which the question or issue is 1806
scheduled to appear on the ballot. 1807

(J) All declarations of candidacy, nominating petitions, or 1808
other petitions under this section shall be accompanied by the 1809
following statement in boldface capital letters: WHOEVER COMMITS 1810
ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. 1811

(K) All separate petition papers shall be filed at the same 1812
time, as one instrument. 1813

(L) If a board of elections distributes for use a petition 1814

form for a declaration of candidacy, nominating petition, or any 1815
type of question or issue petition that does not satisfy the 1816
requirements of law as of the date of that distribution, the board 1817
shall not invalidate the petition on the basis that the petition 1818
form does not satisfy the requirements of law, if the petition 1819
otherwise is valid. Division (L) of this section applies only if 1820
the candidate received the petition from the board within ninety 1821
days of when the petition is required to be filed. 1822

Sec. 3501.40. Notwithstanding any provision of the Revised 1823
Code to the contrary, only the attorney general, in consultation 1824
with the governor, the secretary of state, the president of the 1825
senate, and the speaker of the house of representatives, shall 1826
enter into a consent decree in any judicial challenge to any 1827
provision of Title XXXV of the Revised Code, to any other section 1828
of the Revised Code governing the election process in this state, 1829
or to any election procedure conducted under the rules, 1830
directives, or advisories issued by the secretary of state. 1831

Sec. 3503.02. All registrars and ~~judges of elections precinct~~ 1832
election officials, in determining the residence of a person 1833
offering to register or vote, shall be governed by the following 1834
rules: 1835

(A) That place shall be considered the residence of a person 1836
in which the person's habitation is fixed and to which, whenever 1837
the person is absent, the person has the intention of returning. 1838

(B) A person shall not be considered to have lost the 1839
person's residence who leaves the person's home and goes into 1840
another state or county of this state, for temporary purposes 1841
only, with the intention of returning. 1842

(C) A person shall not be considered to have gained a 1843
residence in any county of this state into which the person comes 1844

for temporary purposes only, without the intention of making such 1845
county the permanent place of abode. 1846

(D) The place where the family of a married person resides 1847
shall be considered to be the person's place of residence; except 1848
that when the spouses have separated and live apart, the place 1849
where such a spouse resides the length of time required to entitle 1850
a person to vote shall be considered to be the spouse's place of 1851
residence. 1852

(E) If a person removes to another state with the intention 1853
of making such state the person's residence, the person shall be 1854
considered to have lost the person's residence in this state. 1855

(F) Except as otherwise provided in division (G) of this 1856
section, if a person removes from this state and continuously 1857
resides outside this state for a period of four years or more, the 1858
person shall be considered to have lost the person's residence in 1859
this state, notwithstanding the fact that the person may entertain 1860
an intention to return at some future period. 1861

(G) If a person removes from this state to engage in the 1862
services of the United States government, the person shall not be 1863
considered to have lost the person's residence in this state 1864
during the period of such service, and likewise should the person 1865
enter the employment of the state, the place where such person 1866
resided at the time of the person's removal shall be considered to 1867
be the person's place of residence. 1868

(H) If a person goes into another state and while there 1869
exercises the right of a citizen by voting, the person shall be 1870
considered to have lost the person's residence in this state. 1871

(I) If a person does not have a fixed place of habitation, 1872
but has a shelter or other location at which the person has been a 1873
consistent or regular inhabitant and to which the person has the 1874
intention of returning, that shelter or other location shall be 1875

deemed the person's residence for the purpose of registering to 1876
vote. 1877

Sec. 3503.05. The secretary of state shall establish, by 1878
rule, a uniform process for notifying individuals who have 1879
submitted an incomplete voter registration application of the 1880
incomplete status of that application. The process shall permit 1881
such an individual to provide any information required to complete 1882
the application. 1883

Sec. 3503.06. ~~(A)~~ No person shall be entitled to vote at any 1884
election, or to sign ~~or circulate~~ any declaration of candidacy or 1885
any ~~nominating, or recall~~ election petition, unless the person is 1886
registered as an elector and will have resided in the county and 1887
precinct where the person is registered for at least thirty days 1888
at the time of the next election. 1889

~~(B)(1) No person shall be entitled to circulate any 1890~~
~~initiative or referendum petition unless the person is a resident 1891~~
~~of this state. 1892~~

~~(2) All election officials, in determining the residence of a 1893~~
~~person circulating a petition under division (B)(1) of this 1894~~
~~section, shall be governed by the following rules: 1895~~

~~(a) That place shall be considered the residence of a person 1896~~
~~in which the person's habitation is fixed and to which, whenever 1897~~
~~the person is absent, the person has the intention of returning. 1898~~

~~(b) A person shall not be considered to have lost the 1899~~
~~person's residence who leaves the person's home and goes into 1900~~
~~another state for temporary purposes only, with the intention of 1901~~
~~returning. 1902~~

~~(c) A person shall not be considered to have gained a 1903~~
~~residence in any county of this state into which the person comes 1904~~
~~for temporary purposes only, without the intention of making that 1905~~

~~county the permanent place of abode.~~ 1906

~~(d) If a person removes to another state with the intention of making that state the person's residence, the person shall be considered to have lost the person's residence in this state.~~ 1907
1908
1909

~~(e) Except as otherwise provided in division (B)(2)(f) of this section, if a person removes from this state and continuously resides outside this state for a period of four years or more, the person shall be considered to have lost the person's residence in this state, notwithstanding the fact that the person may entertain an intention to return at some future period.~~ 1910
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~~(f) If a person removes from this state to engage in the services of the United States government, the person shall not be considered to have lost the person's residence in this state during the period of that service, and likewise should the person enter the employment of the state, the place where that person resided at the time of the person's removal shall be considered to be the person's place of residence.~~ 1916
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~~(g) If a person goes into another state and, while there, exercises the right of a citizen by voting, the person shall be considered to have lost the person's residence in this state.~~ 1923
1924
1925

~~(C) No person shall be entitled to sign any initiative or referendum petition unless the person is registered as an elector and will have resided in the county and precinct where the person is registered for at least thirty days at the time of the next election.~~ 1926
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Sec. 3503.10. (A) Each designated agency shall designate one person within that agency to serve as coordinator for the voter registration program within the agency and its departments, divisions, and programs. The designated person shall be trained under a program designed by the secretary of state and shall be 1931
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1933
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1935

responsible for administering all aspects of the voter 1936
registration program for that agency as prescribed by the 1937
secretary of state. The designated person shall receive no 1938
additional compensation for performing such duties. 1939

(B) Every designated agency, public high school and 1940
vocational school, public library, and office of a county 1941
treasurer shall provide in each of its offices or locations voter 1942
registration applications and assistance in the registration of 1943
persons qualified to register to vote, in accordance with this 1944
chapter. 1945

(C) Every designated agency shall distribute to its 1946
applicants, prior to or in conjunction with distributing a voter 1947
registration application, a form prescribed by the secretary of 1948
state that includes all of the following: 1949

(1) The question, "Do you want to register to vote or update 1950
your current voter registration?"--followed by boxes for the 1951
applicant to indicate whether the applicant would like to register 1952
or decline to register to vote, and the statement, highlighted in 1953
bold print, "If you do not check either box, you will be 1954
considered to have decided not to register to vote at this time.;" 1955

(2) If the agency provides public assistance, the statement, 1956
"Applying to register or declining to register to vote will not 1957
affect the amount of assistance that you will be provided by this 1958
agency.;" 1959

(3) The statement, "If you would like help in filling out the 1960
voter registration application form, we will help you. The 1961
decision whether to seek or accept help is yours. You may fill out 1962
the application form in private.;" 1963

(4) The statement, "If you believe that someone has 1964
interfered with your right to register or to decline to register 1965
to vote, your right to privacy in deciding whether to register or 1966

in applying to register to vote, or your right to choose your own 1967
political party or other political preference, you may file a 1968
complaint with the prosecuting attorney of your county or with the 1969
secretary of state," with the address and telephone number for 1970
each such official's office. 1971

(D) Each designated agency shall distribute a voter 1972
registration form prescribed by the secretary of state to each 1973
applicant with each application for service or assistance, and 1974
with each written application or form for recertification, 1975
renewal, or change of address. 1976

(E) Each designated agency shall do all of the following: 1977

(1) Have employees trained to administer the voter 1978
registration program in order to provide to each applicant who 1979
wishes to register to vote and who accepts assistance, the same 1980
degree of assistance with regard to completion of the voter 1981
registration application as is provided by the agency with regard 1982
to the completion of its own form; 1983

(2) Accept completed voter registration applications, voter 1984
registration change of residence forms, and voter registration 1985
change of name forms, regardless of whether the application or 1986
form was distributed by the designated agency, for transmittal to 1987
the office of the board of elections in the county in which the 1988
agency is located. Each designated agency and the appropriate 1989
board of elections shall establish a method by which the voter 1990
registration applications and other voter registration forms are 1991
transmitted to that board of elections within five days after 1992
being accepted by the agency. 1993

(3) If the designated agency is one that is primarily engaged 1994
in providing services to persons with disabilities under a 1995
state-funded program, and that agency provides services to a 1996
person with disabilities at a person's home, provide the services 1997

described in divisions (E)(1) and (2) of this section at the 1998
person's home; 1999

(4) Keep as confidential, except as required by the secretary 2000
of state for record-keeping purposes, the identity of an agency 2001
through which a person registered to vote or updated the person's 2002
voter registration records, and information relating to a 2003
declination to register to vote made in connection with a voter 2004
registration application issued by a designated agency. 2005

(F) The secretary of state shall prepare and transmit written 2006
instructions on the implementation of the voter registration 2007
program within each designated agency, public high school and 2008
vocational school, public library, and office of a county 2009
treasurer. The instructions shall include directions as follows: 2010

(1) That each person designated to assist with voter 2011
registration maintain strict neutrality with respect to a person's 2012
political philosophies, a person's right to register or decline to 2013
register, and any other matter that may influence a person's 2014
decision to register or not register to vote; 2015

(2) That each person designated to assist with voter 2016
registration not seek to influence a person's decision to register 2017
or not register to vote, not display or demonstrate any political 2018
preference or party allegiance, and not make any statement to a 2019
person or take any action the purpose or effect of which is to 2020
lead a person to believe that a decision to register or not 2021
register has any bearing on the availability of services or 2022
benefits offered, on the grade in a particular class in school, or 2023
on credit for a particular class in school; 2024

(3) Regarding when and how to assist a person in completing 2025
the voter registration application, what to do with the completed 2026
voter registration application or voter registration update form, 2027
and when the application must be transmitted to the appropriate 2028

board of elections;	2029
(4) Regarding what records must be kept by the agency and where and when those records should be transmitted to satisfy reporting requirements imposed on the secretary of state under the National Voter Registration Act of 1993;	2030 2031 2032 2033
(5) Regarding whom to contact to obtain answers to questions about voter registration forms and procedures.	2034 2035
(G) If the voter registration activity is part of an in-class voter registration program in a public high school or vocational school, whether prescribed by the secretary of state or independent of the secretary of state, the board of education shall do all of the following:	2036 2037 2038 2039 2040
(1) Establish a schedule of school days and hours during these days when the person designated to assist with voter registration shall provide voter registration assistance;	2041 2042 2043
(2) Designate a person to assist with voter registration from the public high school's or vocational school's staff;	2044 2045
(3) Make voter registration applications and materials available, as outlined in the voter registration program established by the secretary of state pursuant to section 3501.05 of the Revised Code;	2046 2047 2048 2049
(4) Distribute the statement, "applying to register or declining to register to vote will not affect or be a condition of your receiving a particular grade in or credit for a school course or class, participating in a curricular or extracurricular activity, receiving a benefit or privilege, or participating in a program or activity otherwise available to pupils enrolled in this school district's schools.";	2050 2051 2052 2053 2054 2055 2056
(5) Establish a method by which the voter registration application and other voter registration forms are transmitted to	2057 2058

the board of elections within five days after being accepted by 2059
the public high school or vocational school. 2060

(H) Any person employed by the designated agency, public high 2061
school or vocational school, public library, or office of a county 2062
treasurer may be designated to assist with voter registration 2063
pursuant to this section. The designated agency, public high 2064
school or vocational school, public library, or office of a county 2065
treasurer shall provide the designated person, and make available 2066
such space as may be necessary, without charge to the county or 2067
state. 2068

(I) The secretary of state shall prepare and cause to be 2069
displayed in a prominent location in each designated agency a 2070
notice that identifies the person designated to assist with voter 2071
registration, the nature of that person's duties, and where and 2072
when that person is available for assisting in the registration of 2073
voters. 2074

A designated agency may furnish additional supplies and 2075
services to disseminate information to increase public awareness 2076
of the existence of a person designated to assist with voter 2077
registration in every designated agency. 2078

(J) This section does not limit any authority a board of 2079
education, superintendent, or principal has to allow, sponsor, or 2080
promote voluntary election registration programs within a high 2081
school or vocational school, including programs in which pupils 2082
serve as persons designated to assist with voter registration, 2083
provided that no pupil is required to participate. 2084

(K) Each public library and office of the county treasurer 2085
shall establish a method by which voter registration forms are 2086
transmitted to the board of elections within five days after being 2087
accepted by the public library or office of the county treasurer. 2088

(L) The department of job and family services and its 2089

departments, divisions, and programs shall limit administration of 2090
the aspects of the voter registration program for the department 2091
to the requirements prescribed by the secretary of state ~~and~~, the 2092
requirements of this section, and the requirements of the National 2093
Voter Registration Act of 1993. 2094

Sec. 3503.14. (A) The secretary of state shall prescribe the 2095
form and content of the registration, change of residence, and 2096
change of name forms used in this state. The forms shall meet the 2097
requirements of the National Voter Registration Act of 1993 and 2098
shall include spaces for all of the following: 2099

(1) The voter's name; 2100

(2) The voter's address; 2101

(3) The current date; 2102

(4) The voter's date of birth; 2103

(5) The voter to provide one or more of the following: 2104

(a) The voter's driver's license number, if any; 2105

(b) The ~~last four digits of the~~ voter's social security 2106
number, if any; 2107

(c) A copy of a current and valid photo identification, a 2108
copy of a military identification, a copy of a United States 2109
passport, or a copy of a current utility bill, bank statement, 2110
government check, paycheck, or other government document, other 2111
than ~~a notice of an election mailed by a board of elections under~~ 2112
~~section 3501.19 of the Revised Code or~~ a notice of voter 2113
registration mailed by a board of elections under section 3503.19 2114
of the Revised Code, that shows the voter's name and address. 2115

(6) The voter's signature. 2116

The registration form shall include a space on which the 2117
person registering an applicant shall sign the person's name and 2118

provide the person's address and a space on which the person 2119
registering an applicant shall name the employer who is employing 2120
that person to register the applicant. 2121

Except for forms prescribed by the secretary of state under 2122
section 3503.11 of the Revised Code, the secretary of state shall 2123
permit boards of elections to produce forms that have subdivided 2124
spaces for each individual alphanumeric character of the 2125
information provided by the voter so as to accommodate the 2126
electronic reading and conversion of the voter's information to 2127
data and the subsequent electronic transfer of that data to the 2128
statewide voter registration database established under section 2129
3503.15 of the Revised Code. 2130

(B) None of the following persons who are registering an 2131
applicant in the course of that official's or employee's normal 2132
duties shall sign the person's name, provide the person's address, 2133
or name the employer who is employing the person to register an 2134
applicant on a form prepared under this section: 2135

(1) An election official; 2136

(2) A county treasurer; 2137

(3) A deputy registrar of motor vehicles; 2138

(4) An employee of a designated agency; 2139

(5) An employee of a public high school; 2140

(6) An employee of a public vocational school; 2141

(7) An employee of a public library; 2142

(8) An employee of the office of a county treasurer; 2143

(9) An employee of the bureau of motor vehicles; 2144

(10) An employee of a deputy registrar of motor vehicles; 2145

(11) An employee of an election official. 2146

(C) Except as provided in section 3501.382 of the Revised 2147

Code, any applicant who is unable to sign the applicant's own name 2148
shall make an "X," if possible, which shall be certified by the 2149
signing of the name of the applicant by the person filling out the 2150
form, who shall add the person's own signature. If an applicant is 2151
unable to make an "X," the applicant shall indicate in some manner 2152
that the applicant desires to register to vote or to change the 2153
applicant's name or residence. The person registering the 2154
applicant shall sign the form and attest that the applicant 2155
indicated that the applicant desired to register to vote or to 2156
change the applicant's name or residence. 2157

(D) No registration, change of residence, or change of name 2158
form shall be rejected solely on the basis that a person 2159
registering an applicant failed to sign the person's name or 2160
failed to name the employer who is employing that person to 2161
register the applicant as required under division (A) of this 2162
section. 2163

(E) A voter registration application submitted online through 2164
the internet pursuant to section 3503.20 of the Revised Code is 2165
not required to contain a signature to be considered valid. The 2166
signature obtained under division (B) of that section shall be 2167
considered the applicant's signature for all election and 2168
signature-matching purposes. 2169

(F) As used in this section, "registering an applicant" 2170
includes any effort, for compensation, to provide voter 2171
registration forms or to assist persons in completing or returning 2172
those forms. 2173

Sec. 3503.15. (A)(1) The secretary of state shall establish 2174
and maintain a statewide voter registration database that shall be 2175
administered by the office of the secretary of state and made 2176
continuously available to each board of elections and to other 2177
agencies as authorized by law. 2178

(2)(a) State agencies, including, but not limited to, the 2179
department of health, bureau of motor vehicles, department of job 2180
and family services, and the department of rehabilitation and 2181
corrections, shall provide any information and data to the 2182
secretary of state that the secretary of state considers necessary 2183
in order to maintain the statewide voter registration database 2184
established pursuant to this section. The secretary of state shall 2185
ensure that any information or data provided to the secretary of 2186
state that is confidential in the possession of the entity 2187
providing the data remains confidential while in the possession of 2188
the secretary of state. 2189

(b) Information provided under this division for maintenance 2190
of the statewide voter registration database shall not be used to 2191
update the name or address of a registered elector. The name or 2192
address of a registered elector shall only be updated as a result 2193
of the elector's actions in filing a notice of change of name, 2194
change of address, or both. 2195

(c) A board of elections shall contact a registered elector 2196
by mail at the address on file with the board to verify the 2197
accuracy of the information in the statewide voter registration 2198
database regarding that elector if information provided under 2199
division (A)(2)(a) of this section identifies a discrepancy 2200
between the information regarding that elector that is maintained 2201
in the statewide voter registration database and maintained by a 2202
state agency. 2203

(3) The secretary of state may enter into agreements to share 2204
information or data with other states or groups of states, as the 2205
secretary of state considers necessary, in order to maintain the 2206
statewide voter registration database established pursuant to this 2207
section. Except as otherwise provided in this division, the 2208
secretary of state shall ensure that any information or data 2209
provided to the secretary of state that is confidential in the 2210

possession of the state providing the data remains confidential 2211
while in the possession of the secretary of state. The secretary 2212
of state may provide such otherwise confidential information or 2213
data to persons or organizations that are engaging in legitimate 2214
governmental purposes related to the maintenance of the statewide 2215
voter registration database. 2216

(B) The statewide voter registration database established 2217
under this section shall be the official list of registered voters 2218
for all elections conducted in this state. 2219

(C) The statewide voter registration database established 2220
under this section shall, at a minimum, include all of the 2221
following: 2222

(1) An electronic network that connects all board of 2223
elections offices with the office of the secretary of state and 2224
with the offices of all other boards of elections; 2225

(2) A computer program that harmonizes the records contained 2226
in the database with records maintained by each board of 2227
elections; 2228

(3) An interactive computer program that allows access to the 2229
records contained in the database by each board of elections and 2230
by any persons authorized by the secretary of state to add, 2231
delete, modify, or print database records, and to conduct updates 2232
of the database; 2233

(4) A search program capable of verifying registered voters 2234
and their registration information by name, driver's license 2235
number, birth date, social security number, or current address; 2236

(5) Safeguards and components to ensure that the integrity, 2237
security, and confidentiality of the voter registration 2238
information is maintained. 2239

(D) The secretary of state shall adopt rules pursuant to 2240

Chapter 119. of the Revised Code doing all of the following:	2241
(1) Specifying the manner in which existing voter registration records maintained by boards of elections shall be converted to electronic files for inclusion in the statewide voter registration database;	2242 2243 2244 2245
(2) Establishing a uniform method for entering voter registration records into the statewide voter registration database on an expedited basis, but not less than once per day, if new registration information is received;	2246 2247 2248 2249
(3) Establishing a uniform method for purging canceled voter registration records from the statewide voter registration database in accordance with section 3503.21 of the Revised Code;	2250 2251 2252
(4) Specifying the persons authorized to add, delete, modify, or print records contained in the statewide voter registration database and to make updates of that database;	2253 2254 2255
(5) Establishing a process for annually auditing the information contained in the statewide voter registration database;	2256 2257 2258
<u>(6) Establishing a uniform method for addressing instances in which records contained in the statewide voter registration database do not conform with records maintained by the bureau of motor vehicles.</u>	2259 2260 2261 2262
(E) A board of elections promptly shall purge a voter's name and voter registration information <u>shall be purged</u> from the statewide voter registration database in accordance with the rules adopted by the secretary of state under division (D)(3) of this section after the cancellation of a voter's registration under section 3503.21 of the Revised Code.	2263 2264 2265 2266 2267 2268
(F) The secretary of state shall provide training in the operation of the statewide voter registration database to each	2269 2270

board of elections and to any persons authorized by the secretary 2271
of state to add, delete, modify, or print database records, and to 2272
conduct updates of the database. 2273

(G)(1) The statewide voter registration database established 2274
under this section shall be made available on a web site of the 2275
office of the secretary of state as follows: 2276

(a) Except as otherwise provided in division (G)(1)(b) of 2277
this section, ~~only~~ the following information from the statewide 2278
voter registration database regarding a registered voter shall be 2279
made available on the web site: 2280

(i) The voter's name; 2281

(ii) The voter's address; 2282

(iii) The voter's precinct number; 2283

(iv) The voter's voting history. 2284

(b) During the thirty days before the day of a primary or 2285
general election, the web site interface of the statewide voter 2286
registration database shall permit a voter to search for the 2287
polling location at which that voter may cast a ballot. 2288

(2) The secretary of state shall establish, by rule adopted 2289
under Chapter 119. of the Revised Code, a process for boards of 2290
elections to notify the secretary of state of changes in the 2291
locations of precinct polling places for the purpose of updating 2292
the information made available on the secretary of state's web 2293
site under division (G)(1)(b) of this section. Those rules shall 2294
require a board of elections, during the thirty days before the 2295
day of a primary or general election, to notify the secretary of 2296
state within one business day of any change to the location of a 2297
precinct polling place within the county. 2298

(3) During the thirty days before the day of a primary or 2299
general election, not later than one business day after receiving 2300

a notification from a county pursuant to division (G)(2) of this 2301
section that the location of a precinct polling place has changed, 2302
the secretary of state shall update that information on the 2303
secretary of state's web site for the purpose of division 2304
(G)(1)(b) of this section. 2305

Sec. 3503.16. (A) Whenever a registered elector changes the 2306
place of residence of that registered elector from one precinct to 2307
another within a county or from one county to another, or has a 2308
change of name, that registered elector shall report the change by 2309
delivering a change of residence or change of name form, whichever 2310
is appropriate, as prescribed by the secretary of state under 2311
section 3503.14 of the Revised Code to the state or local office 2312
of a designated agency, a public high school or vocational school, 2313
a public library, the office of the county treasurer, the office 2314
of the secretary of state, any office of the registrar or deputy 2315
registrar of motor vehicles, or any office of a board of elections 2316
in person or by a third person. Any voter registration, change of 2317
address, or change of name application, returned by mail, may be 2318
sent only to the secretary of state or the board of elections. 2319

A registered elector also may update the registration of that 2320
registered elector by filing a change of residence or change of 2321
name form on the day of a special, primary, or general election at 2322
the polling place in the precinct in which that registered elector 2323
resides or at the board of elections or at another site designated 2324
by the board. 2325

(B)(1)(a) Any registered elector who moves within a precinct 2326
on or prior to the day of a general, primary, or special election 2327
and has not filed a notice of change of residence with the board 2328
of elections may vote in that election by going to that registered 2329
elector's assigned polling place in the precinct in which the 2330
registered elector resides, completing and signing a notice of 2331

change of residence, showing identification in the form of a 2332
current and valid photo identification, a military identification, 2333
a United States passport, or a copy of a current utility bill, 2334
bank statement, government check, paycheck, or other government 2335
document, other than ~~a notice of an election mailed by a board of~~ 2336
~~elections under section 3501.19 of the Revised Code or~~ a notice of 2337
voter registration mailed by a board of elections under section 2338
3503.19 of the Revised Code, that shows the name and current 2339
address of the elector, and casting a ballot. ~~If the elector~~ 2340
~~provides either a driver's license or a state identification card~~ 2341
~~issued under section 4507.50 of the Revised Code that does not~~ 2342
~~contain the elector's current residence address, the elector shall~~ 2343
~~provide the last four digits of the elector's driver's license~~ 2344
~~number or state identification card number, and the precinct~~ 2345
~~election official shall mark the poll list or signature pollbook~~ 2346
~~to indicate that the elector has provided a driver's license or~~ 2347
~~state identification card number with a former address and record~~ 2348
~~the last four digits of the elector's driver's license number or~~ 2349
~~state identification card number.~~ 2350

(b) Any registered elector who changes the name of that 2351
registered elector and remains within a precinct on or prior to 2352
the day of a general, primary, or special election and has not 2353
filed a notice of change of name with the board of elections may 2354
vote in that election by going to that registered elector's 2355
assigned polling place, completing and signing a notice of a 2356
change of name, showing the identification required by division 2357
(B)(1)(a) of this section, and casting a ~~provisional~~ ballot ~~under~~ 2358
~~section 3505.181 of the Revised Code.~~ 2359

(2) Any registered elector who moves from one precinct to 2360
another within a county or moves from one precinct to another and 2361
changes the name of that registered elector on or prior to the day 2362
of a general, primary, or special election and has not filed a 2363

notice of change of residence or change of name, whichever is 2364
appropriate, with the board of elections may vote in that election 2365
if that registered elector complies with division (G) of this 2366
section or does all of the following: 2367

(a) Appears at anytime during ~~regular business~~ the hours for 2368
casting an absent voter's ballot in person under section 3509.01 2369
of the Revised Code on or after the ~~twenty-eighth~~ sixteenth day 2370
prior to the election in which that registered elector wishes to 2371
vote ~~or, if the election is held on the day of a presidential~~ 2372
~~primary election, the twenty-fifth day prior to the election,~~ 2373
through ~~noon~~ six p.m. of the ~~Saturday~~ Friday prior to the election 2374
at the office of the board of elections, ~~appears at any time~~ 2375
~~during regular business hours on the Monday prior to the election~~ 2376
~~at the office of the board of elections,~~ or at another location 2377
designated under division (C) of section 3501.10 of the Revised 2378
Code or appears on the day of the election at either of the 2379
following locations: 2380

(i) The polling place in the precinct in which that 2381
registered elector resides; 2382

(ii) The office of the board of elections or, if pursuant to 2383
division (C) of section 3501.10 of the Revised Code the board has 2384
designated another location in the county at which registered 2385
electors may vote, at that other location instead of the office of 2386
the board of elections. 2387

(b) Completes and signs, under penalty of election 2388
falsification, the written affirmation on the provisional ballot 2389
envelope, which shall serve as a notice of change of residence or 2390
change of name, whichever is appropriate, ~~and files it with~~ 2391
~~election officials at the polling place, at the office of the~~ 2392
~~board of elections, or, if pursuant to division (C) of section~~ 2393
~~3501.10 of the Revised Code the board has designated another~~ 2394
~~location in the county at which registered electors may vote, at~~ 2395

~~that other location instead of the office of the board of~~ 2396
~~elections, whichever is appropriate;~~ 2397

(c) Votes a provisional ballot under section 3505.181 of the 2398
Revised Code at the polling place in the precinct in which the 2399
registered elector resides, at the office of the board of 2400
elections, or, if pursuant to division (C) of section 3501.10 of 2401
the Revised Code the board has designated another location in the 2402
county at which registered electors may vote, at that other 2403
location instead of the office of the board of elections, 2404
whichever is appropriate, using the address to which that 2405
registered elector has moved or the name of that registered 2406
elector as changed, whichever is appropriate; 2407

(d) Completes and signs, under penalty of election 2408
falsification, a statement attesting that that registered elector 2409
moved or had a change of name, whichever is appropriate, on or 2410
prior to the day of the election, has voted a provisional ballot 2411
at the polling place in the precinct in which that registered 2412
elector resides, at the office of the board of elections, or, if 2413
pursuant to division (C) of section 3501.10 of the Revised Code 2414
the board has designated another location in the county at which 2415
registered electors may vote, at that other location instead of 2416
the office of the board of elections, whichever is appropriate, 2417
and will not vote or attempt to vote at any other location for 2418
that particular election. ~~The statement required under division~~ 2419
~~(B)(2)(d) of this section shall be included on the notice of~~ 2420
~~change of residence or change of name, whichever is appropriate,~~ 2421
~~required under division (B)(2)(b) of this section.~~ 2422

(C) Any registered elector who moves from one county to 2423
another county within the state or moves from one county to 2424
another and changes the name of that registered elector on or 2425
prior to the day of a general, primary, or special election and 2426
has not registered to vote in the county to which that registered 2427

elector moved may vote in that election if that registered elector 2428
complies with division (G) of this section or does all of the 2429
following: 2430

(1) Appears at any time during ~~regular business~~ the hours for 2431
casting an absent voter's ballot in person under section 3509.01 2432
of the Revised Code on or after the ~~twenty-eighth~~ sixteenth day 2433
prior to the election in which that registered elector wishes to 2434
vote ~~or, if the election is held on the day of a presidential~~ 2435
~~primary election, the twenty-fifth day prior to the election,~~ 2436
through ~~noon~~ six p.m. of the ~~Saturday~~ Friday prior to the election 2437
at the office of the board of elections or, ~~if pursuant to~~ at 2438
another location designated under division (C) of section 3501.10 2439
of the Revised Code ~~the board has designated another location in~~ 2440
~~the county at which registered electors may vote, at that other~~ 2441
~~location instead of the office of the board of elections, appears~~ 2442
~~during regular business hours on the Monday prior to the election~~ 2443
~~at the office of the board of elections or, if pursuant to~~ 2444
~~division (C) of section 3501.10 of the Revised Code the board has~~ 2445
~~designated another location in the county at which registered~~ 2446
~~electors may vote, at that other location instead of the office of~~ 2447
~~the board of elections, or appears on the day of the election at~~ 2448
~~the~~ either of the following locations: 2449

(a) The polling place in the precinct in which that elector 2450
resides; 2451

(b) The office of the board of elections or, if pursuant to 2452
division (C) of section 3501.10 of the Revised Code the board has 2453
designated another location in the county at which registered 2454
electors may vote, at that other location instead of the office of 2455
the board of elections; 2456

(2) Completes and signs, under penalty of election 2457
falsification, the written affirmation on the provisional ballot 2458
envelope, which shall serve as a notice of change of residence ~~and~~ 2459

~~files it with election officials at the board of elections or, if~~ 2460
~~pursuant to division (C) of section 3501.10 of the Revised Code~~ 2461
~~the board has designated another location in the county at which~~ 2462
~~registered electors may vote, at that other location instead of~~ 2463
~~the office of the board of elections or change of name, whichever~~ 2464
~~is appropriate;~~ 2465

(3) Votes a provisional ballot under section 3505.181 of the 2466
Revised Code at the polling place in the precinct in which the 2467
registered elector resides, at the office of the board of 2468
elections, or, if pursuant to division (C) of section 3501.10 of 2469
the Revised Code the board has designated another location in the 2470
county at which registered electors may vote, at that other 2471
location instead of the office of the board of elections, using 2472
the address to which that registered elector has moved or the name 2473
of that registered elector as changed, whichever is appropriate; 2474

(4) Completes and signs, under penalty of election 2475
falsification, a statement attesting that that registered elector 2476
has moved from one county to another county within the state or 2477
moved from one county to another and changed the elector's name, 2478
whichever is appropriate, on or prior to the day of the election, 2479
has voted at the office of the board of elections or, if pursuant 2480
to division (C) of section 3501.10 of the Revised Code the board 2481
has designated another location in the county at which registered 2482
electors may vote, at that other location instead of the office of 2483
the board of elections, and will not vote or attempt to vote at 2484
any other location for that particular election. ~~The statement~~ 2485
~~required under division (C)(4) of this section shall be included~~ 2486
~~on the notice of change of residence required under division~~ 2487
~~(C)(2) of this section.~~ 2488

(D) A person who votes by absent voter's ballots pursuant to 2489
division (G) of this section shall not make written application 2490
for the ballots pursuant to Chapter 3509. of the Revised Code. 2491

Ballots cast pursuant to division (G) of this section shall be set 2492
aside in a special envelope and counted during the official 2493
canvass of votes in the manner provided for in sections 3505.32 2494
and 3509.06 of the Revised Code insofar as that manner is 2495
applicable. The board shall examine the pollbooks to verify that 2496
no ballot was cast at the polls or by absent voter's ballots under 2497
Chapter 3509. or 3511. of the Revised Code by an elector who has 2498
voted by absent voter's ballots pursuant to division (G) of this 2499
section. Any ballot determined to be insufficient for any of the 2500
reasons stated above or stated in section 3509.07 of the Revised 2501
Code shall not be counted. 2502

Subject to division (C) of section 3501.10 of the Revised 2503
Code, a board of elections may lease or otherwise acquire a site 2504
different from the office of the board at which registered 2505
electors may vote pursuant to division (B) or (C) of this section. 2506

(E) Upon receiving a change of residence or change of name 2507
form, the board of elections shall immediately send the registrant 2508
an acknowledgment notice. If the change of residence or change of 2509
name form is valid, the board shall update the voter's 2510
registration as appropriate. If that form is incomplete, the board 2511
shall inform the registrant in the acknowledgment notice specified 2512
in this division of the information necessary to complete or 2513
update that registrant's registration. 2514

(F) Change of residence and change of name forms shall be 2515
available at each polling place, and when these forms are 2516
completed, noting changes of residence or name, as appropriate, 2517
they shall be filed with election officials at the polling place. 2518
Election officials shall return completed forms, together with the 2519
pollbooks and tally sheets, to the board of elections. 2520

The board of elections shall provide change of residence and 2521
change of name forms to the probate court and court of common 2522
pleas. The court shall provide the forms to any person eighteen 2523

years of age or older who has a change of name by order of the 2524
court or who applies for a marriage license. The court shall 2525
forward all completed forms to the board of elections within five 2526
days after receiving them. 2527

(G) A registered elector who otherwise would qualify to vote 2528
under division (B) or (C) of this section but is unable to appear 2529
at the office of the board of elections or, if pursuant to 2530
division (C) of section 3501.10 of the Revised Code the board has 2531
designated another location in the county at which registered 2532
electors may vote, at that other location, on account of personal 2533
illness, physical disability, or infirmity, may vote on the day of 2534
the election if that registered elector does all of the following: 2535

(1) Makes a written application that includes all of the 2536
information required under section 3509.03 of the Revised Code to 2537
the appropriate board for an absent voter's ballot on or after the 2538
~~twenty-seventh~~ twenty-first day prior to the election in which the 2539
registered elector wishes to vote through ~~noon~~ six p.m. of the 2540
~~Saturday~~ Friday prior to that election and requests that the 2541
absent voter's ballot be sent to the address to which the 2542
registered elector has moved if the registered elector has moved, 2543
or to the address of that registered elector who has not moved but 2544
has had a change of name; 2545

(2) Declares that the registered elector has moved or had a 2546
change of name, whichever is appropriate, and otherwise is 2547
qualified to vote under the circumstances described in division 2548
(B) or (C) of this section, whichever is appropriate, but that the 2549
registered elector is unable to appear at the board of elections 2550
because of personal illness, physical disability, or infirmity; 2551

(3) Completes and returns along with the completed absent 2552
voter's ballot a notice of change of residence indicating the 2553
address to which the registered elector has moved, or a notice of 2554
change of name, whichever is appropriate; 2555

(4) Completes and signs, under penalty of election 2556
falsification, a statement attesting that the registered elector 2557
has moved or had a change of name on or prior to the day before 2558
the election, has voted by absent voter's ballot because of 2559
personal illness, physical disability, or infirmity that prevented 2560
the registered elector from appearing at the board of elections, 2561
and will not vote or attempt to vote at any other location or by 2562
absent voter's ballot mailed to any other location or address for 2563
that particular election. 2564

Sec. 3503.18. (A)(1) The chief health officer of each 2565
political subdivision and the director of health shall file with 2566
the secretary of state and each board of elections, at least once 2567
each month, the names, social security numbers, dates of birth, 2568
dates of death, and residences of all persons, over eighteen years 2569
of age, who have died within such subdivision or within this state 2570
or another state, respectively, within such month. 2571

(2) The secretary of state and the director of health shall 2572
jointly establish a secure electronic system through which they 2573
shall exchange the information described in division (A)(1) of 2574
this section regarding the death of a registered elector. 2575

(B) At least once each month, each probate judge in this 2576
state shall file with the board of elections the names and 2577
residence addresses of all persons over eighteen years of age who 2578
have been adjudicated incompetent for the purpose of voting, as 2579
provided in section 5122.301 of the Revised Code. ~~At~~ 2580

