

**As Reported by the House State Government and Elections  
Committee**

**129th General Assembly  
Regular Session  
2011-2012**

**Sub. S. B. No. 295**

**Senator Coley**

**Cosponsors: Senators Eklund, Faber, Hite, Jones, Jordan, Niehaus, Obhof,  
Seitz, Wagoner**

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**A B I L L**

To repeal the versions of sections of the Revised Code amended or enacted by Sections 1 and 3 of Am. Sub. H.B. 194 of the 129th General Assembly, to repeal the repeal of sections of the Revised Code by Sections 2 and 4 of Am. Sub. H.B. 194 of the 129th General Assembly, and to repeal Sections 5, 6, 7, and 8 of Am. Sub. H.B. 194 of the 129th General Assembly, to continue in operation the provisions of the Election Law currently in effect.

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

**Section 1.** The versions of sections of the Revised Code amended or enacted by Sections 1 and 3 of Am. Sub. H.B. 194 of the 129th General Assembly, which are scheduled to take effect only if approved by the voters at a referendum to be held on November 6, 2012, are hereby repealed. The repeal of sections of the Revised Code by Sections 2 and 4 of Am. Sub. H.B. 194 of the 129th General Assembly, which is scheduled to take effect only if approved by the voters at a referendum to be held on November 6, 2012, is

hereby repealed. 19

By repealing the versions of Revised Code sections enacted or 20  
amended by Am. Sub. H.B. 194 of the 129th General Assembly, and by 21  
repealing the repeal of Revised Code sections by Am. Sub. H.B. 194 22  
of the 129th General Assembly, it is the intent of the General 23  
Assembly to continue in operation the following provisions of the 24  
Revised Code, which are currently in effect: 25

**Sec. 3.02.** (A) When an elective office becomes vacant and is 26  
filled by appointment, such appointee shall hold the office until 27  
the appointee's successor is elected and qualified; and such 28  
successor shall be elected for the unexpired term, at the first 29  
general election for the office which is vacant that occurs more 30  
than fifty-six days after the vacancy has occurred; provided that 31  
when the unexpired term ends within one year immediately following 32  
the date of such general election, an election to fill such 33  
unexpired term shall not be held and the appointment shall be for 34  
such unexpired term. 35

(B) When an elective office becomes vacant and is filled by 36  
appointment, the appointing authority shall, immediately but no 37  
later than seven days after making the appointment, certify it to 38  
the board of elections and to the secretary of state. The board of 39  
elections or, in the case of an appointment to a statewide office, 40  
the secretary of state shall issue a certificate of appointment to 41  
the appointee. Certificates of appointment shall be in such form 42  
as the secretary of state shall prescribe. 43

(C) When an elected candidate fails to qualify for the office 44  
to which the candidate has been elected, the office shall be 45  
filled as in the case of a vacancy. Until so filled, the incumbent 46  
officer shall continue to hold office. This section does not 47  
postpone the time for such election beyond that at which it would 48

have been held had no such vacancy occurred, or affect the 49  
official term, or the time for the commencement thereof, of any 50  
person elected to such office before the occurrence of such 51  
vacancy. 52

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

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

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

**Sec. 302.09.** When a vacancy occurs in the board of county commissioners or in the office of county auditor, county treasurer, prosecuting attorney, clerk of the court of common pleas, sheriff, county recorder, county engineer, or coroner more than fifty-six days before the next general election for state and county officers, the vacancy shall be filled as provided for in divisions (A) and (B) of section 305.02 of the Revised Code.

**Sec. 305.02.** (A) If a vacancy in the office of county commissioner, prosecuting attorney, county auditor, county treasurer, clerk of the court of common pleas, sheriff, county recorder, county engineer, or coroner occurs more than fifty-six days before the next general election for state and county officers, a successor shall be elected at such election for the unexpired term unless such term expires within one year immediately following the date of such general election.

In either event, the vacancy shall be filled as provided in this section and the appointee shall hold office until a successor is elected and qualified.

(B) If a vacancy occurs from any cause in any of the offices named in division (A) of this section, the county central committee of the political party with which the last occupant of the office was affiliated shall appoint a person to hold the office and to perform the duties thereof until a successor is elected and has qualified, except that if such vacancy occurs because of the death, resignation, or inability to take the office of an officer-elect whose term has not yet begun, an appointment to take such office at the beginning of the term shall be made by the central committee of the political party with which such officer-elect was affiliated.

(C) Not less than five nor more than forty-five days after a

vacancy occurs, the county central committee shall meet for the 110  
purpose of making an appointment under this section. Not less than 111  
four days before the date of such meeting the chairperson or 112  
secretary of such central committee shall send by first class mail 113  
to every member of such central committee a written notice which 114  
shall state the time and place of such meeting and the purpose 115  
thereof. A majority of the members of the central committee 116  
present at such meeting may make the appointment. 117

(D) If the last occupant of the office or the officer-elect 118  
was elected as an independent candidate, the board of county 119  
commissioners shall make such appointment at the time when the 120  
vacancy occurs, except where the vacancy is in the office of 121  
county commissioner, in which case the prosecuting attorney and 122  
the remaining commissioners or a majority of them shall make the 123  
appointment. 124

(E) Appointments made under this section shall be certified 125  
by the appointing county central committee or by the board of 126  
county commissioners to the county board of elections and to the 127  
secretary of state, and the persons so appointed and certified 128  
shall be entitled to all remuneration provided by law for the 129  
offices to which they are appointed. 130

(F) The board of county commissioners may appoint a person to 131  
hold any of the offices named in division (A) of this section as 132  
an acting officer and to perform the duties thereof between the 133  
occurrence of the vacancy and the time when the officer appointed 134  
by the central committee qualifies and takes the office. 135

(G) A person appointed prosecuting attorney or assistant 136  
prosecuting attorney shall give bond and take the oath of office 137  
prescribed by section 309.03 of the Revised Code for the 138  
prosecuting attorney. 139

**Sec. 503.24.** If there is a vacancy by reason of the 140

nonacceptance, death, or removal of a person chosen to an office 141  
in any township at the regular election, or if there is a vacancy 142  
from any other cause, the board of township trustees shall appoint 143  
a person having the qualifications of an elector to fill such 144  
vacancy for the unexpired term or until a successor is elected. 145

If a township is without a board or if no appointment is made 146  
within thirty days after the occurrence of a vacancy, a majority 147  
of the persons designated as the committee of five on the 148  
last-filed nominating petition of the township officer whose 149  
vacancy is to be filled who are residents of the township shall 150  
appoint a person having the qualifications of an elector to fill 151  
the vacancy for the unexpired term or until a successor is 152  
elected. If at least three of the committee members who are 153  
residents of the township cannot be found, or if that number of 154  
such members fails to make an appointment within ten days after 155  
the thirty-day period in which the board of township trustees is 156  
authorized to make an appointment, then the presiding probate 157  
judge of the county shall appoint a suitable person having the 158  
qualifications of an elector in the township to fill the vacancy 159  
for the unexpired term or until a successor is elected. 160

If a vacancy occurs in a township elective office more than 161  
fifty-six days before the next general election for municipal and 162  
township officers a successor shall be chosen at that election to 163  
fill the unexpired term, provided the term does not expire within 164  
one year from the day of the election. If the term expires within 165  
one year from the day of the next general election for municipal 166  
and township officers, a successor appointed pursuant to this 167  
section shall serve out the unexpired term. 168

**Sec. 511.27.** (A) To defray the expenses of the township park 169  
district and for purchasing, appropriating, operating, 170  
maintaining, and improving lands for parks or recreational 171

purposes, the board of park commissioners may levy a sufficient 172  
tax within the ten-mill limitation, not to exceed one mill on each 173  
dollar of valuation on all real and personal property within the 174  
township, and on all real and personal property within any 175  
municipal corporation that is within the township, that was within 176  
the township at the time that the park district was established, 177  
or the boundaries of which are coterminous with or include the 178  
township. The levy shall be over and above all other taxes and 179  
limitations on such property authorized by law. 180

(B) Except as otherwise provided in division (C) of this 181  
section, the board of park commissioners, not less than ninety 182  
days before the day of the election, may declare by resolution 183  
that the amount of taxes that may be raised within the ten-mill 184  
limitation will be insufficient to provide an adequate amount for 185  
the necessary requirements of the district and that it is 186  
necessary to levy a tax in excess of that limitation for the use 187  
of the district. The resolution shall specify the purpose for 188  
which the taxes shall be used, the annual rate proposed, and the 189  
number of consecutive years the levy will be in effect. Upon the 190  
adoption of the resolution, the question of levying the taxes 191  
shall be submitted to the electors of the township and the 192  
electors of any municipal corporation that is within the township, 193  
that was within the township at the time that the park district 194  
was established, or the boundaries of which are coterminous with 195  
or include the township, at a special election to be held on 196  
whichever of the following occurs first: 197

(1) The day of the next ensuing general election; 198

(2) The first Tuesday after the first Monday in May of any 199  
calendar year, except that, if a presidential primary election is 200  
held in that calendar year, then the day of that election. 201

The rate submitted to the electors at any one election shall 202  
not exceed two mills annually upon each dollar of valuation. If a 203

majority of the electors voting upon the question of the levy vote 204  
in favor of the levy, the tax shall be levied on all real and 205  
personal property within the township and on all real and personal 206  
property within any municipal corporation that is within the 207  
township, that was within the township at the time that the park 208  
district was established, or the boundaries of which are 209  
coterminous with or include the township, and the levy shall be 210  
over and above all other taxes and limitations on such property 211  
authorized by law. 212

(C) In any township park district that contains only 213  
unincorporated territory, if the township board of park 214  
commissioners is appointed by the board of township trustees, 215  
before a tax can be levied and certified to the county auditor 216  
pursuant to section 5705.34 of the Revised Code or before a 217  
resolution for a tax levy can be certified to the board of 218  
elections pursuant to section 511.28 of the Revised Code, the 219  
board of park commissioners shall receive approval for its levy 220  
request from the board of township trustees. The board of park 221  
commissioners shall adopt a resolution requesting the board of 222  
township trustees to approve the levy request, stating the annual 223  
rate of the proposed levy and the reason for the levy request. On 224  
receiving this request, the board of township trustees shall vote 225  
on whether to approve the request and, if a majority votes to 226  
approve it, shall issue a resolution approving the levy at the 227  
requested rate. 228

**Sec. 733.31.** (A) Unless otherwise provided by law, vacancies 229  
arising in appointive and elective offices of villages shall be 230  
filled by appointment by the mayor for the remainder of the 231  
unexpired term, provided that: 232

(1) Vacancies in the office of mayor shall be filled in the 233  
manner provided by section 733.25 of the Revised Code; 234

(2) Vacancies in the membership of the legislative authority 235  
shall be filled in the manner provided by section 731.43 of the 236  
Revised Code; 237

(3) Vacancies in the office of president pro tempore of a 238  
village legislative authority shall be filled in the manner 239  
provided by section 731.11 of the Revised Code. 240

In the event of a vacancy in the office of village clerk or 241  
treasurer, the mayor may appoint a person to serve as an acting 242  
officer to perform the duties of the office until a permanent 243  
officer is appointed to fill the vacancy. 244

(B) Unless otherwise provided by law, vacancies arising in 245  
appointive offices of cities shall be filled by appointment by the 246  
mayor for the remainder of the unexpired term. 247

(C) A vacancy in the office of president of the legislative 248  
authority of a city shall be filled in the same manner as provided 249  
in division (D) of this section. Vacancies in the office of mayor 250  
of a city shall be filled in the manner provided in section 733.08 251  
of the Revised Code. Vacancies in the membership of the 252  
legislative authority of a city shall be filled in the manner 253  
provided in section 731.43 of the Revised Code. 254

(D) In case of the death, resignation, removal, or disability 255  
of the director of law, auditor, or treasurer of a city and such 256  
vacancy occurs more than fifty-six days before the next general 257  
election for such office, a successor shall be elected at such 258  
election for the unexpired term unless such term expires within 259  
one year immediately following the date of such general election. 260  
In either event, the vacancy shall be filled as provided in this 261  
section and the appointee shall hold office until a successor is 262  
elected and qualified. 263

(1) The county central committee of the political party with 264  
which the last occupant of the office was affiliated, acting 265

through its members who reside in the city where the vacancy 266  
occurs, shall appoint a person to hold the office and to perform 267  
the duties thereof until a successor is elected and has qualified, 268  
except that if such vacancy occurs because of the death, 269  
resignation, or inability to take the office of an officer-elect 270  
whose term has not yet begun, an appointment to take such office 271  
at the beginning of the term shall be made by the members of the 272  
central committee who reside in the city where the vacancy occurs. 273

(2) Not less than five nor more than forty-five days after a 274  
vacancy occurs, the county central committee, acting through its 275  
members who reside in the city where the vacancy occurs, shall 276  
meet for the purpose of making an appointment. Not less than four 277  
days before the date of the meeting the chairperson or secretary 278  
of the central committee shall send by first class mail to every 279  
member of such central committee who resides in the city where the 280  
vacancy occurs a written notice which shall state the time and 281  
place of such meeting and the purpose thereof. A majority of the 282  
members of the central committee present at such meeting may make 283  
the appointment. 284

(E) If the last occupant of the office or the officer-elect, 285  
as provided in division (D) of this section, was elected as an 286  
independent candidate, the mayor of the city shall make the 287  
appointment at the time the vacancy occurs. 288

(F) Appointments made under this section shall be certified 289  
by the appointing county central committee or by the mayor of the 290  
municipal corporation to the county board of elections and to the 291  
secretary of state. The persons so appointed and certified shall 292  
be entitled to all remuneration provided by law for the offices to 293  
which they are appointed. 294

(G) The mayor of the city may appoint a person to hold the 295  
city office of director of law, auditor, or treasurer as an acting 296  
officer and to perform the duties thereof between the occurrence 297

of the vacancy and the time when the person appointed by the 298  
central committee qualifies and takes the office. 299

**Sec. 1545.21.** The board of park commissioners, by resolution, 300  
may submit to the electors of the park district the question of 301  
levying taxes for the use of the district. The resolution shall 302  
declare the necessity of levying such taxes, shall specify the 303  
purpose for which such taxes shall be used, the annual rate 304  
proposed, and the number of consecutive years the rate shall be 305  
levied. Such resolution shall be forthwith certified to the board 306  
of elections in each county in which any part of such district is 307  
located, not later than the ninetieth day before the day of the 308  
election, and the question of the levy of taxes as provided in 309  
such resolution shall be submitted to the electors of the district 310  
at a special election to be held on whichever of the following 311  
occurs first: 312

(A) The day of the next general election; 313

(B) The first Tuesday after the first Monday in May in any 314  
calendar year, except that if a presidential primary election is 315  
held in that calendar year, then the day of that election. The 316  
ballot shall set forth the purpose for which the taxes shall be 317  
levied, the annual rate of levy, and the number of years of such 318  
levy. If the tax is to be placed on the current tax list, the form 319  
of the ballot shall state that the tax will be levied in the 320  
current tax year and shall indicate the first calendar year the 321  
tax will be due. If the resolution of the board of park 322  
commissioners provides that an existing levy will be canceled upon 323  
the passage of the new levy, the ballot may include a statement 324  
that: "an existing levy of ... mills (stating the original levy 325  
millage), having ... years remaining, will be canceled and 326  
replaced upon the passage of this levy." In such case, the ballot 327  
may refer to the new levy as a "replacement levy" if the new 328

millage does not exceed the original millage of the levy being 329  
canceled or as a "replacement and additional levy" if the new 330  
millage exceeds the original millage of the levy being canceled. 331  
If a majority of the electors voting upon the question of such 332  
levy vote in favor thereof, such taxes shall be levied and shall 333  
be in addition to the taxes authorized by section 1545.20 of the 334  
Revised Code, and all other taxes authorized by law. The rate 335  
submitted to the electors at any one time shall not exceed two 336  
mills annually upon each dollar of valuation. When a tax levy has 337  
been authorized as provided in this section or in section 1545.041 338  
of the Revised Code, the board of park commissioners may issue 339  
bonds pursuant to section 133.24 of the Revised Code in 340  
anticipation of the collection of such levy, provided that such 341  
bonds shall be issued only for the purpose of acquiring and 342  
improving lands. Such levy, when collected, shall be applied in 343  
payment of the bonds so issued and the interest thereon. The 344  
amount of bonds so issued and outstanding at any time shall not 345  
exceed one per cent of the total tax valuation in such district. 346  
Such bonds shall bear interest at a rate not to exceed the rate 347  
determined as provided in section 9.95 of the Revised Code. 348

**Sec. 1901.10.** (A)(1)(a) The judges of the municipal court and 349  
officers of the court shall take an oath of office as provided in 350  
section 3.23 of the Revised Code. The office of judge of the 351  
municipal court is subject to forfeiture, and the judge may be 352  
removed from office, for the causes and by the procedure provided 353  
in sections 3.07 to 3.10 of the Revised Code. A vacancy in the 354  
office of judge exists upon the death, resignation, forfeiture, 355  
removal from office, or absence from official duties for a period 356  
of six consecutive months, as determined under this section, of 357  
the judge and also by reason of the expiration of the term of an 358  
incumbent when no successor has been elected or qualified. The 359  
chief justice of the supreme court may designate a judge of 360

another municipal court to act until that vacancy is filled in 361  
accordance with section 107.08 of the Revised Code. A vacancy 362  
resulting from the absence of a judge from official duties for a 363  
period of six consecutive months shall be determined and declared 364  
by the legislative authority. 365

(b) If a vacancy occurs in the office of judge or clerk of 366  
the municipal court after the one-hundredth day before the first 367  
Tuesday after the first Monday in May and prior to the fifty-sixth 368  
day before the day of the general election, all candidates for 369  
election to the unexpired term of the judge or clerk shall file 370  
nominating petitions with the board of elections not later than 371  
four p.m. on the tenth day following the day on which the vacancy 372  
occurs, except that, when the vacancy occurs fewer than four days 373  
before the fifty-sixth day before the general election, the 374  
deadline for filing shall be four p.m. on the fiftieth day before 375  
the day of the general election. 376

(c) Each nominating petition referred to in division 377  
(A)(1)(b) of this section shall be in the form prescribed in 378  
section 3513.261 of the Revised Code and shall be signed by at 379  
least fifty qualified electors of the territory of the municipal 380  
court. No nominating petition shall be accepted for filing or 381  
filed if it appears on its face to contain signatures aggregating 382  
in number more than twice the minimum aggregate number of 383  
signatures required by this section. 384

(2) If a judge of a municipal court that has only one judge 385  
is temporarily absent, incapacitated, or otherwise unavailable, 386  
the judge may appoint a substitute who has the qualifications 387  
required by section 1901.06 of the Revised Code or a retired judge 388  
of a court of record who is a qualified elector and a resident of 389  
the territory of the court. If the judge is unable to make the 390  
appointment, the chief justice of the supreme court shall appoint 391  
a substitute. The appointee shall serve during the absence, 392

incapacity, or unavailability of the incumbent, shall have the 393  
jurisdiction and powers conferred upon the judge of the municipal 394  
court, and shall be styled "acting judge." During that time of 395  
service, the acting judge shall sign all process and records and 396  
shall perform all acts pertaining to the office, except that of 397  
removal and appointment of officers of the court. All courts shall 398  
take judicial notice of the selection and powers of the acting 399  
judge. The incumbent judge shall establish the amount of 400  
compensation of an acting judge upon either a per diem, hourly, or 401  
other basis, but the rate of pay shall not exceed the per diem 402  
amount received by the incumbent judge. 403

(B) When the volume of cases pending in any municipal court 404  
necessitates an additional judge, the chief justice of the supreme 405  
court, upon the written request of the judge or presiding judge of 406  
that municipal court, may designate a judge of another municipal 407  
court or county court to serve for any period of time that the 408  
chief justice may prescribe. The compensation of a judge so 409  
designated shall be paid from the city treasury or, in the case of 410  
a county-operated municipal court, from the county treasury. In 411  
addition to the annual salary provided for in section 1901.11 of 412  
the Revised Code and in addition to any compensation under 413  
division (A)(5) or (6) of section 141.04 of the Revised Code to 414  
which the judge is entitled in connection with the judge's own 415  
court, a full-time or part-time judge while holding court outside 416  
the judge's territory on the designation of the chief justice 417  
shall receive actual and necessary expenses and compensation as 418  
follows: 419

(1) A full-time judge shall receive thirty dollars for each 420  
day of the assignment. 421

(2) A part-time judge shall receive for each day of the 422  
assignment the per diem compensation of the judges of the court to 423  
which the judge is assigned, less the per diem amount paid to 424

those judges pursuant to section 141.04 of the Revised Code, 425  
calculated on the basis of two hundred fifty working days per 426  
year. 427

If a request is made by a judge or the presiding judge of a 428  
municipal court to designate a judge of another municipal court 429  
because of the volume of cases in the court for which the request 430  
is made and the chief justice reports, in writing, that no 431  
municipal or county court judge is available to serve by 432  
designation, the judges of the court requesting the designation 433  
may appoint a substitute as provided in division (A)(2) of this 434  
section, who may serve for any period of time that is prescribed 435  
by the chief justice. The substitute judge shall be paid in the 436  
same manner and at the same rate as the incumbent judges, except 437  
that, if the substitute judge is entitled to compensation under 438  
division (A)(5) or (6) of section 141.04 of the Revised Code, then 439  
section 1901.121 of the Revised Code shall govern its payment. 440

**Sec. 2101.44.** The election upon the question of combining the 441  
probate court and the court of common pleas shall be conducted as 442  
provided for the election of county officers. 443

The board of election shall provide separate ballots, ballot 444  
boxes, tally sheets, blanks, stationery, and all such other 445  
supplies as may be necessary in the conduct of such election. 446

Ballots shall be printed with an affirmative and negative 447  
statement thereon, as follows: 448

|  |  |     |
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|  | The probate court and the court of common pleas shall be combined. | 449 |
|  | The probate court and the court of common pleas shall              | 450 |

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|  |                  |
|--|------------------|
|  | not be combined. |
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Returns of said election shall be made and canvassed at the 453  
same time and in the same manner as an election for county 454  
officers. The board shall certify the result of said election to 455  
the secretary of state, to the probate judge of said county, and 456  
to the judge of the court of common pleas, and such result shall 457  
be spread upon the journal of the probate court and of the court 458  
of common pleas. 459

If a majority of the votes cast at such an election are in 460  
favor of combining said courts, such courts shall stand combined 461  
upon determination of the fact that a majority of the persons 462  
voting upon the question of the combination of such courts voted 463  
in favor of such combination. 464

**Sec. 2301.02.** The number of judges of the court of common 465  
pleas for each county, the time for the next election of the 466  
judges in the several counties, and the beginning of their terms 467  
shall be as follows: 468

(A) In Adams, Ashland, Fayette, and Pike counties, one judge, 469  
elected in 1956, term to begin February 9, 1957; 470

In Brown, Crawford, Defiance, Highland, Holmes, Morgan, 471  
Ottawa, and Union counties, one judge, to be elected in 1954, term 472  
to begin February 9, 1955; 473

In Auglaize county, one judge, to be elected in 1956, term to 474  
begin January 9, 1957; 475

In Coshocton, Darke, Fulton, Gallia, Guernsey, Hardin, 476  
Jackson, Knox, Madison, Mercer, Monroe, Paulding, Vinton, and 477  
Wyandot counties, one judge, to be elected in 1956, term to begin 478  
January 1, 1957; 479

In Morrow county, two judges, one to be elected in 1956, term 480

to begin January 1, 1957, and one to be elected in 2006, term to 481  
begin January 1, 2007; 482

In Logan county, two judges, one to be elected in 1956, term 483  
to begin January 1, 1957, and one to be elected in 2004, term to 484  
begin January 2, 2005; 485

In Carroll, Clinton, Hocking, Meigs, Pickaway, Preble, 486  
Shelby, Van Wert, and Williams counties, one judge, to be elected 487  
in 1952, term to begin January 1, 1953; 488

In Champaign county, two judges, one to be elected in 1952, 489  
term to begin January 1, 1953, and one to be elected in 2008, term 490  
to begin February 10, 2009. 491

In Harrison and Noble counties, one judge, to be elected in 492  
1954, term to begin April 18, 1955; 493

In Henry county, two judges, one to be elected in 1956, term 494  
to begin May 9, 1957, and one to be elected in 2004, term to begin 495  
January 1, 2005; 496

In Putnam county, one judge, to be elected in 1956, term to 497  
begin May 9, 1957; 498

In Huron county, one judge, to be elected in 1952, term to 499  
begin May 14, 1953; 500

In Perry county, one judge, to be elected in 1954, term to 501  
begin July 6, 1956; 502

In Sandusky county, two judges, one to be elected in 1954, 503  
term to begin February 10, 1955, and one to be elected in 1978, 504  
term to begin January 1, 1979; 505

(B) In Allen county, three judges, one to be elected in 1956, 506  
term to begin February 9, 1957, the second to be elected in 1958, 507  
term to begin January 1, 1959, and the third to be elected in 508  
1992, term to begin January 1, 1993; 509

In Ashtabula county, three judges, one to be elected in 1954, 510

term to begin February 9, 1955, one to be elected in 1960, term to 511  
begin January 1, 1961, and one to be elected in 1978, term to 512  
begin January 2, 1979; 513

In Athens county, two judges, one to be elected in 1954, term 514  
to begin February 9, 1955, and one to be elected in 1990, term to 515  
begin July 1, 1991; 516

In Erie county, four judges, one to be elected in 1956, term 517  
to begin January 1, 1957, the second to be elected in 1970, term 518  
to begin January 2, 1971, the third to be elected in 2004, term to 519  
begin January 2, 2005, and the fourth to be elected in 2008, term 520  
to begin February 9, 2009; 521

In Fairfield county, three judges, one to be elected in 1954, 522  
term to begin February 9, 1955, the second to be elected in 1970, 523  
term to begin January 1, 1971, and the third to be elected in 524  
1994, term to begin January 2, 1995; 525

In Geauga county, two judges, one to be elected in 1956, term 526  
to begin January 1, 1957, and the second to be elected in 1976, 527  
term to begin January 6, 1977; 528

In Greene county, four judges, one to be elected in 1956, 529  
term to begin February 9, 1957, the second to be elected in 1960, 530  
term to begin January 1, 1961, the third to be elected in 1978, 531  
term to begin January 2, 1979, and the fourth to be elected in 532  
1994, term to begin January 1, 1995; 533

In Hancock county, two judges, one to be elected in 1952, 534  
term to begin January 1, 1953, and the second to be elected in 535  
1978, term to begin January 1, 1979; 536

In Lawrence county, two judges, one to be elected in 1954, 537  
term to begin February 9, 1955, and the second to be elected in 538  
1976, term to begin January 1, 1977; 539

In Marion county, three judges, one to be elected in 1952, 540

term to begin January 1, 1953, the second to be elected in 1976, 541  
term to begin January 2, 1977, and the third to be elected in 542  
1998, term to begin February 9, 1999; 543

In Medina county, three judges, one to be elected in 1956, 544  
term to begin January 1, 1957, the second to be elected in 1966, 545  
term to begin January 1, 1967, and the third to be elected in 546  
1994, term to begin January 1, 1995; 547

In Miami county, two judges, one to be elected in 1954, term 548  
to begin February 9, 1955, and one to be elected in 1970, term to 549  
begin on January 1, 1971; 550

In Muskingum county, three judges, one to be elected in 1968, 551  
term to begin August 9, 1969, one to be elected in 1978, term to 552  
begin January 1, 1979, and one to be elected in 2002, term to 553  
begin January 2, 2003; 554

In Portage county, three judges, one to be elected in 1956, 555  
term to begin January 1, 1957, the second to be elected in 1960, 556  
term to begin January 1, 1961, and the third to be elected in 557  
1986, term to begin January 2, 1987; 558

In Ross county, two judges, one to be elected in 1956, term 559  
to begin February 9, 1957, and the second to be elected in 1976, 560  
term to begin January 1, 1977; 561

In Scioto county, three judges, one to be elected in 1954, 562  
term to begin February 10, 1955, the second to be elected in 1960, 563  
term to begin January 1, 1961, and the third to be elected in 564  
1994, term to begin January 2, 1995; 565

In Seneca county, two judges, one to be elected in 1956, term 566  
to begin January 1, 1957, and the second to be elected in 1986, 567  
term to begin January 2, 1987; 568

In Warren county, four judges, one to be elected in 1954, 569  
term to begin February 9, 1955, the second to be elected in 1970, 570

term to begin January 1, 1971, the third to be elected in 1986, 571  
term to begin January 1, 1987, and the fourth to be elected in 572  
2004, term to begin January 2, 2005; 573

In Washington county, two judges, one to be elected in 1952, 574  
term to begin January 1, 1953, and one to be elected in 1986, term 575  
to begin January 1, 1987; 576

In Wood county, three judges, one to be elected in 1968, term 577  
beginning January 1, 1969, the second to be elected in 1970, term 578  
to begin January 2, 1971, and the third to be elected in 1990, 579  
term to begin January 1, 1991; 580

In Belmont and Jefferson counties, two judges, to be elected 581  
in 1954, terms to begin January 1, 1955, and February 9, 1955, 582  
respectively; 583

In Clark county, four judges, one to be elected in 1952, term 584  
to begin January 1, 1953, the second to be elected in 1956, term 585  
to begin January 2, 1957, the third to be elected in 1986, term to 586  
begin January 3, 1987, and the fourth to be elected in 1994, term 587  
to begin January 2, 1995. 588

In Clermont county, five judges, one to be elected in 1956, 589  
term to begin January 1, 1957, the second to be elected in 1964, 590  
term to begin January 1, 1965, the third to be elected in 1982, 591  
term to begin January 2, 1983, the fourth to be elected in 1986, 592  
term to begin January 2, 1987; and the fifth to be elected in 593  
2006, term to begin January 3, 2007; 594

In Columbiana county, two judges, one to be elected in 1952, 595  
term to begin January 1, 1953, and the second to be elected in 596  
1956, term to begin January 1, 1957; 597

In Delaware county, two judges, one to be elected in 1990, 598  
term to begin February 9, 1991, the second to be elected in 1994, 599  
term to begin January 1, 1995; 600

In Lake county, six judges, one to be elected in 1958, term 601  
to begin January 1, 1959, the second to be elected in 1960, term 602  
to begin January 2, 1961, the third to be elected in 1964, term to 603  
begin January 3, 1965, the fourth and fifth to be elected in 1978, 604  
terms to begin January 4, 1979, and January 5, 1979, respectively, 605  
and the sixth to be elected in 2000, term to begin January 6, 606  
2001; 607

In Licking county, four judges, one to be elected in 1954, 608  
term to begin February 9, 1955, one to be elected in 1964, term to 609  
begin January 1, 1965, one to be elected in 1990, term to begin 610  
January 1, 1991, and one to be elected in 2004, term to begin 611  
January 1, 2005; 612

In Lorain county, nine judges, two to be elected in 1952, 613  
terms to begin January 1, 1953, and January 2, 1953, respectively, 614  
one to be elected in 1958, term to begin January 3, 1959, one to 615  
be elected in 1968, term to begin January 1, 1969, two to be 616  
elected in 1988, terms to begin January 4, 1989, and January 5, 617  
1989, respectively, two to be elected in 1998, terms to begin 618  
January 2, 1999, and January 3, 1999, respectively; and one to be 619  
elected in 2006, term to begin January 6, 2007; 620

In Butler county, eleven judges, one to be elected in 1956, 621  
term to begin January 1, 1957; two to be elected in 1954, terms to 622  
begin January 1, 1955, and February 9, 1955, respectively; one to 623  
be elected in 1968, term to begin January 2, 1969; one to be 624  
elected in 1986, term to begin January 3, 1987; two to be elected 625  
in 1988, terms to begin January 1, 1989, and January 2, 1989, 626  
respectively; one to be elected in 1992, term to begin January 4, 627  
1993; two to be elected in 2002, terms to begin January 2, 2003, 628  
and January 3, 2003, respectively; and one to be elected in 2006, 629  
term to begin January 3, 2007; 630

In Richland county, four judges, one to be elected in 1956, 631  
term to begin January 1, 1957, the second to be elected in 1960, 632

term to begin February 9, 1961, the third to be elected in 1968, 633  
term to begin January 2, 1969, and the fourth to be elected in 634  
2004, term to begin January 3, 2005; 635

In Tuscarawas county, two judges, one to be elected in 1956, 636  
term to begin January 1, 1957, and the second to be elected in 637  
1960, term to begin January 2, 1961; 638

In Wayne county, two judges, one to be elected in 1956, term 639  
beginning January 1, 1957, and one to be elected in 1968, term to 640  
begin January 2, 1969; 641

In Trumbull county, six judges, one to be elected in 1952, 642  
term to begin January 1, 1953, the second to be elected in 1954, 643  
term to begin January 1, 1955, the third to be elected in 1956, 644  
term to begin January 1, 1957, the fourth to be elected in 1964, 645  
term to begin January 1, 1965, the fifth to be elected in 1976, 646  
term to begin January 2, 1977, and the sixth to be elected in 647  
1994, term to begin January 3, 1995; 648

(C) In Cuyahoga county, thirty-nine judges; eight to be 649  
elected in 1954, terms to begin on successive days beginning from 650  
January 1, 1955, to January 7, 1955, and February 9, 1955, 651  
respectively; eight to be elected in 1956, terms to begin on 652  
successive days beginning from January 1, 1957, to January 8, 653  
1957; three to be elected in 1952, terms to begin from January 1, 654  
1953, to January 3, 1953; two to be elected in 1960, terms to 655  
begin on January 8, 1961, and January 9, 1961, respectively; two 656  
to be elected in 1964, terms to begin January 4, 1965, and January 657  
5, 1965, respectively; one to be elected in 1966, term to begin on 658  
January 10, 1967; four to be elected in 1968, terms to begin on 659  
successive days beginning from January 9, 1969, to January 12, 660  
1969; two to be elected in 1974, terms to begin on January 18, 661  
1975, and January 19, 1975, respectively; five to be elected in 662  
1976, terms to begin on successive days beginning January 6, 1977, 663  
to January 10, 1977; two to be elected in 1982, terms to begin 664

January 11, 1983, and January 12, 1983, respectively; and two to 665  
be elected in 1986, terms to begin January 13, 1987, and January 666  
14, 1987, respectively; 667

In Franklin county, twenty-two judges; two to be elected in 668  
1954, terms to begin January 1, 1955, and February 9, 1955, 669  
respectively; four to be elected in 1956, terms to begin January 670  
1, 1957, to January 4, 1957; four to be elected in 1958, terms to 671  
begin January 1, 1959, to January 4, 1959; three to be elected in 672  
1968, terms to begin January 5, 1969, to January 7, 1969; three to 673  
be elected in 1976, terms to begin on successive days beginning 674  
January 5, 1977, to January 7, 1977; one to be elected in 1982, 675  
term to begin January 8, 1983; one to be elected in 1986, term to 676  
begin January 9, 1987; two to be elected in 1990, terms to begin 677  
July 1, 1991, and July 2, 1991, respectively; one to be elected in 678  
1996, term to begin January 2, 1997; and one to be elected in 679  
2004, term to begin July 1, 2005; 680

In Hamilton county, twenty-one judges; eight to be elected in 681  
1966, terms to begin January 1, 1967, January 2, 1967, and from 682  
February 9, 1967, to February 14, 1967, respectively; five to be 683  
elected in 1956, terms to begin from January 1, 1957, to January 684  
5, 1957; one to be elected in 1964, term to begin January 1, 1965; 685  
one to be elected in 1974, term to begin January 15, 1975; one to 686  
be elected in 1980, term to begin January 16, 1981; two to be 687  
elected at large in the general election in 1982, terms to begin 688  
April 1, 1983; one to be elected in 1990, term to begin July 1, 689  
1991; and two to be elected in 1996, terms to begin January 3, 690  
1997, and January 4, 1997, respectively; 691

In Lucas county, fourteen judges; two to be elected in 1954, 692  
terms to begin January 1, 1955, and February 9, 1955, 693  
respectively; two to be elected in 1956, terms to begin January 1, 694  
1957, and October 29, 1957, respectively; two to be elected in 695  
1952, terms to begin January 1, 1953, and January 2, 1953, 696

respectively; one to be elected in 1964, term to begin January 3, 697  
1965; one to be elected in 1968, term to begin January 4, 1969; 698  
two to be elected in 1976, terms to begin January 4, 1977, and 699  
January 5, 1977, respectively; one to be elected in 1982, term to 700  
begin January 6, 1983; one to be elected in 1988, term to begin 701  
January 7, 1989; one to be elected in 1990, term to begin January 702  
2, 1991; and one to be elected in 1992, term to begin January 2, 703  
1993; 704

In Mahoning county, seven judges; three to be elected in 705  
1954, terms to begin January 1, 1955, January 2, 1955, and 706  
February 9, 1955, respectively; one to be elected in 1956, term to 707  
begin January 1, 1957; one to be elected in 1952, term to begin 708  
January 1, 1953; one to be elected in 1968, term to begin January 709  
2, 1969; and one to be elected in 1990, term to begin July 1, 710  
1991; 711

In Montgomery county, fifteen judges; three to be elected in 712  
1954, terms to begin January 1, 1955, January 2, 1955, and January 713  
3, 1955, respectively; four to be elected in 1952, terms to begin 714  
January 1, 1953, January 2, 1953, July 1, 1953, and July 2, 1953, 715  
respectively; one to be elected in 1964, term to begin January 3, 716  
1965; one to be elected in 1968, term to begin January 3, 1969; 717  
three to be elected in 1976, terms to begin on successive days 718  
beginning January 4, 1977, to January 6, 1977; two to be elected 719  
in 1990, terms to begin July 1, 1991, and July 2, 1991, 720  
respectively; and one to be elected in 1992, term to begin January 721  
1, 1993. 722

In Stark county, eight judges; one to be elected in 1958, 723  
term to begin on January 2, 1959; two to be elected in 1954, terms 724  
to begin on January 1, 1955, and February 9, 1955, respectively; 725  
two to be elected in 1952, terms to begin January 1, 1953, and 726  
April 16, 1953, respectively; one to be elected in 1966, term to 727  
begin on January 4, 1967; and two to be elected in 1992, terms to 728

begin January 1, 1993, and January 2, 1993, respectively; 729

In Summit county, thirteen judges; four to be elected in 730  
1954, terms to begin January 1, 1955, January 2, 1955, January 3, 731  
1955, and February 9, 1955, respectively; three to be elected in 732  
1958, terms to begin January 1, 1959, January 2, 1959, and May 17, 733  
1959, respectively; one to be elected in 1966, term to begin 734  
January 4, 1967; one to be elected in 1968, term to begin January 735  
5, 1969; one to be elected in 1990, term to begin May 1, 1991; one 736  
to be elected in 1992, term to begin January 6, 1993; and two to 737  
be elected in 2008, terms to begin January 5, 2009, and January 6, 738  
2009, respectively. 739

Notwithstanding the foregoing provisions, in any county 740  
having two or more judges of the court of common pleas, in which 741  
more than one-third of the judges plus one were previously elected 742  
at the same election, if the office of one of those judges so 743  
elected becomes vacant more than fifty-six days prior to the 744  
second general election preceding the expiration of that judge's 745  
term, the office that that judge had filled shall be abolished as 746  
of the date of the next general election, and a new office of 747  
judge of the court of common pleas shall be created. The judge who 748  
is to fill that new office shall be elected for a six-year term at 749  
the next general election, and the term of that judge shall 750  
commence on the first day of the year following that general 751  
election, on which day no other judge's term begins, so that the 752  
number of judges that the county shall elect shall not be reduced. 753

Judges of the probate division of the court of common pleas 754  
are judges of the court of common pleas but shall be elected 755  
pursuant to sections 2101.02 and 2101.021 of the Revised Code, 756  
except in Adams, Harrison, Henry, Morgan, Noble, and Wyandot 757  
counties in which the judge of the court of common pleas elected 758  
pursuant to this section also shall serve as judge of the probate 759  
division, except in Lorain county in which the judges of the 760

domestic relations division of the Lorain county court of common 761  
pleas elected pursuant to this section also shall perform the 762  
duties and functions of the judge of the probate division from 763  
February 9, 2009, through September 28, 2009, and except in Morrow 764  
county in which the judges of the court of common pleas elected 765  
pursuant to this section also shall perform the duties and 766  
functions of the judge of the probate division. 767

**Sec. 3501.01.** As used in the sections of the Revised Code 768  
relating to elections and political communications: 769

(A) "General election" means the election held on the first 770  
Tuesday after the first Monday in each November. 771

(B) "Regular municipal election" means the election held on 772  
the first Tuesday after the first Monday in November in each 773  
odd-numbered year. 774

(C) "Regular state election" means the election held on the 775  
first Tuesday after the first Monday in November in each 776  
even-numbered year. 777

(D) "Special election" means any election other than those 778  
elections defined in other divisions of this section. A special 779  
election may be held only on the first Tuesday after the first 780  
Monday in February, May, August, or November, or on the day 781  
authorized by a particular municipal or county charter for the 782  
holding of a primary election, except that in any year in which a 783  
presidential primary election is held, no special election shall 784  
be held in February or May, except as authorized by a municipal or 785  
county charter, but may be held on the first Tuesday after the 786  
first Monday in March. 787

(E)(1) "Primary" or "primary election" means an election held 788  
for the purpose of nominating persons as candidates of political 789  
parties for election to offices, and for the purpose of electing 790

persons as members of the controlling committees of political 791  
parties and as delegates and alternates to the conventions of 792  
political parties. Primary elections shall be held on the first 793  
Tuesday after the first Monday in May of each year except in years 794  
in which a presidential primary election is held. 795