(C) At least once each month the clerk of the court of common 2581
pleas shall file with the board the names and residence addresses 2582
of all persons who have been convicted during the previous month 2583
of crimes that would disfranchise such persons under existing laws 2584
of the state. Reports of conviction of crimes under the laws of 2585
the United States that would disfranchise an elector and that are 2586

provided to the secretary of state by any United States attorney 2587
shall be forwarded by the secretary of state to the appropriate 2588
board of elections. 2589

(D) Upon receiving a report required by this section, the 2590
~~board of elections shall promptly cancel the~~ registration of each 2591
elector named in the report shall be promptly canceled by the 2592
secretary of state or the board of elections, as applicable. If a 2593
board of elections receives the report, and the report contains a 2594
residence address of an elector in a county other than the county 2595
in which the board of elections is located, the director shall 2596
promptly send a copy of the report to the appropriate board of 2597
elections, which shall cancel the registration. 2598

Sec. 3503.19. (A) Persons qualified to register or to change 2599
their registration because of a change of address or change of 2600
name may register or change their registration in person or 2601
through another person at any state or local office of a 2602
designated agency, at the office of the registrar or any deputy 2603
registrar of motor vehicles, at a public high school or vocational 2604
school, at a public library, at the office of a county treasurer, 2605
or at a branch office established by the board of elections, or in 2606
person, through another person, or by mail at the office of the 2607
secretary of state or at the office of a board of elections. A 2608
registered elector may also change the elector's registration on 2609
election day at any polling place where the elector is eligible to 2610
vote, in the manner provided under section 3503.16 of the Revised 2611
Code. 2612

Any state or local office of a designated agency, the office 2613
of the registrar or any deputy registrar of motor vehicles, a 2614
public high school or vocational school, a public library, or the 2615
office of a county treasurer shall transmit any voter registration 2616
application or change of registration form that it receives to the 2617

board of elections of the county in which the state or local 2618
office is located, within five business days after receiving the 2619
voter registration application or change of registration form. 2620

An otherwise valid voter registration application that is 2621
returned to the appropriate office other than by mail must be 2622
received by a state or local office of a designated agency, the 2623
office of the registrar or any deputy registrar of motor vehicles, 2624
a public high school or vocational school, a public library, the 2625
office of a county treasurer, the office of the secretary of 2626
state, or the office of a board of elections no later than the 2627
thirtieth day preceding a primary, special, or general election 2628
for the person to qualify as an elector eligible to vote at that 2629
election. An otherwise valid registration application received 2630
after that day entitles the elector to vote at all subsequent 2631
elections. 2632

Any state or local office of a designated agency, the office 2633
of the registrar or any deputy registrar of motor vehicles, a 2634
public high school or vocational school, a public library, or the 2635
office of a county treasurer shall date stamp a registration 2636
application or change of name or change of address form it 2637
receives using a date stamp that does not disclose the identity of 2638
the state or local office that receives the registration. 2639

Voter registration applications, if otherwise valid, that are 2640
returned by mail to the office of the secretary of state or to the 2641
office of a board of elections must be postmarked no later than 2642
the thirtieth day preceding a primary, special, or general 2643
election in order for the person to qualify as an elector eligible 2644
to vote at that election. If an otherwise valid voter registration 2645
application that is returned by mail does not bear a postmark or a 2646
legible postmark, the registration shall be valid for that 2647
election if received by the office of the secretary of state or 2648
the office of a board of elections no later than twenty-five days 2649

preceding any special, primary, or general election. 2650

(B)(1) Any person may apply in person, by telephone, by mail, 2651
or through another person for voter registration forms to the 2652
office of the secretary of state or the office of a board of 2653
elections. An individual who is eligible to vote as a uniformed 2654
services voter or an overseas voter in accordance with 42 U.S.C. 2655
1973ff-6 also may apply for voter registration forms by electronic 2656
means to the office of the secretary of state or to the board of 2657
elections of the county in which the person's voting residence is 2658
located pursuant to section 3503.191 of the Revised Code. 2659

(2)(a) An applicant may return the applicant's completed 2660
registration form in person or ~~by mail~~ through another person to 2661
any state or local office of a designated agency, to a public high 2662
school or vocational school, to a public library, to the office of 2663
a county treasurer, to the office of the secretary of state, or to 2664
the office of a board of elections. An applicant who is eligible 2665
to vote as a uniformed services voter or an overseas voter in 2666
accordance with 42 U.S.C. 1973ff-6 also may return the applicant's 2667
completed voter registration form electronically to the office of 2668
the secretary of state or to the board of elections of the county 2669
in which the person's voting residence is located pursuant to 2670
section 3503.191 of the Revised Code. 2671

(b) Subject to division (B)(2)(c) of this section, an 2672
applicant may return the applicant's completed registration form 2673
by mail or through another person to any board of elections or the 2674
office of the secretary of state. 2675

(c) A person who receives compensation for registering a 2676
voter shall return any registration form entrusted to that person 2677
by an applicant to any board of elections or to the office of the 2678
secretary of state. 2679

(d) If a board of elections or the office of the secretary of 2680

state receives a registration form under division (B)(2)(b) or (c) 2681
of this section before the thirtieth day before an election, the 2682
board or the office of the secretary of state, as applicable, 2683
shall forward the registration to the board of elections of the 2684
county in which the applicant is seeking to register to vote 2685
within ten days after receiving the application. If a board of 2686
elections or the office of the secretary of state receives a 2687
registration form under division (B)(2)(b) or (c) of this section 2688
on or after the thirtieth day before an election, the board or the 2689
office of the secretary of state, as applicable, shall forward the 2690
registration to the board of elections of the county in which the 2691
applicant is seeking to register to vote within thirty days after 2692
that election. 2693

(C)(1) A board of elections that receives a voter 2694
registration application and is satisfied as to the truth of the 2695
statements made in the registration form shall register the 2696
applicant not later than twenty business days after receiving the 2697
application, unless that application is received during the thirty 2698
days immediately preceding the day of an election. The board shall 2699
promptly notify the applicant in writing of each of the following: 2700

(a) The applicant's registration; 2701

(b) The precinct in which the applicant is to vote; 2702

(c) In bold type as follows: 2703

"Voters must bring identification to the polls in order to 2704
verify identity. Identification may include a current and valid 2705
photo identification, a military identification, a United States 2706
passport, or a copy of a current utility bill, bank statement, 2707
government check, paycheck, or other government document, other 2708
than this notification ~~or a notification of an election mailed by~~ 2709
~~a board of elections~~, that shows the voter's name and current 2710
address. Voters who do not provide one of these documents will 2711

still be able to vote by providing ~~the last four digits~~ of the 2712
voter's social security number and by casting a provisional 2713
ballot. Voters who do not have any of the above forms of 2714
identification, including a social security number, will still be 2715
able to vote by signing an affirmation swearing to the voter's 2716
identity under penalty of election falsification and by casting a 2717
provisional ballot." 2718

The notification shall be by nonforwardable mail. If the mail 2719
is returned to the board, it shall investigate and cause the 2720
notification to be delivered to the correct address. 2721

(2) If, after investigating as required under division (C)(1) 2722
of this section, the board is unable to verify the voter's correct 2723
address, it shall cause the voter's name in the official 2724
registration list and in the poll list or signature pollbook to be 2725
marked to indicate that the voter's notification was returned to 2726
the board. 2727

At the first election at which a voter whose name has been so 2728
marked appears to vote, the voter shall be required to provide 2729
identification to the election officials and to vote by 2730
provisional ballot under section 3505.181 of the Revised Code. If 2731
the provisional ballot is counted pursuant to division (B)(3) of 2732
section 3505.183 of the Revised Code, the board shall correct that 2733
voter's registration, if needed, and shall remove the indication 2734
that the voter's notification was returned from that voter's name 2735
on the official registration list and on the poll list or 2736
signature pollbook. If the provisional ballot is not counted 2737
pursuant to division (B)(4)(a)(i), or (v), ~~or (vi)~~ of section 2738
3505.183 of the Revised Code, the voter's registration shall be 2739
canceled. The board shall notify the voter by United States mail 2740
of the cancellation. 2741

(3) If a notice of the disposition of an otherwise valid 2742
registration application is sent by nonforwardable mail and is 2743

returned undelivered, the person shall be registered as provided 2744
in division (C)(2) of this section and sent a confirmation notice 2745
by forwardable mail. If the person fails to respond to the 2746
confirmation notice, update the person's registration, or vote by 2747
provisional ballot as provided in division (C)(2) of this section 2748
in any election during the period of two federal elections 2749
subsequent to the mailing of the confirmation notice, the person's 2750
registration shall be canceled. 2751

Sec. 3503.20. (A) The secretary of state, by rule, shall 2752
establish a secure online process for voter registration. The 2753
rules shall provide for all of the following: 2754

(1) An applicant to submit a voter registration application 2755
to the secretary of state online through the internet; 2756

(2) The online applicant to be registered to vote, if all of 2757
the following apply: 2758

(a) The application contains all of the required information, 2759
including the applicant's social security number; 2760

(b) The applicant is qualified to register to vote; and 2761

(c) The applicant attests to the truth and accuracy of the 2762
information submitted in the online application under penalty of 2763
election falsification using the applicant's Ohio driver's license 2764
number or the number of the applicant's Ohio identification card 2765
as proof of the applicant's identity. 2766

(B) If an individual registers to vote or a registered 2767
elector updates the elector's name, address, or both under this 2768
section, the secretary of state shall obtain an electronic copy of 2769
the applicant's or elector's signature that is on file with the 2770
bureau of motor vehicles. That electronic signature shall be used 2771
as the applicant's or elector's signature on voter registration 2772
records, for all election and signature-matching purposes. 2773

(C) The secretary of state shall employ whatever security 2774
measures the secretary considers necessary to ensure the integrity 2775
and accuracy of voter registration information submitted 2776
electronically pursuant to this section. 2777

Sec. 3503.21. (A) The registration of a registered elector 2778
shall be canceled upon the occurrence of any of the following: 2779

(1) The filing by a registered elector of a written request 2780
with a board of elections, on a form prescribed by the secretary 2781
of state and signed by the elector, that the registration be 2782
canceled. The filing of such a request does not prohibit an 2783
otherwise qualified elector from reregistering to vote at any 2784
time. 2785

(2) The filing of a notice of the death of a registered 2786
elector as provided in section 3503.18 of the Revised Code; 2787

(3) The filing with the board of elections of a certified 2788
copy of the death certificate of a registered elector by the 2789
deceased elector's spouse, parent, or child, by the administrator 2790
of the deceased elector's estate, or by the executor of the 2791
deceased elector's will; 2792

(4) The conviction of the registered elector of a felony 2793
under the laws of this state, any other state, or the United 2794
States as provided in section 2961.01 of the Revised Code; 2795

~~(3)~~(5) The adjudication of incompetency of the registered 2796
elector for the purpose of voting as provided in section 5122.301 2797
of the Revised Code; 2798

~~(5)~~(6) The change of residence of the registered elector to a 2799
location outside the county of registration in accordance with 2800
division (B) of this section; 2801

~~(6)~~(7) The failure of the registered elector, after having 2802
been mailed a confirmation notice, to do either of the following: 2803

(a) Respond to such a notice and vote at least once during a 2804
period of four consecutive years, which period shall include two 2805
general federal elections; 2806

(b) Update the elector's registration and vote at least once 2807
during a period of four consecutive years, which period shall 2808
include two general federal elections. 2809

(B)(1) The secretary of state shall prescribe procedures to 2810
identify and cancel the registration in a prior county of 2811
residence of any registrant who changes the registrant's voting 2812
residence to a location outside the registrant's current county of 2813
registration. Any procedures prescribed in this division shall be 2814
uniform and nondiscriminatory, and shall comply with the Voting 2815
Rights Act of 1965. The secretary of state may prescribe 2816
procedures under this division that include the use of the 2817
national change of address service provided by the United States 2818
postal system through its licensees. Any program so prescribed 2819
shall be completed not later than ninety days prior to the date of 2820
any primary or general election for federal office. 2821

(2) The registration of any elector identified as having 2822
changed the elector's voting residence to a location outside the 2823
elector's current county of registration shall not be canceled 2824
unless the registrant is sent a confirmation notice on a form 2825
prescribed by the secretary of state and the registrant fails to 2826
respond to the confirmation notice or otherwise update the 2827
registration and fails to vote in any election during the period 2828
of two federal elections subsequent to the mailing of the 2829
confirmation notice. 2830

(C) The registration of a registered elector shall not be 2831
canceled except as provided in this section, division ~~(Q)~~(A)(17) 2832
of section 3501.05 of the Revised Code, division (C)(2) of section 2833
3503.19 of the Revised Code, or division (C) of section 3503.24 of 2834
the Revised Code. 2835

(D) ~~Boards of elections shall send their voter registration information to the secretary of state as required under section 3503.15 of the Revised Code. In the first quarter of each odd-numbered year, and more frequently as the board of elections considers necessary, the secretary of state each board of elections shall send the voter-registration information of each person registered to vote in the applicable county to the national change of address service described in division (B) of this section and request that service to provide the secretary of state board of elections with a list of any voters sent by the secretary of state board of elections who have moved within the last thirty-six twelve months. The secretary of state shall transmit to each appropriate board of elections whatever lists the secretary of state receives Upon receipt of a response from that service. The, the board shall send a notice to each person on the list transmitted by ~~the secretary of state~~ that service requesting confirmation of the person's change of address, together with a postage prepaid, preaddressed return envelope containing a form on which the voter may verify or correct the change of address information.~~ 2836
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(E) The registration of a registered elector described in division (A)~~(6)~~(7) or (B)(2) of this section shall be canceled not later than one hundred twenty days after the date of the second general federal election in which the elector fails to vote or not later than one hundred twenty days after the expiration of the four-year period in which the elector fails to vote or respond to a confirmation notice, whichever is later. 2856
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Sec. 3503.22. A board of elections may send an acknowledgment notice as prescribed by the secretary of state to any registered elector at any time to facilitate the maintenance and accuracy of the statewide voter registration database. 2863
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2866

Sec. 3503.24. (A) Application for the correction of any 2867
precinct registration list or a challenge of the right to vote of 2868
any registered elector may be made by any qualified elector of the 2869
county at the office of the board of elections not later than 2870
twenty days prior to the election. The applications or challenges, 2871
with the reasons for the application or challenge, shall be filed 2872
with the board on a form prescribed by the secretary of state and 2873
shall be signed under penalty of election falsification. 2874

(B) On receiving an application or challenge filed under this 2875
section, the board of elections promptly shall review the board's 2876
records. If the board is able to determine that an application or 2877
challenge should be granted or denied solely on the basis of the 2878
records maintained by the board, the board immediately shall vote 2879
to grant or deny that application or challenge. 2880

If the board is not able to determine whether an application 2881
or challenge should be granted or denied solely on the basis of 2882
the records maintained by the board, the director shall promptly 2883
set a time and date for a hearing before the board. ~~Except as~~ 2884
~~otherwise provided in division (D) of this section, the~~ The 2885
hearing shall be held, and the application or challenge shall be 2886
decided, no later than ten days after the board receives the 2887
application or challenge. The director shall send written notice 2888
to any elector whose right to vote is challenged and to any person 2889
whose name is alleged to have been omitted from a registration 2890
list. The notice shall inform the person of the time and date of 2891
the hearing, and of the person's right to appear and testify, call 2892
witnesses, and be represented by counsel. The notice shall be sent 2893
by first class mail no later than three days before the day of any 2894
scheduled hearing. The director shall also provide the person who 2895
filed the application or challenge with such written notice of the 2896
date and time of the hearing. 2897

At the request of either party or any member of the board, 2898
the board shall issue subpoenas to witnesses to appear and testify 2899
before the board at a hearing held under this section. All 2900
witnesses shall testify under oath. The board shall reach a 2901
decision on all applications and challenges immediately after 2902
hearing. 2903

(C) If the board decides that any such person is not entitled 2904
to have the person's name on the registration list, the person's 2905
name shall be removed from the list and the person's registration 2906
forms canceled. If the board decides that the name of any such 2907
person should appear on the registration list, it shall be added 2908
to the list, and the person's registration forms placed in the 2909
proper registration files. All such corrections and additions 2910
shall be made on a copy of the precinct lists, which shall 2911
constitute the poll lists, to be furnished to the respective 2912
precincts with other election supplies on the day preceding the 2913
election, to be used by the election officials in receiving the 2914
signatures of voters and in checking against the registration 2915
forms. 2916

~~(D)(1) If an application or challenge for which a hearing is 2917
required to be conducted under division (B) of this section is 2918
filed after the thirtieth day before the day of an election, the 2919
board of elections, in its discretion, may postpone that hearing 2920
and any notifications of that hearing until after the day of the 2921
election. Any hearing postponed under this division shall be 2922
conducted not later than ten days after the day of the election. 2923~~

~~(2) The board of elections shall cause the name of any 2924
registered elector whose registration is challenged and whose 2925
challenge hearing is postponed under division (D)(1) of this 2926
section to be marked in the official registration list and in the 2927
poll list or signature pollbook for that elector's precinct to 2928
indicate that the elector's registration is subject to challenge. 2929~~

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

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

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

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

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

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

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

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

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

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

"Voters must bring identification to the polls in order to verify identity. Identification may include a current and valid photo identification, a military identification, 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 an election or~~ a voter registration notification sent by a board of elections, that shows the voter's name and current address. Voters who do not provide one of these documents will still be able to vote by providing ~~the last four digits of~~ the voter's social security number and by casting a provisional ballot. Voters who do not have any of the above forms of

identification, including a social security number, will still be 2992
able to vote by signing an affirmation swearing to the voter's 2993
identity under penalty of election falsification and by casting a 2994
provisional ballot." 2995

~~(B) Except as otherwise provided in division (D) of this 2996
section, a board of elections, designated agency, public high 2997
school, public vocational school, public library, office of a 2998
county treasurer, or deputy registrar of motor vehicles shall 2999
distribute a copy of the brochure developed under division (A) of 3000
this section to any person who requests more than two voter 3001
registration forms at one time. 3002~~

~~(C)(1) The secretary of state shall provide the information 3003
required to be included in the brochure developed under division 3004
(A) of this section to any person who prints a voter registration 3005
form that is made available on a web site of the office of the 3006
secretary of state. 3007~~

~~(2) If a board of elections operates and maintains a web 3008
site, the board shall provide the information required to be 3009
included in the brochure developed under division (A) of this 3010
section to any person who prints a voter registration form that is 3011
made available on that web site. 3012~~

~~(D) A board of elections shall not be required to distribute 3013
a copy of a brochure under division (B) of this section to any of 3014
the following officials or employees who are requesting more than 3015
two voter registration forms at one time in the course of the 3016
official's or employee's normal duties: 3017~~

~~(1) An election official; 3018~~

~~(2) A county treasurer; 3019~~

~~(3) A deputy registrar of motor vehicles; 3020~~

~~(4) An employee of a designated agency; 3021~~

- ~~(5) An employee of a public high school;~~ 3022
- ~~(6) An employee of a public vocational school;~~ 3023
- ~~(7) An employee of a public library;~~ 3024
- ~~(8) An employee of the office of a county treasurer;~~ 3025
- ~~(9) An employee of the bureau of motor vehicles;~~ 3026
- ~~(10) An employee of a deputy registrar of motor vehicles;~~ 3027
- ~~(11) An employee of an election official.~~ 3028

~~(E)~~(C) As used in this section, "registering voters" includes 3029
any effort, for compensation, to provide voter registration forms 3030
or to assist persons in completing or returning those forms. 3031

Sec. 3504.01. A former elector of this state is eligible to 3032
vote a presidential ballot in the presidential general election 3033
held in this state in person or by mail if the former elector 3034
meets all of the following conditions: 3035

(A) The former elector moved out of this state not more than 3036
thirty days before the day of the presidential general election; 3037

(B) The former elector has not resided in the elector's new 3038
state of residence long enough to be eligible to vote in the 3039
presidential general election; 3040

(C) The former elector was registered to vote in this state 3041
at the time the former resident ceased to be a resident of this 3042
state; and 3043

(D) The former elector would be eligible to vote in this 3044
state if the former elector was a resident of this state. 3045

Sec. 3504.02. ~~Any citizen~~ A former elector of this state who 3046
desires to vote in a presidential general election under this 3047
chapter shall, submit a completed certificate of intent to vote 3048
for presidential and vice-presidential electors not later than 3049

~~four p.m. of the thirtieth day prior to the date of the~~ 3050
~~presidential election, complete a certificate of intent to vote~~ 3051
~~for presidential and vice-presidential electors~~ twelve noon of the 3052
third day before the day of the election. The certificate of 3053
intent shall be completed ~~in duplicate~~ on a form prescribed by the 3054
secretary of state that may be obtained and filed personally in 3055
the office of the board of elections of the county in which such 3056
person last resided before removal from this state, or mailed to 3057
such board of elections. 3058

Immediately following the spaces on the certificate for 3059
inserting information as requested by the secretary of state, the 3060
following statement shall be printed: "I declare under penalty of 3061
election falsification that the statements ~~herein~~ contained herein 3062
are true to the best of my knowledge and belief; that I am legally 3063
qualified to vote; that I am not ~~registered~~ eligible to vote in 3064
the presidential general election in any other state; and that I 3065
have not voted in an election in any other state since removing 3066
myself from the state of Ohio. 3067

..... 3068
Signature of applicant 3069
..... 3070
Date 3071

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY 3072
OF THE FIFTH DEGREE." 3073

The former elector also shall submit with the certificate of 3074
intent to vote for presidential and vice-presidential electors a 3075
properly completed and signed Ohio voter registration cancellation 3076
request on a form prescribed by the secretary of state. 3077

Sec. 3504.04. On or before the day of a presidential general 3078
election ~~day~~, the director of the board of elections shall deliver 3079
to the polling place a list of persons who have filed certificates 3080

of intent to vote as former resident voters and who appear, from 3081
their voting address, entitled to vote at such polling place. 3082
Those persons whose names appear on the list of former resident 3083
voters, and who have otherwise complied with sections 3504.01 to 3084
3504.06 of the Revised Code, shall then be entitled to vote for 3085
presidential and vice-presidential electors only at their polling 3086
place on election day or by absent voter's ballots. Such voter who 3087
votes at that voter's polling place on election day shall sign 3088
that voter's name in the poll book or poll list followed by, 3089
"Former Resident's Presidential Ballot." Qualified former 3090
residents shall be entitled to cast absent voter's ballots for 3091
presidential and vice-presidential electors. 3092

Sec. 3504.05. The director of the board of elections shall 3093
~~forward copies of all certificates~~ electronically transmit any 3094
certificate of intent received from a former residents elector to 3095
the secretary of state ~~no later than the twenty fifth day prior to~~ 3096
~~the day of the election in which such former resident desires to~~ 3097
~~vote~~ within one business day. Upon receipt of such certificate, 3098
the secretary of state shall immediately notify the chief 3099
elections officer of the state of each applicant's prior residence 3100
of the fact that such applicant has declared ~~his~~ the applicant's 3101
intention to vote for presidential and vice-presidential electors 3102
in this state. 3103

Sec. 3505.05. At any time prior to the seventieth day before 3104
the day of an election at which a question or issue, other than a 3105
statewide question or issue, is certified to appear on the ballot, 3106
the political subdivision, taxing authority, or other entity that 3107
placed the issue on the ballot may remove that issue from the 3108
ballot using the same process that the entity used to originally 3109
certify the issue for placement on the ballot. 3110

Upon receipt of a notification that a question or issue has 3111

been withdrawn, the board of elections shall remove that question 3112
or issue from the ballot. 3113

Sec. 3505.07. (A) If the board of elections, by a unanimous 3114
vote of its members, or if the secretary of state, in the 3115
secretary of state's sole discretion, finds it impracticable to 3116
place the names of candidates for any office of a minor political 3117
subdivision in the county or the wording of any question or issue 3118
to be voted upon in such minor political subdivision on the 3119
ballots under sections 3505.01 to 3505.09 of the Revised Code, 3120
then such board may, or at the direction of the secretary of state 3121
shall, provide separate ballots for the candidates, question, or 3122
issue. 3123

(B) If the secretary of state, in the secretary of state's 3124
sole discretion, determines that it is impracticable to place the 3125
names of candidates for any office or the wording for any question 3126
or issue to be voted upon on the ballot when the candidates, 3127
question, issue, or wording for the question or issue was ordered 3128
onto the ballot by a court of competent jurisdiction and the 3129
ballots have been printed prior to the court order, the board of 3130
elections, at the direction of the secretary of state, shall 3131
provide separate ballots for the candidates, question, or issue. 3132

(C) All separate ballots provided for in this section shall 3133
conform in quality of paper, style of printing, form of ballot, 3134
arrangement of names, and in all other ways, in so far as 3135
practicable, with the provisions relating to the printing of the 3136
general official ballot. ~~Separate ballot boxes shall be provided~~ 3137
~~for each such separate kind of ballot.~~ 3138

Sec. 3505.08. (A) Ballots shall be provided by the board of 3139
elections for all general and special elections. The ballots shall 3140
be printed with black ink on No. 2 white book paper fifty pounds 3141

in weight per ream assuming such ream to consist of five hundred 3142
sheets of such paper twenty-five by thirty-eight inches in size. 3143
Each ballot shall have attached at the top two stubs, each of the 3144
width of the ballot and not less than one-half inch in length, 3145
except that, if the board of elections has an alternate method to 3146
account for the ballots that the secretary of state has 3147
authorized, each ballot may have only one stub that shall be the 3148
width of the ballot and not less than one-half inch in length. In 3149
the case of ballots with two stubs, the stubs shall be separated 3150
from the ballot and from each other by perforated lines. The top 3151
stub shall be known as Stub B and shall have printed on its face 3152
"Stub B." The other stub shall be known as Stub A and shall have 3153
printed on its face "Stub A." Each stub shall also have printed on 3154
its face "Consecutive Number" 3155

Each ballot of each kind of ballot provided for use in each 3156
precinct shall be numbered consecutively beginning with number 1 3157
by printing such number upon both of the stubs attached to the 3158
ballot. On ballots bearing the names of candidates, each 3159
candidate's name shall be printed in twelve point boldface upper 3160
case type in an enclosed rectangular space, and an enclosed blank 3161
rectangular space shall be provided at the left of the candidate's 3162
name. The name of the political party of a candidate nominated at 3163
a primary election or certified by a party committee shall be 3164
printed in ten point lightface upper and lower case type and shall 3165
be separated by a two point blank space. The name of each 3166
candidate shall be indented one space within the enclosed 3167
rectangular space, and the name of the political party shall be 3168
indented two spaces within the enclosed rectangular space. 3169

The title of each office on the ballots shall be printed in 3170
twelve point boldface upper and lower case type in a separate 3171
enclosed rectangular space. A four point rule shall separate the 3172
name of a candidate or a group of candidates for the same office 3173

from the title of the office next appearing below on the ballot; a 3174
two point rule shall separate the title of the office from the 3175
names of candidates; and a one point rule shall separate names of 3176
candidates. Headings shall be printed in display Roman type. When 3177
the names of several candidates are grouped together as candidates 3178
for the same office, there shall be printed on the ballots 3179
immediately below the title of the office and within the separate 3180
rectangular space in which the title is printed "Vote for not more 3181
than, " in six point boldface upper and lower case filling 3182
the blank space with that number which will indicate the number of 3183
persons who may be lawfully elected to the office. 3184

Columns on ballots shall be separated from each other by a 3185
heavy vertical border or solid line at least one-eighth of an inch 3186
wide, and a similar vertical border or line shall enclose the left 3187
and right side of ballots. Ballots shall be trimmed along the 3188
sides close to such lines. 3189

The ballots provided for by this section shall be comprised 3190
of four kinds of ballots designated as follows: office type 3191
ballot; nonpartisan ballot; questions and issues ballot; and 3192
presidential ballot. 3193

On the back of each office type ballot shall be printed 3194
"Official Office Type Ballot;" on the back of each nonpartisan 3195
ballot shall be printed "Official Nonpartisan Ballot;" on the back 3196
of each questions and issues ballot shall be printed "Official 3197
Questions and Issues Ballot;" and on the back of each presidential 3198
ballot shall be printed "Official Presidential Ballot." ~~On~~ At the 3199
~~back~~ end of every ballot also shall be printed the date of the 3200
election at which the ballot is used and the facsimile signatures 3201
of the members of the board of the county in which the ballot is 3202
used. For the purpose of identifying the kind of ballot, the back 3203
of every ballot may be numbered in the order the board shall 3204
determine. The numbers shall be printed in not less than 3205

thirty-six point type above the words "Official Office Type 3206
Ballot," "Official Nonpartisan Ballot," "Official Questions and 3207
Issues Ballot," or "Official Presidential Ballot," as the case may 3208
be. ~~Ballot boxes~~ A ballot box bearing corresponding numbers shall 3209
be furnished for each precinct in which the above-described 3210
numbered ballots are used. 3211

On the back of every ballot used, there shall be a solid 3212
black line printed opposite the blank rectangular space that is 3213
used to mark the choice of the voter. This line shall be printed 3214
wide enough so that the mark in the blank rectangular space will 3215
not be visible from the back side of the ballot. 3216

Sample ballots may be printed by the board of elections for 3217
all general elections. The ballots shall be printed on colored 3218
paper, and "Sample Ballot" shall be plainly printed in boldface 3219
type on the face of each ballot. In counties of less than one 3220
hundred thousand population, the board may print not more than 3221
five hundred sample ballots; in all other counties, it may print 3222
not more than one thousand sample ballots. The sample ballots 3223
shall not be distributed by a political party or a candidate, nor 3224
shall a political party or candidate cause their title or name to 3225
be imprinted on sample ballots. 3226

(B) Notwithstanding division (A) of this section, in 3227
approving the form of an official ballot, the secretary of state 3228
may authorize the use of fonts, type face settings, and ballot 3229
formats other than those prescribed in that division. 3230

Sec. 3505.11. (A) The ballots, with the stubs attached, shall 3231
be bound into tablets for each precinct, which tablets shall 3232
contain at least one per cent more ballots than the total 3233
registration in the precinct, except as otherwise provided in 3234
division (B) of this section. Upon the covers of the tablets shall 3235
be written, printed, or stamped the designation of the precinct 3236

for which the ballots have been prepared. All official ballots 3237
shall be printed uniformly upon the same kind and quality of paper 3238
and shall be of the same shape, size, and type. 3239

Electors who have failed to respond within thirty days to any 3240
confirmation notice shall not be counted in determining the number 3241
of ballots to be printed under this section. 3242

(B)(1) A board of elections may choose to provide ballots on 3243
demand. If a board so chooses, the board shall have prepared for 3244
each precinct at least five per cent more ballots for an election 3245
than the number specified below for that kind of election: 3246

(a) For a primary election or a special election held on the 3247
day of a primary election, the total number of electors in that 3248
precinct who voted in the primary election held four years 3249
previously or, if no primary election was held four years 3250
previously, the total number of electors in that precinct who 3251
voted in a similarly situated primary, as determined by the board; 3252

(b) For a general election or a special election held on the 3253
day of a general election, the total number of electors in that 3254
precinct who voted in the general election held four years 3255
previously; 3256

(c) For a special election held at any time other than on the 3257
day of a primary or general election, the total number of electors 3258
in that precinct who voted in the most recent primary or general 3259
election, whichever of those elections occurred in the precinct 3260
most recently. 3261

(2) If, after the board complies with the requirements of 3262
division (B)(1) of this section, the election officials of a 3263
precinct determine that the precinct will not have enough ballots 3264
to enable all the qualified electors in the precinct who wish to 3265
vote at a particular election to do so, the officials shall 3266
request that the board provide additional ballots, and the board 3267

shall provide enough additional ballots, to that precinct in a 3268
timely manner so that all qualified electors in that precinct who 3269
wish to vote at that election may do so. 3270

Sec. 3505.13. A contract for the printing of ballots 3271
involving a cost in excess of ~~ten~~ twenty-five thousand dollars 3272
shall not be let until after five days' notice published once in a 3273
leading newspaper published in the county or upon notice given by 3274
mail by the board of elections, addressed to the responsible 3275
printing offices within the state. Except as otherwise provided in 3276
this section, each bid for such printing must be accompanied by a 3277
bond with at least two sureties, or a surety company, satisfactory 3278
to the board, in a sum double the amount of the bid, conditioned 3279
upon the faithful performance of the contract for such printing as 3280
is awarded and for the payment as damages by such bidder to the 3281
board of any excess of cost over the bid which it may be obliged 3282
to pay for such work by reason of the failure of the bidder to 3283
complete the contract. No bid unaccompanied by such bond shall be 3284
considered by the board. The board may, however, waive the 3285
requirement that each bid be accompanied by a bond if the cost of 3286
the contract is ~~ten~~ twenty-five thousand dollars or less. The 3287
contract shall be let to the lowest responsible bidder in the 3288
state or, if the lowest bid by an out-of-state bidder is at least 3289
ten per cent less than the lowest bid by an in-state bidder, the 3290
contract may be let to the out-of-state bidder. ~~All ballots shall~~ 3291
~~be printed within the state.~~ 3292

Sec. 3505.16. Before the opening of the polls, the package of 3293
supplies and the ballot ~~boxes~~ box shall be opened in the presence 3294
of the precinct officials. The ballot ~~boxes~~ box, the package of 3295
ballots, registration forms, and other supplies shall at all times 3296
be in full sight of the observers, and no ballot box or unused 3297
ballots during the balloting or counting shall be removed or 3298

screened from their full sight until the counting has been closed 3299
and the final returns completed and the certificate signed by the 3300
judges. 3301

Sec. 3505.17. If by accident or casualty the ballots or other 3302
required papers, lists, or supplies are lost or destroyed, or in 3303
case none are delivered at the polling place, or if during the 3304
time the polls are open additional ballots or supplies are 3305
required, the board of elections, upon requisition by telephone or 3306
in writing and signed by a majority of the precinct election 3307
~~judges~~ officials of the precinct stating why such additional 3308
supplies are needed, shall supply them as speedily as possible. 3309

Sec. 3505.18. (A)(1) When an elector appears in a polling 3310
place to vote, the elector shall announce to the precinct election 3311
officials the elector's full name and current address and provide 3312
proof of the elector's identity in the form of a current and valid 3313
photo identification, a military identification, a United States 3314
passport, or a copy of a current utility bill, bank statement, 3315
government check, paycheck, or other government document, other 3316
~~than a notice of an election mailed by a board of elections under~~ 3317
~~section 3501.19 of the Revised Code or a notice of voter~~ 3318
registration mailed by a board of elections under section 3503.19 3319
of the Revised Code, that shows the name and current address of 3320
the elector. ~~If the elector provides either a driver's license or~~ 3321
~~a state identification card issued under section 4507.50 of the~~ 3322
~~Revised Code that does not contain the elector's current residence~~ 3323
~~address, the elector shall provide the last four digits of the~~ 3324
~~elector's driver's license number or state identification card~~ 3325
~~number, and the precinct election official shall mark the poll~~ 3326
~~list or signature pollbook to indicate that the elector has~~ 3327
~~provided a driver's license or state identification card number~~ 3328
~~with a former address and record the last four digits of the~~ 3329

~~elector's driver's license number or state identification card
number.~~ 3330
3331

(2) If an elector has but is unable to provide to the 3332
precinct election officials any of the forms of identification 3333
required under division (A)(1) of this section, ~~but has a social~~ 3334
~~security number, the elector may provide the last four digits of~~ 3335
~~the elector's social security number. Upon providing the social~~ 3336
~~security number information,~~ the elector may cast a provisional 3337
ballot under section 3505.181 of the Revised Code, ~~the envelope of~~ 3338
~~which ballot shall include that social security number~~ 3339
~~information.~~ 3340

(3) ~~If an elector has but is unable to provide to the~~ 3341
~~precinct election officials any of the forms of identification~~ 3342
~~required under division (A)(1) of this section and if the elector~~ 3343
~~has a social security number but is unable to provide the last~~ 3344
~~four digits of the elector's social security number, the elector~~ 3345
~~may cast a provisional ballot under section 3505.181 of the~~ 3346
~~Revised Code.~~ 3347

~~(4)~~ If an elector does not have any of the forms of 3348
identification required under division (A)(1) of this section ~~and~~ 3349
~~cannot provide the last four digits of the elector's social~~ 3350
~~security number because the elector does not have a social~~ 3351
~~security number,~~ the elector may execute an affirmation under 3352
penalty of election falsification that the elector cannot provide 3353
the identification required under that division ~~or the last four~~ 3354
~~digits of the elector's social security number for those reasons~~ 3355
that reason. Upon signing the affirmation, the elector may cast a 3356
provisional ballot under section 3505.181 of the Revised Code. The 3357
secretary of state shall prescribe the form of the affirmation, 3358
which shall include spaces for the elector to complete all of the 3359
following: 3360

(a) The elector's name; 3361

(b) The elector's address; 3362

(c) The current date; 3363

(d) The elector's date of birth; 3364

(e) The elector's signature. 3365

~~(5)(4)~~ If an elector does not have any of the forms of 3366
identification required under division (A)(1) of this section and 3367
~~cannot provide the last four digits of the elector's social~~ 3368
~~security number because the elector does not have a social~~ 3369
~~security number, and if the elector declines to execute an~~ 3370
affirmation under division (A)~~(4)~~(3) of this section, the elector 3371
may cast a provisional ballot under section 3505.181 of the 3372
Revised Code, ~~the envelope of which ballot shall include the~~ 3373
~~elector's name but the ballot will not be counted.~~ 3374

~~(6) If an elector has but declines to provide to the precinct~~ 3375
~~election officials any of the forms of identification required~~ 3376
~~under division (A)(1) of this section or the elector has a social~~ 3377
~~security number but declines to provide to the precinct election~~ 3378
~~officials the last four digits of the elector's social security~~ 3379
~~number, the elector may cast a provisional ballot under section~~ 3380
~~3505.181 of the Revised Code.~~ 3381

(5) If an elector executes an affirmation under division 3382
(A)(3) of this section stating that the elector does not have any 3383
of the forms of identification required under division (A)(1) of 3384
this section and, in verifying the elector's eligibility to vote, 3385
the election officials determine that the elector does have one of 3386
those forms of identification and failed to provide such 3387
identification, that elector shall be deemed to have committed 3388
election falsification in violation of section 3599.36 of the 3389
Revised Code by filing that affirmation and that elector's 3390
provisional ballot shall not be counted. 3391

(B) After the elector has announced the elector's full name 3392

and current address and provided any of the forms of 3393
identification required under division (A)(1) of this section, the 3394
elector shall write the elector's ~~name and address~~ signature at 3395
the proper place in the poll list or signature pollbook provided 3396
for the purpose, except that if, for any reason, an elector is 3397
unable to write the elector's ~~name and current address~~ signature 3398
in the poll list or signature pollbook, the elector may make the 3399
elector's mark at the place intended for the elector's ~~name~~ 3400
signature, and a precinct election official shall write the name 3401
of the elector at the proper place on the poll list or signature 3402
pollbook following the elector's mark. The making of such a mark 3403
shall be attested by the precinct election official, who shall 3404
evidence the same by signing the precinct election official's name 3405
on the poll list or signature pollbook as a witness to the mark. 3406
Alternatively, if applicable, an attorney in fact acting pursuant 3407
to section 3501.382 of the Revised Code may sign the elector's 3408
signature in the poll list or signature pollbook in accordance 3409
with that section. 3410

The elector's signature in the poll list or signature 3411
pollbook then shall be compared with the elector's signature on 3412
the elector's registration form or a digitized signature list as 3413
provided for in section 3503.13 of the Revised Code, and if, in 3414
the opinion of a majority of the precinct election officials, the 3415
signatures are the signatures of the same person, the election 3416
officials shall enter the date of the election on the registration 3417
form or shall record the date by other means prescribed by the 3418
secretary of state. The validity of an attorney in fact's 3419
signature on behalf of an elector shall be determined in 3420
accordance with section 3501.382 of the Revised Code. 3421

If the right of the elector to vote is not then challenged, 3422
or, if being challenged, the elector establishes the elector's 3423
right to vote, the elector shall be allowed to proceed to use the 3424

voting machine. If voting machines are not being used in that 3425
precinct, the judge in charge of ballots shall then detach the 3426
next ballots to be issued to the elector from Stub B attached to 3427
each ballot, leaving Stub A attached to each ballot, hand the 3428
ballots to the elector, and call the elector's name and the stub 3429
number on each of the ballots. The judge shall enter the stub 3430
numbers opposite the signature of the elector in the pollbook. The 3431
elector shall then retire to one of the voting compartments to 3432
mark the elector's ballots. No mark shall be made on any ballot 3433
which would in any way enable any person to identify the person 3434
who voted the ballot. 3435

Sec. 3505.181. (A) All of the following individuals shall be 3436
permitted to cast a provisional ballot at an election: 3437

(1) An individual who declares that the individual is a 3438
registered voter in the jurisdiction in which the individual 3439
desires to vote and that the individual is eligible to vote in an 3440
election, but the name of the individual does not appear on the 3441
official list of eligible voters for the polling place or an 3442
election official asserts that the individual is not eligible to 3443
vote; 3444

~~(2) An individual who has a social security number and 3445
provides to the election officials the last four digits of the 3446
individual's social security number as permitted by division 3447
(A)(2) of section 3505.18 of the Revised Code; 3448~~

~~(3) An individual who has but is unable to provide to the 3449
election officials any of the forms of identification required 3450
under division (A)(1) of section 3505.18 of the Revised Code and 3451
who has a social security number but is unable to provide the last 3452
four digits of the individual's social security number as 3453
permitted under division (A)(2) of that section; 3454~~

~~(4)(3) An individual who does not have any of the forms of 3455~~

identification required under division (A)(1) of section 3505.18 3456
of the Revised Code, ~~who cannot provide the last four digits of~~ 3457
~~the individual's social security number under division (A)(2) of~~ 3458
~~that section because the individual does not have a social~~ 3459
~~security number, and who has executed~~ executes an affirmation as 3460
~~permitted~~ under division (A)(3) of that section or declines to 3461
execute an affirmation under division (A)(4) of that section; 3462

~~(5)~~(4) An individual whose name in the poll list or signature 3463
pollbook has been marked under section 3509.09 or 3511.13 of the 3464
Revised Code as having requested an absent voter's ballot or ~~an~~ 3465
~~armed service~~ a uniformed services or overseas absent voter's 3466
ballot for that election and who appears to vote at the polling 3467
place; 3468

~~(6)~~(5) An individual whose notification of registration has 3469
been returned undelivered to the board of elections and whose name 3470
in the official registration list and in the poll list or 3471
signature pollbook has been marked under division (C)(2) of 3472
section 3503.19 of the Revised Code; 3473

~~(7)~~(6) An individual who is challenged under section 3505.20 3474
of the Revised Code and the election officials determine that the 3475
person is ineligible to vote or are unable to determine the 3476
person's eligibility to vote; 3477

~~(8) An individual whose application or challenge hearing has~~ 3478
~~been postponed until after the day of the election under division~~ 3479
~~(D)(1) of section 3503.24 of the Revised Code;~~ 3480

~~(9)~~(7) An individual who ~~changes the individual's name and~~ 3481
~~remains within the precinct,~~ moves from one precinct to another 3482
within a county, moves from one precinct to another and changes 3483
the individual's name, ~~or~~ moves from one county to another within 3484
the state, or moves from one county to another and changes the 3485
individual's name and completes and signs the required forms and 3486

statements under division (B) or (C) of section 3503.16 of the Revised Code;

~~(10)~~(8) 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;

~~(11)~~(9) An individual who is challenged under section 3513.20 of the Revised Code who refuses to make the statement required under that section, who a majority of the precinct officials find lacks any of the qualifications to make the individual a qualified elector, or who a majority of the precinct officials find is not affiliated with or a member of the political party whose ballot the individual desires to vote;

~~(12) An individual who does not have any of the forms of identification required under division (A)(1) of section 3505.18 of the Revised Code, who cannot provide the last four digits of the individual's social security number under division (A)(2) of that section because the person does not have a social security number, and who declines to execute an affirmation as permitted under division (A)(4) of that section;~~

~~(13) An individual who has but declines to provide to the precinct election officials any of the forms of identification required under division (A)(1) of section 3501.18 of the Revised Code or who has a social security number but declines to provide to the precinct election officials the last four digits of the individual's social security number~~ (10) An individual who is casting a ballot after the time for the closing of the polls under section 3501.32 of the Revised Code pursuant to a court order extending the time for the closing of the polls.

(B) An individual who is eligible to cast a provisional ballot under division (A) of this section shall be permitted to

cast a provisional ballot as follows: 3518

(1) An election official at the polling place shall notify 3519
the individual that the individual may cast a provisional ballot 3520
in that election. 3521

(2) The individual shall be permitted to cast a provisional 3522
ballot at that polling place upon the execution of a written 3523
affirmation by the individual before an election official at the 3524
polling place stating that the individual is both of the 3525
following: 3526

(a) A registered voter in the jurisdiction in which the 3527
individual desires to vote; 3528

(b) Eligible to vote in that election. 3529

If the individual declines to execute the affirmation, the 3530
election official shall not record any of the information required 3531
to be provided by the individual on the affirmation. The election 3532
official shall explain to the individual that the provisional 3533
ballot will not be counted. 3534

(3) An election official at the polling place shall transmit 3535
the ballot cast by the individual, and the voter information 3536
contained in the written affirmation executed by the individual 3537
under division (B)(2) of this section, ~~or the individual's name if 3538
the individual declines to execute such an affirmation~~ to an 3539
appropriate local election official for verification ~~under 3540
division (B)(4) of this section.~~ 3541

(4) ~~If the appropriate local election official to whom the 3542
ballot or voter or address information is transmitted under 3543
division (B)(3) of this section determines that the individual is 3544
eligible to vote, the individual's provisional ballot shall be 3545
counted as a vote in that election. 3546~~

~~(5)(a) At the time that an individual casts a provisional 3547~~

ballot, the appropriate local election official shall give the 3548
individual written information that states that any individual who 3549
casts a provisional ballot will be able to ascertain under the 3550
system established under division (B)~~(5)~~(4)(b) of this section 3551
whether the vote was counted, and, if the vote was not counted, 3552
the reason that the vote was not counted. 3553

(b) The appropriate state or local election official shall 3554
establish a free access system, in the form of a toll-free 3555
telephone number, that any individual who casts a provisional 3556
ballot may access to discover whether the vote of that individual 3557
was counted, and, if the vote was not counted, the reason that the 3558
vote was not counted. The free access system established under 3559
this division also shall provide to an individual whose 3560
provisional ballot was not counted information explaining how that 3561
individual may contact the board of elections to register to vote 3562
or to resolve problems with the individual's voter registration. 3563

The appropriate state or local election official shall 3564
establish and maintain reasonable procedures necessary to protect 3565
the security, confidentiality, and integrity of personal 3566
information collected, stored, or otherwise used by the free 3567
access system established under this division. Access to 3568
information about an individual ballot shall be restricted to the 3569
individual who cast the ballot. 3570

~~(6) If, at the time that an individual casts a provisional 3571
ballot, the individual provides identification in the form of a 3572
current and valid photo identification, a military identification, 3573
or a copy of a current utility bill, bank statement, government 3574
check, paycheck, or other government document, other than a notice 3575
of an election mailed by a board of elections under section 3576
3501.19 of the Revised Code or a notice of voter registration 3577
mailed by a board of elections under section 3503.19 of the 3578
Revised Code, that shows the individual's name and current 3579~~

~~address, or provides the last four digits of the individual's 3580
social security number, or executes an affirmation that the 3581
elector does not have any of those forms of identification or the 3582
last four digits of the individual's social security number 3583
because the individual does not have a social security number, or 3584
declines to execute such an affirmation, the appropriate local 3585
election official shall record the type of identification 3586
provided, the social security number information, the fact that 3587
the affirmation was executed, or the fact that the individual 3588
declined to execute such an affirmation and include that 3589
information with the transmission of the ballot or voter or 3590
address information under division (B)(3) of this section. If the 3591
individual declines to execute such an affirmation, the 3592
appropriate local election official shall record the individual's 3593
name and include that information with the transmission of the 3594
ballot under division (B)(3) of this section. 3595~~

~~(7) If an individual casts a provisional ballot pursuant to 3596
division (A)(3), (7), (8), (12), or (13) of this section, the 3597
election official shall indicate, on the provisional ballot 3598
verification statement required under section 3505.182 of the 3599
Revised Code, that the individual is required to provide 3600
additional information to the board of elections or that an 3601
application or challenge hearing has been postponed with respect 3602
to the individual, such that additional information is required 3603
for the board of elections to determine the eligibility of the 3604
individual who cast the provisional ballot. 3605~~

~~(8) During the ten days after the day of an election, an 3606
individual who casts a provisional ballot pursuant to division 3607
(A)(3), (7), (12), or (13) of this section shall appear at the 3608
office of the board of elections and provide to the board any 3609
additional information necessary to determine the eligibility of 3610
the individual who cast the provisional ballot. 3611~~

~~(a) For a provisional ballot cast pursuant to division (A)(3), (12), or (13) of this section to be eligible to be counted, the individual who cast that ballot, within ten days after the day of the election, shall do any of the following:~~ 3612
3613
3614
3615

~~(i) Provide to the board of elections proof of the individual's identity in the form of a current and valid photo identification, a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the individual's name and current address;~~ 3616
3617
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~~(ii) Provide to the board of elections the last four digits of the individual's social security number;~~ 3625
3626

~~(iii) In the case of a provisional ballot executed pursuant to division (A)(12) of this section, execute an affirmation as permitted under division (A)(4) of section 3505.18 of the Revised Code.~~ 3627
3628
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~~(b) For a provisional ballot cast pursuant to division (A)(7) of this section to be eligible to be counted, the individual who cast that ballot, within ten days after the day of that election, shall provide to the board of elections any identification or other documentation required to be provided by the applicable challenge questions asked of that individual under section 3505.20 of the Revised Code.~~ 3631
3632
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(C)(1) If an individual declares that the individual is eligible to vote in a jurisdiction other than the jurisdiction in which the individual desires to vote, or if, upon review of the precinct voting location guide using the residential street address provided by the individual, an election official at the 3638
3639
3640
3641
3642

polling place at which the individual desires to vote determines 3643
that the individual is not eligible to vote in that jurisdiction, 3644
the election official shall direct the individual to the polling 3645
place for the jurisdiction in which the individual appears to be 3646
eligible to vote, explain that the individual may cast a 3647
provisional ballot at the current location but the ballot will not 3648
be counted if it is cast in the wrong precinct, and provide the 3649
telephone number of the board of elections in case the individual 3650
has additional questions. 3651

(2) If the individual refuses to travel to the polling place 3652
for the correct jurisdiction or to the office of the board of 3653
elections to cast a ballot, the individual shall be permitted to 3654
vote a provisional ballot at that jurisdiction in accordance with 3655
division (B) of this section. If any of the following apply, the 3656
provisional ballot cast by that individual shall not be opened or 3657
counted: 3658

(a) The individual is not properly registered in that 3659
jurisdiction. 3660

(b) The individual is not eligible to vote in that election 3661
in that jurisdiction. 3662

(c) The individual's eligibility to vote in that jurisdiction 3663
in that election cannot be established upon examination of the 3664
records on file with the board of elections. 3665

(D) The appropriate local election official shall cause 3666
voting information to be publicly posted at each polling place on 3667
the day of each election. 3668

(E) As used in this section and sections 3505.182 and 3669
3505.183 of the Revised Code: 3670

(1) "Jurisdiction" means the precinct in which a person is a 3671
legally qualified elector. 3672

(2) "Precinct voting location guide" means either of the following:	3673 3674
(a) An electronic or paper record that lists the correct jurisdiction and polling place for either each specific residential street address in the county or the range of residential street addresses located in each neighborhood block in the county;	3675 3676 3677 3678 3679
(b) Any other method that a board of elections creates that allows a precinct election official or any elector who is at a polling place in that county to determine the correct jurisdiction and polling place of any qualified elector who resides in the county.	3680 3681 3682 3683 3684
(3) "Voting information" means all of the following:	3685
(a) A sample version of the ballot that will be used for that election;	3686 3687
(b) Information regarding the date of the election and the hours during which polling places will be open;	3688 3689
(c) Instructions on how to vote, including how to cast a vote and how to cast a provisional ballot;	3690 3691
(d) Instructions for mail-in registrants and first-time voters under applicable federal and state laws;	3692 3693
(e) General information on voting rights under applicable federal and state laws, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated;	3694 3695 3696 3697 3698
(f) General information on federal and state laws regarding prohibitions against acts of fraud and misrepresentation.	3699 3700
Sec. 3505.182. Each individual who casts a provisional ballot	3701

under section 3505.181 of the Revised Code shall execute a written 3702
affirmation. The secretary of state shall prescribe the form of 3703
the written affirmation, which shall be printed upon the face of 3704
the provisional ballot envelope ~~and shall be substantially as~~ 3705
~~follows:~~ 3706

~~"Provisional Ballot Affirmation~~ 3707

~~STATE OF OHIO~~ 3708

I, (Name of provisional voter), ~~solemnly~~ 3709
~~swear or affirm that I am a registered voter in the jurisdiction~~ 3710
~~in which I am voting this provisional ballot and that I am~~ 3711
~~eligible to vote in the election in which I am voting this~~ 3712
~~provisional ballot.~~ 3713

I ~~understand that, if the above provided information is not~~ 3714
~~fully completed and correct, if the board of elections determines~~ 3715
~~that I am not registered to vote, a resident of this precinct, or~~ 3716
~~eligible to vote in this election, or if the board of elections~~ 3717
~~determines that I have already voted in this election, my~~ 3718
~~provisional ballot will not be counted. I further understand that~~ 3719
~~knowingly providing false information is a violation of law and~~ 3720
~~subjects me to possible criminal prosecution.~~ 3721

I ~~hereby declare, under penalty of election falsification,~~ 3722
~~that the above statements are true and correct to the best of my~~ 3723
~~knowledge and belief.~~ 3724

..... 3725

~~(Signature of Voter)~~ 3726

..... 3727

~~(Voter's date of birth)~~ 3728

~~The last four digits of the~~ 3729

~~voter's social security number~~

..... 3730

~~(To be provided if the voter is~~ 3731

~~unable to provide a current and
valid photo identification, a
military identification, or a
current utility bill, bank
statement, government check,
paycheck, or other government
document, other than a notice of
an election mailed by a board of
elections under section 3501.19
of the Revised Code or a notice
of voter registration mailed by a
board of elections under section
3503.19 of the Revised Code, that
shows the voter's name and
current address but is able to
provide these last four digits)~~

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY	3732
OF THE FIFTH DEGREE.	3733
Additional Information For Determining Ballot Validity	3734
(May be completed at voter's discretion)	3735
Voter's current address:	3736
Voter's former address if	3737
photo identification does not contain voter's current address	
Voter's driver's license number or, if not provided above, the last four digits of voter's social security number	3738
(Please circle number type)	3739
(Voter may attach a copy of any of the following for identification purposes: a current and valid photo identification,	3740

~~a military identification, or a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the voter's name and current address.)~~

~~Reason for voting provisional ballot (Check one):~~ 3741

~~..... Requested, but did not receive, absent voter's ballot~~ 3742

~~..... Other~~ 3743

~~Verification Statement~~ 3744

~~(To be completed by election official)~~ 3745

~~The Provisional Ballot Affirmation printed above was~~ 3746

~~subscribed and affirmed before me this day of~~ 3747

~~..... (Month), (Year).~~ 3748

~~(If applicable, the election official must check the~~ 3749

~~following true statement concerning additional information needed~~ 3750

~~to determine the eligibility of the provisional voter.)~~ 3751

~~..... The provisional voter is required to provide~~ 3752

~~additional information to the board of elections.~~ 3753

~~..... An application or challenge hearing regarding this~~ 3754

~~voter has been postponed until after the election.~~ 3755

~~(The election official must check the following true~~ 3756

~~statement concerning identification provided by the provisional~~ 3757

~~voter, if any.)~~ 3758

~~..... The provisional voter provided a current and valid~~ 3759

~~photo identification.~~ 3760

~~..... The provisional voter provided a current valid photo~~ 3761

~~identification, other than a driver's license or a state~~ 3762

~~identification card, with the voter's former address instead of~~ 3763

~~current address and has provided the election official both the~~ 3764

~~current and former addresses. 3765~~

~~. The provisional voter provided a military 3766
identification or a copy of a current utility bill, bank 3767
statement, government check, paycheck, or other government 3768
document, other than a notice of an election mailed by a board of 3769
elections under section 3501.19 of the Revised Code or a notice of 3770
voter registration mailed by a board of elections under section 3771
3503.19 of the Revised Code, with the voter's name and current 3772
address. 3773~~

~~. The provisional voter provided the last four digits of 3774
the voter's social security number. 3775~~

~~. The provisional voter is not able to provide a current 3776
and valid photo identification, a military identification, or a 3777
copy of a current utility bill, bank statement, government check, 3778
paycheck, or other government document, other than a notice of an 3779
election mailed by a board of elections under section 3501.19 of 3780
the Revised Code or a notice of voter registration mailed by a 3781
board of elections under section 3503.19 of the Revised Code, with 3782
the voter's name and current address but does have one of these 3783
forms of identification. The provisional voter must provide one of 3784
the foregoing items of identification to the board of elections 3785
within ten days after the election. 3786~~

~~. The provisional voter is not able to provide a current 3787
and valid photo identification, a military identification, or a 3788
copy of a current utility bill, bank statement, government check, 3789
paycheck, or other government document, other than a notice of an 3790
election mailed by a board of elections under section 3501.19 of 3791
the Revised Code or a notice of voter registration mailed by a 3792
board of elections under section 3503.19 of the Revised Code, with 3793
the voter's name and current address but does have one of these 3794
forms of identification. Additionally, the provisional voter does 3795
have a social security number but is not able to provide the last 3796~~

~~four digits of the voter's social security number before voting. 3797
The provisional voter must provide one of the foregoing items of 3798
identification or the last four digits of the voter's social 3799
security number to the board of elections within ten days after 3800
the election. 3801~~

~~..... The provisional voter does not have a current and valid 3802
photo identification, a military identification, a copy of a 3803
current utility bill, bank statement, government check, paycheck, 3804
or other government document with the voter's name and current 3805
address, or a social security number, but has executed an 3806
affirmation. 3807~~

~~..... The provisional voter does not have a current and valid 3808
photo identification, a military identification, a copy of a 3809
current utility bill, bank statement, government check, paycheck, 3810
or other government document with the voter's name and current 3811
address, or a social security number, and has declined to execute 3812
an affirmation. 3813~~

~~..... The provisional voter declined to provide a current and 3814
valid photo identification, a military identification, a copy of a 3815
current utility bill, bank statement, government check, paycheck, 3816
or other government document with the voter's name and current 3817
address, or the last four digits of the voter's social security 3818
number but does have one of these forms of identification or a 3819
social security number. The provisional voter must provide one of 3820
the foregoing items of identification or the last four digits of 3821
the voter's social security number to the board of elections 3822
within ten days after the election. 3823~~

~~..... 3824
(Signature of Election Official)" 3825~~

~~In addition to any information required to be included on the 3826
written affirmation, an individual casting a provisional ballot 3827
may provide additional information to the election official to 3828~~

~~assist the board of elections in determining the individual's 3829
eligibility to vote in that election, including the date and 3830
location at which the individual registered to vote, if known. 3831~~

~~If the individual declines to execute the affirmation, an 3832
appropriate local election official shall comply with division 3833
(B)(6) of section 3505.181 of the Revised Code. Also printed on 3834
the provisional ballot envelope shall be an election official 3835
checklist, which shall be signed by two election officials who are 3836
members of different political parties affirming that those 3837
election officials followed the proper procedures in verifying the 3838
provisional voter's registration information, address, and correct 3839
precinct. 3840~~

Sec. 3505.183. (A) When the ballot boxes are delivered to the 3841
board of elections from the precincts, the board shall separate 3842
the provisional ballot envelopes from the rest of the ballots. 3843
Teams of employees of the board consisting of one member of each 3844
major political party shall place the sealed provisional ballot 3845
envelopes in a secure location within the office of the board. The 3846
sealed provisional ballot envelopes shall remain in that secure 3847
location until the validity of those ballots is determined under 3848
division (B) of this section. ~~While the provisional ballot is 3849
stored in that secure location, and prior to the counting of the 3850
provisional ballots, if the board receives information regarding 3851
the validity of a specific provisional ballot under division (B) 3852
of this section, the board may note, on the sealed provisional 3853
ballot envelope for that ballot, whether the ballot is valid and 3854
entitled to be counted. 3855~~

(B)(1) To determine whether a provisional ballot is valid and 3856
entitled to be counted, the board shall examine ~~its~~ the 3857
affirmation executed by the provisional voter, the statewide voter 3858
registration database, and other records maintained by the board 3859

of elections and determine whether the individual who cast the 3860
provisional ballot is registered and eligible to vote in the 3861
applicable election. The board shall examine the information 3862
contained in the written affirmation executed by the individual 3863
who cast the provisional ballot under division (B)(2) of section 3864
3505.181 of the Revised Code. ~~If the individual declines to~~ 3865
~~execute such an affirmation, the individual's name, written by~~ 3866
~~either the individual or the election official at the direction of~~ 3867
~~the individual, shall be included in a written affirmation in~~ 3868
~~order for the provisional ballot to be eligible to be counted;~~ 3869
~~otherwise, the~~ The following information shall be included by the 3870
provisional voter in the written affirmation in order for the 3871
provisional ballot to be eligible to be counted: 3872

(a) The individual's printed name ~~and;~~ 3873

(b) The individual's signature; 3874

~~(b)~~(c) The individual's date of birth; 3875

(d) The individual's social security number, driver's license 3876
number, or state identification card number, or an affirmative 3877
notation that the individual provided the required identification 3878
under division (A)(1) of section 3505.18 of the Revised Code; 3879

(e) The individual's residence address; 3880

(f) A statement that the individual is a registered voter in 3881
the jurisdiction in which the provisional ballot is being voted; 3882

~~(e)~~(g) A statement that the individual is eligible to vote in 3883
the election in which the provisional ballot is being voted. 3884

(2) ~~In addition to the information required to be included in~~ 3885
~~an affirmation under division (B)(1) of this section, in~~ 3886
~~determining whether a provisional ballot is valid and entitled to~~ 3887
~~be counted, the board also shall examine any additional~~ 3888
~~information for determining ballot validity provided by the~~ 3889

~~provisional voter on the affirmation, provided by the provisional voter to an election official under section 3505.182 of the Revised Code, or provided to the board of elections during the ten days after the day of the election under division (B)(8) of section 3505.181 of the Revised Code, to assist the board in determining the individual's eligibility to vote.~~

~~(3) If, in examining a provisional ballot affirmation and additional information under divisions (B)(1) and (2) of this section, the board determines that all of the following apply, the provisional ballot envelope shall be opened, and the ballot shall be placed in a ballot box to be counted:~~

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

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

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

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

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

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

ballot shall not be counted: 3921

(i) The individual named on the affirmation is not qualified 3922
or is not properly registered to vote. 3923

(ii) The individual named on the affirmation is not eligible 3924
to cast a ballot in the precinct or for the election in which the 3925
individual cast the provisional ballot. 3926

(iii) The individual did not provide all of the information 3927
required under division (B)(1) of this section in the affirmation 3928
that the individual executed at the time the individual cast the 3929
provisional ballot. 3930

(iv) The individual has already cast a ballot for the 3931
election in which the individual cast the provisional ballot. 3932

~~(v) If applicable, the individual did not provide any 3933
additional information required under division (B)(8) of section 3934
3505.181 of the Revised Code within ten days after the day of the 3935
election. 3936~~

~~(vi) If applicable, the hearing conducted under division (B) 3937
of section 3503.24 of the Revised Code after the day of the 3938
election did not result in the individual's inclusion in the 3939
official registration list. 3940~~

~~(vii) The individual failed to provide a current and valid 3941
photo identification, a military identification, a copy of a 3942
current utility bill, bank statement, government check, paycheck, 3943
or other government document, other than a notice of an election 3944
mailed by a board of elections under section 3501.19 of the 3945
Revised Code or a notice of voter registration mailed by a board 3946
of elections under section 3503.19 of the Revised Code, with the 3947
voter's name and current address, or the last four digits of the 3948
individual's social security number or to execute an affirmation 3949
under division (A) of section 3505.18 or division (B) of section 3950
3505.181 of the Revised Code. The elector executed an affirmation 3951~~

under division (A)(3) of section 3505.18 of the Revised Code 3952
stating that the elector does not have any of the forms of 3953
identification required under division (A)(1) of that section and, 3954
in verifying the elector's eligibility to vote, the election 3955
officials determined that the elector does have one of those forms 3956
of identification and failed to provide that identification. 3957

(b) If, in examining a provisional ballot affirmation ~~and~~ 3958
~~additional information under divisions (B)(1) and (2) of this~~ 3959
~~section,~~ the board is unable to determine either of the following, 3960
the provisional ballot envelope shall not be opened, and the 3961
ballot shall not be counted: 3962

(i) Whether the individual named on the affirmation is 3963
qualified or properly registered to vote; 3964

(ii) Whether the individual named on the affirmation is 3965
eligible to cast a ballot in the precinct or for the election in 3966
which the individual cast the provisional ballot. 3967

(C)(1) For each provisional ballot rejected under division 3968
(B)~~(4)~~(3) of this section, the board shall record the name of the 3969
provisional voter who cast the ballot, the identification number 3970
of the provisional ballot envelope, the names of the election 3971
officials who determined the validity of that ballot, the date and 3972
time that the determination was made, and the reason that the 3973
ballot was not counted. 3974

(2) Provisional ballots that are rejected under division 3975
(B)~~(4)~~(3) of this section shall not be counted but shall be 3976
preserved in their provisional ballot envelopes unopened until the 3977
time provided by section 3505.31 of the Revised Code for the 3978
destruction of all other ballots used at the election for which 3979
ballots were provided, at which time they shall be destroyed. 3980

(D) Provisional ballots that the board determines are 3981
eligible to be counted under division (B)~~(3)~~(2) of this section 3982

shall be counted in the same manner as provided for other ballots 3983
under section 3505.27 of the Revised Code. No provisional ballots 3984
shall be counted in a particular county until the board determines 3985
the eligibility to be counted of all provisional ballots cast in 3986
that county under division (B) of this section for that election. 3987
Observers, as provided in section 3505.21 of the Revised Code, may 3988
be present at all times that the board is determining the 3989
eligibility of provisional ballots to be counted and counting 3990
those provisional ballots determined to be eligible. No person 3991
shall recklessly disclose the count or any portion of the count of 3992
provisional ballots in such a manner as to jeopardize the secrecy 3993
of any individual ballot. 3994

~~(E)(1) Except as otherwise provided in division (E)(2) of~~ 3995
~~this section, nothing~~ Nothing in this section shall prevent a 3996
board of elections from examining provisional ballot affirmations 3997
~~and additional information under divisions (B)(1) and (2) of this~~ 3998
~~section~~ to determine the eligibility of provisional ballots to be 3999
counted during the ten days after the day of an election. 4000

~~(2) A board of elections shall not examine the provisional~~ 4001
~~ballot affirmation and additional information under divisions~~ 4002
~~(B)(1) and (2) of this section of any provisional ballot for which~~ 4003
~~an election official has indicated under division (B)(7) of~~ 4004
~~section 3505.181 of the Revised Code that additional information~~ 4005
~~is required for the board of elections to determine the~~ 4006
~~eligibility of the individual who cast that provisional ballot~~ 4007
~~until the individual provides any information required under~~ 4008
~~division (B)(8) of section 3505.181 of the Revised Code, until any~~ 4009
~~hearing required to be conducted under section 3503.24 of the~~ 4010
~~Revised Code with regard to the provisional voter is held, or~~ 4011
~~until the eleventh day after the day of the election, whichever is~~ 4012
~~earlier.~~ 4013

Sec. 3505.20. Any person offering to vote may be challenged 4014
at the polling place by any ~~judge of elections~~ precinct election 4015
official. If the board of elections has ruled on the question 4016
presented by a challenge prior to election day, its finding and 4017
decision shall be final, and the ~~presiding judge~~ voting location 4018
manager shall be notified in writing. If the board has not ruled, 4019
the question shall be determined as set forth in this section. If 4020
any person is so challenged as unqualified to vote, the ~~presiding~~ 4021
~~judge~~ voting location manager shall tender the person the 4022
following oath: "You do swear or affirm under penalty of election 4023
falsification that you will fully and truly answer all of the 4024
following questions put to you concerning your qualifications as 4025
an elector at this election." 4026

(A) If the person is challenged as unqualified on the ground 4027
that the person is not a citizen, the ~~judges~~ precinct election 4028
officials shall put the following ~~questions~~ question: 4029

(1) Are you a citizen of the United States? 4030

(2) ~~Are you a native or naturalized citizen?~~ 4031

(3) ~~Where were you born?~~ 4032

(4) ~~What official documentation do you possess to prove your~~ 4033
~~citizenship? Please provide that documentation.~~ 4034

~~If the person offering to vote claims to be a naturalized~~ 4035
~~citizen of the United States, the person shall, before the vote is~~ 4036
~~received, produce for inspection of the judges a certificate of~~ 4037
~~naturalization and declare under oath that the person is the~~ 4038
~~identical person named in the certificate. If the person states~~ 4039
~~under oath that, by reason of the naturalization of the person's~~ 4040
~~parents or one of them, the person has become a citizen of the~~ 4041
~~United States, and when or where the person's parents were~~ 4042
~~naturalized, the certificate of naturalization need not be~~ 4043

~~produced. If the person is unable to provide a certificate of 4044
naturalization on the day of the election, the judges shall 4045
provide to the person, and the person may vote, a provisional 4046
ballot under section 3505.181 of the Revised Code. The provisional 4047
ballot shall not be counted unless it is properly completed and 4048
the board of elections determines that the voter is properly 4049
registered and eligible to vote in the election. 4050~~

(B) If the person is challenged as unqualified on the ground 4051
that the person has not resided in this state for thirty days 4052
immediately preceding the election, the ~~judges~~ precinct election
officials shall put the following questions: 4053
4054

(1) Have you resided in this state for thirty days 4055
immediately preceding this election? If so, where have you 4056
resided? 4057

(2) Did you properly register to vote? 4058

(3) Can you provide some form of identification containing 4059
your current mailing address in this precinct? Please provide that 4060
identification. 4061

(4) Have you voted or attempted to vote at any other location 4062
in this or in any other state at this election? 4063

(5) Have you applied for an absent voter's ballot in any 4064
state for this election? 4065

If the ~~judges~~ precinct election officials are unable to 4066
verify the person's eligibility to cast a ballot in the election, 4067
the ~~judges~~ precinct election officials shall provide to the 4068
person, and the person may vote, a provisional ballot under 4069
section 3505.181 of the Revised Code. The provisional ballot shall 4070
not be counted unless it is properly completed and the board of 4071
elections determines that the voter is properly registered and 4072
eligible to vote in the election. 4073

(C) If the person is challenged as unqualified on the ground 4074
that the person is not a resident of the precinct where the person 4075
offers to vote, the ~~judges~~ precinct election officials shall put 4076
the following questions: 4077

(1) Do you reside in this precinct? 4078

(2) When did you move into this precinct? 4079

(3) When you came into this precinct, did you come for a 4080
temporary purpose merely or for the purpose of making it your 4081
home? 4082

(4) What is your current mailing address? 4083

(5) Do you have some official identification containing your 4084
current address in this precinct? Please provide that 4085
identification. 4086

(6) Have you voted or attempted to vote at any other location 4087
in this or in any other state at this election? 4088

(7) Have you applied for any absent voter's ballot in any 4089
state for this election? 4090

The ~~judges~~ precinct election officials shall direct an 4091
individual who is not in the appropriate polling place to the 4092
appropriate polling place. If the individual refuses to go to the 4093
appropriate polling place, or if the ~~judges~~ precinct election 4094
officials are unable to verify the person's eligibility to cast a 4095
ballot in the election, the ~~judges~~ precinct election officials 4096
shall provide to the person, and the person may vote, a 4097
provisional ballot under section 3505.181 of the Revised Code. The 4098
provisional ballot shall not be counted unless it is properly 4099
completed and the board of elections determines that the voter is 4100
properly registered and eligible to vote in the election. 4101

(D) If the person is challenged as unqualified on the ground 4102
that the person is not of legal voting age, the ~~judges~~ precinct 4103

election officials shall put the following questions: 4104

(1) Are you eighteen years of age or more? 4105

(2) What is your date of birth? 4106

(3) Do you have some official identification verifying your 4107
age? Please provide that identification. 4108

If the ~~judges~~ precinct election officials are unable to 4109
verify the person's age and eligibility to cast a ballot in the 4110
election, the ~~judges~~ precinct election officials shall provide to 4111
the person, and the person may vote, a provisional ballot under 4112
section 3505.181 of the Revised Code. The provisional ballot shall 4113
not be counted unless it is properly completed and the board of 4114
elections determines that the voter is properly registered and 4115
eligible to vote in the election. 4116

~~The presiding judge shall put such other questions to the 4117
person challenged as are necessary to determine the person's 4118
qualifications as an elector at the election.~~ If a person 4119
challenged refuses to answer fully any question put to the person, 4120
is unable to answer the questions as they were answered on the 4121
registration form by the person under whose name the person offers 4122
to vote, or refuses to sign the person's name or make the person's 4123
mark, or if for any other reason a majority of the ~~judges~~ precinct 4124
election officials believes the person is not entitled to vote, 4125
the ~~judges~~ precinct election officials shall provide to the 4126
person, and the person may vote, a provisional ballot under 4127
section 3505.181 of the Revised Code. The provisional ballot shall 4128
not be counted unless it is properly completed and the board of 4129
elections determines that the voter is properly registered and 4130
eligible to vote in the election. 4131

A qualified citizen who has certified the citizen's intention 4132
to vote for president and vice-president as provided by Chapter 4133
3504. of the Revised Code shall be eligible to receive only the 4134

ballot containing presidential and vice-presidential candidates. 4135

However, prior to the nineteenth day before the day of an 4136
election and in accordance with section 3503.24 of the Revised 4137
Code, any person qualified to vote may challenge the right of any 4138
other person to be registered as a voter, or the right to cast an 4139
absent voter's ballot, or to make application for such ballot. 4140
Such challenge shall be made in accordance with section 3503.24 of 4141
the Revised Code, and the board of elections of the county in 4142
which the voting residence of the challenged voter is situated 4143
shall make a final determination relative to the legality of such 4144
registration or application. 4145