(2) "Presidential primary election" means a primary election 796  
as defined by division (E)(1) of this section at which an election 797  
is held for the purpose of choosing delegates and alternates to 798  
the national conventions of the major political parties pursuant 799  
to section 3513.12 of the Revised Code. Unless otherwise 800  
specified, presidential primary elections are included in 801  
references to primary elections. In years in which a presidential 802  
primary election is held, all primary elections shall be held on 803  
the first Tuesday after the first Monday in March except as 804  
otherwise authorized by a municipal or county charter. 805

(F) "Political party" means any group of voters meeting the 806  
requirements set forth in section 3517.01 of the Revised Code for 807  
the formation and existence of a political party. 808

(1) "Major political party" means any political party 809  
organized under the laws of this state whose candidate for 810  
governor or nominees for presidential electors received no less 811  
than twenty per cent of the total vote cast for such office at the 812  
most recent regular state election. 813

(2) "Intermediate political party" means any political party 814  
organized under the laws of this state whose candidate for 815  
governor or nominees for presidential electors received less than 816  
twenty per cent but not less than ten per cent of the total vote 817  
cast for such office at the most recent regular state election. 818

(3) "Minor political party" means any political party 819  
organized under the laws of this state whose candidate for 820  
governor or nominees for presidential electors received less than 821

ten per cent but not less than five per cent of the total vote 822  
cast for such office at the most recent regular state election or 823  
which has filed with the secretary of state, subsequent to any 824  
election in which it received less than five per cent of such 825  
vote, a petition signed by qualified electors equal in number to 826  
at least one per cent of the total vote cast for such office in 827  
the last preceding regular state election, except that a newly 828  
formed political party shall be known as a minor political party 829  
until the time of the first election for governor or president 830  
which occurs not less than twelve months subsequent to the 831  
formation of such party, after which election the status of such 832  
party shall be determined by the vote for the office of governor 833  
or president. 834

(G) "Dominant party in a precinct" or "dominant political 835  
party in a precinct" means that political party whose candidate 836  
for election to the office of governor at the most recent regular 837  
state election at which a governor was elected received more votes 838  
than any other person received for election to that office in such 839  
precinct at such election. 840

(H) "Candidate" means any qualified person certified in 841  
accordance with the provisions of the Revised Code for placement 842  
on the official ballot of a primary, general, or special election 843  
to be held in this state, or any qualified person who claims to be 844  
a write-in candidate, or who knowingly assents to being 845  
represented as a write-in candidate by another at either a 846  
primary, general, or special election to be held in this state. 847

(I) "Independent candidate" means any candidate who claims 848  
not to be affiliated with a political party, and whose name has 849  
been certified on the office-type ballot at a general or special 850  
election through the filing of a statement of candidacy and 851  
nominating petition, as prescribed in section 3513.257 of the 852  
Revised Code. 853

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

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

(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 885  
qualified electors having a voting residence therein may vote at 886  
the same polling place. 887

(R) "Polling place" means that place provided for each 888  
precinct at which the electors having a voting residence in such 889  
precinct may vote. 890

(S) "Board" or "board of elections" means the board of 891  
elections appointed in a county pursuant to section 3501.06 of the 892  
Revised Code. 893

(T) "Political subdivision" means a county, township, city, 894  
village, or school district. 895

(U) "Election officer" or "election official" means any of 896  
the following: 897

(1) Secretary of state; 898

(2) Employees of the secretary of state serving the division 899  
of elections in the capacity of attorney, administrative officer, 900  
administrative assistant, elections administrator, office manager, 901  
or clerical supervisor; 902

(3) Director of a board of elections; 903

(4) Deputy director of a board of elections; 904

(5) Member of a board of elections; 905

(6) Employees of a board of elections; 906

(7) Precinct polling place judges; 907

(8) Employees appointed by the boards of elections on a 908  
temporary or part-time basis. 909

(V) "Acknowledgment notice" means a notice sent by a board of 910  
elections, on a form prescribed by the secretary of state, 911  
informing a voter registration applicant or an applicant who 912  
wishes to change the applicant's residence or name of the status 913

of the application; the information necessary to complete or 914  
update the application, if any; and if the application is 915  
complete, the precinct in which the applicant is to vote. 916

(W) "Confirmation notice" means a notice sent by a board of 917  
elections, on a form prescribed by the secretary of state, to a 918  
registered elector to confirm the registered elector's current 919  
address. 920

(X) "Designated agency" means an office or agency in the 921  
state that provides public assistance or that provides 922  
state-funded programs primarily engaged in providing services to 923  
persons with disabilities and that is required by the National 924  
Voter Registration Act of 1993 to implement a program designed and 925  
administered by the secretary of state for registering voters, or 926  
any other public or government office or agency that implements a 927  
program designed and administered by the secretary of state for 928  
registering voters, including the department of job and family 929  
services, the program administered under section 3701.132 of the 930  
Revised Code by the department of health, the department of mental 931  
health, the department of developmental disabilities, the 932  
rehabilitation services commission, and any other agency the 933  
secretary of state designates. "Designated agency" does not 934  
include public high schools and vocational schools, public 935  
libraries, or the office of a county treasurer. 936

(Y) "National Voter Registration Act of 1993" means the 937  
"National Voter Registration Act of 1993," 107 Stat. 77, 42 938  
U.S.C.A. 1973gg. 939

(Z) "Voting Rights Act of 1965" means the "Voting Rights Act 940  
of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. 941

(AA) "Photo identification" means a document that meets each 942  
of the following requirements: 943

(1) It shows the name of the individual to whom it was 944

issued, which shall conform to the name in the poll list or 945  
signature pollbook. 946

(2) It shows the current address of the individual to whom it 947  
was issued, which shall conform to the address in the poll list or 948  
signature pollbook, except for a driver's license or a state 949  
identification card issued under section 4507.50 of the Revised 950  
Code, which may show either the current or former address of the 951  
individual to whom it was issued, regardless of whether that 952  
address conforms to the address in the poll list or signature 953  
pollbook. 954

(3) It shows a photograph of the individual to whom it was 955  
issued. 956

(4) It includes an expiration date that has not passed. 957

(5) It was issued by the government of the United States or 958  
this state. 959

**Sec. 3501.02.** General elections in the state and its 960  
political subdivisions shall be held as follows: 961

(A) For the election of electors of president and 962  
vice-president of the United States, in the year of 1932 and every 963  
four years thereafter; 964

(B) For the election of a member of the senate of the United 965  
States, in the years 1932 and 1934, and every six years after each 966  
of such years; except as otherwise provided for filling vacancies; 967

(C) For the election of representatives in the congress of 968  
the United States and of elective state and county officers 969  
including elected members of the state board of education, in the 970  
even-numbered years; except as otherwise provided for filling 971  
vacancies; 972

(D) For municipal and township officers, members of boards of 973  
education, judges and clerks of municipal courts, in the 974

odd-numbered years; 975

(E) Proposed constitutional amendments or proposed measures 976  
submitted by the general assembly or by initiative or referendum 977  
petitions to the voters of the state at large may be submitted to 978  
the general election in any year occurring at least sixty days, in 979  
case of a referendum, and ninety days, in the case of an initiated 980  
measure, subsequent to the filing of the petitions therefor. 981  
Proposed constitutional amendments submitted by the general 982  
assembly to the voters of the state at large may be submitted at a 983  
special election occurring on the day in any year specified by 984  
division (E) of section 3501.01 of the Revised Code for the 985  
holding of a primary election, when a special election on that 986  
date is designated by the general assembly in the resolution 987  
adopting the proposed constitutional amendment. 988

No special election shall be held on a day other than the day 989  
of a general election, unless a law or charter provides otherwise, 990  
regarding the submission of a question or issue to the voters of a 991  
county, township, city, village, or school district. 992

(F)(1) Notwithstanding any provision of the Revised Code to 993  
the contrary, any question or issue, except a candidacy, to be 994  
voted upon at an election shall be certified, for placement upon 995  
the ballot, to the board of elections not later than four p.m. of 996  
the ninetieth day before the day of the election. 997

(2) Any question or issue that is certified for placement on 998  
a ballot on or after the effective date of this amendment shall be 999  
certified not later than the ninetieth day before the day of the 1000  
applicable election, notwithstanding any deadlines appearing in 1001  
any section of the Revised Code governing the placement of that 1002  
question or issue on the ballot. 1003

**Sec. 3501.05.** The secretary of state shall do all of the 1004  
following: 1005

|   |                                      |
|---|--------------------------------------|
| (A) Appoint all members of boards of elections;   | 1006                                 |
| (B) Issue instructions by directives and advisories in accordance with section 3501.053 of the Revised Code to members of the boards as to the proper methods of conducting elections.  | 1007<br>1008<br>1009                 |
| (C) Prepare rules and instructions for the conduct of elections;  | 1010<br>1011                         |
| (D) Publish and furnish to the boards from time to time a sufficient number of indexed copies of all election laws then in force;   | 1012<br>1013<br>1014                 |
| (E) Edit and issue all pamphlets concerning proposed laws or amendments required by law to be submitted to the voters;  | 1015<br>1016                         |
| (F) Prescribe the form of registration cards, blanks, and records;  | 1017<br>1018                         |
| (G) Determine and prescribe the forms of ballots and the forms of all blanks, cards of instructions, pollbooks, tally sheets, certificates of election, and forms and blanks required by law for use by candidates, committees, and boards;                                   | 1019<br>1020<br>1021<br>1022         |
| (H) Prepare the ballot title or statement to be placed on the ballot for any proposed law or amendment to the constitution to be submitted to the voters of the state;  | 1023<br>1024<br>1025                 |
| (I) Except as otherwise provided in section 3519.08 of the Revised Code, certify to the several boards the forms of ballots and names of candidates for state offices, and the form and wording of state referendum questions and issues, as they shall appear on the ballot; | 1026<br>1027<br>1028<br>1029<br>1030 |
| (J) Except as otherwise provided in division (I)(2)(b) of section 3501.38 of the Revised Code, give final approval to ballot language for any local question or issue approved and transmitted by boards of elections under section 3501.11 of the Revised Code;              | 1031<br>1032<br>1033<br>1034         |
| (K) Receive all initiative and referendum petitions on state  | 1035                                 |

|  |      |
|--|------|
| questions and issues and determine and certify to the sufficiency  | 1036 |
| of those petitions;  | 1037 |
| (L) Require such reports from the several boards as are            | 1038 |
| provided by law, or as the secretary of state considers necessary; | 1039 |
| (M) Compel the observance by election officers in the several      | 1040 |
| counties of the requirements of the election laws;                 | 1041 |
| (N)(1) Except as otherwise provided in division (N)(2) of          | 1042 |
| this section, investigate the administration of election laws,     | 1043 |
| frauds, and irregularities in elections in any county, and report  | 1044 |
| violations of election laws to the attorney general or prosecuting | 1045 |
| attorney, or both, for prosecution;                                | 1046 |
| (2) On and after August 24, 1995, report a failure to comply       | 1047 |
| with or a violation of a provision in sections 3517.08 to 3517.13, | 1048 |
| 3517.17, 3517.18, 3517.20 to 3517.22, 3599.03, or 3599.031 of the  | 1049 |
| Revised Code, whenever the secretary of state has or should have   | 1050 |
| knowledge of a failure to comply with or a violation of a          | 1051 |
| provision in one of those sections, by filing a complaint with the | 1052 |
| Ohio elections commission under section 3517.153 of the Revised    | 1053 |
| Code;  | 1054 |
| (O) Make an annual report to the governor containing the           | 1055 |
| results of elections, the cost of elections in the various         | 1056 |
| counties, a tabulation of the votes in the several political       | 1057 |
| subdivisions, and other information and recommendations relative   | 1058 |
| to elections the secretary of state considers desirable;           | 1059 |
| (P) Prescribe and distribute to boards of elections a list of      | 1060 |
| instructions indicating all legal steps necessary to petition      | 1061 |
| successfully for local option elections under sections 4301.32 to  | 1062 |
| 4301.41, 4303.29, 4305.14, and 4305.15 of the Revised Code;        | 1063 |
| (Q) Adopt rules pursuant to Chapter 119. of the Revised Code       | 1064 |
| for the removal by boards of elections of ineligible voters from   | 1065 |
| the statewide voter registration database and, if applicable, from | 1066 |

the poll list or signature pollbook used in each precinct, which 1067  
rules shall provide for all of the following: 1068

(1) A process for the removal of voters who have changed 1069  
residence, which shall be uniform, nondiscriminatory, and in 1070  
compliance with the Voting Rights Act of 1965 and the National 1071  
Voter Registration Act of 1993, including a program that uses the 1072  
national change of address service provided by the United States 1073  
postal system through its licensees; 1074

(2) A process for the removal of ineligible voters under 1075  
section 3503.21 of the Revised Code; 1076

(3) A uniform system for marking or removing the name of a 1077  
voter who is ineligible to vote from the statewide voter 1078  
registration database and, if applicable, from the poll list or 1079  
signature pollbook used in each precinct and noting the reason for 1080  
that mark or removal. 1081

(R) Prescribe a general program for registering voters or 1082  
updating voter registration information, such as name and 1083  
residence changes, by boards of elections, designated agencies, 1084  
offices of deputy registrars of motor vehicles, public high 1085  
schools and vocational schools, public libraries, and offices of 1086  
county treasurers consistent with the requirements of section 1087  
3503.09 of the Revised Code; 1088

(S) Prescribe a program of distribution of voter registration 1089  
forms through boards of elections, designated agencies, offices of 1090  
the registrar and deputy registrars of motor vehicles, public high 1091  
schools and vocational schools, public libraries, and offices of 1092  
county treasurers; 1093

(T) To the extent feasible, provide copies, at no cost and 1094  
upon request, of the voter registration form in post offices in 1095  
this state; 1096

(U) Adopt rules pursuant to section 111.15 of the Revised 1097

Code for the purpose of implementing the program for registering 1098  
voters through boards of elections, designated agencies, and the 1099  
offices of the registrar and deputy registrars of motor vehicles 1100  
consistent with this chapter; 1101

(V) Establish the full-time position of Americans with 1102  
Disabilities Act coordinator within the office of the secretary of 1103  
state to do all of the following: 1104

(1) Assist the secretary of state with ensuring that there is 1105  
equal access to polling places for persons with disabilities; 1106

(2) Assist the secretary of state with ensuring that each 1107  
voter may cast the voter's ballot in a manner that provides the 1108  
same opportunity for access and participation, including privacy 1109  
and independence, as for other voters; 1110

(3) Advise the secretary of state in the development of 1111  
standards for the certification of voting machines, marking 1112  
devices, and automatic tabulating equipment. 1113

(W) Establish and maintain a computerized statewide database 1114  
of all legally registered voters under section 3503.15 of the 1115  
Revised Code that complies with the requirements of the "Help 1116  
America Vote Act of 2002," Pub. L. No. 107-252, 116 Stat. 1666, 1117  
and provide training in the operation of that system; 1118

(X) Ensure that all directives, advisories, other 1119  
instructions, or decisions issued or made during or as a result of 1120  
any conference or teleconference call with a board of elections to 1121  
discuss the proper methods and procedures for conducting 1122  
elections, to answer questions regarding elections, or to discuss 1123  
the interpretation of directives, advisories, or other 1124  
instructions issued by the secretary of state are posted on a web 1125  
site of the office of the secretary of state as soon as is 1126  
practicable after the completion of the conference or 1127  
teleconference call, but not later than the close of business on 1128

the same day as the conference or teleconference call takes place. 1129

(Y) Publish a report on a web site of the office of the 1130  
secretary of state not later than one month after the completion 1131  
of the canvass of the election returns for each primary and 1132  
general election, identifying, by county, the number of absent 1133  
voter's ballots cast and the number of those ballots that were 1134  
counted, and the number of provisional ballots cast and the number 1135  
of those ballots that were counted, for that election. The 1136  
secretary of state shall maintain the information on the web site 1137  
in an archive format for each subsequent election. 1138

(Z) Conduct voter education outlining voter identification, 1139  
absent voters ballot, provisional ballot, and other voting 1140  
requirements; 1141

(AA) Establish a procedure by which a registered elector may 1142  
make available to a board of elections a more recent signature to 1143  
be used in the poll list or signature pollbook produced by the 1144  
board of elections of the county in which the elector resides; 1145

(BB) Disseminate information, which may include all or part 1146  
of the official explanations and arguments, by means of direct 1147  
mail or other written publication, broadcast, or other means or 1148  
combination of means, as directed by the Ohio ballot board under 1149  
division (F) of section 3505.062 of the Revised Code, in order to 1150  
inform the voters as fully as possible concerning each proposed 1151  
constitutional amendment, proposed law, or referendum; 1152

(CC) Be the single state office responsible for the 1153  
implementation of the "Uniformed and Overseas Citizens Absentee 1154  
Voting Act," Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 1973ff, 1155  
et seq., as amended, in this state. The secretary of state may 1156  
delegate to the boards of elections responsibilities for the 1157  
implementation of that act, including responsibilities arising 1158  
from amendments to that act made by the "Military and Overseas 1159

Voter Empowerment Act," Subtitle H of the National Defense 1160  
Authorization Act for Fiscal Year 2010, Pub. L. No. 111-84, 123 1161  
Stat. 3190. 1162

(DD) Perform other duties required by law. 1163

Whenever a primary election is held under section 3513.32 of 1164  
the Revised Code or a special election is held under section 1165  
3521.03 of the Revised Code to fill a vacancy in the office of 1166  
representative to congress, the secretary of state shall establish 1167  
a deadline, notwithstanding any other deadline required under the 1168  
Revised Code, by which any or all of the following shall occur: 1169  
the filing of a declaration of candidacy and petitions or a 1170  
statement of candidacy and nominating petition together with the 1171  
applicable filing fee; the filing of protests against the 1172  
candidacy of any person filing a declaration of candidacy or 1173  
nominating petition; the filing of a declaration of intent to be a 1174  
write-in candidate; the filing of campaign finance reports; the 1175  
preparation of, and the making of corrections or challenges to, 1176  
precinct voter registration lists; the receipt of applications for 1177  
absent voter's ballots or armed service absent voter's ballots; 1178  
the supplying of election materials to precincts by boards of 1179  
elections; the holding of hearings by boards of elections to 1180  
consider challenges to the right of a person to appear on a voter 1181  
registration list; and the scheduling of programs to instruct or 1182  
reinstruct election officers. 1183

In the performance of the secretary of state's duties as the 1184  
chief election officer, the secretary of state may administer 1185  
oaths, issue subpoenas, summon witnesses, compel the production of 1186  
books, papers, records, and other evidence, and fix the time and 1187  
place for hearing any matters relating to the administration and 1188  
enforcement of the election laws. 1189

In any controversy involving or arising out of the adoption 1190  
of registration or the appropriation of funds for registration, 1191

the secretary of state may, through the attorney general, bring an 1192  
action in the name of the state in the court of common pleas of 1193  
the county where the cause of action arose or in an adjoining 1194  
county, to adjudicate the question. 1195

In any action involving the laws in Title XXXV of the Revised 1196  
Code wherein the interpretation of those laws is in issue in such 1197  
a manner that the result of the action will affect the lawful 1198  
duties of the secretary of state or of any board of elections, the 1199  
secretary of state may, on the secretary of state's motion, be 1200  
made a party. 1201

The secretary of state may apply to any court that is hearing 1202  
a case in which the secretary of state is a party, for a change of 1203  
venue as a substantive right, and the change of venue shall be 1204  
allowed, and the case removed to the court of common pleas of an 1205  
adjoining county named in the application or, if there are cases 1206  
pending in more than one jurisdiction that involve the same or 1207  
similar issues, the court of common pleas of Franklin county. 1208

Public high schools and vocational schools, public libraries, 1209  
and the office of a county treasurer shall implement voter 1210  
registration programs as directed by the secretary of state 1211  
pursuant to this section. 1212

**Sec. 3501.051.** (A) Notwithstanding any other section of the 1213  
Revised Code, the secretary of state may authorize, in one or more 1214  
precincts in one or more counties, a program allowing individuals 1215  
under the age of eighteen to enter the polling place and vote in a 1216  
simulated election held at the same time as a general election. 1217  
Any individual working in or supervising at a simulated election 1218  
may enter the polling place and remain within it during the entire 1219  
period the polls are open. 1220

(B) A program established under division (A) of this section 1221  
shall require all of the following: 1222

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

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

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

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

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

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

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

(2) Temporary directives shall only be issued, and shall only have effect, during the period beginning ninety days prior to the day of an election and ending on the fortieth day following the

day of that election. Temporary directives shall not be subject to 1253  
public review and public comment under division (A)(1) of this 1254  
section. 1255

A temporary directive shall not become a permanent directive 1256  
unless the temporary directive is proposed as a permanent 1257  
directive and subject to public review and public comment under 1258  
division (A)(1) of this section. 1259

If the situation prompting the establishment of a temporary 1260  
directive appears likely to recur, the secretary of state shall 1261  
establish a permanent directive addressing the situation. 1262