Sec. 3505.21. At any primary, special, or general election, 4146
any political party supporting candidates to be voted upon at such 4147
election and any group of five or more candidates may appoint to 4148
the board of elections or to any of the precincts in the county or 4149
city one person, a qualified elector, who shall serve as observer 4150
for such party or such candidates during the casting and counting 4151
of the ballots; provided that separate observers may be appointed 4152
to serve during the casting and during the counting of the 4153
ballots. No candidate, no uniformed peace officer as defined by 4154
section 2935.01 of the Revised Code, no uniformed state highway 4155
patrol trooper, no uniformed member of any fire department, no 4156
uniformed member of the armed services, no uniformed member of the 4157
organized militia, no person wearing any other uniform, and no 4158
person carrying a firearm or other deadly weapon shall serve as an 4159
observer, nor shall any candidate be represented by more than one 4160
observer at any one precinct except that a candidate who is a 4161
member of a party controlling committee, as defined in section 4162
3517.03 of the Revised Code, may serve as an observer. Any 4163
political party or group of candidates appointing observers shall 4164
notify the board of elections of the names and addresses of its 4165
appointees and the precincts at which they shall serve. 4166

Notification shall take place not less than eleven days before the 4167
election on forms prescribed by the secretary of state and may be 4168
amended by filing an amendment with the board of elections at any 4169
time until four p.m. of the day before the election. The observer 4170
serving on behalf of a political party shall be appointed in 4171
writing by the chairperson and secretary of the respective 4172
controlling party committee. Observers serving for any five or 4173
more candidates shall have their certificates signed by those 4174
candidates. Observers appointed to a precinct may file their 4175
certificates of appointment with the ~~presiding judge~~ voting 4176
location manager of the precinct at the meeting on the evening 4177
prior to the election, or with the ~~presiding judge~~ voting location 4178
manager of the precinct on the day of the election. Upon the 4179
filing of a certificate, the person named as observer in the 4180
certificate shall be permitted to be in and about the polling 4181
place for the precinct during the casting of the ballots and shall 4182
be permitted to watch every proceeding of the ~~judges of elections~~ 4183
precinct election officials from the time of the opening until the 4184
closing of the polls. The observer also may inspect the counting 4185
of all ballots in the polling place or board of elections from the 4186
time of the closing of the polls until the counting is completed 4187
and the final returns are certified and signed. Observers 4188
appointed to the board of elections under this section may observe 4189
at the board of elections and may observe at any precinct in the 4190
county. The ~~judges of elections~~ precinct election officials shall 4191
protect such observers in all of the rights and privileges granted 4192
to them by Title XXXV of the Revised Code. 4193

No persons other than the ~~judges of elections~~ precinct 4194
election officials, the observers, a police officer, other persons 4195
who are detailed to any precinct on request of the board of 4196
elections, or the secretary of state or the secretary of state's 4197
legal representative shall be admitted to the polling place, or 4198
any room in which a board of elections is counting ballots, after 4199

the closing of the polls until the counting, certifying, and 4200
signing of the final returns of each election have been completed. 4201

Not later than four p.m. of the twentieth day prior to an 4202
election at which questions are to be submitted to a vote of the 4203
people, any committee that in good faith advocates or opposes a 4204
measure may file a petition with the board of any county asking 4205
that the petitioners be recognized as the committee entitled to 4206
appoint observers to the count at the election. If more than one 4207
committee alleging themselves to advocate or oppose the same 4208
measure file such a petition, the board shall decide and announce 4209
by registered mail to each committee not less than twelve days 4210
immediately preceding the election which committee is recognized 4211
as being entitled to appoint observers. The decision shall not be 4212
final, but any aggrieved party may institute mandamus proceedings 4213
in the court of common pleas of the county in which the board has 4214
jurisdiction to compel the ~~judges of elections~~ precinct election
officials to accept the appointees of such aggrieved party. Any 4215
such recognized committee may appoint an observer to the count in 4216
each precinct. Committees appointing observers shall notify the 4217
board of elections of the names and addresses of its appointees 4218
and the precincts at which they shall serve. Notification shall 4219
take place not less than eleven days before the election on forms 4220
prescribed by the secretary of state and may be amended by filing 4221
an amendment with the board of elections at any time until four 4222
p.m. on the day before the election. A person so appointed shall 4223
file the person's certificate of appointment with the ~~presiding~~
~~judge~~ voting location manager in the precinct in which the person 4224
has been appointed to serve. Observers shall file their 4225
certificates before the polls are closed. In no case shall more 4226
than six observers be appointed for any one election in any one 4227
precinct. If more than three questions are to be voted on, the 4228
committees which have appointed observers may agree upon not to 4229
exceed six observers, and the ~~judges of elections~~ precinct 4230
4231
4232

election officials shall appoint such observers. If such 4233
committees fail to agree, the ~~judges of elections~~ precinct 4234
election officials shall appoint six observers from the appointees 4235
so certified, in such manner that each side of the several 4236
questions shall be represented. 4237

No person shall serve as an observer at any precinct unless 4238
the board of elections of the county in which such observer is to 4239
serve has first been notified of the name, address, and precinct 4240
at which such observer is to serve. Notification to the board of 4241
elections shall be given by the political party, group of 4242
candidates, or committee appointing such observer as prescribed in 4243
this section. No such observers shall receive any compensation 4244
from the county, municipal corporation, or township, and they 4245
shall take the following oath, to be administered by one of the 4246
~~judges of elections~~ precinct election officials: 4247

"You do solemnly swear that you will faithfully and 4248
impartially discharge the duties as an official observer, assigned 4249
by law; that you will not cause any delay to persons offering to 4250
vote; and that you will not disclose or communicate to any person 4251
how any elector has voted at such election." 4252

Sec. 3505.23. No voter shall be allowed to occupy a voting 4253
compartment or use a voting machine for more than ~~five~~ ten minutes 4254
when all the voting compartments or machines are in use and voters 4255
are waiting to occupy them. Except as otherwise provided by 4256
section 3505.24 of the Revised Code, no voter shall occupy a 4257
voting compartment or machine with another person or speak to 4258
anyone, nor shall anyone speak to the voter, while the voter is in 4259
a voting compartment or machine. 4260

In precincts that do not use voting machines the following 4261
procedure shall be followed: 4262

If a voter tears, soils, defaces, or erroneously marks a 4263

ballot the voter may return it to the precinct election officials 4264
and a second ballot shall be issued to the voter. Before returning 4265
a torn, soiled, defaced, or erroneously marked ballot, the voter 4266
shall fold it so as to conceal any marks the voter made upon it, 4267
but the voter shall not remove Stub A therefrom. If the voter 4268
tears, soils, defaces, or erroneously marks such second ballot, 4269
the voter may return it to the precinct election officials, and a 4270
third ballot shall be issued to the voter. In no case shall more 4271
than three ballots be issued to a voter. Upon receiving a returned 4272
torn, soiled, defaced, or erroneously marked ballot the precinct 4273
election officials shall detach Stub A therefrom, write "Defaced" 4274
on the back of such ballot, and place the stub and the ballot in 4275
the separate containers provided therefor. 4276

No elector shall leave the polling place until the elector 4277
returns to the precinct election officials every ballot issued to 4278
the elector with Stub A on each ballot attached thereto, 4279
regardless of whether the elector has or has not placed any marks 4280
upon the ballot. 4281

Before leaving the voting compartment, the voter shall fold 4282
each ballot marked by the voter so that no part of the face of the 4283
ballot is visible, and so that the printing thereon indicating the 4284
kind of ballot it is and the facsimile signatures of the members 4285
of the board of elections are visible. The voter shall then leave 4286
the voting compartment, deliver the voter's ballots, and state the 4287
voter's name to the ~~judge~~ precinct election official having charge 4288
of the ballot ~~boxes~~ box, who shall announce the name, detach Stub 4289
A from each ballot, and announce the number on the stubs. The 4290
~~judges~~ precinct election officials in charge of the poll lists or 4291
poll books shall check to ascertain whether the number so 4292
announced is the number on Stub B of the ballots issued to such 4293
voter, and if no discrepancy appears to exist, the ~~judge~~ precinct
election official in charge of the ballot ~~boxes~~ box shall, in the 4294
4295

presence of the voter, deposit each such ballot in the ~~proper~~ 4296
ballot box and shall place Stub A from each ballot in the 4297
container provided therefor. The voter shall then immediately 4298
leave the polling place. 4299

No ballot delivered by a voter to the ~~judge~~ precinct election 4300
official in charge of the ballot ~~boxes~~ box with Stub A detached 4301
therefrom, and only ballots provided in accordance with Title XXXV 4302
of the Revised Code, shall be voted or deposited in the ballot 4303
~~boxes~~ box. 4304

In marking a presidential ballot, the voter shall record the 4305
vote in the manner provided on the ballot next to the names of the 4306
candidates for the offices of president and vice-president. Such 4307
ballot shall be considered and counted as a vote for each of the 4308
candidates for election as presidential elector whose names were 4309
certified to the secretary of state by the political party of such 4310
nominees for president and vice-president. 4311

In marking an office type ballot or nonpartisan ballot, the 4312
voter shall record the vote in the manner provided on the ballot 4313
next to the name of each candidate for whom the voter desires to 4314
vote. 4315

In marking a primary election ballot, the voter shall record 4316
the vote in the manner provided on the ballot next to the name of 4317
each candidate for whom the voter desires to vote. If the voter 4318
desires to vote for the nomination of a person whose name is not 4319
printed on the primary election ballot, the voter may do so by 4320
writing such person's name on the ballot in the proper place 4321
provided for such purpose. 4322

In marking a questions and issues ballot, the voter shall 4323
record the vote in the manner provided on the ballot at the left 4324
or at the right of "YES" or "NO" or other words of similar import 4325
which are printed on the ballot to enable the voter to indicate 4326

how the voter votes in connection with each question or issue upon 4327
which the voter desires to vote. 4328

In marking any ballot on which a blank space has been 4329
provided wherein an elector may write in the name of a person for 4330
whom the elector desires to vote, the elector shall write such 4331
person's name in such blank space and on no other place on the 4332
ballot. Unless specific provision is made by statute, no blank 4333
space shall be provided on a ballot for write-in votes, and any 4334
names written on a ballot other than in a blank space provided 4335
therefor shall not be counted or recorded. 4336

Sec. 3505.24. Any elector who declares to the ~~presiding judge~~ 4337
~~of elections~~ voting location manager that the elector is unable to 4338
mark the elector's ballot by reason of blindness, disability, or 4339
illiteracy may be accompanied in the voting booth and aided by any 4340
person of the elector's choice, other than the elector's employer, 4341
an agent of the elector's employer, or an officer or agent of the 4342
elector's union, if any. The elector also may request and receive 4343
assistance in the marking of the elector's ballot from two 4344
election officials of different political parties. Any person 4345
providing assistance in the marking of an elector's ballot under 4346
this section shall thereafter provide no information in regard to 4347
the marking of that ballot. 4348

Any ~~judge~~ precinct election official may require a 4349
declaration of inability to be made by the elector under oath 4350
before the ~~judge~~ official. Assistance shall not be rendered for 4351
causes other than those specified in this section, and no 4352
candidate whose name appears on the ballot shall assist any person 4353
in marking that person's ballot. 4354

Sec. 3505.26. At the time for closing the polls, the 4355
~~presiding judge~~ voting location manager shall by proclamation 4356

announce that the polls are closed. 4357

The ~~judges~~ precinct election officials shall then in the 4358
presence of observers proceed as follows: 4359

(A) Count the number of electors who voted, as shown on the 4360
pollbooks; 4361

(B) Count the unused ballots without removing stubs; 4362

(C) Count the soiled and defaced ballots; 4363

(D) Insert the totals of (A), (B), and (C) on the report 4364
forms provided therefor in the pollbook; 4365

(E) Count the voted ballots. If the number of voted ballots 4366
exceeds the number of voters whose names appear upon the 4367
pollbooks, the ~~presiding judge~~ voting location manager shall enter 4368
on the pollbooks an explanation of that discrepancy, and that 4369
explanation, if agreed to, shall be subscribed to by all of the 4370
~~judges~~ precinct election officials. Any ~~judge~~ precinct official 4371
having a different explanation shall enter it in the pollbooks and 4372
subscribe to it. 4373

(F) Put the unused ballots with stubs attached, and soiled 4374
and defaced ballots with stubs attached, in the envelopes or 4375
containers provided therefor, certify the number, and then proceed 4376
to count and tally the votes in the manner prescribed by section 4377
3505.27 of the Revised Code and certify the result of the election 4378
to the board of elections. 4379

Sec. 3505.28. (A)(1) No ballot shall be counted which is 4380
marked contrary to law, except that no ballot shall be rejected 4381
for any technical error unless it is impossible to determine the 4382
voter's choice. ~~if~~ 4383

(2) A ballot is marked contrary to law and does not contain a 4384
technical error if the voter marks more selections for a 4385
particular office, question, or issue than the number of 4386

selections that the voter is allowed by law to make for that 4387
office, question, or issue. 4388

(3) Except as otherwise provided in this division, a voter 4389
makes more selections for a particular office than the voter is 4390
allowed by law to make for that office if the voter marks the 4391
ballot for a candidate and also writes in the name of that 4392
candidate as a write-in vote. If all of the following apply, then 4393
the ballot is not marked contrary to law and the ballot shall be 4394
counted: 4395

(a) The voter marks the ballot for a candidate and writes in 4396
the identical candidate's name; 4397

(b) The ballots are counted at a central location using 4398
automatic tabulating equipment; and 4399

(c) At least three members of the board of elections agree 4400
that the candidate's name, as it appears on the ballot, and the 4401
name of the candidate written in by the voter are identical. 4402

(4) If the voter makes more selections for a particular 4403
office, question, or issue than the number of selections that the 4404
voter is allowed by law to make, the voter's ballot shall be 4405
invalidated for that office, question, or issue, but shall not be 4406
invalidated for any other office, question, or issue for which the 4407
voter has not marked an excess number of selections. 4408

(B) If two or more ballots are found folded together among 4409
the ballots removed from a ballot box, they shall be deemed to be 4410
fraudulent. Such ballots shall not be counted. They shall be 4411
marked "Fraudulent" and shall be placed in an envelope indorsed 4412
"Not Counted" with the reasons therefor, and such envelope shall 4413
be delivered to the board of elections together with other 4414
uncounted ballots. 4415

(C) No ballot shall be rejected because of being marked with 4416
ink or by any writing instrument other than one of the pencils 4417

provided by the board of elections. 4418

Sec. 3505.29. From the time the ballot box is opened and the 4419
count of ballots begun until the ballots are counted and 4420
certificates of votes cast are made out, signed, certified and 4421
given to the ~~presiding judge~~ voting location manager for delivery 4422
to the headquarters of the board of elections, the ~~judges~~ precinct
election officials in each precinct shall not separate, nor shall 4423
a ~~judge~~ precinct election official leave the polling place except 4424
from unavoidable necessity. In cases of illness or unavoidable 4425
necessity, the board may substitute another qualified person for 4426
any precinct official so incapacitated. 4427
4428

Sec. 3505.30. When the results of the ballots have been 4429
ascertained, such results shall be embodied in a summary statement 4430
to be prepared by the ~~judges~~ precinct election officials in 4431
duplicate, on forms provided by the board of elections. One copy 4432
shall be certified by the ~~judges~~ precinct election officials and 4433
posted on the front of the polling place, and one copy, similarly 4434
certified, shall be transmitted without delay to the board in a 4435
sealed envelope along with the other returns of the election. The 4436
board shall, immediately upon receipt of such summary statements, 4437
compile and prepare an unofficial count and upon its completion 4438
shall transmit prepaid, immediately by telephone, facsimile 4439
machine, or other telecommunications device, the results of such 4440
unofficial count to the secretary of state, or to the board of the 4441
most populous county of the district which is authorized to 4442
canvass the returns. Such count, in no event, shall be made later 4443
than twelve noon on the day following the election. ~~The board~~ 4444
~~shall also, at the same time, certify the results thereof to the~~ 4445
~~secretary of state by certified mail.~~ The board shall remain in 4446
session from the time of the opening of the polls, continuously, 4447
until the results of the election are received from every precinct 4448

in the county and such results are communicated to the secretary 4449
of state. 4450

Sec. 3505.31. When the results of the voting in a polling 4451
place on the day of an election have been determined and entered 4452
upon the proper forms and the certifications of those results have 4453
been signed by the precinct officials, those officials, before 4454
leaving the polling place, shall place all ballots that they have 4455
counted in containers provided for that purpose by the board of 4456
elections, and shall seal each container in a manner that it 4457
cannot be opened without breaking the seal or the material of 4458
which the container is made. They shall also seal the pollbook, 4459
poll list or signature pollbook, and tally sheet in a manner that 4460
the data contained in these items cannot be seen without breaking 4461
the seals. On the outside of these items shall be a plain 4462
indication that they are to be filed with the board. The ~~presiding~~ 4463
~~judge~~ voting location manager and an employee or appointee of the 4464
board of elections who has taken an oath to uphold the laws and 4465
constitution of this state, including an oath that the person will 4466
promptly and securely perform the duties required under this 4467
section and who is a member of a different political party than 4468
the ~~presiding judge~~ voting location manager, shall then deliver to 4469
the board the containers of ballots and the sealed pollbook, poll 4470
list, and tally sheet, together with all other election reports, 4471
materials, and supplies required to be delivered to the board. 4472

The board shall carefully preserve all ballots prepared and 4473
provided by it for use in an election, whether used or unused, for 4474
sixty days after the day of the election, except that, if an 4475
election includes the nomination or election of candidates for any 4476
of the offices of president, vice-president, presidential elector, 4477
member of the senate of the congress of the United States, or 4478
member of the house of representatives of the congress of the 4479
United States, the board shall carefully preserve all ballots 4480

prepared and provided by it for use in that election, whether used 4481
or unused, for twenty-two months after the day of the election. If 4482
an election is held within that sixty-day period, the board shall 4483
have authority to transfer those ballots to other containers to 4484
preserve them until the sixty-day period has expired. After that 4485
sixty-day period, the ballots shall be disposed of by the board in 4486
a manner that the board orders, or where voting machines have been 4487
used the counters may be turned back to zero; provided that the 4488
secretary of state, within that sixty-day period, may order the 4489
board to preserve the ballots or any part of the ballots for a 4490
longer period of time, in which event the board shall preserve 4491
those ballots for that longer period of time. 4492

In counties where voting machines are used, if an election is 4493
to be held within the sixty days immediately following a primary, 4494
general, or special election or within any period of time within 4495
which the ballots have been ordered preserved by the secretary of 4496
state or a court of competent jurisdiction, the board, after 4497
giving notice to all interested parties and affording them an 4498
opportunity to have a representative present, shall open the 4499
compartments of the machines and, without unlocking the machines, 4500
shall recanvass the vote cast in them as if a recount were being 4501
held. The results shall be certified by the board, and this 4502
certification shall be filed in the board's office and retained 4503
for the remainder of the period for which ballots must be kept. 4504
After preparation of the certificate, the counters may be turned 4505
back to zero, and the machines may be used for the election. 4506

The board shall carefully preserve the pollbook, poll list or 4507
signature pollbook, and tally sheet delivered to it from each 4508
polling place until it has completed the official canvass of the 4509
election returns from all precincts in which electors were 4510
entitled to vote at an election, and has prepared and certified 4511
the abstracts of election returns, as required by law. The board 4512

shall not break, or permit anyone to break, the seals upon the 4513
pollbook, poll list or signature pollbook, and tally sheet, or 4514
make, or permit any one to make, any changes or notations in these 4515
items, while they are in its custody, except as provided by 4516
section 3505.32 of the Revised Code. 4517

Pollbooks and poll lists or signature pollbooks of a party 4518
primary election delivered to the board from polling places shall 4519
be carefully preserved by it for two years after the day of 4520
election in which they were used, and shall then be disposed of by 4521
the board in a manner that the board orders. 4522

Pollbooks, poll lists or signature pollbooks, tally sheets, 4523
summary statements, and other records and returns of an election 4524
delivered to it from polling places shall be carefully preserved 4525
by the board for two years after the day of the election in which 4526
they were used, and shall then be disposed of by the board in a 4527
manner that the board orders. 4528

Sec. 3506.021. (A) A board of elections may adopt the use of 4529
any electronic pollbook that has been certified for use in this 4530
state in accordance with section 3506.05 of the Revised Code, 4531
instead of using poll lists or signature pollbooks. A board of 4532
elections that opts to use electronic pollbooks shall notify the 4533
secretary of state of that decision. 4534

(B) The secretary of state shall provide each board of 4535
elections that adopts the use of electronic pollbooks under 4536
division (A) of this section with rules, instructions, directives, 4537
and advisories regarding the examination, testing, and use of 4538
electronic pollbooks, including rules regarding the sealing of the 4539
information in those pollbooks as required under section 3505.31 4540
of the Revised Code. 4541

(C) As used in this section, "electronic pollbook" has the 4542
same meaning as in section 3506.05 of the Revised Code. 4543

Sec. 3506.05. (A) As used in this section, ~~except:~~ 4544

(1) "Electronic pollbook" means an electronic list of 4545
registered voters for a particular precinct or polling location 4546
that may be transported to a polling location; 4547

(2) ~~Except~~ when used as part of the phrase "tabulating 4548
equipment" or "automatic tabulating equipment," 4549

~~(1) "Equipment"~~ "equipment" means a voting machine, marking 4550
device, automatic tabulating equipment, ~~or~~ software, or an 4551
electronic pollbook. 4552

~~(2)~~(3) "Vendor" means the person that owns, manufactures, 4553
distributes, or has the legal right to control the use of 4554
equipment, or the person's agent. 4555

(B) No voting machine, marking device, automatic tabulating 4556
equipment, or software for the purpose of casting or tabulating 4557
votes or for communications among systems involved in the 4558
tabulation, storage, or casting of votes, and no electronic 4559
pollbook, shall be purchased, leased, put in use, or continued to 4560
be used, except for experimental use as provided in division (B) 4561
of section 3506.04 of the Revised Code, unless it, a manual of 4562
procedures governing its use, and training materials, service, and 4563
other support arrangements have been certified by the secretary of 4564
state and unless the board of elections of each county where the 4565
equipment will be used has assured that a demonstration of the use 4566
of the equipment has been made available to all interested 4567
electors. The secretary of state shall appoint a board of voting 4568
machine examiners to examine and approve equipment and its related 4569
manuals and support arrangements. The board shall consist of four 4570
members, who shall be appointed as follows: 4571

(1) Two members appointed by the secretary of state. 4572

(2) One member appointed by either the speaker of the house 4573

of representatives or the minority leader of the house of 4574
representatives, whichever is a member of the opposite political 4575
party from the one to which the secretary of state belongs. 4576

(3) One member appointed by either the president of the 4577
senate or the minority leader of the senate, whichever is a member 4578
of the opposite political party from the one to which the 4579
secretary of state belongs. 4580

In all cases of a tie vote or a disagreement in the board, if 4581
no decision can be arrived at, the board shall submit the matter 4582
in controversy to the secretary of state, who shall summarily 4583
decide the question, and the secretary of state's decision shall 4584
be final. Each member of the board shall be a competent and 4585
experienced election officer or a person who is knowledgeable 4586
about the operation of voting equipment and shall serve during the 4587
secretary of state's term. Any vacancy on the board shall be 4588
filled in the same manner as the original appointment. The 4589
secretary of state shall provide staffing assistance to the board, 4590
at the board's request. 4591

For the member's service, each member of the board shall 4592
receive three hundred dollars per day for each combination of 4593
marking device, tabulating equipment, ~~and~~ voting machine, and 4594
electronic pollbook examined and reported, but in no event shall a 4595
member receive more than six hundred dollars to examine and report 4596
on any one marking device, item of tabulating equipment, ~~or~~ voting 4597
machine, or electronic pollbook. Each member of the board shall be 4598
reimbursed for expenses the member incurs during an examination or 4599
during the performance of any related duties that may be required 4600
by the secretary of state. Reimbursement of these expenses shall 4601
be made in accordance with, and shall not exceed, the rates 4602
provided for under section 126.31 of the Revised Code. 4603

Neither the secretary of state nor the board, nor any public 4604
officer who participates in the authorization, examination, 4605

testing, or purchase of equipment, shall have any pecuniary 4606
interest in the equipment or any affiliation with the vendor. 4607

(C)(1) A vendor who desires to have the secretary of state 4608
certify equipment shall first submit the equipment, all current 4609
related procedural manuals, and a current description of all 4610
related support arrangements to the board of voting machine 4611
examiners for examination, testing, and approval. The submission 4612
shall be accompanied by a fee of eighteen hundred dollars and a 4613
detailed explanation of the construction and method of operation 4614
of the equipment, a full statement of its advantages, and a list 4615
of the patents and copyrights used in operations essential to the 4616
processes of vote recording and tabulating, vote storage, system 4617
security, pollbook storage and security, and other crucial 4618
operations of the equipment as may be determined by the board. An 4619
additional fee, in an amount to be set by rules promulgated by the 4620
board, may be imposed to pay for the costs of alternative testing 4621
or testing by persons other than board members, record-keeping, 4622
and other extraordinary costs incurred in the examination process. 4623
Moneys not used shall be returned to the person or entity 4624
submitting the equipment for examination. 4625

(2) Fees collected by the secretary of state under this 4626
section shall be deposited into the state treasury to the credit 4627
of the board of voting machine examiners fund, which is hereby 4628
created. All moneys credited to this fund shall be used solely for 4629
the purpose of paying for the services and expenses of each member 4630
of the board or for other expenses incurred relating to the 4631
examination, testing, reporting, or certification of ~~voting~~ 4632
~~machine devices~~ equipment, the performance of any related duties 4633
as required by the secretary of state, or the reimbursement of any 4634
person submitting an examination fee as provided in this chapter. 4635

(D) Within sixty days after the submission of the equipment 4636
and payment of the fee, or as soon thereafter as is reasonably 4637

practicable, but in any event within not more than ninety days 4638
after the submission and payment, the board of voting machine 4639
examiners shall examine the equipment and file with the secretary 4640
of state a written report on the equipment with its 4641
recommendations and, if applicable, its determination or condition 4642
of approval regarding whether the equipment, manual, and other 4643
related materials or arrangements meet the criteria set forth in 4644
sections 3506.07 and 3506.10 of the Revised Code and can be safely 4645
used by the voters at elections under the conditions prescribed in 4646
Title XXXV of the Revised Code, or a written statement of reasons 4647
for which testing requires a longer period. The board may grant 4648
temporary approval for the purpose of allowing experimental use of 4649
equipment. If the board finds that the equipment meets ~~the~~ any 4650
applicable criteria set forth in sections 3506.06, 3506.07, and 4651
3506.10 of the Revised Code, can be used safely and, if 4652
applicable, can be depended upon to record and count accurately 4653
and continuously the votes of electors, and has the capacity to be 4654
warranted, maintained, and serviced, it shall approve the 4655
equipment and recommend that the secretary of state certify the 4656
equipment. The secretary of state shall notify all boards of 4657
elections of any such certification. Equipment of the same model 4658
and make, if it ~~provides for recording of voter intent, system~~ 4659
~~security, voter privacy, retention of vote, and communication of~~ 4660
~~voting records~~ operates in an identical manner, may then be 4661
adopted for use at elections. 4662

(E) The vendor shall notify the secretary of state, who shall 4663
then notify the board of voting machine examiners, of any 4664
enhancement and any significant adjustment to the hardware or 4665
software that could result in a patent or copyright change or that 4666
significantly alters the methods of recording voter intent, system 4667
security, voter privacy, retention of the vote, communication of 4668
~~voting~~ records, and connections between the system and other 4669
systems. The vendor shall provide the secretary of state with an 4670

updated operations manual for the equipment, and the secretary of 4671
state shall forward the manual to the board. Upon receiving such a 4672
notification and manual, the board may require the vendor to 4673
submit the equipment to an examination and test in order for the 4674
equipment to remain certified. The board or the secretary of state 4675
shall periodically examine, test, and inspect certified equipment 4676
to determine continued compliance with the requirements of this 4677
chapter and the initial certification. Any examination, test, or 4678
inspection conducted for the purpose of continuing certification 4679
of any equipment in which a significant problem has been uncovered 4680
or in which a record of continuing problems exists shall be 4681
performed pursuant to divisions (C) and (D) of this section, in 4682
the same manner as the examination, test, or inspection is 4683
performed for initial approval and certification. 4684

(F) If, at any time after the certification of equipment, the 4685
board of voting machine examiners or the secretary of state is 4686
notified by a board of elections of any significant problem with 4687
the equipment or determines that the equipment fails to meet the 4688
requirements necessary for approval or continued compliance with 4689
the requirements of this chapter, or if the board of voting 4690
machine examiners determines that there are significant 4691
enhancements or adjustments to the hardware or software, or if 4692
notice of such enhancements or adjustments has not been given as 4693
required by division (E) of this section, the secretary of state 4694
shall notify the users and vendors of that equipment that 4695
certification of the equipment may be withdrawn. 4696

(G)(1) The notice given by the secretary of state under 4697
division (F) of this section shall be in writing and shall specify 4698
both of the following: 4699

(a) The reasons why the certification may be withdrawn; 4700

(b) The date on which certification will be withdrawn unless 4701
the vendor takes satisfactory corrective measures or explains why 4702

there are no problems with the equipment or why the enhancements 4703
or adjustments to the equipment are not significant. 4704

(2) A vendor who receives a notice under division (F) of this 4705
section shall, within thirty days after receiving it, submit to 4706
the board of voting machine examiners in writing a description of 4707
the corrective measures taken and the date on which they were 4708
taken, or the explanation required under division (G)(1)(b) of 4709
this section. 4710

(3) Not later than fifteen days after receiving a written 4711
description or explanation under division (G)(2) of this section 4712
from a vendor, the board shall determine whether the corrective 4713
measures taken or the explanation is satisfactory to allow 4714
continued certification of the equipment, and the secretary of 4715
state shall send the vendor a written notice of the board's 4716
determination, specifying the reasons for it. If the board has 4717
determined that the measures taken or the explanation given is 4718
unsatisfactory, the notice shall include the effective date of 4719
withdrawal of the certification. This date may be different from 4720
the date originally specified in division (G)(1)(b) of this 4721
section. 4722

(4) A vendor who receives a notice under division (G)(3) of 4723
this section indicating a decision to withdraw certification may, 4724
within thirty days after receiving it, request in writing that the 4725
board hold a hearing to reconsider its decision. Any interested 4726
party shall be given the opportunity to submit testimony or 4727
documentation in support of or in opposition to the board's 4728
recommendation to withdraw certification. Failure of the vendor to 4729
take appropriate steps as described in division (G)(1)(b) or to 4730
comply with division (G)(2) of this section results in a waiver of 4731
the vendor's rights under division (G)(4) of this section. 4732

(H)(1) The secretary of state, in consultation with the board 4733
of voting machine examiners, shall establish, by rule, guidelines 4734

for the approval, certification, and continued certification of 4735
the voting machines, marking devices, ~~and~~ tabulating equipment, 4736
and electronic pollbooks to be used under Title XXXV of the 4737
Revised Code. The guidelines shall establish procedures requiring 4738
vendors or computer software developers to place in escrow with an 4739
independent escrow agent approved by the secretary of state a copy 4740
of all source code and related documentation, together with 4741
periodic updates as they become known or available. The secretary 4742
of state shall require that the documentation include a system 4743
configuration and that the source code include all relevant 4744
program statements in low- or high-level languages. As used in 4745
this division, "source code" does not include variable codes 4746
created for specific elections. 4747

(2) Nothing in any rule adopted under division (H) of this 4748
section shall be construed to limit the ability of the secretary 4749
of state to follow or adopt, or to preclude the secretary of state 4750
from following or adopting, any guidelines proposed by the federal 4751
election commission, any entity authorized by the federal election 4752
commission to propose guidelines, the election assistance 4753
commission, or any entity authorized by the election assistance 4754
commission to propose guidelines. 4755

(3)(a) Before the initial certification of any direct 4756
recording electronic voting machine with a voter verified paper 4757
audit trail, and as a condition for the continued certification 4758
and use of those machines, the secretary of state shall establish, 4759
by rule, standards for the certification of those machines. Those 4760
standards shall include, but are not limited to, all of the 4761
following: 4762

(i) A definition of a voter verified paper audit trail as a 4763
paper record of the voter's choices that is verified by the voter 4764
prior to the casting of the voter's ballot and that is securely 4765
retained by the board of elections; 4766

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

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

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

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

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

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

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

(4)(a) Except as otherwise provided in division (H)(4)(c) of this section, any voting machine, marking device, or automatic

tabulating equipment initially certified or acquired on or after 4798
December 1, 2008, shall have the most recent federal certification 4799
number issued by the election assistance commission. 4800

(b) Any voting machine, marking device, or automatic 4801
tabulating equipment certified for use in this state on ~~the~~ 4802
~~effective date of this amendment~~ September 12, 2008, shall meet, 4803
as a condition of continued certification and use, the voting 4804
system standards adopted by the federal election commission in 4805
2002. 4806

(c) A county that acquires additional voting machines, 4807
marking devices, or automatic tabulating equipment on or after 4808
December 1, 2008, shall not be considered to have acquired those 4809
machines, devices, or equipment on or after December 1, 2008, for 4810
the purpose of division (H)(4)(a) of this section if all of the 4811
following apply: 4812

(i) The voting machines, marking devices, or automatic 4813
tabulating equipment acquired are the same as the machines, 4814
devices, or equipment currently used in that county. 4815

(ii) The acquisition of the voting machines, marking devices, 4816
or automatic tabulating equipment does not replace or change the 4817
primary voting system used in that county. 4818

(iii) The acquisition of the voting machines, marking 4819
devices, or automatic tabulating equipment is for the purpose of 4820
replacing inoperable machines, devices, or equipment or for the 4821
purpose providing additional machines, devices, or equipment 4822
required to meet the allocation requirements established pursuant 4823
to division (I) of section 3501.11 of the Revised Code. 4824

Sec. 3506.12. In counties where marking devices, automatic 4825
tabulating equipment, voting machines, or any combination of these 4826
are in use or are to be used, the board of elections: 4827

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

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

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

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

Sec. 3506.15. The secretary of state shall provide each board of elections with rules, instructions, directives, and advisories regarding the examination, testing, and use of the voting machine

and tabulating equipment, the assignment of duties of booth 4859
officials, the procedure for casting a vote on the machine, and 4860
how the vote shall be tallied and reported to the board, and with 4861
other rules, instructions, directives, and advisories the 4862
secretary of state finds necessary to ensure the adequate care and 4863
custody of voting equipment, and the accurate registering, 4864
counting, and canvassing of the votes as required by this chapter. 4865
The boards of elections shall be charged with the responsibility 4866
of providing for the adequate instruction of voters and election 4867
officials in the proper use of the voting machine and marking 4868
devices. ~~The boards' instructions shall include, in counties where 4869
punch card ballots are used, instructions that each voter shall 4870
examine the voter's marked ballot card and remove any chads that 4871
remain partially attached to it before returning it to election 4872
officials.~~ 4873

The secretary of state's rules, instructions, directives, and 4874
advisories provided under this section shall comply, insofar as 4875
practicable, with this chapter. The provisions of Title XXXV of 4876
the Revised Code, not inconsistent with the provisions relating to 4877
voting machines, apply in any county using a voting machine. 4878

~~As used in this section, "chad" and "punch card ballot" have 4879
the same meanings as in section 3506.16 of the Revised Code.~~ 4880

Sec. 3509.01. (A) The board of elections of each county shall 4881
provide absent voter's ballots for use at every primary and 4882
general election, or special election to be held on the day 4883
specified by division (E) of section 3501.01 of the Revised Code 4884
for the holding of a primary election, designated by the general 4885
assembly for the purpose of submitting constitutional amendments 4886
proposed by the general assembly to the voters of the state. Those 4887
ballots shall be the same size, shall be printed on the same kind 4888
of paper, and shall be in the same form as has been approved for 4889

use at the election for which those ballots are to be voted; 4890
except that, in counties using marking devices, ballot cards may 4891
be used for absent voter's ballots, and those absent voters shall 4892
be instructed to record the vote in the manner provided on the 4893
ballot cards. ~~In counties where punch card ballots are used, those~~ 4894
~~absent voters shall be instructed to examine their marked ballot~~ 4895
~~cards and to remove any chads that remain partially attached to~~ 4896
~~them before returning them to election officials.~~ 4897

(B) The rotation of names of candidates and questions and 4898
issues shall be substantially complied with on absent voter's 4899
ballots, within the limitation of time allotted. Those ballots 4900
shall be designated as "Absent Voter's Ballots." Except as 4901
otherwise provided in division (D) of this section, those ballots 4902
shall be printed and ready for use as follows: 4903

(1) For overseas voters and absent uniformed services voters 4904
eligible to vote under the Uniformed and Overseas Citizens 4905
Absentee Voting Act, Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 4906
1973ff, et seq., as amended, ballots shall be printed and ready 4907
for use on the forty-fifth day before the day of the election. 4908

(2) For all ~~other~~ voters, other than overseas voters and 4909
absent uniformed services voters, who are applying to vote absent 4910
voter's ballots other than in person, ballots shall be printed and 4911
ready for use on the ~~thirty-fifth~~ twenty-first day before the day 4912
of the election. 4913