(B) In addition to any other publication of directives and 1263  
advisories issued by the secretary of state, the secretary of 1264  
state shall publish those directives and advisories on a web site 1265  
of the office of the secretary of state as soon as is practicable 1266  
after they are issued, but not later than the close of business on 1267  
the same day as a directive or advisory is issued. The secretary 1268  
of state shall not remove from the web site any directives and 1269  
advisories so posted. The secretary of state shall provide on that 1270  
web site access to all directives and advisories currently in 1271  
effect and maintain an archive of all directives and advisories 1272  
previously published on that web site. 1273

**Sec. 3501.10.** (A) The board of elections shall, as an expense 1274  
of the board, provide suitable rooms for its offices and records 1275  
and the necessary and proper furniture and supplies for those 1276  
rooms. The board may lease such offices and rooms, necessary to 1277  
its operation, for the length of time and upon the terms the board 1278  
deems in the best interests of the public, provided that the term 1279  
of any such lease shall not exceed fifteen years. 1280

Thirty days prior to entering into such a lease, the board 1281  
shall notify the board of county commissioners in writing of its 1282  
intent to enter into the lease. The notice shall specify the terms 1283

and conditions of the lease. Prior to the thirtieth day after 1284  
receiving that notice and before any lease is entered into, the 1285  
board of county commissioners may reject the proposed lease by a 1286  
majority vote. After receiving written notification of the 1287  
rejection by the board of county commissioners, the board of 1288  
elections shall not enter into the lease that was rejected, but 1289  
may immediately enter into additional lease negotiations, subject 1290  
to the requirements of this section. 1291

The board of elections in any county may, by resolution, 1292  
request that the board of county commissioners submit to the 1293  
electors of the county, in accordance with section 133.18 of the 1294  
Revised Code, the question of issuing bonds for the acquisition of 1295  
real estate and the construction on it of a suitable building with 1296  
necessary furniture and equipment for the proper administration of 1297  
the duties of the board of elections. The resolution declaring the 1298  
necessity for issuing such bonds shall relate only to the 1299  
acquisition of real estate and to the construction, furnishing, 1300  
and equipping of a building as provided in this division. 1301

(B) The board of elections in each county shall keep its 1302  
offices, or one or more of its branch registration offices, open 1303  
for the performance of its duties until nine p.m. on the last day 1304  
of registration before a general or primary election. At all other 1305  
times during each week, the board shall keep its offices and rooms 1306  
open for a period of time that the board considers necessary for 1307  
the performance of its duties. 1308

(C) The board of elections may maintain permanent or 1309  
temporary branch offices at any place within the county, provided 1310  
that, if the board of elections permits electors to vote at a 1311  
branch office, electors shall not be permitted to vote at any 1312  
other branch office or any other office of the board of elections. 1313

**Sec. 3501.11.** Each board of elections shall exercise by a 1314

majority vote all powers granted to the board by Title XXXV of the Revised Code, shall perform all the duties imposed by law, and shall do all of the following:

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

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

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

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

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

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

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

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

(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 1345  
automatic tabulating equipment shall conduct a full vote of the 1346  
board during a public session of the board on the allocation and 1347  
distribution of voting machines, marking devices, and automatic 1348  
tabulating equipment for each precinct in the county. 1349

(J) Investigate irregularities, nonperformance of duties, or 1350  
violations of Title XXXV of the Revised Code by election officers 1351  
and other persons; administer oaths, issue subpoenas, summon 1352  
witnesses, and compel the production of books, papers, records, 1353  
and other evidence in connection with any such investigation; and 1354  
report the facts to the prosecuting attorney or the secretary of 1355  
state; 1356

(K) Review, examine, and certify the sufficiency and validity 1357  
of petitions and nomination papers, and, after certification, 1358  
return to the secretary of state all petitions and nomination 1359  
papers that the secretary of state forwarded to the board; 1360

(L) Receive the returns of elections, canvass the returns, 1361  
make abstracts of them, and transmit those abstracts to the proper 1362  
authorities; 1363

(M) Issue certificates of election on forms to be prescribed 1364  
by the secretary of state; 1365

(N) Make an annual report to the secretary of state, on the 1366  
form prescribed by the secretary of state, containing a statement 1367  
of the number of voters registered, elections held, votes cast, 1368  
appropriations received, expenditures made, and other data 1369  
required by the secretary of state; 1370

(O) Prepare and submit to the proper appropriating officer a 1371  
budget estimating the cost of elections for the ensuing fiscal 1372  
year; 1373

(P) Perform other duties as prescribed by law or the rules, 1374  
directives, or advisories of the secretary of state; 1375

|  |                                      |
|--|--------------------------------------|
| (Q) Investigate and determine the residence qualifications of electors;  | 1376<br>1377                         |
| (R) Administer oaths in matters pertaining to the administration of the election laws;   | 1378<br>1379                         |
| (S) Prepare and submit to the secretary of state, whenever the secretary of state requires, a report containing the names and residence addresses of all incumbent county, municipal, township, and board of education officials serving in their respective counties; | 1380<br>1381<br>1382<br>1383<br>1384 |
| (T) Establish and maintain a voter registration database of all qualified electors in the county who offer to register;  | 1385<br>1386                         |
| (U) Maintain voter registration records, make reports concerning voter registration as required by the secretary of state, and remove ineligible electors from voter registration lists in accordance with law and directives of the secretary of state;               | 1387<br>1388<br>1389<br>1390<br>1391 |
| (V) Give approval to ballot language for any local question or issue and transmit the language to the secretary of state for the secretary of state's final approval;  | 1392<br>1393<br>1394                 |
| (W) Prepare and cause the following notice to be displayed in a prominent location in every polling place:   | 1395<br>1396                         |
| "NOTICE  | 1397                                 |
| Ohio law prohibits any person from voting or attempting to vote more than once at the same election.   | 1398<br>1399                         |
| Violators are guilty of a felony of the fourth degree and shall be imprisoned and additionally may be fined in accordance with law."   | 1400<br>1401<br>1402                 |
| (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  | 1403<br>1404<br>1405                 |

fourteen days after the tie vote or the disagreement, to the 1406  
secretary of state, who shall summarily decide the question, and 1407  
the secretary of state's decision shall be final. 1408

(Y) Assist each designated agency, deputy registrar of motor 1409  
vehicles, public high school and vocational school, public 1410  
library, and office of a county treasurer in the implementation of 1411  
a program for registering voters at all voter registration 1412  
locations as prescribed by the secretary of state. Under this 1413  
program, each board of elections shall direct to the appropriate 1414  
board of elections any voter registration applications for persons 1415  
residing outside the county where the board is located within five 1416  
days after receiving the applications. 1417

(Z) On any day on which an elector may vote in person at the 1418  
office of the board or at another site designated by the board, 1419  
consider the board or other designated site a polling place for 1420  
that day. All requirements or prohibitions of law that apply to a 1421  
polling place shall apply to the office of the board or other 1422  
designated site on that day. 1423

(AA) Perform any duties with respect to voter registration 1424  
and voting by uniformed services and overseas voters that are 1425  
delegated to the board by law or by the rules, directives, or 1426  
advisories of the secretary of state. 1427

**Sec. 3501.13.** (A) The director of the board of elections 1428  
shall keep a full and true record of the proceedings of the board 1429  
and of all moneys received and expended; file and preserve in the 1430  
board's office all orders and records pertaining to the 1431  
administration of registrations, primaries, and elections; receive 1432  
and have the custody of all books, papers, and property belonging 1433  
to the board; and perform other duties in connection with the 1434  
office of director and the proper conduct of elections as the 1435  
board determines. 1436

(B) Before entering upon the duties of the office, the 1437  
director shall subscribe to an oath that the director will support 1438  
the Constitution of the United States and the Ohio Constitution, 1439  
perform all the duties of the office to the best of the director's 1440  
ability, enforce the election laws, and preserve all records, 1441  
documents, and other property pertaining to the conduct of 1442  
elections placed in the director's custody. 1443

(C) The director may administer oaths to persons required by 1444  
law to file certificates or other papers with the board, to judges 1445  
of elections, to witnesses who are called to testify before the 1446  
board, and to voters filling out blanks at the board's offices. 1447  
Except as otherwise provided by state or federal law, the records 1448  
of the board and papers and books filed in its office are public 1449  
records and open to inspection under such reasonable regulations 1450  
as shall be established by the board. The following notice shall 1451  
be posted in a prominent place at each board office: 1452

"Except as otherwise provided by state or federal law, 1453  
records filed in this office of the board of elections are open to 1454  
public inspection during normal office hours, pursuant to the 1455  
following reasonable regulations: (the board shall here list its 1456  
regulations). Whoever prohibits any person from inspecting the 1457  
public records of this board is subject to the penalties of 1458  
section 3599.161 of the Revised Code." 1459

(D) Upon receipt of a written declaration of intent to retire 1460  
as provided for in section 145.38 of the Revised Code, the 1461  
director shall provide a copy to each member of the board of 1462  
elections. 1463

**Sec. 3501.14.** The board of elections shall, by a vote of not 1464  
less than three of its members, fix the annual compensation of its 1465  
director and deputy director who are selected in accordance with 1466  
section 3501.09 of the Revised Code. 1467

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

The director, deputy director, and other employees of the board are not public officers and shall serve, during their term of office, at the discretion of the board. The board may summarily remove the director or the deputy director by a vote of not less than three of its members and may remove any other employee by a majority vote of its membership.

The deputy director and all other election officials shall take and subscribe to the same oath for the faithful performance of their duties as is required of the director of the board. The deputy director shall have the same power as the director to administer oaths. The board may also employ additional employees, when necessary, for part time only at the prevailing rate of pay for such services.

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

**Sec. 3501.17.** (A) The expenses of the board of elections shall be paid from the county treasury, in pursuance of appropriations by the board of county commissioners, in the same manner as other county expenses are paid. If the board of county commissioners fails to appropriate an amount sufficient to provide for the necessary and proper expenses of the board of elections pertaining to the conduct of elections, the board of elections may apply to the court of common pleas within the county, which shall fix the amount necessary to be appropriated and the amount shall be appropriated. Payments shall be made upon vouchers of the board

of elections certified to by its chairperson or acting chairperson 1499  
and the director or deputy director, upon warrants of the county 1500  
auditor. 1501

The board of elections shall not incur any obligation 1502  
involving the expenditure of money unless there are moneys 1503  
sufficient in the funds appropriated therefor to meet the 1504  
obligation. If the board of elections requests a transfer of funds 1505  
from one of its appropriation items to another, the board of 1506  
county commissioners shall adopt a resolution providing for the 1507  
transfer except as otherwise provided in section 5705.40 of the 1508  
Revised Code. The expenses of the board of elections shall be 1509  
apportioned among the county and the various subdivisions as 1510  
provided in this section, and the amount chargeable to each 1511  
subdivision shall be withheld by the county auditor from the 1512  
moneys payable thereto at the time of the next tax settlement. At 1513  
the time of submitting budget estimates in each year, the board of 1514  
elections shall submit to the taxing authority of each 1515  
subdivision, upon the request of the subdivision, an estimate of 1516  
the amount to be withheld from the subdivision during the next 1517  
fiscal year. 1518

A board of township trustees may, by resolution, request that 1519  
the county auditor withhold expenses charged to the township from 1520  
a specified township fund that is to be credited with revenue at a 1521  
tax settlement. The resolution shall specify the tax levy ballot 1522  
issue, the date of the election on the levy issue, and the 1523  
township fund from which the expenses the board of elections 1524  
incurs related to that ballot issue shall be withheld. 1525

(B) Except as otherwise provided in division (F) of this 1526  
section, the compensation of the members of the board of elections 1527  
and of the director, deputy director, and regular employees in the 1528  
board's offices, other than compensation for overtime worked; the 1529  
expenditures for the rental, furnishing, and equipping of the 1530

office of the board and for the necessary office supplies for the 1531  
use of the board; the expenditures for the acquisition, repair, 1532  
care, and custody of the polling places, booths, guardrails, and 1533  
other equipment for polling places; the cost of tally sheets, 1534  
maps, flags, ballot boxes, and all other permanent records and 1535  
equipment; the cost of all elections held in and for the state and 1536  
county; and all other expenses of the board which are not 1537  
chargeable to a political subdivision in accordance with this 1538  
section shall be paid in the same manner as other county expenses 1539  
are paid. 1540

(C) The compensation of judges of elections and intermittent 1541  
employees in the board's offices; the cost of renting, moving, 1542  
heating, and lighting polling places and of placing and removing 1543  
ballot boxes and other fixtures and equipment thereof, including 1544  
voting machines, marking devices, and automatic tabulating 1545  
equipment; the cost of printing and delivering ballots, cards of 1546  
instructions, registration lists required under section 3503.23 of 1547  
the Revised Code, and other election supplies, including the 1548  
supplies required to comply with division (H) of section 3506.01 1549  
of the Revised Code; the cost of contractors engaged by the board 1550  
to prepare, program, test, and operate voting machines, marking 1551  
devices, and automatic tabulating equipment; and all other 1552  
expenses of conducting primaries and elections in the odd-numbered 1553  
years shall be charged to the subdivisions in and for which such 1554  
primaries or elections are held. The charge for each primary or 1555  
general election in odd-numbered years for each subdivision shall 1556  
be determined in the following manner: first, the total cost of 1557  
all chargeable items used in conducting such elections shall be 1558  
ascertained; second, the total charge shall be divided by the 1559  
number of precincts participating in such election, in order to 1560  
fix the cost per precinct; third, the cost per precinct shall be 1561  
prorated by the board of elections to the subdivisions conducting 1562  
elections for the nomination or election of offices in such 1563

precinct; fourth, the total cost for each subdivision shall be 1564  
determined by adding the charges prorated to it in each precinct 1565  
within the subdivision. 1566

(D) The entire cost of special elections held on a day other 1567  
than the day of a primary or general election, both in 1568  
odd-numbered or in even-numbered years, shall be charged to the 1569  
subdivision. Where a special election is held on the same day as a 1570  
primary or general election in an even-numbered year, the 1571  
subdivision submitting the special election shall be charged only 1572  
for the cost of ballots and advertising. Where a special election 1573  
is held on the same day as a primary or general election in an 1574  
odd-numbered year, the subdivision submitting the special election 1575  
shall be charged for the cost of ballots and advertising for such 1576  
special election, in addition to the charges prorated to such 1577  
subdivision for the election or nomination of candidates in each 1578  
precinct within the subdivision, as set forth in the preceding 1579  
paragraph. 1580

(E) Where a special election is held on the day specified by 1581  
division (E) of section 3501.01 of the Revised Code for the 1582  
holding of a primary election, for the purpose of submitting to 1583  
the voters of the state constitutional amendments proposed by the 1584  
general assembly, and a subdivision conducts a special election on 1585  
the same day, the entire cost of the special election shall be 1586  
divided proportionally between the state and the subdivision based 1587  
upon a ratio determined by the number of issues placed on the 1588  
ballot by each, except as otherwise provided in division (G) of 1589  
this section. Such proportional division of cost shall be made 1590  
only to the extent funds are available for such purpose from 1591  
amounts appropriated by the general assembly to the secretary of 1592  
state. If a primary election is also being conducted in the 1593  
subdivision, the costs shall be apportioned as otherwise provided 1594  
in this section. 1595

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

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

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

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

(I) At the request of a majority of the members of the board of elections, the board of county commissioners may, by resolution, establish an elections revenue fund. Except as otherwise provided in this division, the purpose of the fund shall be to accumulate revenue withheld by or paid to the county under

this section for the payment of any expense related to the duties 1628  
of the board of elections specified in section 3501.11 of the 1629  
Revised Code, upon approval of a majority of the members of the 1630  
board of elections. The fund shall not accumulate any revenue 1631  
withheld by or paid to the county under this section for the 1632  
compensation of the members of the board of elections or of the 1633  
director, deputy director, or other regular employees in the 1634  
board's offices, other than compensation for overtime worked. 1635

Notwithstanding sections 5705.14, 5705.15, and 5705.16 of the 1636  
Revised Code, the board of county commissioners may, by 1637  
resolution, transfer money to the elections revenue fund from any 1638  
other fund of the political subdivision from which such payments 1639  
lawfully may be made. Following an affirmative vote of a majority 1640  
of the members of the board of elections, the board of county 1641  
commissioners may, by resolution, rescind an elections revenue 1642  
fund established under this division. If an elections revenue fund 1643  
is rescinded, money that has accumulated in the fund shall be 1644  
transferred to the county general fund. 1645

(J) As used in this section: 1646

(1) "Political subdivision" and "subdivision" mean any board 1647  
of county commissioners, board of township trustees, legislative 1648  
authority of a municipal corporation, board of education, or any 1649  
other board, commission, district, or authority that is empowered 1650  
to levy taxes or permitted to receive the proceeds of a tax levy, 1651  
regardless of whether the entity receives tax settlement moneys as 1652  
described in division (A) of this section; 1653

(2) "Statewide ballot issue" means any ballot issue, whether 1654  
proposed by the general assembly or by initiative or referendum, 1655  
that is submitted to the voters throughout the state. 1656

**Sec. 3501.18.** (A) The board of elections may divide a 1657  
political subdivision within its jurisdiction into precincts, 1658

establish, define, divide, rearrange, and combine the several 1659  
election precincts within its jurisdiction, and change the 1660  
location of the polling place for each precinct when it is 1661  
necessary to maintain the requirements as to the number of voters 1662  
in a precinct and to provide for the convenience of the voters and 1663  
the proper conduct of elections. No change in the number of 1664  
precincts or in precinct boundaries shall be made during the 1665  
twenty-five days immediately preceding a primary or general 1666  
election or between the first day of January and the day on which 1667  
the members of county central committees are elected in the years 1668  
in which those committees are elected. Except as otherwise 1669  
provided in division (C) of this section, each precinct shall 1670  
contain a number of electors, not to exceed one thousand four 1671  
hundred, that the board of elections determines to be a reasonable 1672  
number after taking into consideration the type and amount of 1673  
available equipment, prior voter turnout, the size and location of 1674  
each selected polling place, available parking, availability of an 1675  
adequate number of poll workers, and handicap accessibility and 1676  
other accessibility to the polling place. 1677

If the board changes the boundaries of a precinct after the 1678  
filing of a local option election petition pursuant to sections 1679  
4301.32 to 4301.41, 4303.29, or 4305.14 of the Revised Code that 1680  
calls for a local option election to be held in that precinct, the 1681  
local option election shall be held in the area that constituted 1682  
the precinct at the time the local option petition was filed, 1683  
regardless of the change in the boundaries. 1684

If the board changes the boundaries of a precinct in order to 1685  
meet the requirements of division (B)(1) of this section in a 1686  
manner that causes a member of a county central committee to no 1687  
longer qualify as a representative of an election precinct in the 1688  
county, of a ward of a city in the county, or of a township in the 1689  
county, the member shall continue to represent the precinct, ward, 1690

or township for the remainder of the member's term, regardless of 1691  
the change in boundaries. 1692

In an emergency, the board may provide more than one polling 1693  
place in a precinct. In order to provide for the convenience of 1694  
the voters, the board may locate polling places for voting or 1695  
registration outside the boundaries of precincts, provided that 1696  
the nearest public school or public building shall be used if the 1697  
board determines it to be available and suitable for use as a 1698  
polling place. Except in an emergency, no change in the number or 1699  
location of the polling places in a precinct shall be made during 1700  
the twenty-five days immediately preceding a primary or general 1701  
election. 1702

Electors who have failed to respond within thirty days to any 1703  
confirmation notice shall not be counted in determining the size 1704  
of any precinct under this section. 1705

(B)(1) Except as otherwise provided in division (B)(2) of 1706  
this section, a board of elections shall determine all precinct 1707  
boundaries using geographical units used by the United States 1708  
department of commerce, bureau of the census, in reporting the 1709  
decennial census of Ohio. 1710

(2) The board of elections may apply to the secretary of 1711  
state for a waiver from the requirement of division (B)(1) of this 1712  
section when it is not feasible to comply with that requirement 1713  
because of unusual physical boundaries or residential development 1714  
practices that would cause unusual hardship for voters. The board 1715  
shall identify the affected precincts and census units, explain 1716  
the reason for the waiver request, and include a map illustrating 1717  
where the census units will be split because of the requested 1718  
waiver. If the secretary of state approves the waiver and so 1719  
notifies the board of elections in writing, the board may change a 1720  
precinct boundary as necessary under this section, notwithstanding 1721  
the requirement in division (B)(1) of this section. 1722

(C) The board of elections may apply to the secretary of 1723  
state for a waiver from the requirement of division (A) of this 1724  
section regarding the number of electors in a precinct when the 1725  
use of geographical units used by the United States department of 1726  
commerce, bureau of the census, will cause a precinct to contain 1727  
more than one thousand four hundred electors. The board shall 1728  
identify the affected precincts and census units, explain the 1729  
reason for the waiver request, and include a map illustrating 1730  
where census units will be split because of the requested waiver. 1731  
If the secretary of state approves the waiver and so notifies the 1732  
board of elections in writing, the board may change a precinct 1733  
boundary as necessary to meet the requirements of division (B)(1) 1734  
of this section. 1735

**Sec. 3501.20.** The lands used for a state or national home for 1736  
disabled soldiers shall constitute a separate election precinct, 1737  
and, if necessary, may be divided and rearranged within such 1738  
limits as other precincts are arranged and divided. 1739

**Sec. 3501.22.** (A) On or before the fifteenth day of September 1740  
in each year, the board of elections by a majority vote shall, 1741  
after careful examination and investigation as to their 1742  
qualifications, appoint for each election precinct four residents 1743  
of the county in which the precinct is located, as judges. Except 1744  
as otherwise provided in division (C) of this section, all judges 1745  
of election shall be qualified electors. The judges shall 1746  
constitute the election officers of the precinct. Not more than 1747  
one-half of the total number of judges shall be members of the 1748  
same political party. The term of such precinct officers shall be 1749  
for one year. The board may, at any time, designate any number of 1750  
election officers, not more than one-half of whom shall be members 1751  
of the same political party, to perform their duties at any 1752  
precinct in any election. The board may appoint additional 1753

officials, equally divided between the two major political 1754  
parties, when necessary to expedite voting. 1755

Vacancies for unexpired terms shall be filled by the board. 1756  
When new precincts have been created, the board shall appoint 1757  
judges for those precincts for the unexpired term. Any judge may 1758  
be summarily removed from office at any time by the board for 1759  
neglect of duty, malfeasance, or misconduct in office or for any 1760  
other good and sufficient reason. 1761

Precinct election officials shall perform all of the duties 1762  
provided by law for receiving the ballots and supplies, opening 1763  
and closing the polls, and overseeing the casting of ballots 1764  
during the time the polls are open, and any other duties required 1765  
by section 3501.26 of the Revised Code. 1766

A board of elections may designate two precinct election 1767  
officials as counting officials to count and tally the votes cast 1768  
and certify the results of the election at each precinct, and 1769  
perform other duties as provided by law. To expedite the counting 1770  
of votes at each precinct, the board may appoint additional 1771  
officials, not more than one-half of whom shall be members of the 1772  
same political party. 1773

The board shall designate one of the precinct election 1774  
officials who is a member of the dominant political party to serve 1775  
as a presiding judge, whose duty it is to deliver the returns of 1776  
the election and all supplies to the office of the board. For 1777  
these services, the presiding judge shall receive additional 1778  
compensation in an amount, consistent with section 3501.28 of the 1779  
Revised Code, determined by the board of elections. 1780

The board shall issue to each precinct election official a 1781  
certificate of appointment, which the official shall present to 1782  
the presiding judge at the time the polls are opened. 1783

(B) If the board of elections determines that not enough 1784

qualified electors in a precinct are available to serve as 1785  
precinct officers, it may appoint persons to serve as precinct 1786  
officers at a primary, special, or general election who are at 1787  
least seventeen years of age and are registered to vote in 1788  
accordance with section 3503.07 of the Revised Code. 1789

(C)(1) A board of elections, in conjunction with the board of 1790  
education of a city, local, or exempted village school district, 1791  
the governing authority of a community school established under 1792  
Chapter 3314. of the Revised Code, or the chief administrator of a 1793  
nonpublic school may establish a program permitting certain high 1794  
school students to apply and, if appointed by the board of 1795  
elections, to serve as precinct officers at a primary, special, or 1796  
general election. 1797

In addition to the requirements established by division 1798  
(C)(2) of this section, a board of education, governing authority, 1799  
or chief administrator that establishes a program under this 1800  
division in conjunction with a board of elections may establish 1801  
additional criteria that students shall meet to be eligible to 1802  
participate in that program. 1803

(2)(a) To be eligible to participate in a program established 1804  
under division (C)(1) of this section, a student shall be a United 1805  
States citizen, a resident of the county, at least seventeen years 1806  
of age, and enrolled in the senior year of high school. 1807

(b) Any student applying to participate in a program 1808  
established under division (C)(1) of this section, as part of the 1809  
student's application process, shall declare the student's 1810  
political party affiliation with the board of elections. 1811

(3) No student appointed as a precinct officer pursuant to a 1812  
program established under division (C)(1) of this section shall be 1813  
designated as a presiding judge. 1814

(4) Any student participating in a program established under 1815

division (C)(1) of this section shall be excused for that 1816  
student's absence from school on the day of an election at which 1817  
the student is serving as a precinct officer. 1818

(D) In any precinct with six or more precinct officers, up to 1819  
two students participating in a program established under division 1820  
(C)(1) of this section who are under eighteen years of age may 1821  
serve as precinct officers. Not more than one precinct officer in 1822  
any given precinct with fewer than six precinct officers shall be 1823  
under eighteen years of age. 1824

**Sec. 3501.26.** When the polls are closed after a primary, 1825  
general, or special election, the receiving officials shall, in 1826  
the presence of the counting officials and attending observers, 1827  
proceed as follows: 1828

(A) Count the number of electors who voted, as shown on the 1829  
poll books; 1830

(B) Count the unused ballots without removing stubs; 1831

(C) Count the soiled and defaced ballots; 1832

(D) Insert the totals of divisions (A), (B), and (C) of this 1833  
section on the report forms provided therefor in the poll books; 1834

(E) Count the voted ballots. If the number of voted ballots 1835  
exceeds the number of voters whose names appear upon the poll 1836  
books, the presiding judge shall enter on the poll books an 1837  
explanation of that discrepancy, and that explanation, if agreed 1838  
to, shall be subscribed to by all of the judges. Any judge having 1839  
a different explanation shall enter it in the poll books and 1840  
subscribe to it. 1841

(F) Put the unused ballots with stubs attached, and soiled 1842  
and defaced ballots with stubs attached, in the envelopes or 1843  
containers provided therefor, and certify the number. 1844

The receiving officials shall deliver to and place in the 1845

custody of the counting officials all the supplies provided for 1846  
the conduct of that election and the ballots that are to be 1847  
counted and tallied, and take a receipt for the same, which 1848  
receipt shall appear in and be a part of the poll books of such 1849  
precinct. Having performed their duties, the receiving officials 1850  
shall immediately depart. 1851

Having receipted for the ballots, the counting officials 1852  
shall proceed to count and tally the vote as cast in the manner 1853  
prescribed by section 3505.27 of the Revised Code and certify the 1854  
result of the election to the board of elections. 1855

**Sec. 3501.27.** (A) All judges of election shall complete a 1856  
program of instruction pursuant to division (B) of this section. 1857  
No person who has been convicted of a felony or any violation of 1858  
the election laws, who is unable to read and write the English 1859  
language readily, or who is a candidate for an office to be voted 1860  
for by the voters of the precinct in which the person is to serve 1861  
shall serve as an election officer. A person when appointed as an 1862  
election officer shall receive from the board of elections a 1863  
certificate of appointment that may be revoked at any time by the 1864  
board for good and sufficient reasons. The certificate shall be in 1865  
the form the board prescribes and shall specify the precinct, 1866  
ward, or district in and for which the person to whom it is issued 1867  
is appointed to serve, the date of appointment, and the expiration 1868  
of the person's term of service. 1869

(B) Each board shall establish a program as prescribed by the 1870  
secretary of state for the instruction of election officers in the 1871  
rules, procedures, and law relating to elections. In each program, 1872  
the board shall use training materials prepared by the secretary 1873  
of state and may use additional materials prepared by or on behalf 1874  
of the board. The board may use the services of unpaid volunteers 1875  
in conducting its program and may reimburse those volunteers for 1876

necessary and actual expenses incurred in participating in the 1877  
program. 1878

The board shall train each new election officer before the 1879  
new officer participates in the first election in that capacity. 1880  
The board shall instruct election officials who have been trained 1881  
previously only when the board or secretary of state considers 1882  
that instruction necessary, but the board shall reinstruct such 1883  
persons, other than presiding judges, at least once in every three 1884  
years and shall reinstruct presiding judges before the primary 1885  
election in even-numbered years. The board shall schedule any 1886  
program of instruction within sixty days prior to the election in 1887  
which the officials to be trained will participate. 1888

(C) The duties of a judge of an election in each polling 1889  
place shall be performed only by an individual who has 1890  
successfully completed the requirements of the program, unless 1891  
such an individual is unavailable after reasonable efforts to 1892  
obtain such services. 1893

(D) The secretary of state shall establish a program for the 1894  
instruction of members of boards of elections and employees of 1895  
boards in the rules, procedures, and law relating to elections. 1896  
Each member and employee shall complete the training program 1897  
within six months after the member's or employee's original 1898  
appointment or employment, and thereafter each member and employee 1899  
shall complete a training program to update their knowledge once 1900  
every four years or more often as determined by the secretary of 1901  
state. 1902

(E) The secretary of state shall reimburse each county for 1903  
the cost of programs established pursuant to division (B) of this 1904  
section, once the secretary of state has received an itemized 1905  
statement of expenses for such instruction programs from the 1906  
county. The itemized statement shall be in a form prescribed by 1907  
the secretary of state. 1908

Sec. 3501.28. (A) As used in this section: 1909

(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. 1910  
1911  
1912

(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. 1913  
1914  
1915

(3) "Services" means services at each general, primary, or special election. 1916  
1917

(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. 1918  
1919  
1920  
1921  
1922

(C) Beginning with calendar year 2004, 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 ninety-five dollars per diem. 1923  
1924  
1925  
1926  
1927

(D) 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 election 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 election may be paid under this section that is increased by the same percentage that the minimum hourly rate has been increased under the act. 1928  
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(E)(1)(a) No board of elections shall increase the pay of a judge of an election 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)(2) of this section, a board of elections may increase the pay of a judge of an election during a calendar year by up to, but not exceeding, nine per cent over the compensation paid to a judge of an election 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)(2) of this section, a board of elections may increase the pay of a judge of an election 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 election 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 election for their services during a calendar year that is greater than the applicable percentage limitation described in division (E)(1)(b) or (c) of this section.

(F) No judge of an election 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.

(G)(1) Except as otherwise provided in divisions (G)(4) to 1970  
(6) of this section, any employee of the state or of any political 1971  
subdivision of the state may serve as a judge of elections on the 1972  
day of an election without loss of the employee's regular 1973  
compensation for that day as follows: 1974

(a) For employees of a county office, department, commission, 1975  
board, or other entity, or of a court of common pleas, county 1976  
court, or county-operated municipal court, as defined in section 1977  
1901.03 of the Revised Code, the employee's appointing authority 1978  
may permit leave with pay for this service in accordance with a 1979  
resolution setting forth the terms and conditions for that leave 1980  
passed by the board of county commissioners. 1981

(b) For all other employees of a political subdivision of the 1982  
state, leave with pay for this service shall be subject to the 1983  
terms and conditions set forth in an ordinance or a resolution 1984  
passed by the legislative authority of the applicable political 1985  
subdivision. 1986

(c) For state employees, leave with pay for this service 1987  
shall be subject to the terms and conditions set forth by the head 1988  
of the state agency, as defined in section 1.60 of the Revised 1989  
Code, by which the person is employed. 1990

(2) Any terms and conditions set forth by a board of county 1991  
commissioners, legislative authority of a political subdivision, 1992  
or head of a state agency under division (G)(1) of this section 1993  
shall include a standard procedure for deciding which employees 1994  
are permitted to receive leave with pay if multiple employees of 1995  
an entity or court described in division (G)(1)(a) of this 1996  
section, of an entity of a political subdivision described in 1997  
division (G)(1)(b) of this section, or of a state agency as 1998  
defined in section 1.60 of the Revised Code apply to serve as a 1999  
judge of elections on the day of an election. This procedure shall 2000  
be applied uniformly to all similarly situated employees. 2001

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

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

(a) Election officials;

(b) Public school teachers.

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

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

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

**Sec. 3501.29.** (A) The board of elections shall provide for

each precinct a polling place and provide adequate facilities at 2032  
each polling place for conducting the election. The board shall 2033  
provide a sufficient number of screened or curtained voting 2034  
compartments to which electors may retire and conveniently mark 2035  
their ballots, protected from the observation of others. Each 2036  
voting compartment shall be provided at all times with writing 2037  
implements, instructions how to vote, and other necessary 2038  
conveniences for marking the ballot. The presiding judge shall 2039  
ensure that the voting compartments at all times are adequately 2040  
lighted and contain the necessary supplies. The board shall 2041  
utilize, in so far as practicable, rooms in public schools and 2042  
other public buildings for polling places. Upon application of the 2043  
board of elections, the authority which has the control of any 2044  
building or grounds supported by taxation under the laws of this 2045  
state, shall make available the necessary space therein for the 2046  
purpose of holding elections and adequate space for the storage of 2047  
voting machines, without charge for the use thereof. A reasonable 2048  
sum may be paid for necessary janitorial service. When polling 2049  
places are established in private buildings, the board may pay a 2050  
reasonable rental therefor, and also the cost of liability 2051  
insurance covering the premises when used for election purposes, 2052  
or the board may purchase a single liability policy covering the 2053  
board and the owners of the premises when used for election 2054  
purposes. When removable buildings are supplied by the board, they 2055  
shall be constructed under the contract let to the lowest and best 2056  
bidder, and the board shall observe all ordinances and regulations 2057  
then in force as to safety. The board shall remove all such 2058  
buildings from streets and other public places within thirty days 2059  
after an election, unless another election is to be held within 2060  
ninety days. 2061

(B)(1) Except as otherwise provided in this section, the 2062  
board shall ensure all of the following: 2063

|  |  |
|--|--|
| (a) That polling places are free of barriers that would impede ingress and egress of handicapped persons;  | 2064<br>2065   |
| (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.  | 2066<br>2067<br>2068<br>2069<br>2070<br>2071                 |
| (c) That the entrances of polling places are level or are provided with a nonskid ramp of not over eight per cent gradient;  | 2072<br>2073   |
| (d) That doors are a minimum of thirty-two inches wide.  | 2074   |
| (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.   | 2075<br>2076<br>2077<br>2078<br>2079                         |
| (C) At any polling place that is exempted from compliance by the secretary of state, 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, 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. | 2080<br>2081<br>2082<br>2083<br>2084<br>2085<br>2086<br>2087 |
| (D) The secretary of state shall:  | 2088   |
| (1) Work with other state agencies to facilitate the distribution of information and technical assistance to boards of elections to meet the requirements of division (B) of this section;   | 2089<br>2090<br>2091<br>2092                                 |
| (2) Work with organizations that represent or provide  | 2093   |

services to handicapped, disabled, or elderly citizens to effect a 2094  
wide dissemination of information about the availability of 2095  
absentee voting, voting in the voter's vehicle or at the door of 2096  
the polling place, or other election services to handicapped, 2097  
disabled, or elderly citizens. 2098

(E) Before the day of an election, the director of the board 2099  
of elections of each county shall sign a statement verifying that 2100  
each polling place that will be used in that county at that 2101  
election meets the requirements of division (B)(1)(b) of this 2102  
section. The signed statement shall be sent to the secretary of 2103  
state by certified mail. 2104

(F) As used in this section, "handicapped" means having lost 2105  
the use of one or both legs, one or both arms, or any combination 2106  
thereof, or being blind or so severely disabled as to be unable to 2107  
move about without the aid of crutches or a wheelchair. 2108

**Sec. 3501.30.** (A) The board of elections shall provide for 2109  
each polling place the necessary ballot boxes, official ballots, 2110  
cards of instructions, registration forms, pollbooks or poll 2111  
lists, tally sheets, forms on which to make summary statements, 2112  
writing implements, paper, and all other supplies necessary for 2113  
casting and counting the ballots and recording the results of the 2114  
voting at the polling place. The pollbooks or poll lists shall 2115  
have certificates appropriately printed on them for the signatures 2116  
of all the precinct officials, by which they shall certify that, 2117  
to the best of their knowledge and belief, the pollbooks or poll 2118  
lists correctly show the names of all electors who voted in the 2119  
polling place at the election indicated in the pollbooks or poll 2120  
lists. 2121

All of the following shall be included among the supplies 2122  
provided to each polling place: 2123

(1) A large map of each appropriate precinct, which shall be 2124

displayed prominently to assist persons who desire to register or 2125  
vote on election day. Each map shall show all streets within the 2126  
precinct and contain identifying symbols of the precinct in bold 2127  
print. 2128

(2) Any materials, postings, or instructions required to 2129  
comply with state or federal laws; 2130

(3) A flag of the United States approximately two and 2131  
one-half feet in length along the top, which shall be displayed 2132  
outside the entrance to the polling place during the time it is 2133  
open for voting; 2134

(4) Two or more small flags of the United States 2135  
approximately fifteen inches in length along the top, which shall 2136  
be placed at a distance of one hundred feet from the polling place 2137  
on the thoroughfares or walkways leading to the polling place, to 2138  
mark the distance within which persons other than election 2139  
officials, observers, police officers, and electors waiting to 2140  
mark, marking, or casting their ballots shall not loiter, 2141  
congregate, or engage in any kind of election campaigning. Where 2142  
small flags cannot reasonably be placed one hundred feet from the 2143  
polling place, the presiding election judge shall place the flags 2144  
as near to one hundred feet from the entrance to the polling place 2145  
as is physically possible. Police officers and all election 2146  
officials shall see that this prohibition against loitering and 2147  
congregating is enforced. 2148

When the period of time during which the polling place is 2149  
open for voting expires, all of the flags described in this 2150  
division shall be taken into the polling place and shall be 2151  
returned to the board together with all other election supplies 2152  
required to be delivered to the board. 2153

(B) The board of elections shall follow the instructions and 2154  
advisories of the secretary of state in the production and use of 2155

polling place supplies. 2156

**Sec. 3501.301.** A contract involving a cost in excess of ten 2157  
thousand dollars for printing and furnishing the supplies, other 2158  
than the official ballots, required in section 3501.30 of the 2159  
Revised Code, shall not be let until the board of elections has 2160  
caused notice to be published once in a newspaper of general 2161  
circulation within the county or upon notice given by mail, 2162  
addressed to the responsible suppliers within the state. The board 2163  
of elections may require that each bid be accompanied by a bond, 2164  
with at least two individual sureties, or a surety company, 2165  
satisfactory to the board, in a sum double the amount of the bid, 2166  
conditioned upon the faithful performance of the contract awarded 2167  
and for the payment as damages by such bidder to the board of any 2168  
excess of cost over the bid which it may be required to pay for 2169  
such work by reason of the failure of the bidder to complete the 2170  
contract. The contract shall be let to the lowest and best bidder. 2171

**Sec. 3501.31.** The board of elections shall mail to each 2172  
precinct election official notice of the date, hours, and place of 2173  
holding each election in the official's respective precinct at 2174  
which it desires the official to serve. Each of such officials 2175  
shall notify the board immediately upon receipt of such notice of 2176  
any inability to serve. 2177

The election official designated as presiding judge under 2178  
section 3501.22 of the Revised Code shall call at the office of 2179  
the board at such time before the day of the election, not earlier 2180  
than the tenth day before the day of the election, as the board 2181  
designates to obtain the ballots, pollbooks, registration forms 2182  
and lists, and other material to be used in the official's polling 2183  
place on election day. 2184

The board may also provide for the delivery of such materials 2185

to polling places in a municipal corporation by members of the 2186  
police department of such municipal corporation; or the board may 2187  
provide for the delivery of such materials to the presiding judge 2188  
not earlier than the tenth day before the election, in any manner 2189  
it finds to be advisable. 2190

On election day the precinct election officials shall 2191  
punctually attend the polling place one-half hour before the time 2192  
fixed for opening the polls. Each of the precinct election 2193  
officials shall thereupon make and subscribe to a statement which 2194  
shall be as follows: 2195

"State of Ohio 2196

County of ..... 2197

I do solemnly swear under the penalty of perjury that I will 2198  
support the constitution of the United States of America and the 2199  
constitution of the state of Ohio and its laws; that I have not 2200  
been convicted of a felony or any violation of the election laws; 2201  
that I will discharge to the best of my ability the duties of 2202  
judge of election in and for precinct ..... in the 2203  
..... (township) or (ward and city or village) 2204  
..... in the county of ....., in the 2205  
election to be held on the ..... day of ....., 2206  
....., as required by law and the rules and instructions of the 2207  
board of elections of said county; and that I will endeavor to 2208  
prevent fraud in such election, and will report immediately to 2209  
said board any violations of the election laws which come to my 2210  
attention, and will not disclose any information as to how any 2211  
elector voted which is gained by me in the discharge of my 2212  
official duties. 2213