(3) For all voters who are applying to vote absent voter's 4914
ballots in person, ballots shall be printed and ready for use 4915
beginning on the sixteenth day before the day of the election and 4916
shall continue to be available for use through six p.m. on the 4917
last Friday before the day of the election, except that ballots 4918
shall not be available for use on Sunday. On the days in which 4919
absent voter's ballots are available for use in person, those 4920
ballots shall be available from eight a.m. through six p.m. Monday 4921

through Friday, and from eight a.m. through twelve p.m. on 4922
Saturday. 4923

(C) Absent voter's ballots provided for use at a general or 4924
primary election, or special election to be held on the day 4925
specified by division (E) of section 3501.01 of the Revised Code 4926
for the holding of a primary election, designated by the general 4927
assembly for the purpose of submitting constitutional amendments 4928
proposed by the general assembly to the voters of the state, shall 4929
include only those questions, issues, and candidacies that have 4930
been lawfully ordered submitted to the electors voting at that 4931
election. 4932

(D) If the laws governing the holding of a special election 4933
on a day other than the day on which a primary or general election 4934
is held make it impossible for absent voter's ballots to be 4935
printed and ready for use by the deadlines established in division 4936
(B) of this section, absent voter's ballots for those special 4937
elections shall be ready for use as many days before the day of 4938
the election as reasonably possible under the laws governing the 4939
holding of that special election. 4940

(E) A copy of the absent voter's ballots shall be forwarded 4941
by the director of the board in each county to the secretary of 4942
state at least twenty-five days before the election. 4943

~~(F) As used in this section, "chad" and "punch card ballot"~~ 4944
~~have the same meanings as in section 3506.16 of the Revised Code.~~ 4945

Sec. 3509.03. Except as provided in section 3509.031 or 4946
division (B) of section 3509.08 of the Revised Code, any qualified 4947
elector desiring to vote absent voter's ballots at an election 4948
shall make written application for those ballots to the ~~director~~ 4949
board of elections of the county in which the elector's voting 4950
residence is located. The application need not be in any 4951
particular form but shall contain all of the following: 4952

(A) The elector's name;	4953
(B) The elector's signature;	4954
(C) The address at which the elector is registered to vote;	4955
(D) The elector's date of birth;	4956
(E) One of the following:	4957
(1) The elector's driver's license number;	4958
(2) The last four digits of the elector's social security number;	4959 4960
(3) A copy of the elector's current and valid photo identification, a copy of a military identification, <u>a copy of a United States passport</u> , or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the name and address of the elector.	4961 4962 4963 4964 4965 4966 4967 4968 4969
(F) A statement identifying the election for which absent voter's ballots are requested;	4970 4971
(G) A statement that the person requesting the ballots is a qualified elector;	4972 4973
(H) If the request is for primary election ballots, the elector's party affiliation;	4974 4975
(I) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed.	4976 4977
Each application for absent voter's ballots shall be delivered to the director <u>board</u> not earlier than the first day of January of the year of the elections for which the absent voter's ballots are requested or not earlier than ninety days before the	4978 4979 4980 4981

day of the election at which the ballots are to be voted, 4982
whichever is earlier, and not later than twelve noon of the third 4983
day before the day of the election at which the ballots are to be 4984
voted, or not later than the close of regular business hours on 4985
the day before the day of the election at which the ballots are to 4986
be voted if the application is delivered in person to the office 4987
of the board. 4988

A board of elections shall not mail any unsolicited 4989
applications for absent voter's ballots. A board shall only mail 4990
an absent voter's ballot application to an elector who has 4991
requested such an application from the board. A board of elections 4992
that mails an absent voter's ballot application to an elector 4993
under this section shall not prepay the return postage for that 4994
application. 4995

Sec. 3509.031. (A) Any qualified elector who is a member of 4996
the organized militia called to active duty within the state and 4997
who will be unable to vote on election day on account of that 4998
active duty may make written application for absent voter's 4999
ballots to the ~~director~~ board of elections for the county in which 5000
the elector's voting residence is located. The elector may 5001
personally deliver the application to the ~~director~~ office of the 5002
board or may mail it, send it by facsimile machine, or otherwise 5003
send it to the ~~director~~ board. The application need not be in any 5004
particular form but shall contain all of the following: 5005

- (1) The elector's name; 5006
- (2) The elector's signature; 5007
- (3) The address at which the elector is registered to vote; 5008
- (4) The elector's date of birth; 5009
- (5) One of the following: 5010
 - (a) The elector's driver's license number; 5011

(b) The last four digits of the elector's social security number;	5012 5013
(c) A copy of the elector's current and valid photo identification, a copy of a military identification, <u>a copy of a United States passport</u> , or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the name and address of the elector.	5014 5015 5016 5017 5018 5019 5020 5021 5022
(6) A statement identifying the election for which absent voter's ballots are requested;	5023 5024
(7) A statement that the person requesting the ballots is a qualified elector;	5025 5026
(8) A statement that the elector is a member of the organized militia serving on active duty within the state;	5027 5028
(9) If the request is for primary election ballots, the elector's party affiliation;	5029 5030
(10) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed;	5031 5032
(11) If the elector desires ballots to be sent to the elector by facsimile machine, the telephone number to which they shall be so sent.	5033 5034 5035
(B) Application to have absent voter's ballots mailed or sent by facsimile machine to a qualified elector who is a member of the organized militia called to active duty within the state and who will be unable to vote on election day on account of that active duty may be made by the spouse of the militia member or the father, mother, father-in-law, mother-in-law, grandfather,	5036 5037 5038 5039 5040 5041

grandmother, brother or sister of the whole blood or half blood, 5042
son, daughter, adopting parent, adopted child, stepparent, 5043
stepchild, uncle, aunt, nephew, or niece of the militia member. 5044
The application shall be in writing upon a blank form furnished 5045
only by the ~~director~~ board of elections. The form of the 5046
application shall be prescribed by the secretary of state. The 5047
~~director~~ board shall furnish that blank form to any of the 5048
relatives specified in this division desiring to make the 5049
application, only upon the request of such a relative in person at 5050
the office of the board or upon the written request of such a 5051
relative mailed to the office of the board. The application, 5052
subscribed and sworn to by the applicant, shall contain all of the 5053
following: 5054

(1) The full name of the elector for whom ballots are 5055
requested; 5056

(2) A statement that such person is a qualified elector in 5057
the county; 5058

(3) The address at which the elector is registered to vote; 5059

(4) The elector's date of birth; 5060

(5) One of the following: 5061

(a) The elector's driver's license number; 5062

(b) The ~~last four digits of the~~ elector's social security 5063
number; 5064

(c) A copy of the elector's current and valid photo 5065
identification, a copy of a military identification, a copy of a 5066
United States passport, or a copy of a current utility bill, bank 5067
statement, government check, paycheck, or other government 5068
document, other than ~~a notice of an election mailed by a board of~~ 5069
~~elections under section 3501.19 of the Revised Code or a notice of~~ 5070
voter registration mailed by a board of elections under section 5071

3503.19 of the Revised Code, that shows the name and address of the elector. 5072
5073

(6) A statement identifying the election for which absent voter's ballots are requested; 5074
5075

(7) A statement that the elector is a member of the organized militia serving on active duty within the state; 5076
5077

(8) If the request is for primary election ballots, the elector's party affiliation; 5078
5079

(9) A statement that the applicant bears a relationship to the elector as specified in division (B) of this section; 5080
5081

(10) The address to which ballots shall be mailed or telephone number to which ballots shall be sent by facsimile machine; 5082
5083
5084

(11) The signature and address of the person making the application. 5085
5086

(C) Applications to have absent voter's ballots mailed or sent by facsimile machine shall not be valid if dated, postmarked, or received by the ~~director~~ board prior to the ninetieth day before the day of the election for which ballots are requested or if delivered to the ~~director~~ board later than twelve noon of the third day preceding the day of such election. If, after the ninetieth day and before four p.m. of the day before the day of an election, a valid application for absent voter's ballots is delivered to the ~~director of elections at the~~ office of the board by a militia member making application in the militia member's own behalf, the ~~director~~ board shall forthwith deliver to the militia member all absent voter's ballots then ready for use, together with an identification envelope. The militia member shall then vote the absent voter's ballots in the manner provided in section 3509.05 of the Revised Code. 5087
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(D) A board of elections shall not mail any unsolicited applications for absent voter's ballots. A board shall only mail an absent voter's ballot application to an elector who has requested such an application from the board. A board of elections that mails an absent voter's ballot application to an elector under this section shall not prepay the return postage for that application.

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

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

"Identification Envelope Statement of Voter

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

My voting residence in Ohio is

..... 5133
 (Street and Number, if any, or Rural Route and Number) 5134
of (City, Village, or Township) 5135
Ohio, which is in Ward Precinct 5136
in that city, village, or township. 5137

 The primary election ballots, if any, within this envelope 5138
are primary election ballots of the Party. 5139

 Ballots contained within this envelope are to be voted at the 5140
..... (general, special, or primary) election to be held on 5141
the day of, 5142

 My date of birth is (Month and Day), 5143
..... (Year). 5144

 (Voter must provide one of the following:) 5145

 My driver's license number is (Driver's 5146
license number). 5147

 ~~The last four digits of my~~ My Social Security Number are is 5148
..... (~~Last four digits of~~ Social Security Number). 5149

 In lieu of providing a driver's license number or ~~the~~ 5150
~~last four digits of~~ my Social Security Number, I am enclosing a 5151
copy of one of the following in the return envelope in which this 5152
identification envelope will be mailed: a current and valid photo 5153
identification, a military identification, a United States 5154
passport, or a current utility bill, bank statement, government 5155
check, paycheck, or other government document, other than ~~a notice~~ 5156
~~of an election mailed by a board of elections under section~~ 5157
~~3501.19 of the Revised Code or~~ a notice of voter registration 5158
mailed by a board of elections, that shows my name and address. 5159

 I hereby declare, under penalty of election falsification, 5160
that the statements above are true, as I verily believe. 5161
..... 5162

(Signature of Voter) 5163

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 5164
THE FIFTH DEGREE." 5165

The ~~director~~ board of elections shall mail with the ballots 5166
and the unsealed identification envelope an unsealed return 5167
envelope upon the face of which shall be printed the official 5168
title and post-office address of the ~~director~~ board. In the upper 5169
left corner on the face of the return envelope, several blank 5170
lines shall be printed upon which the voter may write the voter's 5171
name and return address. The return envelope shall be of such size 5172
that the identification envelope can be conveniently placed within 5173
it for returning the identification envelope to the ~~director~~ 5174
board. 5175

Sec. 3509.05. (A) When an elector receives an absent voter's 5176
ballot pursuant to the elector's application or request, the 5177
elector shall, before placing any marks on the ballot, note 5178
whether there are any voting marks on it. If there are any voting 5179
marks, the ballot shall be returned immediately to the board of 5180
elections; otherwise, the elector shall cause the ballot to be 5181
marked, folded in a manner that the stub on it and the 5182
indorsements and facsimile signatures of the members of the board 5183
of elections on ~~the back of~~ it are visible, and placed and sealed 5184
within the identification envelope received from the ~~director~~ 5185
board of elections for that purpose. Then, the elector shall cause 5186
the statement of voter on the outside of the identification 5187
envelope to be completed and signed, under penalty of election 5188
falsification. 5189

If the elector does not provide the elector's driver's 5190
license number or ~~the last four digits of~~ the elector's social 5191
security number on the statement of voter on the identification 5192
envelope, the elector also shall include in the return envelope 5193

with the identification envelope a copy of the elector's current 5194
valid photo identification, a copy of a military identification, a 5195
copy of a United States passport, or a copy of a current utility 5196
bill, bank statement, government check, paycheck, or other 5197
government document, other than ~~a notice of an election mailed by~~ 5198
~~a board of elections under section 3501.19 of the Revised Code or~~ 5199
a notice of voter registration mailed by a board of elections 5200
under section 3503.19 of the Revised Code, that shows the name and 5201
address of the elector. 5202

The elector shall mail the identification envelope to the 5203
~~director~~ board of elections from ~~whom~~ which it was received in the 5204
return envelope, postage prepaid, or the elector may personally 5205
deliver it to the ~~director~~ office of the board, or the spouse of 5206
the elector, the father, mother, father-in-law, mother-in-law, 5207
grandfather, grandmother, brother, or sister of the whole or half 5208
blood, or the son, daughter, adopting parent, adopted child, 5209
stepparent, stepchild, uncle, aunt, nephew, or niece of the 5210
elector may deliver it to the ~~director~~ board. The return envelope 5211
shall be transmitted to the ~~director~~ board in no other manner, 5212
except as provided in section 3509.08 of the Revised Code. 5213

When absent voter's ballots are delivered to an elector at 5214
the office of the board, the elector may retire to a voting 5215
compartment provided by the board and there mark the ballots. 5216
Thereupon, the elector shall fold them, place them in the 5217
identification envelope provided, seal the envelope, fill in and 5218
sign the statement on the envelope under penalty of election 5219
falsification, and deliver the envelope to the ~~director of the~~ 5220
board. 5221

Except as otherwise provided in division (B) of this section, 5222
all other envelopes containing marked absent voter's ballots shall 5223
be delivered to the ~~director~~ board not later than the close of the 5224
polls on the day of an election. Absent voter's ballots delivered 5225

to the ~~director~~ board later than the times specified shall not be 5226
counted, but shall be kept by the board in the sealed 5227
identification envelopes in which they are delivered to the 5228
~~director~~ board, until the time provided by section 3505.31 of the 5229
Revised Code for the destruction of all other ballots used at the 5230
election for which ballots were provided, at which time they shall 5231
be destroyed. 5232

(B)(1) Except as otherwise provided in division (B)(2) of 5233
this section, any return envelope that is postmarked prior to the 5234
day of the election shall be delivered to the ~~director~~ board prior 5235
to the eleventh day after the election. Ballots delivered in 5236
envelopes postmarked prior to the day of the election that are 5237
received after the close of the polls on election day through the 5238
tenth day thereafter shall be counted on the eleventh day at the 5239
board of elections in the manner provided in divisions (C) and (D) 5240
of section 3509.06 of the Revised Code. Any such ballots that are 5241
received by the ~~director~~ board later than the tenth day following 5242
the election shall not be counted, but shall be kept by the board 5243
in the sealed identification envelopes as provided in division (A) 5244
of this section. 5245

(2) Division (B)(1) of this section shall not apply to any 5246
mail that is postmarked using a postage evidencing system, 5247
including a postage meter, as defined in 39 C.F.R. 501.1. 5248

(C) Upon receipt of any return envelope prior to the eleventh 5249
day after the day of any election, the board of elections shall 5250
open it but shall not open the identification envelope contained 5251
in it. If, upon so opening the return envelope, the board finds 5252
ballots in it that are not enclosed in and properly sealed in the 5253
identification envelope, the board shall not look at the markings 5254
upon the ballots and shall promptly place them in the 5255
identification envelope and promptly seal it. If, upon so opening 5256
the return envelope, the board finds that ballots are enclosed in 5257

the identification envelope but that it is not properly sealed, 5258
the board shall not look at the markings upon the ballots and 5259
shall promptly seal the identification envelope. 5260

Sec. 3509.051. Notwithstanding section 3509.05 or any other 5261
provision of the Revised Code to the contrary, all of the 5262
following shall apply to the casting of absent voter's ballots in 5263
person: 5264

(A) The absent voter shall provide identification to the 5265
election officials in the same manner as a voter who casts a 5266
ballot in person on the day of an election is required to provide 5267
identification under section 3505.18 of the Revised Code. 5268

(B) The absent voter shall not be required to complete a 5269
statement of voter on an absent voter's ballot identification 5270
envelope. 5271

(C) The board of elections shall provide a signature book to 5272
be signed by absent voters who are casting their ballots in 5273
person. 5274

(D) If a board of elections employs more than one location 5275
for casting absent voter's ballots in person before an election 5276
under division (C) of section 3501.10 of the Revised Code, an 5277
electronic pollbook that provides real time access to voting 5278
records shall be used in each such location. 5279

(E) No person other than a precinct election official shall 5280
be permitted to challenge the right to vote of an absent voter who 5281
is casting a ballot in person. A precinct election official may 5282
challenge the right to vote of an absent voter who is casting a 5283
ballot in person in the same manner as a precinct election 5284
official may challenge the right to vote of an elector on the day 5285
of an election under section 3505.20 or 3513.19 of the Revised 5286
Code. 5287

(F) No absent voter may receive a replacement ballot after 5288
the voter's absent voter's ballot has been scanned or entered into 5289
automatic tabulating equipment. 5290

Sec. 3509.06. (A) The board of elections shall determine 5291
whether absent voter's ballots shall be counted in each precinct, 5292
at the office of the board, or at some other location designated 5293
by the board, and shall proceed accordingly under division (B) or 5294
(C) of this section. 5295

(B) When the board of elections determines that absent 5296
voter's ballots shall be counted in each precinct, the ~~director~~ 5297
board shall deliver to the ~~presiding judge~~ voting location manager 5298
of each precinct on election day identification envelopes 5299
purporting to contain absent voter's ballots of electors whose 5300
voting residence appears from the statement of voter on the 5301
outside of each of those envelopes, to be located in ~~such~~ 5302
~~presiding judge's~~ that manager's precinct, and which were received 5303
by the ~~director~~ board not later than the close of the polls on 5304
election day. The ~~director~~ board shall deliver to ~~such presiding~~ 5305
~~judge~~ the voting location manager a list containing the name and 5306
voting residence of each person whose voting residence is in such 5307
precinct to whom absent voter's ballots were mailed. 5308

(C) When the board of elections determines that absent 5309
voter's ballots shall be counted at the office of the board of 5310
elections or at another location designated by the board, special 5311
election ~~judges~~ officials shall be appointed by the board for that 5312
purpose having the same authority as is exercised by precinct 5313
~~judges~~ election officials. The votes so cast shall be added to the 5314
vote totals ~~by the board~~ for the precincts in which the applicable 5315
absent voters reside, and the absent voter's ballots shall be 5316
preserved separately by the board, in the same manner and for the 5317
same length of time as provided by section 3505.31 of the Revised 5318

Code. 5319

(D) Each of the identification envelopes purporting to 5320
contain absent voter's ballots delivered to the ~~presiding judge~~ 5321
voting location manager of the precinct or the special ~~judge~~ 5322
election official appointed by the board of elections shall be 5323
handled as follows: The election officials shall compare the 5324
signature of the elector on the outside of the identification 5325
envelope with the signature of that elector on the elector's 5326
registration form and verify that the absent voter's ballot is 5327
eligible to be counted under section 3509.07 of the Revised Code. 5328
Any of the precinct officials may challenge the right of the 5329
elector named on the identification envelope to vote the absent 5330
voter's ballots upon the ground that the signature on the envelope 5331
is not the same as the signature on the registration form, that 5332
the identification envelope statement of voter has not been 5333
completed, or upon any other of the grounds upon which the right 5334
of persons to vote may be lawfully challenged. If no such 5335
challenge is made, or if such a challenge is made and not 5336
sustained, the ~~presiding judge~~ voting location manager shall open 5337
the envelope without defacing the statement of voter and without 5338
mutilating the ballots in it, and shall remove the ballots 5339
contained in it and proceed to count them. 5340

The name of each person voting who is entitled to vote only 5341
an absent voter's presidential ballot shall be entered in a 5342
pollbook or poll list or signature pollbook followed by the words 5343
"Absentee Presidential Ballot." The name of each person voting an 5344
absent voter's ballot, other than such persons entitled to vote 5345
only a presidential ballot, shall be entered in the pollbook or 5346
poll list or signature pollbook and the person's registration card 5347
marked to indicate that the person has voted. 5348

The date of such election shall also be entered on the 5349
elector's registration form. If any such challenge is made and 5350

sustained, the identification envelope of such elector shall not 5351
be opened, shall be endorsed "Not Counted" with the reasons the 5352
ballots were not counted, and shall be delivered to the board. 5353

(E) Special election ~~judges~~ officials, employees or members 5354
of the board of elections, or observers shall not disclose the 5355
count or any portion of the count of absent voter's ballots prior 5356
to the time of the closing of the polling places. No person shall 5357
recklessly disclose the count or any portion of the count of 5358
absent voter's ballots in such a manner as to jeopardize the 5359
secrecy of any individual ballot. 5360

(F) Observers may be appointed under section 3505.21 of the 5361
Revised Code to witness the examination and opening of 5362
identification envelopes and the counting of absent voters' 5363
ballots under this section. 5364

Sec. 3509.07. ~~if~~ (A) Except as otherwise provided in division 5365
(B) of this section, if election officials find that the statement 5366
accompanying an absent voter's ballot or absent voter's 5367
presidential ballot is ~~insufficient~~ incomplete, that the 5368
signatures do not correspond with the person's registration 5369
signature, that the applicant is not a qualified elector in the 5370
precinct, that the ballot envelope contains more than one ballot 5371
of any one kind, or any voted ballot that the elector is not 5372
entitled to vote, that Stub A is ~~detached from~~ not included in the 5373
envelope with the absent voter's ballot or absent voter's 5374
presidential ballot, or that the elector has not included with the 5375
elector's ballot any identification required under section 3509.05 5376
or 3511.09 of the Revised Code, the vote shall not be accepted or 5377
counted. The vote of any absent voter may be challenged for cause 5378
in the same manner as other votes are challenged, and the election 5379
officials shall determine the legality of that ballot. Every 5380
ballot not counted shall be endorsed on its back "Not Counted" 5381

with the reasons the ballot was not counted, and shall be enclosed 5382
and returned to or retained by the board of elections along with 5383
the contested ballots. 5384

(B) If, in determining the validity of absent voter's ballots 5385
under division (A) of this section, the election officials 5386
determine that an absent voter's ballot envelope statement of 5387
voter has not been signed, the election officials shall not count 5388
the ballot enclosed in the envelope. If the election officials are 5389
able to determine the identity of the absent voter who returned 5390
the unsigned identification envelope, the election officials shall 5391
do all of the following: 5392

(1) Reinstate the elector's eligibility to receive and cast a 5393
ballot in that election; 5394

(2) Remove the notation in the poll list or signature 5395
pollbook that indicates that the elector has requested an absent 5396
voter's ballot for that election and that otherwise would require 5397
the elector to cast a provisional ballot on the day of the 5398
election; 5399

(3) Note, on the unsigned identification envelope, that the 5400
envelope is unsigned, that the ballot within that envelope shall 5401
not be counted, and that the voter's right to cast a ballot in 5402
that election was reinstated; 5403

(4) For any such ballot received five or more days before the 5404
day of the election, mail a notification of the elector's 5405
reinstated eligibility to vote by any legal means to the elector's 5406
address on file with the board; 5407

(5) Permit that elector to cast a regular ballot in that 5408
election. 5409

(C) An elector who casts a ballot under division (B) of this 5410
section after having that elector's absent voter's ballot rejected 5411
due to a lack of a signature on the identification envelope shall 5412

not be considered to have voted or to have attempted to vote more 5413
than once under division (A)(2) of section 3599.12 of the Revised 5414
Code, and no prosecution shall commence against such an elector on 5415
that basis. 5416

(D) The uncounted ballots shall be preserved in their 5417
identification envelopes unopened until the time provided by 5418
section 3505.31 of the Revised Code for the destruction of all 5419
other ballots used at the election for which ballots were 5420
provided, at which time they shall be destroyed. 5421

Sec. 3509.08. (A) Any qualified elector, who, on account of 5422
the elector's own personal illness, physical disability, or 5423
infirmity, or on account of the elector's confinement in a jail or 5424
workhouse under sentence for a misdemeanor or awaiting trial on a 5425
felony or misdemeanor, will be unable to travel from the elector's 5426
home or place of confinement to the voting booth in the elector's 5427
precinct on the day of any general, special, or primary election 5428
may make application in writing for an absent voter's ballot to 5429
~~the director~~ of the board of elections of the elector's county. 5430
The application shall include all of the information required 5431
under section 3509.03 of the Revised Code and shall state the 5432
nature of the elector's illness, physical disability, or 5433
infirmity, or the fact that the elector is confined in a jail or 5434
workhouse and the elector's resultant inability to travel to the 5435
election booth in the elector's precinct on election day. The 5436
application shall not be valid if it is delivered to the ~~director~~ 5437
board before the ninetieth day or after twelve noon of the third 5438
day before the day of the election at which the ballot is to be 5439
voted. 5440

The absent voter's ballot may be mailed directly to the 5441
applicant at the applicant's voting residence or place of 5442
confinement as stated in the applicant's application, or the board 5443

may designate two board employees belonging to the two major 5444
political parties for the purpose of delivering the ballot to the 5445
disabled or confined elector and returning it to the board, unless 5446
the applicant is confined to a public or private institution 5447
within the county, in which case the board shall designate two 5448
board employees belonging to the two major political parties for 5449
the purpose of delivering the ballot to the disabled or confined 5450
elector and returning it to the board. In all other instances, the 5451
ballot shall be returned to the office of the board in the manner 5452
prescribed in section 3509.05 of the Revised Code. 5453

Any disabled or confined elector who declares to the two 5454
board employees belonging to the two major political parties that 5455
the elector is unable to mark the elector's ballot by reason of 5456
physical infirmity that is apparent to the employees to be 5457
sufficient to incapacitate the voter from marking the elector's 5458
ballot properly, may receive, upon request, the assistance of the 5459
employees in marking the elector's ballot, and they shall 5460
thereafter give no information in regard to this matter. Such 5461
assistance shall not be rendered for any other cause. 5462

When two board employees belonging to the two major political 5463
parties deliver a ballot to a disabled or confined elector, each 5464
of the employees shall be present when the ballot is delivered, 5465
when assistance is given, and when the ballot is returned to the 5466
office of the board, and shall subscribe to the declaration on the 5467
identification envelope. 5468

The secretary of state shall prescribe the form of 5469
application for absent voter's ballots under this division. 5470

This chapter applies to disabled and confined absent voter's 5471
ballots except as otherwise provided in this section. 5472

(B)(1) Any qualified elector who is unable to travel to the 5473
voting booth in the elector's precinct on the day of any general, 5474

special, or primary election may apply to ~~the director of~~ the 5475
board of elections of the county where the elector is a qualified 5476
elector to vote in the election by absent voter's ballot if either 5477
of the following apply: 5478

(a) The elector is confined in a hospital as a result of an 5479
accident or unforeseeable medical emergency occurring before the 5480
election; 5481

(b) The elector's minor child is confined in a hospital as a 5482
result of an accident or unforeseeable medical emergency occurring 5483
before the election. 5484

(2) The application authorized under division (B)(1) of this 5485
section shall be made in writing, shall include all of the 5486
information required under section 3509.03 of the Revised Code, 5487
and shall be delivered to the ~~director~~ board not later than three 5488
p.m. on the day of the election. The application shall indicate 5489
the hospital where the applicant or the applicant's child is 5490
confined, the date of the applicant's or the applicant's child's 5491
admission to the hospital, and the offices for which the applicant 5492
is qualified to vote. The applicant may also request that a member 5493
of the applicant's family, as listed in section 3509.05 of the 5494
Revised Code, deliver the absent voter's ballot to the applicant. 5495
The ~~director~~ board, after establishing to the ~~director's~~ board's 5496
satisfaction the validity of the circumstances claimed by the 5497
applicant, shall supply an absent voter's ballot to be delivered 5498
to the applicant. When the applicant or the applicant's child is 5499
in a hospital in the county where the applicant is a qualified 5500
elector and no request is made for a member of the family to 5501
deliver the ballot, the ~~director~~ board shall arrange for the 5502
delivery of an absent voter's ballot to the applicant, and for its 5503
return to the office of the board, by two board employees 5504
belonging to the two major political parties according to the 5505
procedures prescribed in division (A) of this section. When the 5506

applicant or the applicant's child is in a hospital outside the 5507
county where the applicant is a qualified elector and no request 5508
is made for a member of the family to deliver the ballot, the 5509
~~director~~ board shall arrange for the delivery of an absent voter's 5510
ballot to the applicant by mail, and the ballot shall be returned 5511
to the office of the board in the manner prescribed in section 5512
3509.05 of the Revised Code. 5513

(3) Any qualified elector who is eligible to vote under 5514
division (B) or (C) of section 3503.16 of the Revised Code but is 5515
unable to do so because of the circumstances described in division 5516
(B)(2) of this section may vote in accordance with division (B)(1) 5517
of this section if that qualified elector states in the 5518
application for absent voter's ballots that that qualified elector 5519
moved or had a change of name under the circumstances described in 5520
division (B) or (C) of section 3503.16 of the Revised Code and if 5521
that qualified elector complies with divisions (G)(1) to (4) of 5522
section 3503.16 of the Revised Code. 5523

(C) Any qualified elector described in division (A) or (B)(1) 5524
of this section who needs no assistance to vote or to return 5525
absent voter's ballots to the board of elections may apply for 5526
absent voter's ballots under section 3509.03 of the Revised Code 5527
instead of applying for them under this section. 5528

Sec. 3509.09. (A) The poll list or signature pollbook for 5529
each precinct shall identify each registered elector in that 5530
precinct who has requested an absent voter's ballot for that 5531
election. 5532

(B)(1) If a registered elector appears to vote in that 5533
precinct and that elector has requested an absent voter's ballot 5534
for that election but the ~~director~~ board of elections has not 5535
received a sealed identification envelope purporting to contain 5536
that elector's voted absent voter's ballots for that election, the 5537

elector shall be permitted to cast a provisional ballot under 5538
section 3505.181 of the Revised Code in that precinct on the day 5539
of that election. 5540

(2) If a registered elector appears to vote in that precinct 5541
and that elector has requested an absent voter's ballot for that 5542
election and the ~~director~~ board has received a sealed 5543
identification envelope purporting to contain that elector's voted 5544
absent voter's ballots for that election, the elector shall be 5545
permitted to cast a provisional ballot under section 3505.181 of 5546
the Revised Code in that precinct on the day of that election. 5547

(C)(1) In counting absent voter's ballots under section 5548
3509.06 of the Revised Code, the board of elections shall compare 5549
the signature of each elector from whom the ~~director~~ board has 5550
received a sealed identification envelope purporting to contain 5551
that elector's voted absent voter's ballots for that election to 5552
the signature on that elector's registration form. Except as 5553
otherwise provided in division (C)(3) of this section, if the 5554
board of elections determines that the absent voter's ballot in 5555
the sealed identification envelope is valid, it shall be counted. 5556
If the board of elections determines that the signature on the 5557
sealed identification envelope purporting to contain the elector's 5558
voted absent voter's ballot does not match the signature on the 5559
elector's registration form, the ballot shall be set aside and the 5560
board shall examine, during the time prior to the beginning of the 5561
official canvass, the poll list or signature pollbook from the 5562
precinct in which the elector is registered to vote to determine 5563
if the elector also cast a provisional ballot under section 5564
3505.181 of the Revised Code in that precinct on the day of the 5565
election. 5566

(2) The board of elections shall count the provisional 5567
ballot, instead of the absent voter's ballot, if both of the 5568
following apply: 5569

(a) The board of elections determines that the signature of 5570
the elector on the outside of the identification envelope in which 5571
the absent voter's ballots are enclosed does not match the 5572
signature of the elector on the elector's registration form; 5573

(b) The elector cast a provisional ballot in the precinct on 5574
the day of the election. 5575

(3) If the board of elections does not receive the sealed 5576
identification envelope purporting to contain the elector's voted 5577
absent voter's ballot by the applicable deadline established under 5578
section 3509.05 of the Revised Code, the provisional ballot cast 5579
under section 3505.181 of the Revised Code in that precinct on the 5580
day of the election shall be counted as valid, if that provisional 5581
ballot is otherwise determined to be valid pursuant to section 5582
3505.183 of the Revised Code. 5583

(D) If the board of elections counts a provisional ballot 5584
under division (C)(2) or (3) of this section, the returned 5585
identification envelope of that elector shall not be opened, and 5586
the ballot within that envelope shall not be counted. The 5587
identification envelope shall be endorsed "Not Counted" with the 5588
reason the ballot was not counted. 5589

Sec. 3511.02. Notwithstanding any section of the Revised Code 5590
to the contrary, whenever any person applies for registration as a 5591
voter on a form adopted in accordance with federal regulations 5592
relating to the "Uniformed and Overseas Citizens Absentee Voting 5593
Act," 100 Stat. 924, 42 U.S.C.A. 1973ff (1986), this application 5594
shall be sufficient for voter registration and as a request for an 5595
absent voter's ballot. Uniformed services or overseas absent 5596
voter's ballots may be obtained by any person meeting the 5597
requirements of section 3511.01 of the Revised Code by applying 5598
electronically to the secretary of state or to the board of 5599
elections of the county in which the person's voting residence is 5600

located in accordance with section 3511.021 of the Revised Code or 5601
by applying to ~~the director of~~ the board of elections of the 5602
county in which the person's voting residence is located, in one 5603
of the following ways: 5604

(A) That person may make written application for those 5605
ballots. The person may personally deliver the application to the 5606
~~director~~ board or may mail it, send it by facsimile machine, or 5607
otherwise send it to the ~~director~~ board. The application need not 5608
be in any particular form but shall contain all of the following 5609
information: 5610

(1) The elector's name; 5611

(2) The elector's signature; 5612

(3) The address at which the elector is registered to vote; 5613

(4) The elector's date of birth; 5614

(5) One of the following: 5615

(a) The elector's driver's license number; 5616

(b) The ~~last four digits of the~~ elector's social security 5617
number; 5618

(c) A copy of the elector's current and valid photo 5619
identification, a copy of a military identification, a copy of a 5620
United States passport, or a copy of a current utility bill, bank 5621
statement, government check, paycheck, or other government 5622
document, other than ~~a notice of an election mailed by a board of~~ 5623
~~elections under section 3501.19 of the Revised Code or~~ a notice of 5624
voter registration mailed by a board of elections under section 5625
3503.19 of the Revised Code, that shows the name and address of 5626
the elector. 5627

(6) A statement identifying the election for which absent 5628
voter's ballots are requested; 5629

(7) A statement that the person requesting the ballots is a 5630

qualified elector; 5631

(8) A statement that the elector is an absent uniformed 5632
services voter or overseas voter as defined in 42 U.S.C. 1973ff-6; 5633

(9) A statement of the elector's length of residence in the 5634
state immediately preceding the commencement of service, 5635
immediately preceding the date of leaving to be with or near the 5636
service member, or immediately preceding leaving the United 5637
States, whichever is applicable; 5638

(10) If the request is for primary election ballots, the 5639
elector's party affiliation; 5640

(11) If the elector desires ballots to be mailed to the 5641
elector, the address to which those ballots shall be mailed; 5642

(12) If the elector desires ballots to be sent to the elector 5643
by facsimile machine, the telephone number to which they shall be 5644
so sent. 5645

(B) A voter or any relative of a voter listed in division (C) 5646
of this section may use a single federal post card application to 5647
apply for uniformed services or overseas absent voter's ballots 5648
for use at the primary and general elections in a given year and 5649
any special election to be held on the day in that year specified 5650
by division (E) of section 3501.01 of the Revised Code for the 5651
holding of a primary election, designated by the general assembly 5652
for the purpose of submitting constitutional amendments proposed 5653
by the general assembly to the voters of the state. A single 5654
federal postcard application shall be processed by the board of 5655
elections pursuant to section 3511.04 of the Revised Code the same 5656
as if the voter had applied separately for uniformed services or 5657
overseas absent voter's ballots for each election. 5658

(C) Application to have uniformed services or overseas absent 5659
voter's ballots mailed or sent by facsimile machine to such a 5660
person may be made by the spouse, father, mother, father-in-law, 5661

mother-in-law, grandfather, grandmother, brother or sister of the 5662
whole blood or half blood, son, daughter, adopting parent, adopted 5663
child, stepparent, stepchild, uncle, aunt, nephew, or niece of 5664
such a person. The application shall be in writing upon a blank 5665
form furnished only by the ~~director~~ board of elections or on a 5666
single federal post card as provided in division (B) of this 5667
section. The form of the application shall be prescribed by the 5668
secretary of state. The ~~director~~ board shall furnish that blank 5669
form to any of the relatives specified in this division desiring 5670
to make the application, only upon the request of such a relative 5671
made in person at the office of the board or upon the written 5672
request of such a relative mailed to the office of the board. The 5673
application, subscribed and sworn to by the applicant, shall 5674
contain all of the following: 5675

(1) The full name of the elector for whom ballots are 5676
requested; 5677

(2) A statement that the elector is an absent uniformed 5678
services voter or overseas voter as defined in 42 U.S.C. 1973ff-6; 5679

(3) The address at which the elector is registered to vote; 5680

(4) A statement identifying the elector's length of residence 5681
in the state immediately preceding the commencement of service, 5682
immediately preceding the date of leaving to be with or near a 5683
service member, or immediately preceding leaving the United 5684
States, as the case may be; 5685

(5) The elector's date of birth; 5686

(6) One of the following: 5687

(a) The elector's driver's license number; 5688

(b) The ~~last four digits of the~~ elector's social security 5689
number; 5690

(c) A copy of the elector's current and valid photo 5691

identification, a copy of a military identification, a copy of a 5692
United States passport, or a copy of a current utility bill, bank 5693
statement, government check, paycheck, or other government 5694
document, other than ~~a notice of an election mailed by a board of~~ 5695
~~elections under section 3501.19 of the Revised Code~~ or a notice of 5696
voter registration mailed by a board of elections under section 5697
3503.19 of the Revised Code, that shows the name and address of 5698
the elector. 5699

(7) A statement identifying the election for which absent 5700
voter's ballots are requested; 5701

(8) A statement that the person requesting the ballots is a 5702
qualified elector; 5703

(9) If the request is for primary election ballots, the 5704
elector's party affiliation; 5705

(10) A statement that the applicant bears a relationship to 5706
the elector as specified in division (C) of this section; 5707

(11) The address to which ballots shall be mailed or the 5708
telephone number to which ballots shall be sent by facsimile 5709
machine; 5710

(12) The signature and address of the person making the 5711
application. 5712

Each application for uniformed services or overseas absent 5713
voter's ballots shall be delivered to the ~~director~~ board not 5714
earlier than the first day of January of the year of the elections 5715
for which the uniformed services or overseas absent voter's 5716
ballots are requested or not earlier than ninety days before the 5717
day of the election at which the ballots are to be voted, 5718
whichever is earlier, and not later than twelve noon of the third 5719
day preceding the day of the election, or not later than the close 5720
of regular business hours on the day before the day of the 5721
election at which those ballots are to be voted if the application 5722

is delivered in person to the office of the board. 5723

(D) If the voter for whom the application is made is entitled 5724
to vote for presidential and vice-presidential electors only, the 5725
applicant shall submit to the ~~director~~ board in addition to the 5726
requirements of divisions (A), (B), and (C) of this section, a 5727
statement to the effect that the voter is qualified to vote for 5728
presidential and vice-presidential electors and for no other 5729
offices. 5730

(E) If a board of elections receives an application for 5731
uniformed services or overseas absent voter's ballots under this 5732
section that indicates that it also shall be used as a change of 5733
address form, the board of elections shall update the voter 5734
registration records to reflect the voter's new address. 5735

Sec. 3511.04. (A) If a ~~director~~ of a board of elections 5736
receives an application for uniformed services or overseas absent 5737
voter's ballots that does not contain all of the required 5738
information, the ~~director~~ board promptly shall notify the 5739
applicant of the additional information required to be provided by 5740
the applicant to complete that application. 5741

(B) Not later than the forty-fifth day before the day of each 5742
general or primary election, and at the earliest possible time 5743
before the day of a special election held on a day other than the 5744
day on which a general or primary election is held, ~~the director~~ 5745
~~of~~ the board of elections shall mail, send by facsimile machine, 5746
or otherwise send uniformed services or overseas absent voter's 5747
ballots then ready for use as provided for in section 3511.03 of 5748
the Revised Code and for which the ~~director~~ board has received 5749
valid applications prior to that time. Thereafter, and until 5750
twelve noon of the third day preceding the day of election, the 5751
~~director~~ board shall promptly, upon receipt of valid applications 5752
for them, mail, send by facsimile machine, or otherwise send to 5753

the proper persons all uniformed services or overseas absent voter's ballots then ready for use.

If, after the seventieth day before the day of a general or primary election, any other question, issue, or candidacy is lawfully ordered submitted to the electors voting at the general or primary election, the board shall promptly provide a separate official issue, special election, or other election ballot for submitting the question, issue, or candidacy to those electors, and ~~the director shall~~ promptly mail or send by facsimile machine each such separate ballot to each person to whom the ~~director~~ board has previously mailed or sent by facsimile machine other uniformed services or overseas absent voter's ballots.

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

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

"Identification Envelope Statement of Voter

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

My voting residence in Ohio is 5785
..... 5786
(Street and Number, if any, or Rural Route and Number) 5787
of (City, Village, or Township) 5788
Ohio, which is in Ward Precinct 5789
in that city, village, or township. 5790

The primary election ballots, if any, within this envelope 5791
are primary election ballots of the Party. 5792

Ballots contained within this envelope are to be voted at the 5793
..... (general, special, or primary) election to be held on 5794
the day of, 5795

My date of birth is (Month and Day), 5796
..... (Year). 5797

(Voter must provide one of the following:) 5798

My driver's license number is (Driver's 5799
license number). 5800

~~The last four digits of my~~ My Social Security Number ~~are~~ is 5801
..... (~~Last four digits of~~ Social Security Number). 5802

..... In lieu of providing a driver's license number or ~~the~~ 5803
~~last four digits of~~ my Social Security Number, I am enclosing a 5804
copy of one of the following in the return envelope in which this 5805
identification envelope will be mailed: a current and valid photo 5806
identification, a military identification, a United States 5807
passport, or a current utility bill, bank statement, government 5808
check, paycheck, or other government document, other than ~~a notice~~ 5809
~~of an election mailed by a board of elections under section~~ 5810
~~3501.19 of the Revised Code or~~ a notice of voter registration 5811
mailed by a board of elections, that shows my name and address. 5812

I hereby declare, under penalty of election falsification, 5813
that the statements above are true, as I verily believe. 5814

..... 5815

(Signature of Voter) 5816

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 5817
THE FIFTH DEGREE." 5818

(B) The ~~director~~ board shall also mail with the ballots and 5819
the unsealed identification envelope sent by mail an unsealed 5820
return envelope, gummed, ready for sealing, for use by the voter 5821
in returning the voter's marked ballots to the ~~director~~ board. The 5822
~~director~~ board shall send with the ballots and the instruction 5823
sheet for preparing a gummed envelope sent electronically, 5824
including by facsimile machine, an instruction sheet for preparing 5825
a second gummed envelope as described in this division, for use by 5826
the voter in returning that voter's marked ballots to the ~~director~~ 5827
board. The return envelope shall have two parallel lines, each one 5828
quarter of an inch in width, printed across its face paralleling 5829
the top, with an intervening space of one quarter of an inch 5830
between such lines. The top line shall be one and one-quarter 5831
inches from the top of the envelope. Between the parallel lines 5832
shall be printed: "OFFICIAL ELECTION UNIFORMED SERVICES OR 5833
OVERSEAS ABSENT VOTER'S BALLOTS -- VIA AIR MAIL." Three blank 5834
lines shall be printed in the upper left corner on the face of the 5835
envelope for the use by the voter in placing the voter's complete 5836
military, naval, or mailing address on these lines, and beneath 5837
these lines there shall be printed a box beside the words "check 5838
if out-of-country." The voter shall check this box if the voter 5839
will be outside the United States on the day of the election. The 5840
official title and the post-office address of the ~~director~~ board 5841
to ~~whom~~ which the envelope shall be returned shall be printed on 5842
the face of such envelope in the lower right portion below the 5843
bottom parallel line. 5844

(C) On the back of each identification envelope and each 5845
return envelope shall be printed the following: 5846

"Instructions to voter: 5847

If the flap on this envelope is so firmly stuck to the back 5848
of the envelope when received by you as to require forcible 5849
opening in order to use it, open the envelope in the manner least 5850
injurious to it, and, after marking your ballots and enclosing 5851
same in the envelope for mailing them to ~~the director~~ of the board 5852
of elections, reclose the envelope in the most practicable way, by 5853
sealing or otherwise, and sign the blank form printed below. 5854

The flap on this envelope was firmly stuck to the back of the 5855
envelope when received, and required forced opening before sealing 5856
and mailing. 5857

..... 5858
(Signature of voter)" 5859

(D) Division (C) of this section does not apply when absent 5860
voter's ballots are sent electronically, including by facsimile 5861
machine. 5862

Sec. 3511.06. The return envelope provided for in section 5863
3511.05 of the Revised Code shall be of such size that the 5864
identification envelope can be conveniently placed within it for 5865
returning the identification envelope to the ~~director~~ board of 5866
elections. The envelope in which the two envelopes and the 5867
uniformed services or overseas absent voter's ballots are mailed 5868
to the elector shall have two parallel lines, each one quarter of 5869
an inch in width, printed across its face, paralleling the top, 5870
with an intervening space of one-quarter of an inch between such 5871
lines. The top line shall be one and one-quarter inches from the 5872
top of the envelope. Between the parallel lines shall be printed: 5873
"official uniformed services or overseas absent voter's balloting 5874
material--via air mail." The appropriate return address of ~~the~~ 5875
~~director~~ of the board of elections shall be printed in the upper 5876
left corner on the face of such envelope. Several blank lines 5877

shall be printed on the face of such envelope in the lower right 5878
portion, below the bottom parallel line, for writing in the name 5879
and address of the elector to whom such envelope is mailed. 5880

Sec. 3511.07. When mailing unsealed identification envelopes 5881
and unsealed return envelopes to persons, the ~~director of the~~ 5882
board of elections shall insert a sheet of waxed paper or other 5883
appropriate insert between the gummed flap and the back of each of 5884
such envelopes to minimize the possibility that the flap may 5885
become firmly stuck to the back of the envelope by reason of 5886
moisture, humid atmosphere, or other conditions to which they may 5887
be subjected. If the flap on either of such envelopes should be so 5888
firmly stuck to the back of the envelope when it is received by 5889
the voter as to require forcible opening of the envelope in order 5890
to use it, the voter shall open such envelope in the manner least 5891
injurious to it, and, after marking ~~his~~ the voter's ballots and 5892
enclosing them in the envelope for mailing to the ~~director~~ board, 5893
~~he~~ the voter shall reclose such envelope in the most practicable 5894
way, by sealing it or otherwise, and shall sign the blank form 5895
printed on the back of such envelope. 5896

Sec. 3511.08. The ~~director of the~~ board of elections shall 5897
keep a record of the name and address of each person to whom the 5898
~~director~~ board mails or delivers uniformed services or overseas 5899
absent voter's ballots, the kinds of ballots so mailed or 5900
delivered, and the name and address of the person who made the 5901
application for such ballots. After the ~~director~~ board has mailed 5902
or delivered such ballots, the ~~director~~ board shall not mail or 5903
deliver additional ballots of the same kind to such person 5904
pursuant to a subsequent request unless such subsequent request 5905
contains the statement that an earlier request had been sent to 5906
the ~~director~~ board prior to the thirtieth day before the election 5907
and that the uniformed services or overseas absent voter's ballots 5908

so requested had not been received by such person prior to the 5909
fifteenth day before the election, and provided that the ~~director~~ 5910
board has not received an identification envelope purporting to 5911
contain marked uniformed services or overseas absent voter's 5912
ballots from such person. 5913

Sec. 3511.09. Upon receiving uniformed services or overseas 5914
absent voter's ballots, the elector shall cause the questions on 5915
the face of the identification envelope to be answered, and, by 5916
writing the elector's usual signature in the proper place on the 5917
identification envelope, the elector shall declare under penalty 5918
of election falsification that the answers to those questions are 5919
true and correct to the best of the elector's knowledge and 5920
belief. Then, the elector shall note whether there are any voting 5921
marks on the ballot. If there are any voting marks, the ballot 5922
shall be returned immediately to the board of elections; 5923
otherwise, the elector shall cause the ballot to be marked, folded 5924
separately so as to conceal the markings on it, deposited in the 5925
identification envelope, and securely sealed in the identification 5926
envelope. The elector then shall cause the identification envelope 5927
to be placed within the return envelope, sealed in the return 5928
envelope, and mailed to ~~the director of~~ the board of elections to 5929
~~whom~~ which it is addressed, postage prepaid. If the elector does 5930
not provide the elector's driver's license number or ~~the last four~~ 5931
~~digits of~~ the elector's social security number on the statement of 5932
voter on the identification envelope, the elector also shall 5933
include in the return envelope with the identification envelope a 5934
copy of the elector's current valid photo identification, a copy 5935
of a military identification, a copy of a United States passport, 5936
or a copy of a current utility bill, bank statement, government 5937
check, paycheck, or other government document, other than a ~~notice~~ 5938
~~of an election mailed by a board of elections under section~~ 5939
~~3501.19 of the Revised Code or~~ a notice of voter registration 5940

mailed by a board of elections under section 3503.19 of the Revised Code, that shows the name and address of the elector. Each elector who will be outside the United States on the day of the election shall check the box on the return envelope indicating this fact and shall mail the return envelope to the ~~director~~ board prior to the close of the polls on election day.

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

Sec. 3511.10. If, on or after the ~~thirty-fifth~~ sixteenth day ~~and before the day of a general or primary election through six p.m. on the last Friday before the close of the polls on the day of a general or primary~~ that election, a valid application for uniformed services or overseas absent voter's ballots is delivered to ~~the director of the office of the~~ board of elections at the office of the board by a person making the application on the person's own behalf, the ~~director~~ board shall forthwith deliver to the person all uniformed services or overseas absent voter's ballots then ready for use, together with an identification envelope. The person shall then immediately retire to a voting booth in the office of the board, and mark the ballots. The person shall then fold each ballot separately so as to conceal the person's markings thereon, and deposit all of the ballots in the identification envelope and securely seal it. Thereupon the person shall fill in answers to the questions on the face of the identification envelope, and by writing the person's usual signature in the proper place thereon, the person shall declare under penalty of election falsification that the answers to those questions are true and correct to the best of that person's knowledge and belief. The person shall then deliver the identification envelope to the ~~director~~ board. If thereafter, and

before the third day preceding such election, the board provides 5973
additional separate official issue or special election ballots, as 5974
provided for in section 3511.04 of the Revised Code, the ~~director~~ 5975
board shall promptly, and not later than twelve noon of the third 5976
day preceding the day of election, mail such additional ballots to 5977
such person at the address specified by that person for that 5978
purpose. 5979

In the event any person serving in the armed forces of the 5980
United States is discharged after the closing date of 5981
registration, and that person or that person's spouse, or both, 5982
meets all the other qualifications set forth in section 3511.01 of 5983
the Revised Code, the person or spouse shall be permitted to vote 5984
prior to the date of the election in the office of the board in 5985
the person's or spouse's county, as set forth in this section. 5986

Sec. 3511.11. (A) Upon receipt of any return envelope bearing 5987
the designation "Official Election Uniformed Services or Overseas 5988
Absent Voter's Ballot" prior to the eleventh day after the day of 5989
any election, ~~the director~~ of the board of elections shall open it 5990
but shall not open the identification envelope contained in it. 5991
If, upon so opening the return envelope, the ~~director~~ board finds 5992
ballots in it that are not enclosed in and properly sealed in the 5993
identification envelope, the ~~director~~ board shall not look at the 5994
markings upon the ballots and shall promptly place them in the 5995
identification envelope and promptly seal it. If, upon so opening 5996
the return envelope, the ~~director~~ board finds that ballots are 5997
enclosed in the identification envelope but that it is not 5998
properly sealed, the ~~director~~ board shall not look at the markings 5999
upon the ballots and shall promptly seal the identification 6000
envelope. 6001

(B) Uniformed services or overseas absent voter's ballots 6002
delivered to the ~~director~~ board not later than the close of the 6003

polls on election day shall be counted in the manner provided in 6004
section 3509.06 of the Revised Code. 6005

(C) A return envelope that indicates that the voter will be 6006
outside of the United States on the day of an election is not 6007
required to be postmarked in order for a uniformed services or 6008
overseas absent voter's ballot contained in it to be valid. Except 6009
as otherwise provided in this division, whether or not the return 6010
envelope containing the ballot is postmarked or contains an 6011
illegible postmark, a uniformed services or overseas absent 6012
voter's ballot that is received after the close of the polls on 6013
election day through the tenth day after the election day and that 6014
is delivered in a return envelope that indicates that the voter 6015
will be outside the United States on the day of the election shall 6016
be counted on the eleventh day after the election day at the 6017
office of the board of elections in the manner provided in 6018
divisions (C) and (D) of section 3509.06 of the Revised Code. 6019
However, if a return envelope containing a uniformed services or 6020
overseas absent voter's ballot is so received and so indicates, 6021
but it is postmarked, or the identification envelope in it is 6022
signed, after the close of the polls on election day, the 6023
uniformed services or overseas absent voter's ballot shall not be 6024
counted. 6025

(D)(1) Except as otherwise provided in division (D)(2) of 6026
this section, any return envelope containing a uniformed services 6027
or overseas absent voter's ballot that is postmarked within the 6028
United States prior to the day of the election shall be delivered 6029
to the ~~director~~ board prior to the eleventh day after the 6030
election. Uniformed services or overseas absent voter's ballots 6031
delivered in envelopes postmarked prior to the day of the election 6032
that are received after the close of the polls on election day 6033
through the tenth day thereafter shall be counted on the eleventh 6034
day at the board of elections in the manner provided in divisions 6035

(C) and (D) of section 3509.06 of the Revised Code. Any such 6036
ballots that are received by the ~~director~~ board later than the 6037
tenth day following the election shall not be counted, but shall 6038
be kept by the board in the sealed identification envelopes as 6039
provided in division (A) of this section. 6040

(2) Division (D)(1) of this section shall not apply to any 6041
mail that is postmarked using a postage evidencing system, 6042
including a postage meter, as defined in 39 C.F.R. 501.1. 6043

(E) The following types of uniformed services or overseas 6044
absent voter's ballots shall not be counted: 6045

(1) Uniformed services or overseas absent voter's ballots 6046
contained in return envelopes that bear the designation "Official 6047
Election Uniformed Services or Overseas Absent Voter's Ballots," 6048
that are received by the ~~director~~ board after the close of the 6049
polls on the day of the election, and that either are postmarked, 6050
or contain an identification envelope that is signed, on or after 6051
election day; 6052

(2) Uniformed services or overseas absent voter's ballots 6053
contained in return envelopes that bear that designation, that do 6054
not indicate they are from voters who will be outside the United 6055
States on the day of the election, and that are received after the 6056
tenth day following the election; 6057

(3) Uniformed services or overseas absent voter's ballots 6058
contained in return envelopes that bear that designation, that are 6059
received by the ~~director~~ board within ten days after the day of 6060
the election, and that were postmarked before the day of the 6061
election using a postage evidencing system, including a postage 6062
meter, as defined in 39 C.F.R. 501.1. 6063

The uncounted ballots shall be preserved in their 6064
identification envelopes unopened until the time provided by 6065
section 3505.31 of the Revised Code for the destruction of all 6066

other ballots used at the election for which ballots were 6067
provided, at which time they shall be destroyed. 6068

Sec. 3511.13. (A) The poll list or signature pollbook for 6069
each precinct shall identify each registered elector in that 6070
precinct who has requested a uniformed services or overseas absent 6071
voter's ballot for that election. 6072

(B)(1) If a registered elector appears to vote in that 6073
precinct and that elector has requested a uniformed services or 6074
overseas absent voter's ballot for that election but the ~~director~~ 6075
board of elections has not received a sealed identification 6076
envelope purporting to contain that elector's voted uniformed 6077
services or overseas absent voter's ballots for that election, the 6078
elector shall be permitted to cast a provisional ballot under 6079
section 3505.181 of the Revised Code in that precinct on the day 6080
of that election. 6081

(2) If a registered elector appears to vote in that precinct 6082
and that elector has requested a uniformed services or overseas 6083
absent voter's ballot for that election and the ~~director~~ board has 6084
received a sealed identification envelope purporting to contain 6085
that elector's voted uniformed services or overseas absent voter's 6086
ballots for that election, the elector shall be permitted to cast 6087
a provisional ballot under section 3505.181 of the Revised Code in 6088
that precinct on the day of that election. 6089

(C)(1) In counting uniformed services or overseas absent 6090
voter's ballots under section 3511.11 of the Revised Code, the 6091
board of elections shall compare the signature of each elector 6092
from whom the ~~director~~ board has received a sealed identification 6093
envelope purporting to contain that elector's voted uniformed 6094
services or overseas absent voter's ballots for that election to 6095
the signature on the elector's registration form. Except as 6096
otherwise provided in division (C)(3) of this section, if the 6097

board of elections determines that the uniformed services or 6098
overseas absent voter's ballot in the sealed identification 6099
envelope is valid, it shall be counted. If the board of elections 6100
determines that the signature on the sealed identification 6101
envelope purporting to contain the elector's voted uniformed 6102
services or overseas absent voter's ballot does not match the 6103
signature on the elector's registration form, the ballot shall be 6104
set aside and the board shall examine, during the time prior to 6105
the beginning of the official canvass, the poll list or signature 6106
pollbook from the precinct in which the elector is registered to 6107
vote to determine if the elector also cast a provisional ballot 6108
under section 3505.181 of the Revised Code in that precinct on the 6109
day of the election. 6110

(2) The board of elections shall count the provisional 6111
ballot, instead of the uniformed services or overseas absent 6112
voter's ballot, of an elector from whom the ~~director~~ board has 6113
received an identification envelope purporting to contain that 6114
elector's voted uniformed services or overseas absent voter's 6115
ballots, if both of the following apply: 6116

(a) The board of elections determines that the signature of 6117
the elector on the outside of the identification envelope in which 6118
the uniformed services or overseas absent voter's ballots are 6119
enclosed does not match the signature of the elector on the 6120
elector's registration form; 6121

(b) The elector cast a provisional ballot in the precinct on 6122
the day of the election. 6123

(3) If the board of elections does not receive the sealed 6124
identification envelope purporting to contain the elector's voted 6125
uniformed services or overseas absent voter's ballot by the 6126
applicable deadline established under section 3511.11 of the 6127
Revised Code, the provisional ballot cast under section 3505.181 6128
of the Revised Code in that precinct on the day of the election 6129

shall be counted as valid, if that provisional ballot is otherwise 6130
determined to be valid pursuant to section 3505.183 of the Revised 6131
Code. 6132

(D) If the board of elections counts a provisional ballot 6133
under division (C)(2) or (3) of this section, the returned 6134
identification envelope of that elector shall not be opened, and 6135
the ballot within that envelope shall not be counted. The 6136
identification envelope shall be endorsed "Not Counted" with the 6137
reason the ballot was not counted. 6138

Sec. 3511.14. A board of elections shall accept and process 6139
federal write-in ballots for all federal, state, and local 6140
elections conducted in any year as required under "The Uniformed 6141
and Overseas Citizens Absentee Voting Act," Pub. L. No. 99-410, 6142
100 Stat. 924, 42 U.S.C. 1973ff, et seq., as amended. 6143

Sec. 3513.02. If, in any odd-numbered year, no ~~valid~~ 6144
~~declaration of candidacy is filed~~ candidate is certified to appear 6145
on the ballot for nomination as a candidate of a political party 6146
for election to any of the offices to be voted for at the general 6147
election to be held in such year, or if the number of persons 6148
~~filing such declarations of candidacy~~ certified as candidates to 6149
appear on the ballot for ~~nominations~~ nomination as candidates of 6150
one political party for election to such offices does not exceed, 6151
as to any such office, the number of candidates which such 6152
political party is entitled to nominate as its candidates for 6153
election to such office, then no primary election shall be held 6154
for the purpose of nominating party candidates of such party for 6155
election to offices to be voted for at such general election and 6156
no primary ballots shall be provided for such party. If, however, 6157
the only office for which there are more ~~valid declarations of~~ 6158
~~candidacy filed~~ candidates certified to appear on the ballot than 6159
the number to be nominated by a political party, is the office of 6160

councilperson in a ward, a primary election shall be held for such party only in the ward or wards in which there is a contest, and only the names of the candidates for the office of councilperson in such ward shall appear on the primary ballot of such political party.

The election officials whose duty it would have been to provide for and conduct the holding of such primary election, declare the results thereof, and issue certificates of nomination to the persons entitled thereto if such primary election had been held shall declare each of such persons to be nominated as of the date of the ninetieth day before the primary election, issue appropriate certificates of nomination to each of them, and certify their names to the proper election officials, in order that their names may be printed on the official ballots provided for use in the succeeding general election in the same manner as though such primary election had been held and such persons had been nominated at such election.

Sec. 3513.131. In the event two or more persons with identical surnames run for the same office in a primary election on the same ballot, the names of the candidates shall be differentiated on the ballot by varying combinations of first and middle names and initials. Within twenty-four hours after the final date for filing declarations of candidacy or petitions for candidacy, the director of the board of elections for local, municipal, county, general, or special elections, or the director of the board of elections of the most populous county for district, general, or special elections, or the secretary of state for state-wide general and special elections shall notify the persons with identical given names and surnames that the names of such persons will be differentiated on the ballot. If one of the candidates is an incumbent who is a candidate to succeed ~~himself~~ self for the office ~~he~~ the incumbent occupies, ~~he~~ the incumbent

shall have first choice of the name by which ~~he~~ the incumbent is 6193
designated on the ballot. If an incumbent does not make a choice 6194
within two days after notification or if none of the candidates is 6195
an incumbent, the board of elections within three days after 6196
notification shall designate the names by which the candidates are 6197
identified on the ballot. In case of a district candidate the 6198
board of elections in the most populous county shall make the 6199
determination. In case of state-wide candidates, or in the case 6200
any board of elections fails to make a designation within three 6201
days after notification, the secretary of state shall immediately 6202
make the determination. 6203

"Notification" as required by this section shall be by the 6204
director of the board of elections or secretary of state by 6205
~~special delivery or telegram~~ certified mail at the candidate's 6206
address listed in ~~his~~ the candidate's declaration or petition of 6207
candidacy. 6208

Sec. 3513.18. Party primaries shall be held at the same place 6209
and time, but there shall be separate pollbooks, and tally sheets, 6210
~~and ballot boxes~~ provided at each polling place for each party 6211
participating in the election, ~~and the ballot of each voter shall~~ 6212
~~be placed in the ballot box of the party with which he is~~ 6213
affiliated. ~~Each ballot box shall be plainly marked with the name~~ 6214
~~of the political party whose ballots are to be placed therein, by~~ 6215
~~letters pasted or printed thereon or by a card attached thereto,~~ 6216
~~or both, and so placed that the designation may be easily seen and~~ 6217
~~read by the voter.~~ 6218

If a special election on a question or issue is held on the 6219
day of a primary election, there shall be provided in the 6220
pollbooks pages on which shall be recorded the names of all 6221
electors voting on said question or issue and not voting in such 6222
primary. It shall not be necessary for electors desiring to vote 6223

only on the question or issue to declare their political 6224
affiliation. 6225

Sec. 3513.19. (A) It is the duty of any ~~judge of elections~~ 6226
precinct election official, whenever any ~~judge of elections~~ such 6227
official doubts that a person attempting to vote at a primary 6228
election is legally entitled to vote at that election, to 6229
challenge the right of that person to vote. The right of a person 6230
to vote at a primary election may be challenged upon the following 6231
grounds: 6232

(1) That the person whose right to vote is challenged is not 6233
a legally qualified elector; 6234

(2) That the person has received or has been promised some 6235
valuable reward or consideration for the person's vote; 6236

(3) That the person is not affiliated with or is not a member 6237
of the political party whose ballot the person desires to vote. 6238
Such party affiliation shall be determined by examining the 6239
elector's voting record for the current year and the immediately 6240
preceding two calendar years as shown on the voter's registration 6241
card, using the standards of affiliation specified in the seventh 6242
paragraph of section 3513.05 of the Revised Code. Division (A)(3) 6243
of this section and the seventh paragraph of section 3513.05 of 6244
the Revised Code do not prohibit a person who holds an elective 6245
office for which candidates are nominated at a party primary 6246
election from doing any of the following: 6247

(a) If the person voted as a member of a different political 6248
party at any primary election within the current year and the 6249
immediately preceding two calendar years, being a candidate for 6250
nomination at a party primary held during the times specified in 6251
division (C)(2) of section 3513.191 of the Revised Code provided 6252
that the person complies with the requirements of that section; 6253

(b) Circulating the person's own petition of candidacy for 6254
party nomination in the primary election. 6255

(B) When the right of a person to vote is challenged upon the 6256
ground set forth in division (A)(3) of this section, membership in 6257
or political affiliation with a political party shall be 6258
determined by the person's statement, made under penalty of 6259
election falsification, that the person desires to be affiliated 6260
with and supports the principles of the political party whose 6261
primary ballot the person desires to vote. 6262

Sec. 3513.21. At the close of the polls in a primary 6263
election, the ~~judges of precinct~~ election officials shall proceed 6264
without delay to canvass the vote, sign and seal it, and make 6265
returns thereof to the board of elections forthwith on the forms 6266
to be provided by the board. The provisions of Title XXXV of the 6267
Revised Code relating to the accounting for and return of all 6268
ballots at general elections apply to primary ballots. 6269

If there is any disagreement as to how a ballot should be 6270
counted it shall be submitted to all of the ~~judges precinct~~ 6271
election officials. If three of the ~~judges precinct election~~ 6272
officials do not agree as to how any part of the ballot shall be 6273
counted, that part of such ballot which three of the ~~judges~~ 6274
officials do agree shall be counted and a notation made upon the 6275
ballot indicating what part has not been counted, and shall be 6276
placed in an envelope provided for that purpose, marked "Disputed 6277
Ballots" and returned to the board. 6278

The board shall, on the day when the vote is canvassed, open 6279
such sealed envelopes, determine what ballots and for whom they 6280
should be counted, and proceed to count and tally the votes on 6281
such ballots. 6282

Sec. 3513.30. (A)(1) If only one valid declaration of 6283

candidacy is filed for nomination as a candidate of a political party for an office and that candidate dies prior to the tenth day before the primary election, both of the following may occur:

(a) The political party whose candidate died may fill the vacancy so created as provided in division (A)(2) of this section.

(b) Any major political party other than the one whose candidate died may select a candidate as provided in division (A)(2) of this section under either of the following circumstances:

(i) No person has filed a valid declaration of candidacy for nomination as that party's candidate at the primary election.

(ii) Only one person has filed a valid declaration of candidacy for nomination as that party's candidate at the primary election, that person has withdrawn, died, or been disqualified under section 3513.052 of the Revised Code, and the vacancy so created has not been filled.

(2) A vacancy may be filled under division (A)(1)(a) and a selection may be made under division (A)(1)(b) of this section by the appropriate committee of the political party in the same manner as provided in divisions (A) to (E) of section 3513.31 of the Revised Code for the filling of similar vacancies created by withdrawals or disqualifications under section 3513.052 of the Revised Code after the primary election, except that the certification required under that section may not be filed with the secretary of state, or with a board of the most populous county of a district, or with the board of a county in which the major portion of the population of a subdivision is located, later than four p.m. of the tenth day before the day of such primary election, or with any other board later than four p.m. of the fifth day before the day of such primary election.

(3) If only one valid declaration of candidacy is filed for

nomination as a candidate of a political party for an office and 6315
that candidate dies on or after the tenth day before the day of 6316
the primary election, that candidate is considered to have 6317
received the nomination of that candidate's political party at 6318
that primary election, and, for purposes of filling the vacancy so 6319
created, that candidate's death shall be treated as if that 6320
candidate died on the day after the day of the primary election. 6321

(B) Any person filing a declaration of candidacy may withdraw 6322
as such candidate at any time prior to the primary election. The 6323
withdrawal shall be effected and the statement of withdrawal shall 6324
be filed in accordance with the procedures prescribed in division 6325
(D) of this section for the withdrawal of persons nominated in a 6326
primary election or by nominating petition. 6327

(C) A person who is named the first choice for president of 6328
the United States by a candidate for delegate or alternate to a 6329
national convention of a political party may withdraw consent for 6330
the selection of the person as such first choice no later than 6331
four p.m. of the fortieth day before the day of the presidential 6332
primary election. Withdrawal of consent shall be for the entire 6333
slate of candidates for delegates and alternates who named such 6334
person as their presidential first choice and shall constitute 6335
withdrawal from the primary election by such delegates and 6336
alternates. The withdrawal shall be made in writing and delivered 6337
to the secretary of state. If the withdrawal is delivered to the 6338
secretary of state on or before the seventieth day before the day 6339
of the primary election, the boards of elections shall remove both 6340
the name of the withdrawn first choice and the names of such 6341
withdrawn candidates from the ballots according to the directions 6342
of the secretary of state. If the withdrawal is delivered to the 6343
secretary of state after the seventieth day before the day of the 6344
primary election, the board of elections shall not remove the name 6345
of the withdrawn first choice and the names of the withdrawn 6346

candidates from the ballots. The board of elections shall post a notice at each polling location on the day of the primary election, and shall enclose with each absent voter's ballot given or mailed after the candidate withdraws, a notice that votes for the withdrawn first choice or the withdrawn candidates will be void and will not be counted. If such names are not removed from all ballots before the day of the election, the votes for the withdrawn first choice or the withdrawn candidates are void and shall not be counted.

(D) Any person nominated in a primary election or by nominating petition as a candidate for election at the next general election may withdraw as such candidate at any time prior to the general election. Such withdrawal may be effected by the filing of a written statement by such candidate announcing the candidate's withdrawal and requesting that the candidate's name not be printed on the ballots. If such candidate's declaration of candidacy or nominating petition was filed with the secretary of state, the candidate's statement of withdrawal shall be addressed to and filed with the secretary of state. If such candidate's declaration of candidacy or nominating petition was filed with a board of elections, the candidate's statement of withdrawal shall be addressed to and filed with such board.

(E) When a person withdraws under division (B) or (D) of this section on or before the seventieth day before the day of the ~~primary~~ election at which the person's candidacy is to appear on the ballot, the board of elections shall remove the name of the withdrawn candidate from the ballots according to the directions of the secretary of state. When a person withdraws under division (B) or (D) of this section after the seventieth day before the day of the ~~primary~~ election at which the person's candidacy is to appear on the ballot, the board of elections shall not remove the name of the withdrawn candidate from the ballots. The board of

elections shall post a notice at each polling place on the day of 6379
the ~~primary~~ election, and shall enclose with each absent voter's 6380
ballot given or mailed after the candidate withdraws, a notice 6381
that votes for the withdrawn candidate will be void and will not 6382
be counted. If the name is not removed from all ballots before the 6383
day of the election, the votes for the withdrawn candidate are 6384
void and shall not be counted. 6385

Sec. 3513.31. (A) If a person nominated in a primary election 6386
as a candidate for election at the next general election, whose 6387
candidacy is to be submitted to the electors of the entire state, 6388
withdraws as that candidate or is disqualified as that candidate 6389
under section 3513.052 of the Revised Code, the vacancy in the 6390
party nomination so created may be filled by the state central 6391
committee of the major political party that made the nomination at 6392
the primary election, if the committee's chairperson and secretary 6393
certify the name of the person selected to fill the vacancy by the 6394
time specified in this division, at a meeting called for that 6395
purpose. The meeting shall be called by the chairperson of that 6396
committee, who shall give each member of the committee at least 6397
two days' notice of the time, place, and purpose of the meeting. 6398
If a majority of the members of the committee are present at the 6399
meeting, a majority of those present may select a person to fill 6400
the vacancy. The chairperson and secretary of the meeting shall 6401
certify in writing and under oath to the secretary of state, not 6402
later than the eighty-sixth day before the day of the general 6403
election, the name of the person selected to fill the vacancy. The 6404
certification must be accompanied by the written acceptance of the 6405
nomination by the person whose name is certified. A vacancy that 6406
may be filled by an intermediate or minor political party shall be 6407
filled in accordance with the party's rules by authorized 6408
officials of the party. Certification must be made as in the 6409
manner provided for a major political party. 6410

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(B) If a person nominated in a primary election as a party candidate for election at the next general election, whose candidacy is to be submitted to the electors of a district comprised of more than one county but less than all of the counties of the state, withdraws as that candidate or is disqualified as that candidate under section 3513.052 of the Revised Code, the vacancy in the party nomination so created may be filled by a district committee of the major political party that made the nomination at the primary election, if the committee's chairperson and secretary certify the name of the person selected to fill the vacancy by the time specified in this division, at a meeting called for that purpose. The district committee shall consist of the chairperson and secretary of the county central committee of such political party in each county in the district. The district committee shall be called by the chairperson of the county central committee of such political party of the most populous county in the district, who shall give each member of the district committee at least two days' notice of the time, place, and purpose of the meeting. If a majority of the members of the district committee are present at the district committee meeting, a majority of those present may select a person to fill the vacancy. The chairperson and secretary of the meeting shall certify in writing and under oath to the board of elections of the most populous county in the district, not later than four p.m. of the eighty-sixth day before the day of the general election, the name of the person selected to fill the vacancy. The certification must be accompanied by the written acceptance of the nomination by the person whose name is certified. A vacancy that may be filled by an intermediate or minor political party shall be filled in accordance with the party's rules by authorized officials of the party. Certification must be made as in the manner provided for a major political party.

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(C) If a person nominated in a primary election as a party candidate for election at the next general election, whose candidacy is to be submitted to the electors of a county, withdraws as that candidate or is disqualified as that candidate under section 3513.052 of the Revised Code, the vacancy in the party nomination so created may be filled by the county central committee of the major political party that made the nomination at the primary election, or by the county executive committee if so authorized, if the committee's chairperson and secretary certify the name of the person selected to fill the vacancy by the time specified in this division, at a meeting called for that purpose. The meeting shall be called by the chairperson of that committee, who shall give each member of the committee at least two days' notice of the time, place, and purpose of the meeting. If a majority of the members of the committee are present at the meeting, a majority of those present may select a person to fill the vacancy. The chairperson and secretary of the meeting shall certify in writing and under oath to the board of that county, not later than four p.m. of the eighty-sixth day before the day of the general election, the name of the person selected to fill the vacancy. The certification must be accompanied by the written acceptance of the nomination by the person whose name is certified. A vacancy that may be filled by an intermediate or minor political party shall be filled in accordance with the party's rules by authorized officials of the party. Certification must be made as in the manner provided for a major political party.