..... 2214

..... 2215

..... 2216

|   |      |
|---|------|
| .....   | 2217 |
| .....   | 2218 |
| .....   | 2219 |
| (Signatures of precinct election officials)"                        | 2220 |
| If any of the other precinct officials is absent at that            | 2221 |
| time, the presiding judge, with the concurrence of a majority of    | 2222 |
| the precinct election officials present, shall appoint a qualified  | 2223 |
| elector who is a member of the same political party as the          | 2224 |
| political party of which such absent precinct election official is  | 2225 |
| a member to fill the vacancy until the board appoints a person to   | 2226 |
| fill such vacancy and the person so appointed reports for duty at   | 2227 |
| the polling place. The presiding judge shall promptly notify the    | 2228 |
| board of such vacancy by telephone or otherwise. The presiding      | 2229 |
| judge also shall assign the precinct election officials to their    | 2230 |
| respective duties and shall have general charge of the polling      | 2231 |
| place.  | 2232 |
| <b>Sec. 3501.32.</b> (A) Except as otherwise provided in division   | 2233 |
| (B) of this section, on the day of the election the polls shall be  | 2234 |
| opened by proclamation by the presiding judge, or in his absence    | 2235 |
| by a presiding judge chosen by the judges, at six-thirty a.m. and   | 2236 |
| shall be closed by proclamation at seven-thirty p.m. unless there   | 2237 |
| are voters waiting in line to cast their ballots, in which case     | 2238 |
| the polls shall be kept open until such waiting voters have voted.  | 2239 |
| (B) On the day of the election, any polling place located on        | 2240 |
| an island not connected to the mainland by a highway or a bridge    | 2241 |
| may close earlier than seven-thirty p.m. if all registered voters   | 2242 |
| in the precinct have voted. When a polling place closes under       | 2243 |
| division (B) of this section the presiding judge shall immediately  | 2244 |
| notify the board of elections of the closing.                       | 2245 |
| <b>Sec. 3501.33.</b> All judges of election shall enforce peace and | 2246 |

good order in and about the place of registration or election. 2247  
They shall especially keep the place of access of the electors to 2248  
the polling place open and unobstructed and prevent and stop any 2249  
improper practices or attempts tending to obstruct, intimidate, or 2250  
interfere with any elector in registering or voting. They shall 2251  
protect observers against molestation and violence in the 2252  
performance of their duties, and may eject from the polling place 2253  
any observer for violation of any provision of Title XXXV of the 2254  
Revised Code. They shall prevent riots, violence, tumult, or 2255  
disorder. In the discharge of these duties, they may call upon the 2256  
sheriff, police, or other peace officers to aid them in enforcing 2257  
the law. They may order the arrest of any person violating Title 2258  
XXXV of the Revised Code, but such an arrest shall not prevent the 2259  
person from registering or voting if the person is entitled to do 2260  
so. The sheriff, all constables, police officers, and other 2261  
officers of the peace shall immediately obey and aid in the 2262  
enforcement of any lawful order made by the precinct election 2263  
officials in the enforcement of Title XXXV of the Revised Code. 2264

**Sec. 3501.35.** (A) During an election and the counting of the 2265  
ballots, no person shall do any of the following: 2266

(1) Loiter, congregate, or engage in any kind of election 2267  
campaigning within the area between the polling place and the 2268  
small flags of the United States placed on the thoroughfares and 2269  
walkways leading to the polling place, and if the line of electors 2270  
waiting to vote extends beyond those small flags, within ten feet 2271  
of any elector in that line; 2272

(2) In any manner hinder or delay an elector in reaching or 2273  
leaving the place fixed for casting the elector's ballot; 2274

(3) Give, tender, or exhibit any ballot or ticket to any 2275  
person other than the elector's own ballot to the judge of 2276  
election within the area between the polling place and the small 2277

flags of the United States placed on the thoroughfares and 2278  
walkways leading to the polling place, and if the line of electors 2279  
waiting to vote extends beyond those small flags, within ten feet 2280  
of any elector in that line; 2281

(4) Exhibit any ticket or ballot which the elector intends to 2282  
cast; 2283

(5) Solicit or in any manner attempt to influence any elector 2284  
in casting the elector's vote. 2285

(B) Except as otherwise provided in division (C) of section 2286  
3503.23 of the Revised Code, no person who is not an election 2287  
official, employee, observer, or police officer shall be allowed 2288  
to enter the polling place during the election, except for the 2289  
purpose of voting or assisting another person to vote as provided 2290  
in section 3505.24 of the Revised Code. 2291

(C) No more electors shall be allowed to approach the voting 2292  
shelves at any time than there are voting shelves provided. 2293

(D) The judges of election and the police officer shall 2294  
strictly enforce the observance of this section. 2295

**Sec. 3501.37.** After each election, the judges of elections of 2296  
each precinct, except when the board of elections assumes the 2297  
duty, shall see that the movable booths and other equipment are 2298  
returned for safekeeping to the fiscal officer of the township or 2299  
to the clerk or auditor of the municipal corporation in which the 2300  
precinct is situated. The fiscal officer, clerk, or auditor shall 2301  
have booths and equipment on hand and in place at the polling 2302  
places in each precinct before the time for opening the polls on 2303  
election days, and for this service the board may allow the 2304  
necessary expenses incurred. In cities, this duty shall devolve on 2305  
the board. 2306

**Sec. 3501.38.** All declarations of candidacy, nominating 2307

petitions, or other petitions presented to or filed with the 2308  
secretary of state or a board of elections or with any other 2309  
public office for the purpose of becoming a candidate for any 2310  
nomination or office or for the holding of an election on any 2311  
issue shall, in addition to meeting the other specific 2312  
requirements prescribed in the sections of the Revised Code 2313  
relating to them, be governed by the following rules: 2314

(A) Only electors qualified to vote on the candidacy or issue 2315  
which is the subject of the petition shall sign a petition. Each 2316  
signer shall be a registered elector pursuant to section 3503.11 2317  
of the Revised Code. The facts of qualification shall be 2318  
determined as of the date when the petition is filed. 2319

(B) Signatures shall be affixed in ink. Each signer may also 2320  
print the signer's name, so as to clearly identify the signer's 2321  
signature. 2322

(C) Each signer shall place on the petition after the 2323  
signer's name the date of signing and the location of the signer's 2324  
voting residence, including the street and number if in a 2325  
municipal corporation or the rural route number, post office 2326  
address, or township if outside a municipal corporation. The 2327  
voting address given on the petition shall be the address 2328  
appearing in the registration records at the board of elections. 2329

(D) Except as otherwise provided in section 3501.382 of the 2330  
Revised Code, no person shall write any name other than the 2331  
person's own on any petition. Except as otherwise provided in 2332  
section 3501.382 of the Revised Code, no person may authorize 2333  
another to sign for the person. If a petition contains the 2334  
signature of an elector two or more times, only the first 2335  
signature shall be counted. 2336

(E)(1) On each petition paper, the circulator shall indicate 2337  
the number of signatures contained on it, and shall sign a 2338

statement made under penalty of election falsification that the 2339  
circulator witnessed the affixing of every signature, that all 2340  
signers were to the best of the circulator's knowledge and belief 2341  
qualified to sign, and that every signature is to the best of the 2342  
circulator's knowledge and belief the signature of the person 2343  
whose signature it purports to be or of an attorney in fact acting 2344  
pursuant to section 3501.382 of the Revised Code. On the 2345  
circulator's statement for a declaration of candidacy or 2346  
nominating petition for a person seeking to become a statewide 2347  
candidate or for a statewide initiative or a statewide referendum 2348  
petition, the circulator shall identify the circulator's name, the 2349  
address of the circulator's permanent residence, and the name and 2350  
address of the person employing the circulator to circulate the 2351  
petition, if any. 2352

(2) As used in division (E) of this section, "statewide 2353  
candidate" means the joint candidates for the offices of governor 2354  
and lieutenant governor or a candidate for the office of secretary 2355  
of state, auditor of state, treasurer of state, or attorney 2356  
general. 2357

(F) Except as otherwise provided in section 3501.382 of the 2358  
Revised Code, if a circulator knowingly permits an unqualified 2359  
person to sign a petition paper or permits a person to write a 2360  
name other than the person's own on a petition paper, that 2361  
petition paper is invalid; otherwise, the signature of a person 2362  
not qualified to sign shall be rejected but shall not invalidate 2363  
the other valid signatures on the paper. 2364

(G) The circulator of a petition may, before filing it in a 2365  
public office, strike from it any signature the circulator does 2366  
not wish to present as a part of the petition. 2367

(H) Any signer of a petition or an attorney in fact acting 2368  
pursuant to section 3501.382 of the Revised Code on behalf of a 2369  
signer may remove the signer's signature from that petition at any 2370

time before the petition is filed in a public office by striking 2371  
the signer's name from the petition; no signature may be removed 2372  
after the petition is filed in any public office. 2373

(I)(1) No alterations, corrections, or additions may be made 2374  
to a petition after it is filed in a public office. 2375

(2)(a) No declaration of candidacy, nominating petition, or 2376  
other petition for the purpose of becoming a candidate may be 2377  
withdrawn after it is filed in a public office. Nothing in this 2378  
division prohibits a person from withdrawing as a candidate as 2379  
otherwise provided by law. 2380

(b) No petition presented to or filed with the secretary of 2381  
state, a board of elections, or any other public office for the 2382  
purpose of the holding of an election on any question or issue may 2383  
be resubmitted after it is withdrawn from a public office. Nothing 2384  
in this division prevents a question or issue petition from being 2385  
withdrawn by the filing of a written notice of the withdrawal by a 2386  
majority of the members of the petitioning committee with the same 2387  
public office with which the petition was filed prior to the 2388  
sixtieth day before the election at which the question or issue is 2389  
scheduled to appear on the ballot. 2390

(J) All declarations of candidacy, nominating petitions, or 2391  
other petitions under this section shall be accompanied by the 2392  
following statement in boldface capital letters: WHOEVER COMMITS 2393  
ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. 2394

(K) All separate petition papers shall be filed at the same 2395  
time, as one instrument. 2396

(L) If a board of elections distributes for use a petition 2397  
form for a declaration of candidacy, nominating petition, or any 2398  
type of question or issue petition that does not satisfy the 2399  
requirements of law as of the date of that distribution, the board 2400  
shall not invalidate the petition on the basis that the petition 2401

form does not satisfy the requirements of law, if the petition 2402  
otherwise is valid. Division (L) of this section applies only if 2403  
the candidate received the petition from the board within ninety 2404  
days of when the petition is required to be filed. 2405

**Sec. 3503.02.** All registrars and judges of elections, in 2406  
determining the residence of a person offering to register or 2407  
vote, shall be governed by the following rules: 2408

(A) That place shall be considered the residence of a person 2409  
in which the person's habitation is fixed and to which, whenever 2410  
the person is absent, the person has the intention of returning. 2411

(B) A person shall not be considered to have lost the 2412  
person's residence who leaves the person's home and goes into 2413  
another state or county of this state, for temporary purposes 2414  
only, with the intention of returning. 2415

(C) A person shall not be considered to have gained a 2416  
residence in any county of this state into which the person comes 2417  
for temporary purposes only, without the intention of making such 2418  
county the permanent place of abode. 2419

(D) The place where the family of a married person resides 2420  
shall be considered to be the person's place of residence; except 2421  
that when the spouses have separated and live apart, the place 2422  
where such a spouse resides the length of time required to entitle 2423  
a person to vote shall be considered to be the spouse's place of 2424  
residence. 2425

(E) If a person removes to another state with the intention 2426  
of making such state the person's residence, the person shall be 2427  
considered to have lost the person's residence in this state. 2428

(F) Except as otherwise provided in division (G) of this 2429  
section, if a person removes from this state and continuously 2430  
resides outside this state for a period of four years or more, the 2431

person shall be considered to have lost the person's residence in 2432  
this state, notwithstanding the fact that the person may entertain 2433  
an intention to return at some future period. 2434

(G)(1) If a person removes from this state to engage in the 2435  
services of the United States government, the person shall not be 2436  
considered to have lost the person's residence in this state, and 2437  
likewise should the person enter the employment of the state, the 2438  
place where such person resided at the time of the person's 2439  
removal shall be considered to be the person's place of residence. 2440

(2) If a person removes from this state to a location outside 2441  
of the United States and the person does not become a resident of 2442  
another state, the person shall not be considered to have lost the 2443  
person's residence in this state. The place where the person 2444  
resided at the time of the person's removal shall be considered to 2445  
be the person's place of residence. 2446

(3) If a person is eligible to vote in this state under 2447  
division (D)(2) of section 3511.011 of the Revised Code, the place 2448  
where the person's parent or legal guardian resided in this state 2449  
prior to that parent or legal guardian's removal to a location 2450  
outside of the United States shall be considered to be the 2451  
person's place of residence. 2452

(4) If an address that is considered to be a person's place 2453  
of residence under division (G) of this section ceases to be a 2454  
recognized residential address, the board of elections shall 2455  
assign an address to the applicable person for voting purposes. 2456

(H) If a person goes into another state and while there 2457  
exercises the right of a citizen by voting, the person shall be 2458  
considered to have lost the person's residence in this state. 2459

(I) If a person does not have a fixed place of habitation, 2460  
but has a shelter or other location at which the person has been a 2461  
consistent or regular inhabitant and to which the person has the 2462

intention of returning, that shelter or other location shall be 2463  
deemed the person's residence for the purpose of registering to 2464  
vote. 2465

**Sec. 3503.06.** (A) No person shall be entitled to vote at any 2466  
election, or to sign or circulate any declaration of candidacy or 2467  
any nominating, or recall petition, unless the person is 2468  
registered as an elector and will have resided in the county and 2469  
precinct where the person is registered for at least thirty days 2470  
at the time of the next election. 2471

(B)(1) No person shall be entitled to circulate any 2472  
initiative or referendum petition unless the person is a resident 2473  
of this state. 2474

(2) All election officials, in determining the residence of a 2475  
person circulating a petition under division (B)(1) of this 2476  
section, shall be governed by the following rules: 2477

(a) That place shall be considered the residence of a person 2478  
in which the person's habitation is fixed and to which, whenever 2479  
the person is absent, the person has the intention of returning. 2480

(b) A person shall not be considered to have lost the 2481  
person's residence who leaves the person's home and goes into 2482  
another state for temporary purposes only, with the intention of 2483  
returning. 2484

(c) A person shall not be considered to have gained a 2485  
residence in any county of this state into which the person comes 2486  
for temporary purposes only, without the intention of making that 2487  
county the permanent place of abode. 2488

(d) If a person removes to another state with the intention 2489  
of making that state the person's residence, the person shall be 2490  
considered to have lost the person's residence in this state. 2491

(e) Except as otherwise provided in division (B)(2)(f) of 2492

this section, if a person removes from this state and continuously resides outside this state for a period of four years or more, the person shall be considered to have lost the person's residence in this state, notwithstanding the fact that the person may entertain an intention to return at some future period.

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

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

(C) No person shall be entitled to sign any initiative or referendum petition unless the person is registered as an elector and will have resided in the county and precinct where the person is registered for at least thirty days at the time of the next election.

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

- (1) The voter's name;
- (2) The voter's address;
- (3) The current date;
- (4) The voter's date of birth;
- (5) The voter to provide one or more of the following:

|   |  |
|---|--|
| (a) The voter's driver's license number, if any;  | 2523   |
| (b) The last four digits of the voter's social security number, if any;   | 2524<br>2525   |
| (c) A copy of a current and valid photo identification, a copy of a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the voter's name and address.  | 2526<br>2527<br>2528<br>2529<br>2530<br>2531<br>2532<br>2533         |
| (6) The voter's signature.  | 2534   |
| The registration form shall include a space on which the person registering an applicant shall sign the person's name and provide the person's address and a space on which the person registering an applicant shall name the employer who is employing that person to register the applicant.   | 2535<br>2536<br>2537<br>2538<br>2539                                 |
| Except for forms prescribed by the secretary of state under section 3503.11 of the Revised Code, the secretary of state shall permit boards of elections to produce forms that have subdivided spaces for each individual alphanumeric character of the information provided by the voter so as to accommodate the electronic reading and conversion of the voter's information to data and the subsequent electronic transfer of that data to the statewide voter registration database established under section 3503.15 of the Revised Code. | 2540<br>2541<br>2542<br>2543<br>2544<br>2545<br>2546<br>2547<br>2548 |
| (B) None of the following persons who are registering an applicant in the course of that official's or employee's normal duties shall sign the person's name, provide the person's address, or name the employer who is employing the person to register an applicant on a form prepared under this section:  | 2549<br>2550<br>2551<br>2552<br>2553                                 |

|  |  |
|--|--|
| (1) An election official;  | 2554   |
| (2) A county treasurer;  | 2555   |
| (3) A deputy registrar of motor vehicles;  | 2556   |
| (4) An employee of a designated agency;  | 2557   |
| (5) An employee of a public high school;   | 2558   |
| (6) An employee of a public vocational school;   | 2559   |
| (7) An employee of a public library;   | 2560   |
| (8) An employee of the office of a county treasurer;   | 2561   |
| (9) An employee of the bureau of motor vehicles;   | 2562   |
| (10) An employee of a deputy registrar of motor vehicles;  | 2563   |
| (11) An employee of an election official.  | 2564   |
| (C) Except as provided in section 3501.382 of the Revised Code, any applicant who is unable to sign the applicant's own name shall make an "X," if possible, which shall be certified by the signing of the name of the applicant by the person filling out the form, who shall add the person's own signature. If an applicant is unable to make an "X," the applicant shall indicate in some manner that the applicant desires to register to vote or to change the applicant's name or residence. The person registering the applicant shall sign the form and attest that the applicant indicated that the applicant desired to register to vote or to change the applicant's name or residence. | 2565<br>2566<br>2567<br>2568<br>2569<br>2570<br>2571<br>2572<br>2573<br>2574<br>2575 |
| (D) No registration, change of residence, or change of name form shall be rejected solely on the basis that a person registering an applicant failed to sign the person's name or failed to name the employer who is employing that person to register the applicant as required under division (A) of this section.   | 2576<br>2577<br>2578<br>2579<br>2580<br>2581   |
| (E) As used in this section, "registering an applicant"  | 2582   |

includes any effort, for compensation, to provide voter 2583  
registration forms or to assist persons in completing or returning 2584  
those forms. 2585

**Sec. 3503.15.** (A) The secretary of state shall establish and 2586  
maintain a statewide voter registration database that shall be 2587  
continuously available to each board of elections and to other 2588  
agencies as authorized by law. 2589

(B) The statewide voter registration database established 2590  
under this section shall be the official list of registered voters 2591  
for all elections conducted in this state. 2592

(C) The statewide voter registration database established 2593  
under this section shall, at a minimum, include all of the 2594  
following: 2595

(1) An electronic network that connects all board of 2596  
elections offices with the office of the secretary of state and 2597  
with the offices of all other boards of elections; 2598

(2) A computer program that harmonizes the records contained 2599  
in the database with records maintained by each board of 2600  
elections; 2601

(3) An interactive computer program that allows access to the 2602  
records contained in the database by each board of elections and 2603  
by any persons authorized by the secretary of state to add, 2604  
delete, modify, or print database records, and to conduct updates 2605  
of the database; 2606

(4) A search program capable of verifying registered voters 2607  
and their registration information by name, driver's license 2608  
number, birth date, social security number, or current address; 2609

(5) Safeguards and components to ensure that the integrity, 2610  
security, and confidentiality of the voter registration 2611  
information is maintained. 2612

|  |      |
|--|------|
| (D) The secretary of state shall adopt rules pursuant to           | 2613 |
| Chapter 119. of the Revised Code doing all of the following:       | 2614 |
| (1) Specifying the manner in which existing voter                  | 2615 |
| registration records maintained by boards of elections shall be    | 2616 |
| converted to electronic files for inclusion in the statewide voter | 2617 |
| registration database;   | 2618 |
| (2) Establishing a uniform method for entering voter               | 2619 |
| registration records into the statewide voter registration         | 2620 |
| database on an expedited basis, but not less than once per day, if | 2621 |
| new registration information is received;                          | 2622 |
| (3) Establishing a uniform method for purging canceled voter       | 2623 |
| registration records from the statewide voter registration         | 2624 |
| database in accordance with section 3503.21 of the Revised Code;   | 2625 |
| (4) Specifying the persons authorized to add, delete, modify,      | 2626 |
| or print records contained in the statewide voter registration     | 2627 |
| database and to make updates of that database;                     | 2628 |
| (5) Establishing a process for annually auditing the               | 2629 |
| information contained in the statewide voter registration          | 2630 |
| database.  | 2631 |
| (E) A board of elections promptly shall purge a voter's name       | 2632 |
| and voter registration information from the statewide voter        | 2633 |
| registration database in accordance with the rules adopted by the  | 2634 |
| secretary of state under division (D)(3) of this section after the | 2635 |
| cancellation of a voter's registration under section 3503.21 of    | 2636 |
| the Revised Code.  | 2637 |
| (F) The secretary of state shall provide training in the           | 2638 |
| operation of the statewide voter registration database to each     | 2639 |
| board of elections and to any persons authorized by the secretary  | 2640 |
| of state to add, delete, modify, or print database records, and to | 2641 |
| conduct updates of the database.                                   | 2642 |

(G)(1) The statewide voter registration database established 2643  
under this section shall be made available on a web site of the 2644  
office of the secretary of state as follows: 2645

(a) Except as otherwise provided in division (G)(1)(b) of 2646  
this section, only the following information from the statewide 2647  
voter registration database regarding a registered voter shall be 2648  
made available on the web site: 2649

(i) The voter's name; 2650

(ii) The voter's address; 2651

(iii) The voter's precinct number; 2652

(iv) The voter's voting history. 2653

(b) During the thirty days before the day of a primary or 2654  
general election, the web site interface of the statewide voter 2655  
registration database shall permit a voter to search for the 2656  
polling location at which that voter may cast a ballot. 2657