(D) If a person nominated in a primary election as a party candidate for election at the next general election, whose candidacy is to be submitted to the electors of a district within a county, withdraws as that candidate or is disqualified as that candidate under section 3513.052 of the Revised Code, the vacancy in the party nomination so created may be filled by a district

committee consisting of those members of the county central 6477
committee or, if so authorized, those members of the county 6478
executive committee in that county of the major political party 6479
that made the nomination at the primary election who represent the 6480
precincts or the wards and townships within the district, if the 6481
committee's chairperson and secretary certify the name of the 6482
person selected to fill the vacancy by the time specified in this 6483
division, at a meeting called for that purpose. The district 6484
committee meeting shall be called by the chairperson of the county 6485
central committee or executive committee, as appropriate, who 6486
shall give each member of the district committee at least two 6487
days' notice of the time, place, and purpose of the meeting. If a 6488
majority of the members of the district committee are present at 6489
the district committee meeting, a majority of those present may 6490
select a person to fill the vacancy. The chairperson and secretary 6491
of the district committee meeting shall certify in writing and 6492
under oath to the board of the county, not later than four p.m. of 6493
the eighty-sixth day before the day of the general election, the 6494
name of the person selected to fill the vacancy. The certification 6495
must be accompanied by the written acceptance of the nomination by 6496
the person whose name is certified. A vacancy that may be filled 6497
by an intermediate or minor political party shall be filled in 6498
accordance with the party's rules by authorized officials of the 6499
party. Certification must be made as in the manner provided for a 6500
major political party. 6501

(E) If a person nominated in a primary election as a party 6502
candidate for election at the next general election, whose 6503
candidacy is to be submitted to the electors of a subdivision 6504
within a county, withdraws as that candidate or is disqualified as 6505
that candidate under section 3513.052 of the Revised Code, the 6506
vacancy in the party nomination so created may be filled by a 6507
subdivision committee consisting of those members of the county 6508
central committee or, if so authorized, those members of the 6509

county executive committee in that county of the major political 6510
party that made the nomination at that primary election who 6511
represent the precincts or the wards and townships within that 6512
subdivision, if the committee's chairperson and secretary certify 6513
the name of the person selected to fill the vacancy by the time 6514
specified in this division, at a meeting called for that purpose. 6515

The subdivision committee meeting shall be called by the 6516
chairperson of the county central committee or executive 6517
committee, as appropriate, who shall give each member of the 6518
subdivision committee at least two days' notice of the time, 6519
place, and purpose of the meeting. If a majority of the members of 6520
the subdivision committee are present at the subdivision committee 6521
meeting, a majority of those present may select a person to fill 6522
the vacancy. The chairperson and secretary of the subdivision 6523
committee meeting shall certify in writing and under oath to the 6524
board of the county, not later than four p.m. of the eighty-sixth 6525
day before the day of the general election, the name of the person 6526
selected to fill the vacancy. The certification must be 6527
accompanied by the written acceptance of the nomination by the 6528
person whose name is certified. A vacancy that may be filled by an 6529
intermediate or minor political party shall be filled in 6530
accordance with the party's rules by authorized officials of the 6531
party. Certification must be made in the manner provided for a 6532
major political party. 6533

(F) If a person nominated by petition as an independent or 6534
nonpartisan candidate for election at the next general election 6535
withdraws as that candidate or is disqualified as that candidate 6536
under section 3513.052 of the Revised Code, the vacancy so created 6537
may be filled by a majority of the committee of five, as 6538
designated on the candidate's nominating petition, if a member of 6539
that committee certifies in writing and under oath to the election 6540
officials with whom the candidate filed the candidate's nominating 6541

petition, not later than the eighty-sixth day before the day of 6542
the general election, the name of the person selected to fill the 6543
vacancy. The certification shall be accompanied by the written 6544
acceptance of the nomination by the person whose name is certified 6545
and shall be made in the manner provided for a major political 6546
party. 6547

(G) If a person nominated in a primary election as a party 6548
candidate for election at the next general election dies, the 6549
vacancy so created may be filled by the same committee in the same 6550
manner as provided in this section for the filling of similar 6551
vacancies created by withdrawals or disqualifications under 6552
section 3513.052 of the Revised Code, except that the 6553
certification, when filling a vacancy created by death, may not be 6554
filed with the secretary of state, or with a board of the most 6555
populous county of a district, or with the board of a county in 6556
which the major portion of the population of a subdivision is 6557
located, later than four p.m. of the tenth day before the day of 6558
such general election, or with any other board later than four 6559
p.m. of the fifth day before the day of such general election. 6560

(H) If a person nominated by petition as an independent or 6561
nonpartisan candidate for election at the next general election 6562
dies prior to the tenth day before the day of that general 6563
election, the vacancy so created may be filled by a majority of 6564
the committee of five designated in the nominating petition to 6565
represent the candidate named in it. To fill the vacancy a member 6566
of the committee shall, not later than four p.m. of the fifth day 6567
before the day of the general election, file with the election 6568
officials with whom the petition nominating the person was filed, 6569
a certificate signed and sworn to under oath by a majority of the 6570
members, designating the person they select to fill the vacancy. 6571
The certification must be accompanied by the written acceptance of 6572
the nomination by the person whose name is so certified. 6573

(I) If a person holding an elective office dies ~~or~~, resigns, ~~retires, is removed, or otherwise vacates that office~~ subsequent 6574
to the one hundred fifteenth day before the day of a primary 6575
election and prior to the eighty-sixth day before the day of the 6576
next general election, and if, under the laws of this state, a 6577
person may be elected at that general election to fill the 6578
unexpired term ~~of the person who has died or resigned~~, the 6579
appropriate committee of each political party, acting as in the 6580
case of a vacancy in a party nomination, as provided in divisions 6581
(A) to (D) of this section, may select a person as the party 6582
candidate for election for such unexpired term at that general 6583
election, and certify the person's name to the appropriate 6584
election official not later than four p.m. on the eighty-sixth day 6585
before the day of that general election, or on the tenth day 6586
following the day on which the vacancy occurs, whichever is later. 6587
When the vacancy occurs on or subsequent to the eighty-sixth day 6588
and prior to the fifty-sixth day before the general election, the 6589
appropriate committee may select a person as the party candidate 6590
and certify the person's name, as provided in the preceding 6591
sentence, not later than four p.m. on the fiftieth day before the 6592
general election. Thereupon the name shall be printed as the party 6593
candidate under proper titles and in the proper place on the 6594
proper ballots for use at the election. If a person has been 6595
nominated in a primary election, the authorized committee of that 6596
political party shall not select and certify a person as the party 6597
candidate. 6598
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(J) Each person desiring to become an independent candidate 6600
to fill the unexpired term shall file a statement of candidacy and 6601
nominating petition, as provided in section 3513.261 of the 6602
Revised Code, with the appropriate election official not later 6603
than four p.m. on the tenth day following the day on which the 6604
vacancy occurs, provided that when the vacancy occurs fewer than 6605
six days before the fifty-sixth day before the general election, 6606

the deadline for filing shall be four p.m. on the fiftieth day 6607
before the general election. The nominating petition shall contain 6608
at least seven hundred fifty signatures and no more than one 6609
thousand five hundred signatures of qualified electors of the 6610
district, political subdivision, or portion of a political 6611
subdivision in which the office is to be voted upon, or the amount 6612
provided for in section 3513.257 of the Revised Code, whichever is 6613
less. 6614

(K) When a person nominated as a candidate by a political 6615
party in a primary election or by nominating petition for an 6616
elective office for which candidates are nominated at a party 6617
primary election withdraws, dies, or is disqualified under section 6618
3513.052 of the Revised Code prior to the general election, the 6619
appropriate committee of any other major political party or 6620
committee of five that has not nominated a candidate for that 6621
office, or whose nominee as a candidate for that office has 6622
withdrawn, died, or been disqualified without the vacancy so 6623
created having been filled, may, acting as in the case of a 6624
vacancy in a party nomination or nomination by petition as 6625
provided in divisions (A) to (F) of this section, whichever is 6626
appropriate, select a person as a candidate of that party or of 6627
that committee of five for election to the office. 6628

Sec. 3515.04. At the time and place fixed for making a 6629
recount, the board of elections, in the presence of all observers 6630
who may be in attendance, shall open the sealed containers 6631
containing the ballots to be recounted, and shall recount them. ~~If~~ 6632
~~a county used punch card ballots and if a chad is attached to a~~ 6633
~~punch card ballot by three or four corners, the voter shall be~~ 6634
~~deemed by the board not to have recorded a candidate, question, or~~ 6635
~~issue choice at the particular position on the ballot, and a vote~~ 6636
~~shall not be counted at that particular position on the ballot in~~ 6637
~~the recount.~~ Ballots shall be handled only by the members of the 6638

board or by the director or other employees of the board. 6639
Observers shall be permitted to see the ballots, but they shall 6640
not be permitted to touch them, and the board shall not permit the 6641
counting or tabulation of votes shown on the ballots for any 6642
nomination, or for election to any office or position, or upon any 6643
question or issue, other than the votes shown on such ballots for 6644
the nomination, election, question, or issue concerning which a 6645
recount of ballots was applied for. 6646

At any time before the ballots from all of the precincts 6647
listed in an application for the recount or involved in a recount 6648
pursuant to section 3515.011 of the Revised Code have been 6649
recounted, the applicant or declared losing candidate or nominee 6650
or each of the declared losing candidates or nominees entitled to 6651
file a request prior to the commencement of a recount, as provided 6652
in section 3515.03 of the Revised Code, may file with the board a 6653
written request to stop the recount and not recount the ballots 6654
from the precincts so listed that have not been recounted prior to 6655
the time of the request. If, upon the request, the board finds 6656
that results of the votes in the precincts recounted, if 6657
substituted for the results of the votes in those precincts as 6658
shown in the abstract of the votes in those precincts, would not 6659
cause the applicant, if a person for whom votes were cast for 6660
nomination or election, to be declared nominated or elected or if 6661
an election upon a question or issue would not cause a result 6662
contrary to the result as declared prior to such recount, it shall 6663
grant the request and shall not recount the ballots of the 6664
precincts listed in the application for recount that have not been 6665
recounted prior to that time. If the board finds otherwise, it 6666
shall deny the request and shall continue to recount ballots until 6667
the ballots from all of the precincts listed in the application 6668
for recount have been recounted; provided that, if the request is 6669
denied, it may be renewed from time to time. Upon any such 6670
renewal, the board shall consider and act upon the request in the 6671

same manner as provided in this section in connection with an 6672
original request. 6673

~~As used in this section, "chad" and "punch card ballot" have 6674
the same meanings as in section 3506.16 of the Revised Code. 6675~~

Sec. 3517.01. (A)(1) A political party within the meaning of 6676
Title XXXV of the Revised Code is any group of voters that, at the 6677
most recent regular state election, polled for its candidate for 6678
governor in the state or nominees for presidential electors at 6679
least five per cent of the entire vote cast for that office or 6680
that filed with the secretary of state, subsequent to any election 6681
in which it received less than five per cent of that vote, a 6682
petition signed by qualified electors equal in number to at least 6683
one-quarter of one per cent of the total vote for governor or 6684
nominees for presidential electors at the most recent election,
declaring their intention of organizing a political party, the 6685
name of which shall be stated in the declaration, and of 6686
participating in the succeeding primary election, held in 6687
even-numbered years, that occurs more than one hundred ~~twenty~~ days 6688
after the date of filing, and filing a subsequent petition signed 6689
by qualified electors equal in number to at least an additional 6690
one-quarter of one per cent of the total vote for governor or 6691
nominees for presidential electors at the most recent election not 6692
later than ninety days before the day of that primary election. ~~No~~ 6693
6694

No such group of electors shall assume a name or designation 6695
that is similar, in the opinion of the secretary of state, to that 6696
of an existing political party as to confuse or mislead the voters 6697
at an election. If any political party fails to cast five per cent 6698
of the total vote cast at an election for the office of governor 6699
or president, it shall cease to be a political party. 6700

(2) A campaign committee shall be legally liable for any 6701
debts, contracts, or expenditures incurred or executed in its 6702

name. 6703

(B) Notwithstanding the definitions found in section 3501.01 6704
of the Revised Code, as used in this section and sections 3517.08 6705
to 3517.14, 3517.99, and 3517.992 of the Revised Code: 6706

(1) "Campaign committee" means a candidate or a combination 6707
of two or more persons authorized by a candidate under section 6708
3517.081 of the Revised Code to receive contributions and make 6709
expenditures. 6710

(2) "Campaign treasurer" means an individual appointed by a 6711
candidate under section 3517.081 of the Revised Code. 6712

(3) "Candidate" has the same meaning as in division (H) of 6713
section 3501.01 of the Revised Code and also includes any person 6714
who, at any time before or after an election, receives 6715
contributions or makes expenditures or other use of contributions, 6716
has given consent for another to receive contributions or make 6717
expenditures or other use of contributions, or appoints a campaign 6718
treasurer, for the purpose of bringing about the person's 6719
nomination or election to public office. When two persons jointly 6720
seek the offices of governor and lieutenant governor, "candidate" 6721
means the pair of candidates jointly. "Candidate" does not include 6722
candidates for election to the offices of member of a county or 6723
state central committee, presidential elector, and delegate to a 6724
national convention or conference of a political party. 6725

(4) "Continuing association" means an association, other than 6726
a campaign committee, political party, legislative campaign fund, 6727
political contributing entity, or labor organization, that is 6728
intended to be a permanent organization that has a primary purpose 6729
other than supporting or opposing specific candidates, political 6730
parties, or ballot issues, and that functions on a regular basis 6731
throughout the year. "Continuing association" includes 6732
organizations that are determined to be not organized for profit 6733

under subsection 501 and that are described in subsection 6734
501(c)(3), 501(c)(4), or 501(c)(6) of the Internal Revenue Code. 6735

(5) "Contribution" means a loan, gift, deposit, forgiveness 6736
of indebtedness, donation, advance, payment, or transfer of funds 6737
or anything of value, including a transfer of funds from an inter 6738
vivos or testamentary trust or decedent's estate, and the payment 6739
by any person other than the person to whom the services are 6740
rendered for the personal services of another person, which 6741
contribution is made, received, or used for the purpose of 6742
influencing the results of an election. Any loan, gift, deposit, 6743
forgiveness of indebtedness, donation, advance, payment, or 6744
transfer of funds or of anything of value, including a transfer of 6745
funds from an inter vivos or testamentary trust or decedent's 6746
estate, and the payment by any campaign committee, political 6747
action committee, legislative campaign fund, political party, 6748
political contributing entity, or person other than the person to 6749
whom the services are rendered for the personal services of 6750
another person, that is made, received, or used by a state or 6751
county political party, other than moneys a state or county 6752
political party receives from the Ohio political party fund 6753
pursuant to section 3517.17 of the Revised Code and the moneys a 6754
state or county political party may receive under sections 6755
3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be 6756
considered to be a "contribution" for the purpose of section 6757
3517.10 of the Revised Code and shall be included on a statement 6758
of contributions filed under that section. 6759

"Contribution" does not include any of the following: 6760

(a) Services provided without compensation by individuals 6761
volunteering a portion or all of their time on behalf of a person; 6762

(b) Ordinary home hospitality; 6763

(c) The personal expenses of a volunteer paid for by that 6764

volunteer campaign worker; 6765

(d) Any gift given to a state or county political party 6766
pursuant to section 3517.101 of the Revised Code. As used in 6767
division (B)(5)(d) of this section, "political party" means only a 6768
major political party; 6769

(e) Any contribution as defined in section 3517.1011 of the 6770
Revised Code that is made, received, or used to pay the direct 6771
costs of producing or airing an electioneering communication; 6772

(f) Any gift given to a state or county political party for 6773
the party's restricted fund under division (A)(2) of section 6774
3517.1012 of the Revised Code; 6775

(g) Any gift given to a state political party for deposit in 6776
a Levin account pursuant to section 3517.1013 of the Revised Code. 6777
As used in this division, "Levin account" has the same meaning as 6778
in that section. 6779

(h) Any donation given to a transition fund under section 6780
3517.1014 of the Revised Code. 6781

(6) "Expenditure" means the disbursement or use of a 6782
contribution for the purpose of influencing the results of an 6783
election or of making a charitable donation under division (G) of 6784
section 3517.08 of the Revised Code. Any disbursement or use of a 6785
contribution by a state or county political party is an 6786
expenditure and shall be considered either to be made for the 6787
purpose of influencing the results of an election or to be made as 6788
a charitable donation under division (G) of section 3517.08 of the 6789
Revised Code and shall be reported on a statement of expenditures 6790
filed under section 3517.10 of the Revised Code. During the thirty 6791
days preceding a primary or general election, any disbursement to 6792
pay the direct costs of producing or airing a broadcast, cable, or 6793
satellite communication that refers to a clearly identified 6794
candidate shall be considered to be made for the purpose of 6795

influencing the results of that election and shall be reported as 6796
an expenditure or as an independent expenditure under section 6797
3517.10 or 3517.105 of the Revised Code, as applicable, except 6798
that the information required to be reported regarding 6799
contributors for those expenditures or independent expenditures 6800
shall be the same as the information required to be reported under 6801
divisions (D)(1) and (2) of section 3517.1011 of the Revised Code. 6802

As used in this division, "broadcast, cable, or satellite 6803
communication" and "refers to a clearly identified candidate" have 6804
the same meanings as in section 3517.1011 of the Revised Code. 6805

(7) "Personal expenses" includes, but is not limited to, 6806
ordinary expenses for accommodations, clothing, food, personal 6807
motor vehicle or airplane, and home telephone. 6808

(8) "Political action committee" means a combination of two 6809
or more persons, the primary or major purpose of which is to 6810
support or oppose any candidate, political party, or issue, or to 6811
influence the result of any election through express advocacy, and 6812
that is not a political party, a campaign committee, a political 6813
contributing entity, or a legislative campaign fund. "Political 6814
action committee" does not include either of the following: 6815

(a) A continuing association that makes disbursements for the 6816
direct costs of producing or airing electioneering communications 6817
and that does not engage in express advocacy; 6818

(b) A political club that is formed primarily for social 6819
purposes and that consists of one hundred members or less, has 6820
officers and periodic meetings, has less than two thousand five 6821
hundred dollars in its treasury at all times, and makes an 6822
aggregate total contribution of one thousand dollars or less per 6823
calendar year. 6824

(9) "Public office" means any state, county, municipal, 6825
township, or district office, except an office of a political 6826

party, that is filled by an election and the offices of United States senator and representative.

(10) "Anything of value" has the same meaning as in section 1.03 of the Revised Code.

(11) "Beneficiary of a campaign fund" means a candidate, a public official or employee for whose benefit a campaign fund exists, and any other person who has ever been a candidate or public official or employee and for whose benefit a campaign fund exists.

(12) "Campaign fund" means money or other property, including contributions.

(13) "Public official or employee" has the same meaning as in section 102.01 of the Revised Code.

(14) "Caucus" means all of the members of the house of representatives or all of the members of the senate of the general assembly who are members of the same political party.

(15) "Legislative campaign fund" means a fund that is established as an auxiliary of a state political party and associated with one of the houses of the general assembly.

(16) "In-kind contribution" means anything of value other than money that is used to influence the results of an election or is transferred to or used in support of or in opposition to a candidate, campaign committee, legislative campaign fund, political party, political action committee, or political contributing entity and that is made with the consent of, in coordination, cooperation, or consultation with, or at the request or suggestion of the benefited candidate, committee, fund, party, or entity. The financing of the dissemination, distribution, or republication, in whole or part, of any broadcast or of any written, graphic, or other form of campaign materials prepared by the candidate, the candidate's campaign committee, or their

authorized agents is an in-kind contribution to the candidate and 6858
an expenditure by the candidate. 6859

(17) "Independent expenditure" means an expenditure by a 6860
person advocating the election or defeat of an identified 6861
candidate or candidates, that is not made with the consent of, in 6862
coordination, cooperation, or consultation with, or at the request 6863
or suggestion of any candidate or candidates or of the campaign 6864
committee or agent of the candidate or candidates. As used in 6865
division (B)(17) of this section: 6866

(a) "Person" means an individual, partnership, unincorporated 6867
business organization or association, political action committee, 6868
political contributing entity, separate segregated fund, 6869
association, or other organization or group of persons, but not a 6870
labor organization or a corporation unless the labor organization 6871
or corporation is a political contributing entity. 6872

(b) "Advocating" means any communication containing a message 6873
advocating election or defeat. 6874

(c) "Identified candidate" means that the name of the 6875
candidate appears, a photograph or drawing of the candidate 6876
appears, or the identity of the candidate is otherwise apparent by 6877
unambiguous reference. 6878

(d) "Made in coordination, cooperation, or consultation with, 6879
or at the request or suggestion of, any candidate or the campaign 6880
committee or agent of the candidate" means made pursuant to any 6881
arrangement, coordination, or direction by the candidate, the 6882
candidate's campaign committee, or the candidate's agent prior to 6883
the publication, distribution, display, or broadcast of the 6884
communication. An expenditure is presumed to be so made when it is 6885
any of the following: 6886

(i) Based on information about the candidate's plans, 6887
projects, or needs provided to the person making the expenditure 6888

by the candidate, or by the candidate's campaign committee or agent, with a view toward having an expenditure made;

(ii) Made by or through any person who is, or has been, authorized to raise or expend funds, who is, or has been, an officer of the candidate's campaign committee, or who is, or has been, receiving any form of compensation or reimbursement from the candidate or the candidate's campaign committee or agent;

(iii) Except as otherwise provided in division (D) of section 3517.105 of the Revised Code, made by a political party in support of a candidate, unless the expenditure is made by a political party to conduct voter registration or voter education efforts.

(e) "Agent" means any person who has actual oral or written authority, either express or implied, to make or to authorize the making of expenditures on behalf of a candidate, or means any person who has been placed in a position with the candidate's campaign committee or organization such that it would reasonably appear that in the ordinary course of campaign-related activities the person may authorize expenditures.

(18) "Labor organization" means a labor union; an employee organization; a federation of labor unions, groups, locals, or other employee organizations; an auxiliary of a labor union, employee organization, or federation of labor unions, groups, locals, or other employee organizations; or any other bona fide organization in which employees participate and that exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, hours, and other terms and conditions of employment.

(19) "Separate segregated fund" means a separate segregated fund established pursuant to the Federal Election Campaign Act.

(20) "Federal Election Campaign Act" means the "Federal Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et

seq., as amended. 6920

(21) "Restricted fund" means the fund a state or county 6921
political party must establish under division (A)(1) of section 6922
3517.1012 of the Revised Code. 6923

(22) "Electioneering communication" has the same meaning as 6924
in section 3517.1011 of the Revised Code. 6925

(23) "Express advocacy" means a communication that contains 6926
express words advocating the nomination, election, or defeat of a 6927
candidate or that contains express words advocating the adoption 6928
or defeat of a question or issue, as determined by a final 6929
judgment of a court of competent jurisdiction. 6930

(24) "Political committee" has the same meaning as in section 6931
3517.1011 of the Revised Code. 6932

(25) "Political contributing entity" means any entity, 6933
including a corporation or labor organization, that may lawfully 6934
make contributions and expenditures and that is not an individual 6935
or a political action committee, continuing association, campaign 6936
committee, political party, legislative campaign fund, designated 6937
state campaign committee, or state candidate fund. For purposes of 6938
this division, "lawfully" means not prohibited by any section of 6939
the Revised Code, or authorized by a final judgment of a court of 6940
competent jurisdiction. 6941

Sec. 3517.012. (A) When a petition meeting the requirements 6942
of division (A)(1)(a) of section 3517.01 of the Revised Code 6943
declaring the intention to organize a political party is filed 6944
with the secretary of state, the new party comes into legal 6945
existence on the date of filing and is entitled to hold a primary 6946
election as set out in section 3513.01 of the Revised Code, at the 6947
primary election, held in even-numbered years that occurs more 6948
than one hundred ~~twenty~~ days after the date of filing. 6949

(B) When a petition meeting the requirements of division (A)(1)(b) of section 3517.01 of the Revised Code declaring the intention to organize a political party is filed with the secretary of state, the new party comes into legal existence on the date of filing and is entitled to certify the names of candidates for president and vice-president for the general election ballot, as specified in division (B)(3) of section 3505.10 of the Revised Code, at the general election, held in the year in which a presidential primary election is conducted, that occurs more than eighty days after the date of filing. 6950
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Sec. 3517.211. (A) No elected official of a county, township, municipal corporation, board of education, governing board of an educational service center, or other local political subdivision shall, during the ninety days before that elected official's name appears on the ballot at an election, produce or disseminate any mass mailing or any form of advertising from the official's office that includes the name or photograph of the elected official. A document or any form of advertising produced or disseminated during the ninety-day restricted period may include the name of the office the official holds, but shall not include the name or photograph of the official. 6960
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(B) No violation of division (A) of this section occurs, and no fine shall be imposed under section 3517.992 of the Revised Code, if an elected official who is subject to the provisions of division (A) of this section sends out normal office correspondence using office letterhead that is issued on a regular schedule throughout the year during the ninety days before the date of any election at which the elected official's name will appear on the ballot. 6971
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Sec. 3517.992. This section establishes penalties only with respect to acts or failures to act that occur on and after August 6979
6980

24, 1995. 6981

(A)(1) A candidate whose campaign committee violates division 6982
(A), (B), (C), (D), or (V) of section 3517.13 of the Revised Code, 6983
or a treasurer of a campaign committee who violates any of those 6984
divisions, shall be fined not more than one hundred dollars for 6985
each day of violation. 6986

(2) Whoever violates division (E) or (X)(5) of section 6987
3517.13 or division (E)(1) of section 3517.1014 of the Revised 6988
Code shall be fined not more than one hundred dollars for each day 6989
of violation. 6990

(B) A political party that violates division (F)(1) of 6991
section 3517.101 of the Revised Code shall be fined not more than 6992
one hundred dollars for each day of violation. 6993

(C) Whoever violates division (F)(2) of section 3517.101, 6994
division (G) of section 3517.13, or division (E)(2) or (3) of 6995
section 3517.1014 of the Revised Code shall be fined not more than 6996
ten thousand dollars or, if the offender is a person who was 6997
nominated or elected to public office, shall forfeit the 6998
nomination or the office to which the offender was elected, or 6999
both. 7000

(D) Whoever violates division (F) of section 3517.13 of the 7001
Revised Code shall be fined not more than three times the amount 7002
contributed. 7003

(E) Whoever violates division (H) of section 3517.13 of the 7004
Revised Code shall be fined not more than one hundred dollars. 7005

(F) Whoever violates division (O), (P), or (Q) of section 7006
3517.13 of the Revised Code is guilty of a misdemeanor of the 7007
first degree. 7008

(G) A state or county committee of a political party that 7009
violates division (B)(1) of section 3517.18 of the Revised Code 7010

shall be fined not more than twice the amount of the improper expenditure. 7011
7012

(H) A state or county political party that violates division 7013
(G) of section 3517.101 of the Revised Code shall be fined not 7014
more than twice the amount of the improper expenditure or use. 7015

(I)(1) Any individual who violates division (B)(1) of section 7016
3517.102 of the Revised Code and knows that the contribution the 7017
individual makes violates that division shall be fined an amount 7018
equal to three times the amount contributed in excess of the 7019
amount permitted by that division. 7020

(2) Any political action committee that violates division 7021
(B)(2) of section 3517.102 of the Revised Code shall be fined an 7022
amount equal to three times the amount contributed in excess of 7023
the amount permitted by that division. 7024

(3) Any campaign committee that violates division (B)(3) or 7025
(5) of section 3517.102 of the Revised Code shall be fined an 7026
amount equal to three times the amount contributed in excess of 7027
the amount permitted by that division. 7028

(4)(a) Any legislative campaign fund that violates division 7029
(B)(6) of section 3517.102 of the Revised Code shall be fined an 7030
amount equal to three times the amount transferred or contributed 7031
in excess of the amount permitted by that division, as applicable. 7032

(b) Any state political party, county political party, or 7033
state candidate fund of a state political party or county 7034
political party that violates division (B)(6) of section 3517.102 7035
of the Revised Code shall be fined an amount equal to three times 7036
the amount transferred or contributed in excess of the amount 7037
permitted by that division, as applicable. 7038

(c) Any political contributing entity that violates division 7039
(B)(7) of section 3517.102 of the Revised Code shall be fined an 7040
amount equal to three times the amount contributed in excess of 7041

the amount permitted by that division. 7042

(5) Any political party that violates division (B)(4) of 7043
section 3517.102 of the Revised Code shall be fined an amount 7044
equal to three times the amount contributed in excess of the 7045
amount permitted by that division. 7046

(6) Notwithstanding divisions (I)(1), (2), (3), (4), and (5) 7047
of this section, no violation of division (B) of section 3517.102 7048
of the Revised Code occurs, and the secretary of state shall not 7049
refer parties to the Ohio elections commission, if the amount 7050
transferred or contributed in excess of the amount permitted by 7051
that division meets either of the following conditions: 7052

(a) It is completely refunded within five business days after 7053
it is accepted. 7054

(b) It is completely refunded on or before the tenth business 7055
day after notification to the recipient of the excess transfer or 7056
contribution by the board of elections or the secretary of state 7057
that a transfer or contribution in excess of the permitted amount 7058
has been received. 7059

(J)(1) Any campaign committee that violates division (C)(1), 7060
(2), (3), or (6) of section 3517.102 of the Revised Code shall be 7061
fined an amount equal to three times the amount accepted in excess 7062
of the amount permitted by that division. 7063

(2)(a) Any county political party that violates division 7064
(C)(4)(a)(ii) or (iii) of section 3517.102 of the Revised Code 7065
shall be fined an amount equal to three times the amount accepted. 7066

(b) Any county political party that violates division 7067
(C)(4)(a)(i) of section 3517.102 of the Revised Code shall be 7068
fined an amount from its state candidate fund equal to three times 7069
the amount accepted in excess of the amount permitted by that 7070
division. 7071

(c) Any state political party that violates division 7072
(C)(4)(b) of section 3517.102 of the Revised Code shall be fined 7073
an amount from its state candidate fund equal to three times the 7074
amount accepted in excess of the amount permitted by that 7075
division. 7076

(3) Any legislative campaign fund that violates division 7077
(C)(5) of section 3517.102 of the Revised Code shall be fined an 7078
amount equal to three times the amount accepted in excess of the 7079
amount permitted by that division. 7080

(4) Any political action committee or political contributing 7081
entity that violates division (C)(7) of section 3517.102 of the 7082
Revised Code shall be fined an amount equal to three times the 7083
amount accepted in excess of the amount permitted by that 7084
division. 7085

(5) Notwithstanding divisions (J)(1), (2), (3), and (4) of 7086
this section, no violation of division (C) of section 3517.102 of 7087
the Revised Code occurs, and the secretary of state shall not 7088
refer parties to the Ohio elections commission, if the amount 7089
transferred or contributed in excess of the amount permitted to be 7090
accepted by that division meets either of the following 7091
conditions: 7092

(a) It is completely refunded within five business days after 7093
its acceptance. 7094

(b) It is completely refunded on or before the tenth business 7095
day after notification to the recipient of the excess transfer or 7096
contribution by the board of elections or the secretary of state 7097
that a transfer or contribution in excess of the permitted amount 7098
has been received. 7099

(K)(1) Any legislative campaign fund that violates division 7100
(F)(1) of section 3517.102 of the Revised Code shall be fined 7101
twenty-five dollars for each day of violation. 7102

(2) Any legislative campaign fund that violates division 7103
(F)(2) of section 3517.102 of the Revised Code shall give to the 7104
treasurer of state for deposit into the state treasury to the 7105
credit of the Ohio elections commission fund all excess 7106
contributions not disposed of as required by division (E) of 7107
section 3517.102 of the Revised Code. 7108

(L) Whoever violates section 3517.105 of the Revised Code 7109
shall be fined one thousand dollars. 7110

(M)(1) Whoever solicits a contribution in violation of 7111
section 3517.092 or violates division (B) of section 3517.09 of 7112
the Revised Code is guilty of a misdemeanor of the first degree. 7113

(2) Whoever knowingly accepts a contribution in violation of 7114
division (B) or (C) of section 3517.092 of the Revised Code shall 7115
be fined an amount equal to three times the amount accepted in 7116
violation of either of those divisions and shall return to the 7117
contributor any amount so accepted. Whoever unknowingly accepts a 7118
contribution in violation of division (B) or (C) of section 7119
3517.092 of the Revised Code shall return to the contributor any 7120
amount so accepted. 7121

(N) Whoever violates division (S) of section 3517.13 of the 7122
Revised Code shall be fined an amount equal to three times the 7123
amount of funds transferred or three times the value of the assets 7124
transferred in violation of that division. 7125

(O) Any campaign committee that accepts a contribution or 7126
contributions in violation of section 3517.108 of the Revised 7127
Code, uses a contribution in violation of that section, or fails 7128
to dispose of excess contributions in violation of that section 7129
shall be fined an amount equal to three times the amount accepted, 7130
used, or kept in violation of that section. 7131

(P) Any political party, state candidate fund, legislative 7132
candidate fund, or campaign committee that violates division (T) 7133

of section 3517.13 of the Revised Code shall be fined an amount 7134
equal to three times the amount contributed or accepted in 7135
violation of that section. 7136

(Q) A treasurer of a committee or another person who violates 7137
division (U) of section 3517.13 of the Revised Code shall be fined 7138
not more than two hundred fifty dollars. 7139

(R) Whoever violates division (I) or (J) of section 3517.13 7140
of the Revised Code shall be fined not more than one thousand 7141
dollars. Whenever a person is found guilty of violating division 7142
(I) or (J) of section 3517.13 of the Revised Code, the contract 7143
awarded in violation of either of those divisions shall be 7144
rescinded if its terms have not yet been performed. 7145

(S) A candidate whose campaign committee violates or a 7146
treasurer of a campaign committee who violates section 3517.081 of 7147
the Revised Code, and a candidate whose campaign committee 7148
violates or a treasurer of a campaign committee or another person 7149
who violates division (C) of section 3517.10 of the Revised Code, 7150
shall be fined not more than five hundred dollars. 7151

(T) A candidate whose campaign committee violates or a 7152
treasurer of a committee who violates division (B) of section 7153
3517.09 of the Revised Code, or a candidate whose campaign 7154
committee violates or a treasurer of a campaign committee or 7155
another person who violates division (C) of section 3517.09 of the 7156
Revised Code shall be fined not more than one thousand dollars. 7157

(U) Whoever violates section 3517.20 of the Revised Code 7158
shall be fined not more than five hundred dollars. 7159

(V) Whoever violates section 3517.21 or 3517.22 of the 7160
Revised Code shall be imprisoned for not more than six months or 7161
fined not more than five thousand dollars, or both. 7162

(W) A campaign committee that is required to file a 7163
declaration of no limits under division (D)(2) of section 3517.103 7164

of the Revised Code that, before filing that declaration, accepts 7165
a contribution or contributions that exceed the limitations 7166
prescribed in section 3517.102 of the Revised Code, shall return 7167
that contribution or those contributions to the contributor. 7168

(X) Any campaign committee that fails to file the declaration 7169
of filing-day finances required by division (F) of section 7170
3517.109 of the Revised Code or the declaration of primary-day 7171
finances or declaration of year-end finances required by division 7172
(E) of section 3517.1010 of the Revised Code shall be fined 7173
twenty-five dollars for each day of violation. 7174

(Y)(1) Any campaign committee that fails to dispose of excess 7175
funds or excess aggregate contributions under division (B) of 7176
section 3517.109 of the Revised Code in the manner required by 7177
division (C) of that section or under division (B) of section 7178
3517.1010 of the Revised Code in the manner required by division 7179
(C) of that section shall give to the treasurer of state for 7180
deposit into the Ohio elections commission fund created under 7181
division (I) of section 3517.152 of the Revised Code all funds not 7182
disposed of pursuant to those divisions. 7183

(2) Any treasurer of a transition fund that fails to dispose 7184
of assets remaining in the transition fund as required under 7185
division (H)(1) or (2) of section 3517.1014 of the Revised Code 7186
shall give to the treasurer of state for deposit into the Ohio 7187
elections commission fund all assets not disposed of pursuant to 7188
that division. 7189

(Z) Any individual, campaign committee, political action 7190
committee, political contributing entity, legislative campaign 7191
fund, political party, treasurer of a transition fund, or other 7192
entity that violates any provision of sections 3517.09 to 3517.12 7193
of the Revised Code for which no penalty is provided for under any 7194
other division of this section shall be fined not more than one 7195
thousand dollars. 7196

(AA)(1) Whoever knowingly violates division (W)(1) of section 7197
3517.13 of the Revised Code shall be fined an amount equal to 7198
three times the amount contributed, expended, or promised in 7199
violation of that division or ten thousand dollars, whichever 7200
amount is greater. 7201

(2) Whoever knowingly violates division (W)(2) of section 7202
3517.13 of the Revised Code shall be fined an amount equal to 7203
three times the amount solicited or accepted in violation of that 7204
division or ten thousand dollars, whichever amount is greater. 7205

(BB) Whoever knowingly violates division (C) or (D) of 7206
section 3517.1011 of the Revised Code shall be fined not more than 7207
ten thousand dollars plus not more than one thousand dollars for 7208
each day of violation. 7209

(CC)(1) Subject to division (CC)(2) of this section, whoever 7210
violates division (H) of section 3517.1011 of the Revised Code 7211
shall be fined an amount up to three times the amount disbursed 7212
for the direct costs of airing the communication made in violation 7213
of that division. 7214

(2) Whoever has been ordered by the Ohio elections commission 7215
or by a court of competent jurisdiction to cease making 7216
communications in violation of division (H) of section 3517.1011 7217
of the Revised Code who again violates that division shall be 7218
fined an amount equal to three times the amount disbursed for the 7219
direct costs of airing the communication made in violation of that 7220
division. 7221

(DD)(1) Any corporation or labor organization that violates 7222
division (X)(3)(a) of section 3517.13 of the Revised Code shall be 7223
fined an amount equal to three times the amount given in excess of 7224
the amount permitted by that division. 7225

(2) Any state or county political party that violates 7226
division (X)(3)(b) of section 3517.13 of the Revised Code shall be 7227

fined an amount equal to three times the amount accepted in excess 7228
of the amount permitted by that division. 7229

(EE)(1) Any campaign committee or person who violates 7230
division (C)(1)(b) or (c) of section 3517.1014 of the Revised Code 7231
shall be fined an amount equal to three times the amount donated 7232
in excess of the amount permitted by that division. 7233

(2) Any officeholder or treasurer of a transition fund who 7234
violates division (C)(3)(a) or (b) of section 3517.1014 of the 7235
Revised Code shall be fined an amount equal to three times the 7236
amount accepted in excess of the amount permitted by that 7237
division. 7238

(FF) Whoever violates division (A) of section 3517.211 of the 7239
Revised Code shall be fined an amount equal to at least three 7240
times the cost of producing and disseminating the document or paid 7241
for the advertising, which amount shall be paid to the political 7242
subdivision the elected official of which produced or disseminated 7243
the document or paid for the advertising, and such person shall be 7244
subject to any applicable penalties for any other violations of 7245
this chapter the person may have committed. 7246

Sec. 3519.01. (A) Only one proposal of law or constitutional 7247
amendment to be proposed by initiative petition shall be contained 7248
in an initiative petition to enable the voters to vote on that 7249
proposal separately. A petition shall include the text of any 7250
existing statute or constitutional provision that would be amended 7251
or repealed if the proposed law or constitutional amendment is 7252
adopted. 7253

Whoever seeks to propose a law or constitutional amendment by 7254
initiative petition shall, by a written petition signed by one 7255
thousand qualified electors, submit the proposed law or 7256
constitutional amendment and a summary of it to the attorney 7257
general for examination. Within ten days after the receipt of the 7258

written petition and the summary of it, the attorney general shall 7259
conduct an examination of the summary. If, in the opinion of the 7260
attorney general, the summary is a fair and truthful statement of 7261
the proposed law or constitutional amendment, the attorney general 7262
shall so certify and then forward the submitted petition to the 7263
Ohio ballot board for its approval under division (A) of section 7264
3505.062 of the Revised Code. If the Ohio ballot board returns the 7265
submitted petition to the attorney general with its certification 7266
as described in that division, the attorney general shall then 7267
file with the secretary of state a verified copy of the proposed 7268
law or constitutional amendment together with its summary and the 7269
attorney general's certification. 7270

Whenever the Ohio ballot board divides an initiative petition 7271
into individual petitions containing only one proposed law or 7272
constitutional amendment under division (A) of section 3505.062 of 7273
the Revised Code resulting in the need for the petitioners to 7274
resubmit to the attorney general appropriate summaries for each of 7275
the individual petitions arising from the board's division of the 7276
initiative petition, the attorney general shall review the 7277
resubmitted summaries, within ten days after their receipt, to 7278
determine if they are a fair and truthful statement of the 7279
respective proposed laws or constitutional amendments and, if so, 7280
certify them. These resubmissions shall contain no new 7281
explanations or arguments. Then, the attorney general shall file 7282
with the secretary of state a verified copy of each of the 7283
proposed laws or constitutional amendments together with their 7284
respective summaries and the attorney general's certification of 7285
each. 7286

(B)(1) Whoever seeks to file a referendum petition against 7287
any law, section, or item in any law shall, by a written petition 7288
signed by one thousand qualified electors, submit the measure to 7289
be referred and a summary of it to the secretary of state and, on 7290

the same day or within one business day before or after that day, 7291
submit a copy of the petition, measure, and summary to the 7292
attorney general. 7293

(2) Not later than ten business days after receiving the 7294
petition, measure, and summary, the secretary of state shall do 7295
both of the following: 7296

(a) Have the validity of the signatures on the petition 7297
verified; 7298

(b) After comparing the text of the measure to be referred 7299
with the copy of the enrolled act on file in the secretary of 7300
state's office containing the law, section, or item of law, 7301
determine whether the text is correct and, if it is, so certify. 7302

(3) Not later than ten business days after receiving a copy 7303
of the petition, measure, and summary, the attorney general shall 7304
examine the summary and, if in the attorney general's opinion, the 7305
summary is a fair and truthful statement of the measure to be 7306
referred, so certify. 7307

(C) Any person who is aggrieved by a certification decision 7308
under division (A) or (B) of this section may challenge the 7309
certification or failure to certify of the attorney general in the 7310
supreme court, which shall have exclusive, original jurisdiction 7311
in all challenges of those certification decisions. 7312

~~Sec. 3519.16. The circulator of any part petition, the 7313
committee interested in the petition, or any elector may file with 7314
the board of elections a protest against the board's findings made 7315
pursuant to section 3519.15 of the Revised Code. Protests shall be 7316
in writing and shall specify reasons for the protest. Protests for 7317
all initiative and referendum petitions other than those to be 7318
voted on by electors throughout the entire state shall be filed 7319
not later than four p.m. of the seventy-fourth day before the day 7320~~

~~of the election. Once a protest is filed, the board shall proceed
to establish the sufficiency or insufficiency of the signatures
and of the verification of those signatures in an action before
the court of common pleas in the county. The action shall be
brought within three days after the protest is filed, and it shall
be heard forthwith by a judge of that court, whose decision shall
be certified to the board. The signatures that are adjudged
sufficient or the part petitions that are adjudged properly
verified shall be included with the others by the board, and those
found insufficient and all those part petitions that are adjudged
not properly verified shall not be included. (A) Pursuant to
Section 1g of Article II, Ohio Constitution, the supreme court of
Ohio shall have original, exclusive jurisdiction in all challenges
to initiative and referendum petitions.~~

(B) The petitioner of any petition shall include upon each
part-petition filed with the secretary of state a designation of
the county in which the part-petition was circulated and a number
for each part-petition. In any county where part-petitions are
circulated, each part-petition shall be numbered sequentially.
Upon the filing of the petition with the secretary of state, the
petitioner of any petition shall also file the following:

(1) An electronic copy of the petition filed along with a
verification that the electronic copy is a true representation of
the original paper petition filed with the secretary of state;

(2) A summary of the number of part-petitions filed per
county and the number of signatures on each part-petition;

(3) An index of the electronic copy.

(C) For a request made under Chapter 149. of the Revised Code
for the inspection or copying of the original petition filed with
the secretary of state, the request is fulfilled when the
secretary of state provides inspection of or copies of the

electronic copy filed by the circulator of the petition. This 7352
section applies from the time of the initial filing of the 7353
petition with the secretary of state and remains applicable until 7354
the part-petitions are returned to the secretary of state from the 7355
local board of elections after a determination of sufficiency of 7356
the petition pursuant to section 3519.15 of the Revised Code. 7357

(D) Discrepancies between the electronic copy filed under 7358
division (B)(1) of this section and the original paper petitions 7359
as filed with the secretary of state shall not render the petition 7360
invalid. Discrepancies between a filed electronic copy and the 7361
original paper petition, if the product of fraud, shall be subject 7362
to criminal penalties under section 3599.36 of the Revised Code. 7363

(E) The properly verified part-petitions, together with the 7364
report of the board, shall be returned to the secretary of state 7365
not less than sixty days before the election, provided that, in 7366
the case of an initiated law to be presented to the general 7367
assembly, the boards shall promptly check and return the petitions 7368
together with their report. The secretary of state shall notify, 7369
by certified mail, the chairperson each member of the committee in 7370
charge of the circulation as to the sufficiency or insufficiency 7371
of the petition and the extent of the insufficiency. 7372

If the petition is found insufficient because of an 7373
insufficient number of valid signatures, the committee shall be 7374
allowed ten additional days after the ~~notification by first member~~ 7375
of the committee receives notice of the petition's insufficiency 7376
by certified mail from the secretary of state for the filing of 7377
additional signatures to the petition. No additional signatures 7378
may be collected by the circulator of the petition until the 7379
secretary of state determines the sufficiency of the signatures 7380
that the circulator originally filed with the secretary of state. 7381
The part-petitions of the supplementary petition that appear to 7382
the secretary of state to be properly verified, upon their receipt 7383

by the secretary of state, shall forthwith be forwarded to the 7384
boards of the several counties together with the part-petitions of 7385
the original petition that have been properly verified. They shall 7386
be immediately examined and passed upon as to the validity and 7387
sufficiency of the signatures on them by each of the boards and 7388
returned within five days to the secretary of state with the 7389
report of each board. No signature on a supplementary 7390
part-petition that is the same as a signature on an original 7391
part-petition shall be counted. The number of signatures in both 7392
the original and supplementary petitions, properly verified, shall 7393
be used by the secretary of state in determining the total number 7394
of signatures to the petition that the secretary of state shall 7395
record and announce. If they are sufficient, the amendment, 7396
proposed law, or law shall be placed on the ballot as required by 7397
law. If the petition is found insufficient, the secretary of state 7398
shall notify the committee in charge of the circulation of the 7399
petition. 7400

Sec. 3599.07. No ~~judge of elections~~ precinct election 7401
official, observer, or police officer admitted into the polling 7402
rooms at the election, at any time while the polls are open, shall 7403
have in the individual's possession, distribute, or give out any 7404
ballot or ticket to any person on any pretense during the 7405
receiving, counting, or certifying of the votes, or have any 7406
ballot or ticket in the individual's possession or control, except 7407
in the proper discharge of the individual's official duty in 7408
receiving, counting, or canvassing the votes. This section does 7409
not prevent the lawful exercise by a ~~judge of elections~~ precinct
election official or observer of the individual right to vote at 7411
such election. 7412

Sec. 3599.17. (A) No elections official serving as a 7413
registrar or ~~judge of elections~~ precinct election official shall 7414

do any of the following:	7415
(1) Fail to appear before the board of elections, or its representative, after notice has been served personally upon the official or left at the official's usual place of residence, for examination as to the official's qualifications;	7416 7417 7418 7419
(2) Fail to appear at the polling place to which the official is assigned at the hour and during the hours set for the registration or election;	7420 7421 7422
(3) Fail to take the oath prescribed by section 3501.31 of the Revised Code, unless excused by such board;	7423 7424
(4) Refuse or sanction the refusal of another registrar or judge of elections <u>precinct election official</u> to administer an oath required by law;	7425 7426 7427
(5) Fail to send notice to the board of the appointment of a judge <u>precinct election official</u> to fill a vacancy;	7428 7429
(6) Act as registrar or judge <u>precinct election official</u> without having been appointed and having received a certificate of appointment, except a judge <u>precinct election official</u> appointed to fill a vacancy caused by absence or removal;	7430 7431 7432 7433
(7) Fail in any other way to perform any duty imposed by law.	7434
(B) Whoever violates division (A) of this section is guilty of a misdemeanor of the first degree.	7435 7436
Sec. 3599.19. (A) No judge of elections <u>precinct election official</u> shall knowingly do any of the following:	7437 7438
(1) Unlawfully open or permit to be opened the sealed package containing registration lists, ballots, blanks, pollbooks, and other papers and material to be used in an election;	7439 7440 7441
(2) Unlawfully misplace, carry away, negligently lose or permit to be taken from the judge <u>precinct election official</u> , fail	7442 7443

to deliver, or destroy any such packages, papers, or material; 7444

(3) Receive or sanction the reception of a ballot from a 7445
person not a qualified elector or from a person who refused to 7446
answer a question in accordance with the election law; 7447

(4) Refuse to receive or sanction the rejection of a ballot 7448
from a person, knowing that person to be a qualified elector; 7449

(5) Permit a fraudulent ballot to be placed in the ballot 7450
box; 7451

(6) Place or permit to be placed in any ballot box any ballot 7452
known by the ~~judge~~ precinct election official to be improperly or 7453
falsely marked; 7454

(7) Count or permit to be counted any illegal or fraudulent 7455
ballot; 7456

(8) Mislead an elector who is physically unable to prepare 7457
the elector's ballot, mark a ballot for such elector otherwise 7458
than as directed by that elector, or disclose to any person, 7459
except when legally required to do so, how such elector voted; 7460

(9) Alter or mark or permit any alteration or marking on any 7461
ballot when counting the ballots; 7462

(10) Unlawfully count or tally or sanction the wrongful 7463
counting or tallying of votes; 7464

(11) After the counting of votes commences, as required by 7465
law, postpone or sanction the postponement of the counting of 7466
votes, adjourn at any time or to any place, or remove the ballot 7467
box from the place of voting, or from the custody or presence of 7468
all the ~~judges of such elections~~ precinct election officials; 7469

(12) Permit any ballot to remain or to be in the ballot box 7470
at the opening of the polls, or to be put in the box during the 7471
counting of the ballots, or to be left in the box without being 7472
counted; 7473

(13) Admit or sanction the admission to the polling room at 7474
an election during the receiving, counting, and certifying of 7475
votes of any person not qualified by law to be so admitted; 7476

(14) Refuse to admit or sanction the refusal to admit any 7477
person, upon lawful request for admission, who is legally 7478
qualified to be present; 7479

(15) Permit or sanction the counting of the ballots contrary 7480
to the manner prescribed by law; 7481

(16) Neglect or unlawfully execute any duty enjoined upon the 7482
~~judge~~ precinct election official by law. 7483

(B) Whoever violates division (A) of this section is guilty 7484
of a misdemeanor of the first degree. 7485

Sec. 3599.31. No officer of the law shall fail to obey 7486
forthwith an order of the ~~presiding judge~~ voting location manager 7487
and aid in enforcing a lawful order of the ~~presiding judges~~ voting 7488
location manager at an election, against persons unlawfully 7489
congregating or loitering within one hundred feet of a polling 7490
place, hindering or delaying an elector from reaching or leaving 7491
the polling place, soliciting or attempting, within one hundred 7492
feet of the polling place, to influence an elector in casting the 7493
elector's vote, or interfering with the registration of voters or 7494
casting and counting of the ballots. 7495

Whoever violates this section is guilty of a misdemeanor of 7496
the first degree. 7497

Sec. 4301.32. The privilege of local option as to the sale of 7498
intoxicating liquors is hereby conferred upon the electors of an 7499
election precinct named by the petition authorized by section 7500
4301.33 of the Revised Code. 7501

Upon the request of an elector, a board of elections of a 7502

county that encompasses an election precinct shall furnish to the 7503
elector a copy of the instructions prepared by the secretary of 7504
state under division ~~(P)~~(A)(16) of section 3501.05 of the Revised 7505
Code and, within fifteen days after the request, with a 7506
certificate indicating the number of valid signatures that will be 7507
required upon a petition to hold a special election in that 7508
precinct on a question specified in section 4301.35 or 4301.351 of 7509
the Revised Code. 7510

Sec. 4301.334. (A) The privilege of local option conferred by 7511
section 4301.324 of the Revised Code may be exercised if, not 7512
later than four p.m. of the ninetieth day before the day of a 7513
general or primary election, a petition and other information 7514
required by division (B) of this section are presented to the 7515
board of elections of the county in which the community facility 7516
named in the petition is located. The petition shall be signed by 7517
electors of the municipal corporation or unincorporated area of 7518
the township in which the community facility is located equal in 7519
number to at least ten per cent of the total number of votes cast 7520
in the municipal corporation or unincorporated area of the 7521
township in which the community facility is located for the office 7522
of governor at the most recent general election for that office 7523
and shall contain both of the following: 7524

(1) A notice that the petition is for the submission of the 7525
question set forth in section 4301.356 of the Revised Code and a 7526
statement indicating whether the hours of Sunday sales sought in 7527
the local option election are between ten a.m. and midnight or 7528
between eleven a.m. and midnight; 7529

(2) The name and address of the community facility for which 7530
the local option election is sought and, if the community facility 7531
is a community entertainment district, the boundaries of the 7532
district. 7533

(B) Upon the request of a petitioner, a board of elections of a county shall furnish to the petitioner a copy of the instructions prepared by the secretary of state under division ~~(P)~~(A)(16) of section 3501.05 of the Revised Code and, within fifteen days after the request, a certificate indicating the number of valid signatures that will be required on a petition to hold an election in the municipal corporation or unincorporated area of the township in which the community facility is located on the question specified in section 4301.356 of the Revised Code.

The petitioner shall, not less than thirty days before the petition-filing deadline for an election on the question specified in section 4301.356 of the Revised Code, specify to the division of liquor control the name and address of the community facility for which the election is sought and, if the community facility is a community entertainment district, the boundaries of the district, the municipal corporation or unincorporated area of a township in which the election is sought, and the filing deadline. The division shall, within a reasonable period of time and not later than ten days before the filing deadline, supply the petitioner with the name and address of any permit holder for or within the community facility.

The petitioner shall file the name and address of any permit holder who would be affected by the election at the time the petitioner files the petition with the board of elections. Within five days after receiving the petition, the board shall give notice by certified mail to any permit holder within the community facility that it has received the petition. Failure of the petitioner to supply the name and address of any permit holder for or within the community facility as furnished to the petitioner by the division invalidates the petition.

(C) Not later than the seventy-eighth day before the day of the next general or primary election, whichever occurs first, the

board shall examine and determine the sufficiency of the 7566
signatures on the petition. If the board finds that the petition 7567
is valid, it shall order the holding of an election in the 7568
municipal corporation or unincorporated area of a township on the 7569
day of the next general or primary election, whichever occurs 7570
first, for the submission of the question set forth in section 7571
4301.356 of the Revised Code. 7572

(D) A petition filed with a board of elections under this 7573
section shall be open to public inspection under rules adopted by 7574
the board. 7575

(E) An elector who is eligible to vote on the question set 7576
forth in section 4301.356 of the Revised Code or any permit holder 7577
for or within the community facility may, not later than four p.m. 7578
of the seventy-fourth day before the day of the election at which 7579
the question will be submitted to the electors, file a written 7580
protest against the local option petition with the board of 7581
elections with which the petition was filed. Upon the filing of 7582
the protest, the board shall promptly fix a time and place for 7583
hearing the protest and shall mail notice of the time and place to 7584
the person who filed the petition and to the person who filed the 7585
protest. At the time and place fixed, the board shall hear the 7586
protest and determine the validity of the petition. 7587

Sec. 4303.29. (A) No permit, other than an H permit, shall be 7588
issued to a firm or partnership unless all the members of the firm 7589
or partnership are citizens of the United States. No permit, other 7590
than an H permit, shall be issued to an individual who is not a 7591
citizen of the United States. No permit, other than an E or H 7592
permit, shall be issued to any corporation organized under the 7593
laws of any country, territory, or state other than this state 7594
until it has furnished the division of liquor control with 7595
evidence that it has complied with the laws of this state relating 7596

to the transaction of business in this state. 7597

The division may refuse to issue any permit to or refuse to 7598
renew any permit of any person convicted of any felony that is 7599
reasonably related to the person's fitness to operate a liquor 7600
permit business in this state. No holder of a permit shall sell, 7601
assign, transfer, or pledge the permit without the written consent 7602
of the division. 7603

(B)(1) No D-3 permit shall be issued to any club unless the 7604
club has been continuously engaged in the activity specified in 7605
section 4303.15 of the Revised Code, as a qualification for that 7606
class of permit, for two years at the time the permit is issued. 7607

(2)(a) Subject to division (B)(2)(b) of this section, upon 7608
application by properly qualified persons, one C-1 and C-2 permit 7609
shall be issued for each one thousand population or part of that 7610
population, and one D-1 and D-2 permit shall be issued for each 7611
two thousand population or part of that population, in each 7612
municipal corporation and in the unincorporated area of each 7613
township. 7614

Subject to division (B)(2)(b) of this section, not more than 7615
one D-3, D-4, or D-5 permit shall be issued for each two thousand 7616
population or part of that population in any municipal corporation 7617
and in the unincorporated area of any township, except that, in 7618
any city of a population of fifty-five thousand or more, one D-3 7619
permit may be issued for each fifteen hundred population or part 7620
of that population. 7621

(b)(i) Division (B)(2)(a) of this section does not prohibit 7622
the transfer of location or the transfer of ownership and location 7623
of a C-1, C-2, D-1, D-2, D-3, or D-5 permit from a municipal 7624
corporation or the unincorporated area of a township in which the 7625
number of permits of that class exceeds the number of such permits 7626
authorized to be issued under division (B)(2)(a) of this section 7627

to an economic development project located in another municipal 7628
corporation or the unincorporated area of another township in 7629
which no additional permits of that class may be issued to the 7630
applicant under division (B)(2)(a) of this section, but the 7631
transfer of location or transfer of ownership and location of the 7632
permit may occur only if the applicant notifies the municipal 7633
corporation or township to which the location of the permit will 7634
be transferred regarding the transfer and that municipal 7635
corporation or township acknowledges in writing to the division of 7636
liquor control, at the time the application for the transfer of 7637
location or transfer of ownership and location of the permit is 7638
filed, that the transfer will be to an economic development 7639
project. This acknowledgment by the municipal corporation or 7640
township does not prohibit it from requesting a hearing under 7641
section 4303.26 of the Revised Code. The applicant is eligible to 7642
apply for and receive the transfer of location of the permit under 7643
division (B)(2)(b) of this section if all permits of that class 7644
that may be issued under division (B)(2)(a) of this section in the 7645
applicable municipal corporation or unincorporated area of the 7646
township have already been issued or if the number of applications 7647
filed for permits of that class in that municipal corporation or 7648
the unincorporated area of that township exceed the number of 7649
permits of that class that may be issued there under division 7650
(B)(2)(a) of this section. 7651

A permit transferred under division (B)(2)(b) of this section 7652
may be subsequently transferred to a different owner at the same 7653
location, or to the same owner or a different owner at a different 7654
location in the same municipal corporation or in the 7655
unincorporated area of the same township, as long as the same or 7656
new location meets the economic development project criteria set 7657
forth in this section. 7658

(ii) Factors that shall be used to determine the designation 7659

of an economic development project include, but are not limited 7660
to, architectural certification of the plans and the cost of the 7661
project, the number of jobs that will be created by the project, 7662
projected earnings of the project, projected tax revenues for the 7663
political subdivisions in which the project will be located, and 7664
the amount of financial investment in the project. The 7665
superintendent of liquor control shall determine whether the 7666
existing or proposed business that is seeking a permit described 7667
in division (B)(2)(b) of this section qualifies as an economic 7668
development project and, if the superintendent determines that it 7669
so qualifies, shall designate the business as an economic 7670
development project. 7671

(3) Nothing in this section shall be construed to restrict 7672
the issuance of a permit to a municipal corporation for use at a 7673
municipally owned airport at which commercial airline companies 7674
operate regularly scheduled flights on which space is available to 7675
the public. A municipal corporation applying for a permit for such 7676
a municipally owned airport is exempt, in regard to that 7677
application, from the population restrictions contained in this 7678
section and from population quota restrictions contained in any 7679
rule of the liquor control commission. A municipal corporation 7680
applying for a D-1, D-2, D-3, D-4, or D-5 permit for such a 7681
municipally owned airport is subject to section 4303.31 of the 7682
Revised Code. 7683

(4) Nothing in this section shall be construed to prohibit 7684
the issuance of a D permit to the board of trustees of a soldiers' 7685
memorial for a premises located at a soldiers' memorial 7686
established pursuant to Chapter 345. of the Revised Code. An 7687
application for a D permit by the board for those premises is 7688
exempt from the population restrictions contained in this section 7689
and from the population quota restrictions contained in any rule 7690
of the liquor control commission. The location of a D permit 7691

issued to the board for those premises shall not be transferred. A 7692
board of trustees of a soldiers' memorial applying for a D-1, D-2, 7693
D-3, D-4, or D-5 permit for the soldiers' memorial is subject to 7694
section 4303.31 of the Revised Code. 7695

(5) Nothing in this section shall be construed to restrict 7696
the issuance of a permit for a premises located at a golf course 7697
owned by a municipal corporation, township, or county, owned by a 7698
park district created under Chapter 1545. of the Revised Code, or 7699
owned by the state. The location of such a permit issued on or 7700
after September 26, 1984, for a premises located at such a golf 7701
course shall not be transferred. Any application for such a permit 7702
is exempt from the population quota restrictions contained in this 7703
section and from the population quota restrictions contained in 7704
any rule of the liquor control commission. A municipal 7705
corporation, township, county, park district, or state agency 7706
applying for a D-1, D-2, D-3, D-4, or D-5 permit for such a golf 7707
course is subject to section 4303.31 of the Revised Code. 7708

(6) As used in division (B)(6) of this section, "fair" has 7709
the same meaning as in section 991.01 of the Revised Code; "state 7710
fairgrounds" means the property that is held by the state for the 7711
purpose of conducting fairs, expositions, and exhibits and that is 7712
maintained and managed by the Ohio expositions commission under 7713
section 991.03 of the Revised Code; "capitol square" has the same 7714
meaning as in section 105.41 of the Revised Code; and "Ohio 7715
judicial center" means the site of the Ohio supreme court and its 7716
grounds. 7717

Nothing in this section shall be construed to restrict the 7718
issuance of one or more D permits to one or more applicants for 7719
all or a part of the state fairgrounds, capitol square, or the 7720
Ohio judicial center. An application for a D permit for the state 7721
fairgrounds, capitol square, or the Ohio judicial center is exempt 7722
from the population quota restrictions contained in this section 7723

and from the population quota restrictions contained in any rule 7724
of the liquor control commission. The location of a D permit 7725
issued for the state fairgrounds, capitol square, or the Ohio 7726
judicial center shall not be transferred. An applicant for a D-1, 7727
D-2, D-3, or D-5 permit for the state fairgrounds is not subject 7728
to section 4303.31 of the Revised Code. 7729

Pursuant to section 1711.09 of the Revised Code, the holder 7730
of a D permit issued for the state fairgrounds shall not deal in 7731
spirituous liquor at the state fairgrounds during, or for one week 7732
before or for three days after, any fair held at the state 7733
fairgrounds. 7734

(7) Nothing in this section shall be construed to prohibit 7735
the issuance of a D permit for a premises located at a zoological 7736
park at which sales have been approved in an election held under 7737
former section 4301.356 of the Revised Code. An application for a 7738
D permit for such a premises is exempt from the population 7739
restrictions contained in this section, from the population quota 7740
restrictions contained in any rule of the liquor control 7741
commission, and from section 4303.31 of the Revised Code. The 7742
location of a D permit issued for a premises at such a zoological 7743
park shall not be transferred, and no quota or other restrictions 7744
shall be placed on the number of D permits that may be issued for 7745
a premises at such a zoological park. 7746

(C)(1) No D-3, D-4, D-5, or D-5a permit shall be issued in 7747
any election precinct in any municipal corporation or in any 7748
election precinct in the unincorporated area of any township, in 7749
which at the November, 1933, election a majority of the electors 7750
voting thereon in the municipal corporation or in the 7751
unincorporated area of the township voted against the repeal of 7752
Section 9 of Article XV, Ohio Constitution, unless the sale of 7753
spirituous liquor by the glass is authorized by a majority vote of 7754
the electors voting on the question in the precinct at an election 7755

held pursuant to this section or by a majority vote of the 7756
electors of the precinct voting on question (C) at a special local 7757
option election held in the precinct pursuant to section 4301.35 7758
of the Revised Code. Upon the request of an elector, the board of 7759
elections of the county that encompasses the precinct shall 7760
furnish the elector with a copy of the instructions prepared by 7761
the secretary of state under division ~~(P)~~(A)(16) of section 7762
3501.05 of the Revised Code and, within fifteen days after the 7763
request, a certificate of the number of signatures required for a 7764
valid petition under this section. 7765

Upon the petition of thirty-five per cent of the total number 7766
of voters voting in any such precinct for the office of governor 7767
at the preceding general election, filed with the board of 7768
elections of the county in which such precinct is located not 7769
later than ninety days before a general election, the board shall 7770
prepare ballots and hold an election at such general election upon 7771
the question of allowing spirituous liquor to be sold by the glass 7772
in such precinct. The ballots shall be approved in form by the 7773
secretary of state. The results of the election shall be certified 7774
by the board to the secretary of state, who shall certify the 7775
results to the division. 7776

(2) No holder of a class D-3 permit issued for a boat or 7777
vessel shall sell spirituous liquor in any precinct, in which the 7778
election provided for in this section may be held, unless the sale 7779
of spirituous liquor by the drink has been authorized by vote of 7780
the electors as provided in this section or in section 4301.35 of 7781
the Revised Code. 7782

(D) Any holder of a C or D permit whose permit premises were 7783
purchased in 1986 or 1987 by the state or any state agency for 7784
highway purposes shall be issued the same permit at another 7785
location notwithstanding any quota restrictions contained in this 7786
chapter or in any rule of the liquor control commission. 7787

Sec. 4305.14. (A) The following questions regarding the sale 7788
of beer by holders of C or D permits may be presented to the 7789
qualified electors of an election precinct: 7790

(1) "Shall the sale of beer as defined in section 4305.08 of 7791
the Revised Code under permits which authorize sale for 7792
off-premises consumption only be permitted within this precinct?" 7793

(2) "Shall the sale of beer as defined in section 4305.08 of 7794
the Revised Code under permits which authorize sale for 7795
on-premises consumption only, and under permits which authorize 7796
sale for both on-premises and off-premises consumption, be 7797
permitted in this precinct?" 7798

The exact wording of the question as submitted and form of 7799
ballot as printed shall be determined by the board of elections in 7800
the county wherein the election is held, subject to approval of 7801
the secretary of state. 7802

Upon the request of an elector, a board of elections of a 7803
county that encompasses an election precinct shall furnish to the 7804
elector a copy of the instructions prepared by the secretary of 7805
state under division ~~(P)~~(A)(16) of section 3501.05 of the Revised 7806
Code and, within fifteen days after the request, with a 7807
certificate indicating the number of valid signatures that will be 7808
required on a petition to hold a special election in that precinct 7809
on either or both of the questions specified in this section. 7810

The board shall provide to a petitioner, at the time the 7811
petitioner takes out a petition, the names of the streets and, if 7812
appropriate, the address numbers of residences and business 7813
establishments within the precinct in which the election is 7814
sought, and a form prescribed by the secretary of state for 7815
notifying affected permit holders of the circulation of a petition 7816
for an election for the submission of one or more of the questions 7817
specified in division (A) of this section. The petitioner shall, 7818

not less than fifty-five days before the petition-filing deadline 7819
for an election provided for in this section, file with the 7820
division of liquor control the information regarding names of 7821
streets and, if appropriate, address numbers of residences and 7822
business establishments provided by the board of elections, and 7823
specify to the division the precinct that is concerned or that 7824
would be affected by the results of the election and the filing 7825
deadline. The division shall, within a reasonable period of time 7826
and not later than twenty-five days before the filing deadline, 7827
supply the petitioner with a list of the names and addresses of 7828
permit holders who would be affected by the election. The list 7829
shall contain a heading with the following words: "liquor permit 7830
holders who would be affected by the question(s) set forth on a 7831
petition for a local option election." 7832

Within five days after receiving from the division the list 7833
of liquor permit holders who would be affected by the question or 7834
questions set forth on a petition for local option election, the 7835
petitioner shall, using the form provided by the board of 7836
elections, notify by certified mail each permit holder whose name 7837
appears on that list. The form for notifying affected permit 7838
holders shall require the petitioner to state the petitioner's 7839
name and street address and shall contain a statement that a 7840
petition is being circulated for an election for the submission of 7841
the question or questions specified in division (B) of this 7842
section. The form shall require the petitioner to state the 7843
question or questions to be submitted as they appear on the 7844
petition. 7845

The petitioner shall attach a copy of the list provided by 7846
the division to each petition paper. A part petition paper 7847
circulated at any time without the list of affected permit holders 7848
attached to it is invalid. 7849

At the time of filing the petition with the board of 7850

elections, the petitioner shall provide to the board of elections 7851
the list supplied by the division and an affidavit certifying that 7852
the petitioner notified all affected permit holders on the list in 7853
the manner and within the time required in this section and that, 7854
at the time each signer of the petition signed the petition, the 7855
petition paper contained a copy of the list of affected permit 7856
holders. 7857

Within five days after receiving a petition calling for an 7858
election for the submission of the question or questions set forth 7859
in this section, the board of elections shall give notice by 7860
certified mail that it has received the petition to all liquor 7861
permit holders whose names appear on the list of affected permit 7862
holders filed by the petitioner. Failure of the petitioner to 7863
supply the affidavit required by this section and a complete and 7864
accurate list of liquor permit holders invalidates the entire 7865
petition. The board of elections shall provide to a permit holder 7866
who would be affected by a proposed local option election, on the 7867
permit holder's request, the names of the streets, and, if 7868
appropriate, the address numbers of residences and business 7869
establishments within the precinct in which the election is sought 7870
and that would be affected by the results of the election. The 7871
board may charge a reasonable fee for this information when 7872
provided to the petitioner and the permit holder. 7873

Upon presentation not later than four p.m. of the ninetieth 7874
day before the day of a general or primary election, of a petition 7875
to the board of elections of the county wherein such election is 7876
sought to be held, requesting the holding of such election on 7877
either or both of the questions specified in this section, signed 7878
by qualified electors of the precinct concerned equal in number to 7879
thirty-five per cent of the total number of votes cast in the 7880
precinct concerned for the office of governor at the preceding 7881
general election for that office, such board shall submit the 7882

question or questions specified in the petition to the electors of 7883
the precinct concerned, on the day of the next general or primary 7884
election, whichever occurs first. 7885

(B) The board shall proceed as follows: 7886

(1) Such board shall, upon the filing of a petition under 7887
this section, but not later than the seventy-eighth day before the 7888
day of the election for which the question or questions on the 7889
petition would qualify for submission to the electors of the 7890
precinct, examine and determine the sufficiency of the signatures 7891
and review, examine, and determine the validity of such petition 7892
and, in case of overlapping precinct petitions presented within 7893
that period, determine which of the petitions shall govern the 7894
further proceedings of the board. In the case where the board 7895
determines that two or more overlapping petitions are valid, the 7896
earlier petition shall govern. The board shall certify the 7897
sufficiency of signatures contained in the petition as of the time 7898
of filing and the validity of the petition as of the time of 7899
certification as described in division (C)(1) of this section if 7900
the board finds the petition to be both sufficient and valid. 7901

(2) If the petition contains sufficient signatures and is 7902
valid, and, in case of overlapping precinct petitions, after the 7903
board has determined the governing petition, the board shall order 7904
the holding of a special election in the precinct for the 7905
submission of the question or questions specified in the petition, 7906
on the day of the next general or primary election, whichever 7907
occurs first. 7908

(3) All petitions filed with a board of elections under this 7909
section shall be open to public inspection under rules adopted by 7910
the board. 7911

(C) Protest against a local option petition may be filed by 7912
any qualified elector eligible to vote on the question or 7913

questions specified in the petition or by a permit holder in the 7914
precinct as described in the petition, not later than four p.m. of 7915
the seventy-fourth day before the day of such general or primary 7916
election for which the petition qualified. Such protest shall be 7917
in writing and shall be filed with the election officials with 7918
whom the petition was filed. Upon filing of such protest the 7919
election officials with whom it is filed shall promptly fix the 7920
time for hearing it, and shall forthwith mail notice of the filing 7921
of the protest and the time for hearing it to the person who filed 7922
the petition which is protested and to the person who filed the 7923
protest. At the time and place fixed, the election officials shall 7924
hear the protest and determine the validity of the petition. 7925

(D) If a majority of the electors voting on the question in 7926
the precinct vote "yes" on question (1) or (2) as set forth in 7927
division (A) of this section, the sale of beer as specified in 7928
that question shall be permitted in the precinct and no subsequent 7929
election shall be held in the precinct under this section on the 7930
same question for a period of at least four years from the date of 7931
the most recent election. 7932

If a majority of the electors voting on the question in the 7933
precinct vote "no" on question (1) or (2) as set forth in division 7934
(A) of this section, no C or D permit holder shall sell beer as 7935
specified in that question within the precinct during the period 7936
the election is in effect and no subsequent election shall be held 7937
in the precinct under this section on the same question for a 7938
period of at least four years from the date of the most recent 7939
election. 7940

Section 2. That existing sections 2101.44, 3501.01, 3501.02, 7941
3501.05, 3501.051, 3501.053, 3501.11, 3501.13, 3501.17, 3501.18, 7942
3501.20, 3501.22, 3501.26, 3501.27, 3501.28, 3501.29, 3501.30, 7943
3501.301, 3501.31, 3501.32, 3501.33, 3501.35, 3501.37, 3501.38, 7944

3503.02, 3503.06, 3503.10, 3503.14, 3503.15, 3503.16, 3503.18, 7945
3503.19, 3503.21, 3503.24, 3503.26, 3503.28, 3504.02, 3504.04, 7946
3504.05, 3505.07, 3505.08, 3505.11, 3505.13, 3505.16, 3505.17, 7947
3505.18, 3505.181, 3505.182, 3505.183, 3505.20, 3505.21, 3505.23, 7948
3505.24, 3505.26, 3505.28, 3505.29, 3505.30, 3505.31, 3506.05, 7949
3506.12, 3506.15, 3509.01, 3509.03, 3509.031, 3509.04, 3509.05, 7950
3509.06, 3509.07, 3509.08, 3509.09, 3511.02, 3511.04, 3511.05, 7951
3511.06, 3511.07, 3511.08, 3511.09, 3511.10, 3511.11, 3511.13, 7952
3511.14, 3513.02, 3513.131, 3513.18, 3513.19, 3513.21, 3513.30, 7953
3513.31, 3515.04, 3517.01, 3517.012, 3517.992, 3519.01, 3519.16, 7954
3599.07, 3599.17, 3599.19, 3599.31, 4301.32, 4301.334, 4303.29, 7955
and 4305.14 and sections 3503.29, 3504.01, and 3506.16 of the 7956
Revised Code are hereby repealed. 7957

Section 3. A board of elections shall rearrange and combine 7958
precincts within the applicable county as necessary to comply with 7959
the minimum precinct size requirements established in section 7960
3501.18 of the Revised Code, as amended by this act, not later 7961
than December 31, 2011. 7962