(2) The secretary of state shall establish, by rule adopted 2658  
under Chapter 119. of the Revised Code, a process for boards of 2659  
elections to notify the secretary of state of changes in the 2660  
locations of precinct polling places for the purpose of updating 2661  
the information made available on the secretary of state's web 2662  
site under division (G)(1)(b) of this section. Those rules shall 2663  
require a board of elections, during the thirty days before the 2664  
day of a primary or general election, to notify the secretary of 2665  
state within one business day of any change to the location of a 2666  
precinct polling place within the county. 2667

(3) During the thirty days before the day of a primary or 2668  
general election, not later than one business day after receiving 2669  
a notification from a county pursuant to division (G)(2) of this 2670  
section that the location of a precinct polling place has changed, 2671  
the secretary of state shall update that information on the 2672

secretary of state's web site for the purpose of division 2673  
(G)(1)(b) of this section. 2674

**Sec. 3503.16.** (A) Whenever a registered elector changes the 2675  
place of residence of that registered elector from one precinct to 2676  
another within a county or from one county to another, or has a 2677  
change of name, that registered elector shall report the change by 2678  
delivering a change of residence or change of name form, whichever 2679  
is appropriate, as prescribed by the secretary of state under 2680  
section 3503.14 of the Revised Code to the state or local office 2681  
of a designated agency, a public high school or vocational school, 2682  
a public library, the office of the county treasurer, the office 2683  
of the secretary of state, any office of the registrar or deputy 2684  
registrar of motor vehicles, or any office of a board of elections 2685  
in person or by a third person. Any voter registration, change of 2686  
address, or change of name application, returned by mail, may be 2687  
sent only to the secretary of state or the board of elections. 2688

A registered elector also may update the registration of that 2689  
registered elector by filing a change of residence or change of 2690  
name form on the day of a special, primary, or general election at 2691  
the polling place in the precinct in which that registered elector 2692  
resides or at the board of elections or at another site designated 2693  
by the board. 2694

(B)(1)(a) Any registered elector who moves within a precinct 2695  
on or prior to the day of a general, primary, or special election 2696  
and has not filed a notice of change of residence with the board 2697  
of elections may vote in that election by going to that registered 2698  
elector's assigned polling place, completing and signing a notice 2699  
of change of residence, showing identification in the form of a 2700  
current and valid photo identification, a military identification, 2701  
or a copy of a current utility bill, bank statement, government 2702  
check, paycheck, or other government document, other than a notice 2703

of an election mailed by a board of elections under section 2704  
3501.19 of the Revised Code or a notice of voter registration 2705  
mailed by a board of elections under section 3503.19 of the 2706  
Revised Code, that shows the name and current address of the 2707  
elector, and casting a ballot. If the elector provides either a 2708  
driver's license or a state identification card issued under 2709  
section 4507.50 of the Revised Code that does not contain the 2710  
elector's current residence address, the elector shall provide the 2711  
last four digits of the elector's driver's license number or state 2712  
identification card number, and the precinct election official 2713  
shall mark the poll list or signature pollbook to indicate that 2714  
the elector has provided a driver's license or state 2715  
identification card number with a former address and record the 2716  
last four digits of the elector's driver's license number or state 2717  
identification card number. 2718

(b) Any registered elector who changes the name of that 2719  
registered elector and remains within a precinct on or prior to 2720  
the day of a general, primary, or special election and has not 2721  
filed a notice of change of name with the board of elections may 2722  
vote in that election by going to that registered elector's 2723  
assigned polling place, completing and signing a notice of a 2724  
change of name, and casting a provisional ballot under section 2725  
3505.181 of the Revised Code. 2726

(2) Any registered elector who moves from one precinct to 2727  
another within a county or moves from one precinct to another and 2728  
changes the name of that registered elector on or prior to the day 2729  
of a general, primary, or special election and has not filed a 2730  
notice of change of residence or change of name, whichever is 2731  
appropriate, with the board of elections may vote in that election 2732  
if that registered elector complies with division (G) of this 2733  
section or does all of the following: 2734

(a) Appears at anytime during regular business hours on or 2735

after the twenty-eighth day prior to the election in which that 2736  
registered elector wishes to vote or, if the election is held on 2737  
the day of a presidential primary election, the twenty-fifth day 2738  
prior to the election, through noon of the Saturday prior to the 2739  
election at the office of the board of elections, appears at any 2740  
time during regular business hours on the Monday prior to the 2741  
election at the office of the board of elections, or appears on 2742  
the day of the election at either of the following locations: 2743

(i) The polling place in the precinct in which that 2744  
registered elector resides; 2745

(ii) The office of the board of elections or, if pursuant to 2746  
division (C) of section 3501.10 of the Revised Code the board has 2747  
designated another location in the county at which registered 2748  
electors may vote, at that other location instead of the office of 2749  
the board of elections. 2750

(b) Completes and signs, under penalty of election 2751  
falsification, a notice of change of residence or change of name, 2752  
whichever is appropriate, and files it with election officials at 2753  
the polling place, at the office of the board of elections, or, if 2754  
pursuant to division (C) of section 3501.10 of the Revised Code 2755  
the board has designated another location in the county at which 2756  
registered electors may vote, at that other location instead of 2757  
the office of the board of elections, whichever is appropriate; 2758

(c) Votes a provisional ballot under section 3505.181 of the 2759  
Revised Code at the polling place, at the office of the board of 2760  
elections, or, if pursuant to division (C) of section 3501.10 of 2761  
the Revised Code the board has designated another location in the 2762  
county at which registered electors may vote, at that other 2763  
location instead of the office of the board of elections, 2764  
whichever is appropriate, using the address to which that 2765  
registered elector has moved or the name of that registered 2766  
elector as changed, whichever is appropriate; 2767

(d) Completes and signs, under penalty of election 2768  
falsification, a statement attesting that that registered elector 2769  
moved or had a change of name, whichever is appropriate, on or 2770  
prior to the day of the election, has voted a provisional ballot 2771  
at the polling place in the precinct in which that registered 2772  
elector resides, at the office of the board of elections, or, if 2773  
pursuant to division (C) of section 3501.10 of the Revised Code 2774  
the board has designated another location in the county at which 2775  
registered electors may vote, at that other location instead of 2776  
the office of the board of elections, whichever is appropriate, 2777  
and will not vote or attempt to vote at any other location for 2778  
that particular election. The statement required under division 2779  
(B)(2)(d) of this section shall be included on the notice of 2780  
change of residence or change of name, whichever is appropriate, 2781  
required under division (B)(2)(b) of this section. 2782

(C) Any registered elector who moves from one county to 2783  
another county within the state on or prior to the day of a 2784  
general, primary, or special election and has not registered to 2785  
vote in the county to which that registered elector moved may vote 2786  
in that election if that registered elector complies with division 2787  
(G) of this section or does all of the following: 2788

(1) Appears at any time during regular business hours on or 2789  
after the twenty-eighth day prior to the election in which that 2790  
registered elector wishes to vote or, if the election is held on 2791  
the day of a presidential primary election, the twenty-fifth day 2792  
prior to the election, through noon of the Saturday prior to the 2793  
election at the office of the board of elections or, if pursuant 2794  
to division (C) of section 3501.10 of the Revised Code the board 2795  
has designated another location in the county at which registered 2796  
electors may vote, at that other location instead of the office of 2797  
the board of elections, appears during regular business hours on 2798  
the Monday prior to the election at the office of the board of 2799

elections or, if pursuant to division (C) of section 3501.10 of 2800  
the Revised Code the board has designated another location in the 2801  
county at which registered electors may vote, at that other 2802  
location instead of the office of the board of elections, or 2803  
appears on the day of the election at the office of the board of 2804  
elections or, if pursuant to division (C) of section 3501.10 of 2805  
the Revised Code the board has designated another location in the 2806  
county at which registered electors may vote, at that other 2807  
location instead of the office of the board of elections; 2808

(2) Completes and signs, under penalty of election 2809  
falsification, a notice of change of residence and files it with 2810  
election officials at the board of elections or, if pursuant to 2811  
division (C) of section 3501.10 of the Revised Code the board has 2812  
designated another location in the county at which registered 2813  
electors may vote, at that other location instead of the office of 2814  
the board of elections; 2815

(3) Votes a provisional ballot under section 3505.181 of the 2816  
Revised Code at the office of the board of elections or, if 2817  
pursuant to division (C) of section 3501.10 of the Revised Code 2818  
the board has designated another location in the county at which 2819  
registered electors may vote, at that other location instead of 2820  
the office of the board of elections, using the address to which 2821  
that registered elector has moved; 2822

(4) Completes and signs, under penalty of election 2823  
falsification, a statement attesting that that registered elector 2824  
has moved from one county to another county within the state on or 2825  
prior to the day of the election, has voted at the office of the 2826  
board of elections or, if pursuant to division (C) of section 2827  
3501.10 of the Revised Code the board has designated another 2828  
location in the county at which registered electors may vote, at 2829  
that other location instead of the office of the board of 2830  
elections, and will not vote or attempt to vote at any other 2831

location for that particular election. The statement required 2832  
under division (C)(4) of this section shall be included on the 2833  
notice of change of residence required under division (C)(2) of 2834  
this section. 2835

(D) A person who votes by absent voter's ballots pursuant to 2836  
division (G) of this section shall not make written application 2837  
for the ballots pursuant to Chapter 3509. of the Revised Code. 2838  
Ballots cast pursuant to division (G) of this section shall be set 2839  
aside in a special envelope and counted during the official 2840  
canvass of votes in the manner provided for in sections 3505.32 2841  
and 3509.06 of the Revised Code insofar as that manner is 2842  
applicable. The board shall examine the pollbooks to verify that 2843  
no ballot was cast at the polls or by absent voter's ballots under 2844  
Chapter 3509. or 3511. of the Revised Code by an elector who has 2845  
voted by absent voter's ballots pursuant to division (G) of this 2846  
section. Any ballot determined to be insufficient for any of the 2847  
reasons stated above or stated in section 3509.07 of the Revised 2848  
Code shall not be counted. 2849

Subject to division (C) of section 3501.10 of the Revised 2850  
Code, a board of elections may lease or otherwise acquire a site 2851  
different from the office of the board at which registered 2852  
electors may vote pursuant to division (B) or (C) of this section. 2853

(E) Upon receiving a change of residence or change of name 2854  
form, the board of elections shall immediately send the registrant 2855  
an acknowledgment notice. If the change of residence or change of 2856  
name form is valid, the board shall update the voter's 2857  
registration as appropriate. If that form is incomplete, the board 2858  
shall inform the registrant in the acknowledgment notice specified 2859  
in this division of the information necessary to complete or 2860  
update that registrant's registration. 2861

(F) Change of residence and change of name forms shall be 2862  
available at each polling place, and when these forms are 2863

completed, noting changes of residence or name, as appropriate, 2864  
they shall be filed with election officials at the polling place. 2865  
Election officials shall return completed forms, together with the 2866  
pollbooks and tally sheets, to the board of elections. 2867

The board of elections shall provide change of residence and 2868  
change of name forms to the probate court and court of common 2869  
pleas. The court shall provide the forms to any person eighteen 2870  
years of age or older who has a change of name by order of the 2871  
court or who applies for a marriage license. The court shall 2872  
forward all completed forms to the board of elections within five 2873  
days after receiving them. 2874

(G) A registered elector who otherwise would qualify to vote 2875  
under division (B) or (C) of this section but is unable to appear 2876  
at the office of the board of elections or, if pursuant to 2877  
division (C) of section 3501.10 of the Revised Code the board has 2878  
designated another location in the county at which registered 2879  
electors may vote, at that other location, on account of personal 2880  
illness, physical disability, or infirmity, may vote on the day of 2881  
the election if that registered elector does all of the following: 2882

(1) Makes a written application that includes all of the 2883  
information required under section 3509.03 of the Revised Code to 2884  
the appropriate board for an absent voter's ballot on or after the 2885  
twenty-seventh day prior to the election in which the registered 2886  
elector wishes to vote through noon of the Saturday prior to that 2887  
election and requests that the absent voter's ballot be sent to 2888  
the address to which the registered elector has moved if the 2889  
registered elector has moved, or to the address of that registered 2890  
elector who has not moved but has had a change of name; 2891

(2) Declares that the registered elector has moved or had a 2892  
change of name, whichever is appropriate, and otherwise is 2893  
qualified to vote under the circumstances described in division 2894  
(B) or (C) of this section, whichever is appropriate, but that the 2895

registered elector is unable to appear at the board of elections 2896  
because of personal illness, physical disability, or infirmity; 2897

(3) Completes and returns along with the completed absent 2898  
voter's ballot a notice of change of residence indicating the 2899  
address to which the registered elector has moved, or a notice of 2900  
change of name, whichever is appropriate; 2901

(4) Completes and signs, under penalty of election 2902  
falsification, a statement attesting that the registered elector 2903  
has moved or had a change of name on or prior to the day before 2904  
the election, has voted by absent voter's ballot because of 2905  
personal illness, physical disability, or infirmity that prevented 2906  
the registered elector from appearing at the board of elections, 2907  
and will not vote or attempt to vote at any other location or by 2908  
absent voter's ballot mailed to any other location or address for 2909  
that particular election. 2910

**Sec. 3503.18.** At least once each month, each probate judge in 2911  
this state shall file with the board of elections the names and 2912  
residence addresses of all persons over eighteen years of age who 2913  
have been adjudicated incompetent for the purpose of voting, as 2914  
provided in section 5122.301 of the Revised Code. At least once 2915  
each month the clerk of the court of common pleas shall file with 2916  
the board the names and residence addresses of all persons who 2917  
have been convicted during the previous month of crimes that would 2918  
disfranchise such persons under existing laws of the state. 2919  
Reports of conviction of crimes under the laws of the United 2920  
States that would disfranchise an elector and that are provided to 2921  
the secretary of state by any United States attorney shall be 2922  
forwarded by the secretary of state to the appropriate board of 2923  
elections. 2924

Upon receiving a report required by this section, the board 2925  
of elections shall promptly cancel the registration of each 2926

elector named in the report. If the report contains a residence 2927  
address of an elector in a county other than the county in which 2928  
the board of elections is located, the director shall promptly 2929  
send a copy of the report to the appropriate board of elections, 2930  
which shall cancel the registration. 2931

**Sec. 3503.19.** (A) Persons qualified to register or to change 2932  
their registration because of a change of address or change of 2933  
name may register or change their registration in person at any 2934  
state or local office of a designated agency, at the office of the 2935  
registrar or any deputy registrar of motor vehicles, at a public 2936  
high school or vocational school, at a public library, at the 2937  
office of a county treasurer, or at a branch office established by 2938  
the board of elections, or in person, through another person, or 2939  
by mail at the office of the secretary of state or at the office 2940  
of a board of elections. A registered elector may also change the 2941  
elector's registration on election day at any polling place where 2942  
the elector is eligible to vote, in the manner provided under 2943  
section 3503.16 of the Revised Code. 2944

Any state or local office of a designated agency, the office 2945  
of the registrar or any deputy registrar of motor vehicles, a 2946  
public high school or vocational school, a public library, or the 2947  
office of a county treasurer shall transmit any voter registration 2948  
application or change of registration form that it receives to the 2949  
board of elections of the county in which the state or local 2950  
office is located, within five days after receiving the voter 2951  
registration application or change of registration form. 2952

An otherwise valid voter registration application that is 2953  
returned to the appropriate office other than by mail must be 2954  
received by a state or local office of a designated agency, the 2955  
office of the registrar or any deputy registrar of motor vehicles, 2956  
a public high school or vocational school, a public library, the 2957

office of a county treasurer, the office of the secretary of 2958  
state, or the office of a board of elections no later than the 2959  
thirtieth day preceding a primary, special, or general election 2960  
for the person to qualify as an elector eligible to vote at that 2961  
election. An otherwise valid registration application received 2962  
after that day entitles the elector to vote at all subsequent 2963  
elections. 2964

Any state or local office of a designated agency, the office 2965  
of the registrar or any deputy registrar of motor vehicles, a 2966  
public high school or vocational school, a public library, or the 2967  
office of a county treasurer shall date stamp a registration 2968  
application or change of name or change of address form it 2969  
receives using a date stamp that does not disclose the identity of 2970  
the state or local office that receives the registration. 2971

Voter registration applications, if otherwise valid, that are 2972  
returned by mail to the office of the secretary of state or to the 2973  
office of a board of elections must be postmarked no later than 2974  
the thirtieth day preceding a primary, special, or general 2975  
election in order for the person to qualify as an elector eligible 2976  
to vote at that election. If an otherwise valid voter registration 2977  
application that is returned by mail does not bear a postmark or a 2978  
legible postmark, the registration shall be valid for that 2979  
election if received by the office of the secretary of state or 2980  
the office of a board of elections no later than twenty-five days 2981  
preceding any special, primary, or general election. 2982

(B)(1) Any person may apply in person, by telephone, by mail, 2983  
or through another person for voter registration forms to the 2984  
office of the secretary of state or the office of a board of 2985  
elections. An individual who is eligible to vote as a uniformed 2986  
services voter or an overseas voter in accordance with 42 U.S.C. 2987  
1973ff-6 also may apply for voter registration forms by electronic 2988  
means to the office of the secretary of state or to the board of 2989

elections of the county in which the person's voting residence is 2990  
located pursuant to section 3503.191 of the Revised Code. 2991

(2)(a) An applicant may return the applicant's completed 2992  
registration form in person or by mail to any state or local 2993  
office of a designated agency, to a public high school or 2994  
vocational school, to a public library, to the office of a county 2995  
treasurer, to the office of the secretary of state, or to the 2996  
office of a board of elections. An applicant who is eligible to 2997  
vote as a uniformed services voter or an overseas voter in 2998  
accordance with 42 U.S.C. 1973ff-6 also may return the applicant's 2999  
completed voter registration form electronically to the office of 3000  
the secretary of state or to the board of elections of the county 3001  
in which the person's voting residence is located pursuant to 3002  
section 3503.191 of the Revised Code. 3003

(b) Subject to division (B)(2)(c) of this section, an 3004  
applicant may return the applicant's completed registration form 3005  
through another person to any board of elections or the office of 3006  
the secretary of state. 3007

(c) A person who receives compensation for registering a 3008  
voter shall return any registration form entrusted to that person 3009  
by an applicant to any board of elections or to the office of the 3010  
secretary of state. 3011

(d) If a board of elections or the office of the secretary of 3012  
state receives a registration form under division (B)(2)(b) or (c) 3013  
of this section before the thirtieth day before an election, the 3014  
board or the office of the secretary of state, as applicable, 3015  
shall forward the registration to the board of elections of the 3016  
county in which the applicant is seeking to register to vote 3017  
within ten days after receiving the application. If a board of 3018  
elections or the office of the secretary of state receives a 3019  
registration form under division (B)(2)(b) or (c) of this section 3020  
on or after the thirtieth day before an election, the board or the 3021

office of the secretary of state, as applicable, shall forward the 3022  
registration to the board of elections of the county in which the 3023  
applicant is seeking to register to vote within thirty days after 3024  
that election. 3025

(C)(1) A board of elections that receives a voter 3026  
registration application and is satisfied as to the truth of the 3027  
statements made in the registration form shall register the 3028  
applicant not later than twenty business days after receiving the 3029  
application, unless that application is received during the thirty 3030  
days immediately preceding the day of an election. The board shall 3031  
promptly notify the applicant in writing of each of the following: 3032

(a) The applicant's registration; 3033

(b) The precinct in which the applicant is to vote; 3034

(c) In bold type as follows: 3035

"Voters must bring identification to the polls in order to 3036  
verify identity. Identification may include a current and valid 3037  
photo identification, a military identification, or a copy of a 3038  
current utility bill, bank statement, government check, paycheck, 3039  
or other government document, other than this notification or a 3040  
notification of an election mailed by a board of elections, that 3041  
shows the voter's name and current address. Voters who do not 3042  
provide one of these documents will still be able to vote by 3043  
casting a provisional ballot. Voters who do not have any of the 3044  
above forms of identification, including a social security number, 3045  
will still be able to vote by signing an affirmation swearing to 3046  
the voter's identity under penalty of election falsification and 3047  
by casting a provisional ballot." 3048

The notification shall be by nonforwardable mail. If the mail 3049  
is returned to the board, it shall investigate and cause the 3050  
notification to be delivered to the correct address. 3051

(2) If, after investigating as required under division (C)(1) 3052

of this section, the board is unable to verify the voter's correct 3053  
address, it shall cause the voter's name in the official 3054  
registration list and in the poll list or signature pollbook to be 3055  
marked to indicate that the voter's notification was returned to 3056  
the board. 3057

At the first election at which a voter whose name has been so 3058  
marked appears to vote, the voter shall be required to provide 3059  
identification to the election officials and to vote by 3060  
provisional ballot under section 3505.181 of the Revised Code. If 3061  
the provisional ballot is counted pursuant to division (B)(3) of 3062  
section 3505.183 of the Revised Code, the board shall correct that 3063  
voter's registration, if needed, and shall remove the indication 3064  
that the voter's notification was returned from that voter's name 3065  
on the official registration list and on the poll list or 3066  
signature pollbook. If the provisional ballot is not counted 3067  
pursuant to division (B)(4)(a)(i), (v), or (vi) of section 3068  
3505.183 of the Revised Code, the voter's registration shall be 3069  
canceled. The board shall notify the voter by United States mail 3070  
of the cancellation. 3071

(3) If a notice of the disposition of an otherwise valid 3072  
registration application is sent by nonforwardable mail and is 3073  
returned undelivered, the person shall be registered as provided 3074  
in division (C)(2) of this section and sent a confirmation notice 3075  
by forwardable mail. If the person fails to respond to the 3076  
confirmation notice, update the person's registration, or vote by 3077  
provisional ballot as provided in division (C)(2) of this section 3078  
in any election during the period of two federal elections 3079  
subsequent to the mailing of the confirmation notice, the person's 3080  
registration shall be canceled. 3081

**Sec. 3503.21.** (A) The registration of a registered elector 3082  
shall be canceled upon the occurrence of any of the following: 3083

|  |      |
|--|------|
| (1) The filing by a registered elector of a written request        | 3084 |
| with a board of elections, on a form prescribed by the secretary   | 3085 |
| of state and signed by the elector, that the registration be       | 3086 |
| anceled. The filing of such a request does not prohibit an         | 3087 |
| otherwise qualified elector from reregistering to vote at any      | 3088 |
| time.  | 3089 |
| (2) The conviction of the registered elector of a felony           | 3090 |
| under the laws of this state, any other state, or the United       | 3091 |
| States as provided in section 2961.01 of the Revised Code;         | 3092 |
| (3) The adjudication of incompetency of the registered             | 3093 |
| elector for the purpose of voting as provided in section 5122.301  | 3094 |
| of the Revised Code;   | 3095 |
| (5) The change of residence of the registered elector to a         | 3096 |
| location outside the county of registration in accordance with     | 3097 |
| division (B) of this section;                                      | 3098 |
| (6) The failure of the registered elector, after having been       | 3099 |
| mailed a confirmation notice, to do either of the following:       | 3100 |
| (a) Respond to such a notice and vote at least once during a       | 3101 |
| period of four consecutive years, which period shall include two   | 3102 |
| general federal elections;   | 3103 |
| (b) Update the elector's registration and vote at least once       | 3104 |
| during a period of four consecutive years, which period shall      | 3105 |
| include two general federal elections.                             | 3106 |
| (B)(1) The secretary of state shall prescribe procedures to        | 3107 |
| identify and cancel the registration in a prior county of          | 3108 |
| residence of any registrant who changes the registrant's voting    | 3109 |
| residence to a location outside the registrant's current county of | 3110 |
| registration. Any procedures prescribed in this division shall be  | 3111 |
| uniform and nondiscriminatory, and shall comply with the Voting    | 3112 |
| Rights Act of 1965. The secretary of state may prescribe           | 3113 |
| procedures under this division that include the use of the         | 3114 |

national change of address service provided by the United States 3115  
postal system through its licensees. Any program so prescribed 3116  
shall be completed not later than ninety days prior to the date of 3117  
any primary or general election for federal office. 3118

(2) The registration of any elector identified as having 3119  
changed the elector's voting residence to a location outside the 3120  
elector's current county of registration shall not be canceled 3121  
unless the registrant is sent a confirmation notice on a form 3122  
prescribed by the secretary of state and the registrant fails to 3123  
respond to the confirmation notice or otherwise update the 3124  
registration and fails to vote in any election during the period 3125  
of two federal elections subsequent to the mailing of the 3126  
confirmation notice. 3127

(C) The registration of a registered elector shall not be 3128  
canceled except as provided in this section, division (Q) of 3129  
section 3501.05 of the Revised Code, division (C)(2) of section 3130  
3503.19 of the Revised Code, or division (C) of section 3503.24 of 3131  
the Revised Code. 3132

(D) Boards of elections shall send their voter registration 3133  
information to the secretary of state as required under section 3134  
3503.15 of the Revised Code. In the first quarter of each 3135  
odd-numbered year, the secretary of state shall send the 3136  
information to the national change of address service described in 3137  
division (B) of this section and request that service to provide 3138  
the secretary of state with a list of any voters sent by the 3139  
secretary of state who have moved within the last thirty-six 3140  
months. The secretary of state shall transmit to each appropriate 3141  
board of elections whatever lists the secretary of state receives 3142  
from that service. The board shall send a notice to each person on 3143  
the list transmitted by the secretary of state requesting 3144  
confirmation of the person's change of address, together with a 3145  
postage prepaid, preaddressed return envelope containing a form on 3146

which the voter may verify or correct the change of address 3147  
information. 3148

(E) The registration of a registered elector described in 3149  
division (A)(6) or (B)(2) of this section shall be canceled not 3150  
later than one hundred twenty days after the date of the second 3151  
general federal election in which the elector fails to vote or not 3152  
later than one hundred twenty days after the expiration of the 3153  
four-year period in which the elector fails to vote or respond to 3154  
a confirmation notice, whichever is later. 3155

**Sec. 3503.24.** (A) Application for the correction of any 3156  
precinct registration list or a challenge of the right to vote of 3157  
any registered elector may be made by any qualified elector of the 3158  
county at the office of the board of elections not later than 3159  
twenty days prior to the election. The applications or challenges, 3160  
with the reasons for the application or challenge, shall be filed 3161  
with the board on a form prescribed by the secretary of state and 3162  
shall be signed under penalty of election falsification. 3163

(B) On receiving an application or challenge filed under this 3164  
section, the board of elections promptly shall review the board's 3165  
records. If the board is able to determine that an application or 3166  
challenge should be granted or denied solely on the basis of the 3167  
records maintained by the board, the board immediately shall vote 3168  
to grant or deny that application or challenge. 3169

If the board is not able to determine whether an application 3170  
or challenge should be granted or denied solely on the basis of 3171  
the records maintained by the board, the director shall promptly 3172  
set a time and date for a hearing before the board. Except as 3173  
otherwise provided in division (D) of this section, the hearing 3174  
shall be held, and the application or challenge shall be decided, 3175  
no later than ten days after the board receives the application or 3176  
challenge. The director shall send written notice to any elector 3177

whose right to vote is challenged and to any person whose name is 3178  
alleged to have been omitted from a registration list. The notice 3179  
shall inform the person of the time and date of the hearing, and 3180  
of the person's right to appear and testify, call witnesses, and 3181  
be represented by counsel. The notice shall be sent by first class 3182  
mail no later than three days before the day of any scheduled 3183  
hearing. The director shall also provide the person who filed the 3184  
application or challenge with such written notice of the date and 3185  
time of the hearing. 3186

At the request of either party or any member of the board, 3187  
the board shall issue subpoenas to witnesses to appear and testify 3188  
before the board at a hearing held under this section. All 3189  
witnesses shall testify under oath. The board shall reach a 3190  
decision on all applications and challenges immediately after 3191  
hearing. 3192

(C) If the board decides that any such person is not entitled 3193  
to have the person's name on the registration list, the person's 3194  
name shall be removed from the list and the person's registration 3195  
forms canceled. If the board decides that the name of any such 3196  
person should appear on the registration list, it shall be added 3197  
to the list, and the person's registration forms placed in the 3198  
proper registration files. All such corrections and additions 3199  
shall be made on a copy of the precinct lists, which shall 3200  
constitute the poll lists, to be furnished to the respective 3201  
precincts with other election supplies on the day preceding the 3202  
election, to be used by the election officials in receiving the 3203  
signatures of voters and in checking against the registration 3204  
forms. 3205

(D)(1) If an application or challenge for which a hearing is 3206  
required to be conducted under division (B) of this section is 3207  
filed after the thirtieth day before the day of an election, the 3208  
board of elections, in its discretion, may postpone that hearing 3209

and any notifications of that hearing until after the day of the 3210  
election. Any hearing postponed under this division shall be 3211  
conducted not later than ten days after the day of the election. 3212

(2) The board of elections shall cause the name of any 3213  
registered elector whose registration is challenged and whose 3214  
challenge hearing is postponed under division (D)(1) of this 3215  
section to be marked in the official registration list and in the 3216  
poll list or signature pollbook for that elector's precinct to 3217  
indicate that the elector's registration is subject to challenge. 3218

(3) Any elector who is the subject of an application or 3219  
challenge hearing that is postponed under division (D)(1) of this 3220  
section shall be permitted to vote a provisional ballot under 3221  
section 3505.181 of the Revised Code. The validity of a 3222  
provisional ballot cast pursuant to this section shall be 3223  
determined in accordance with section 3505.183 of the Revised 3224  
Code, except that no such provisional ballot shall be counted 3225  
unless the hearing conducted under division (B) of this section 3226  
after the day of the election results in the elector's inclusion 3227  
in the official registration list. 3228

**Sec. 3503.26.** (A) All registration forms and lists, when not 3229  
in official use by the registrars or judges of elections, shall be 3230  
in the possession of the board of elections. Names and addresses 3231  
of electors may be copied from the registration lists only in the 3232  
office of the board when it is open for business; but no such 3233  
copying shall be permitted during the period of time commencing 3234  
twenty-one days before an election and ending on the eleventh day 3235  
after an election if such copying will, in the opinion of the 3236  
board, interfere with the necessary work of the board. The board 3237  
shall keep in convenient form and available for public inspection 3238  
a correct set of the registration lists of all precincts in the 3239  
county. 3240

(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 3271  
photo identification, a military identification, or a copy of a 3272  
current utility bill, bank statement, government check, paycheck, 3273  
or other government document, other than a notice of an election 3274  
or a voter registration notification sent by a board of elections, 3275  
that shows the voter's name and current address. Voters who do not 3276  
provide one of these documents will still be able to vote by 3277  
casting a provisional ballot. Voters who do not have any of the 3278  
above forms of identification, including a social security number, 3279  
will still be able to vote by signing an affirmation swearing to 3280  
the voter's identity under penalty of election falsification and 3281  
by casting a provisional ballot." 3282

(B) Except as otherwise provided in division (D) of this 3283  
section, a board of elections, designated agency, public high 3284  
school, public vocational school, public library, office of a 3285  
county treasurer, or deputy registrar of motor vehicles shall 3286  
distribute a copy of the brochure developed under division (A) of 3287  
this section to any person who requests more than two voter 3288  
registration forms at one time. 3289

(C)(1) The secretary of state shall provide the information 3290  
required to be included in the brochure developed under division 3291  
(A) of this section to any person who prints a voter registration 3292  
form that is made available on a web site of the office of the 3293  
secretary of state. 3294

(2) If a board of elections operates and maintains a web 3295  
site, the board shall provide the information required to be 3296  
included in the brochure developed under division (A) of this 3297  
section to any person who prints a voter registration form that is 3298  
made available on that web site. 3299

(D) A board of elections shall not be required to distribute 3300  
a copy of a brochure under division (B) of this section to any of 3301  
the following officials or employees who are requesting more than 3302

|  |      |
|--|------|
| two voter registration forms at one time in the course of the      | 3303 |
| official's or employee's normal duties:                            | 3304 |
| (1) An election official;  | 3305 |
| (2) A county treasurer;  | 3306 |
| (3) A deputy registrar of motor vehicles;                          | 3307 |
| (4) An employee of a designated agency;                            | 3308 |
| (5) An employee of a public high school;                           | 3309 |
| (6) An employee of a public vocational school;                     | 3310 |
| (7) An employee of a public library;                               | 3311 |
| (8) An employee of the office of a county treasurer;               | 3312 |
| (9) An employee of the bureau of motor vehicles;                   | 3313 |
| (10) An employee of a deputy registrar of motor vehicles;          | 3314 |
| (11) An employee of an election official.                          | 3315 |
| (E) As used in this section, "registering voters" includes         | 3316 |
| any effort, for compensation, to provide voter registration forms  | 3317 |
| or to assist persons in completing or returning those forms.       | 3318 |
| <br>   |      |
| <b>Sec. 3503.29.</b> (A) The secretary of state shall develop and  | 3319 |
| make available through a web site of the office of the secretary   | 3320 |
| of state a training program for any person who receives or expects | 3321 |
| to receive compensation for registering a voter. The secretary of  | 3322 |
| state shall specify, by rule adopted pursuant to Chapter 119. of   | 3323 |
| the Revised Code, the information to be included in the online     | 3324 |
| training program developed under this division.                    | 3325 |
| <br>   |      |
| (B) Except as otherwise provided in division (E) of this           | 3326 |
| section, the secretary of state, by rules adopted pursuant to      | 3327 |
| Chapter 119. of the Revised Code, shall prescribe a program under  | 3328 |
| which the secretary of state shall register any person who         | 3329 |
| receives or expects to receive compensation for registering a      | 3330 |

voter in this state. 3331

(C) Except as otherwise provided in division (E) of this 3332  
section, in each year in which a person receives or expects to 3333  
receive compensation for registering a voter, that person, prior 3334  
to registering a voter, shall do all of the following: 3335

(1) Register with the secretary of state in accordance with 3336  
the program prescribed under division (B) of this section; 3337

(2) Complete the training program established by the 3338  
secretary of state under division (A) of this section. 3339

(3) Sign an affirmation that includes all of the following: 3340

(a) The person's name; 3341

(b) The person's date of birth; 3342

(c) The person's permanent address; 3343

(d) The name of each county in which the person expects to 3344  
register voters; 3345

(e) A statement that the person has registered, as required 3346  
under division (C)(1) of this section, with the secretary of 3347  
state; 3348

(f) A statement that the person has completed the training 3349  
program required under division (C)(2) of this section; 3350

(g) A statement that the person will follow all applicable 3351  
laws of this state while registering voters. 3352

(D) Except as otherwise provided in division (E) of this 3353  
section, each time a person who receives or expects to receive 3354  
compensation for registering a voter submits a completed 3355  
registration form that has been entrusted to that person to a 3356  
board of elections, the person also shall submit, with the voter 3357  
registration form, a copy of the affirmation signed by the person 3358  
under division (C)(3) of this section. A single copy of the signed 3359

affirmation may be submitted with all voter registration forms 3360  
that are returned by that person at one time. 3361

(E) None of the following officials or employees who are 3362  
registering voters in the course of the official's or employee's 3363  
normal duties shall be required to comply with divisions (C) and 3364  
(D) of this section: 3365

(1) An election official; 3366

(2) A county treasurer; 3367

(3) A deputy registrar of motor vehicles; 3368

(4) An employee of a designated agency; 3369

(5) An employee of a public high school; 3370

(6) An employee of a public vocational school; 3371

(7) An employee of a public library; 3372

(8) An employee of the office of a county treasurer; 3373

(9) An employee of the bureau of motor vehicles; 3374

(10) An employee of a deputy registrar of motor vehicles; 3375

(11) An employee of an election official. 3376

(F) As used in this section, "registering a voter" and 3377  
"registering voters" includes any effort, for compensation, to 3378  
provide voter registration forms or to assist persons in 3379  
completing or returning those forms. 3380

**Sec. 3504.01.** Each citizen of the United States who, on the 3381  
day of the succeeding presidential election, will be eighteen 3382  
years of age or over, who has moved the citizen's residence from 3383  
this state not more than ninety days prior to the day of such 3384  
presidential election, who has not registered to vote in the state 3385  
to which that citizen has moved that citizen's residence, and who, 3386  
because of that citizen's removal from this state, is not entitled 3387

to vote for the offices of president and vice-president or for 3388  
presidential and vice-presidential electors in the state of that 3389  
citizen's current residence may be entitled to vote in this state, 3390  
in the precinct in which that citizen's voting residence was 3391  
located at the time the citizen moved from this state, for 3392  
presidential and vice-presidential electors but for no other 3393  
offices if the citizen meets all of the following conditions: 3394

(A) The citizen otherwise possesses the substantive 3395  
qualifications to vote in this state, except the requirements of 3396  
residence and registration. 3397

(B) The citizen complies with sections 3504.01 to 3504.06 of 3398  
the Revised Code. 3399

(C) The citizen completes a certificate of intent to vote in 3400  
a presidential election under section 3504.02 of the Revised Code 3401  
under penalty of election falsification. 3402

**Sec. 3504.02.** Any citizen who desires to vote in a 3403  
presidential election under this chapter shall, not later than 3404  
four p.m. of the thirtieth day prior to the date of the 3405  
presidential election, complete a certificate of intent to vote 3406  
for presidential and vice-presidential electors. The certificate 3407  
of intent shall be completed in duplicate on a form prescribed by 3408  
the secretary of state that may be obtained and filed personally 3409  
in the office of the board of elections of the county in which 3410  
such person last resided before removal from this state, or mailed 3411  
to such board of elections. 3412

Immediately following the spaces on the certificate for 3413  
inserting information as requested by the secretary of state, the 3414  
following statement shall be printed: "I declare under penalty of 3415  
election falsification that the statements herein contained are 3416  
true to the best of my knowledge and belief; that I am legally 3417

qualified to vote; that I am not registered to vote in any other 3418  
state; and that I have not voted in an election in any other state 3419  
since removing myself from the state of Ohio. 3420

..... 3421

Signature of applicant 3422

..... 3423

Date 3424

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY 3425  
OF THE FIFTH DEGREE." 3426

**Sec. 3504.04.** On or before election day, the director of the 3427  
board of elections shall deliver to the polling place a list of 3428  
persons who have filed certificates of intent to vote as former 3429  
resident voters and who appear, from their voting address, 3430  
entitled to vote at such polling place. Those persons whose names 3431  
appear on the list of former resident voters, and who have 3432  
otherwise complied with sections 3504.01 to 3504.06 of the Revised 3433  
Code, shall then be entitled to vote for presidential and 3434  
vice-presidential electors only at their polling place on election 3435  
day or by absent voter's ballots. Such voter who votes at that 3436  
voter's polling place on election day shall sign that voter's name 3437  
in the poll book or poll list followed by, "Former Resident's 3438  
Presidential Ballot." Qualified former residents shall be entitled 3439  
to cast absent voter's ballots for presidential and 3440  
vice-presidential electors. 3441

**Sec. 3504.05.** The director of the board of elections shall 3442  
forward copies of all certificates of intent received from former 3443  
residents to the secretary of state no later than the twenty-fifth 3444  
day prior to the day of the election in which such former resident 3445  
desires to vote. Upon receipt of such certificate the secretary of 3446  
state shall immediately notify the chief elections officer of the 3447  
state of each applicant's prior residence of the fact that such 3448

applicant has declared his intention to vote for presidential and 3449  
vice-presidential electors in this state. 3450

**Sec. 3505.07.** (A) If the board of elections, by a unanimous 3451  
vote of its members, or if the secretary of state, in the 3452  
secretary of state's sole discretion, finds it impracticable to 3453  
place the names of candidates for any office of a minor political 3454  
subdivision in the county or the wording of any question or issue 3455  
to be voted upon in such minor political subdivision on the 3456  
ballots under sections 3505.01 to 3505.09 of the Revised Code, 3457  
then such board may, or at the direction of the secretary of state 3458  
shall, provide separate ballots for the candidates, question, or 3459  
issue. 3460

(B) If the secretary of state, in the secretary of state's 3461  
sole discretion, determines that it is impracticable to place the 3462  
names of candidates for any office or the wording for any question 3463  
or issue to be voted upon on the ballot when the candidates, 3464  
question, issue, or wording for the question or issue was ordered 3465  
onto the ballot by a court of competent jurisdiction and the 3466  
ballots have been printed prior to the court order, the board of 3467  
elections, at the direction of the secretary of state, shall 3468  
provide separate ballots for the candidates, question, or issue. 3469

(C) All separate ballots provided for in this section shall 3470  
conform in quality of paper, style of printing, form of ballot, 3471  
arrangement of names, and in all other ways, in so far as 3472  
practicable, with the provisions relating to the printing of the 3473  
general official ballot. Separate ballot boxes shall be provided 3474  
for each such separate kind of ballot. 3475

**Sec. 3505.08.** (A) Ballots shall be provided by the board of 3476  
elections for all general and special elections. The ballots shall 3477  
be printed with black ink on No. 2 white book paper fifty pounds 3478

in weight per ream assuming such ream to consist of five hundred 3479  
sheets of such paper twenty-five by thirty-eight inches in size. 3480  
Each ballot shall have attached at the top two stubs, each of the 3481  
width of the ballot and not less than one-half inch in length, 3482  
except that, if the board of elections has an alternate method to 3483  
account for the ballots that the secretary of state has 3484  
authorized, each ballot may have only one stub that shall be the 3485  
width of the ballot and not less than one-half inch in length. In 3486  
the case of ballots with two stubs, the stubs shall be separated 3487  
from the ballot and from each other by perforated lines. The top 3488  
stub shall be known as Stub B and shall have printed on its face 3489  
"Stub B." The other stub shall be known as Stub A and shall have 3490  
printed on its face "Stub A." Each stub shall also have printed on 3491  
its face "Consecutive Number ....." 3492

Each ballot of each kind of ballot provided for use in each 3493  
precinct shall be numbered consecutively beginning with number 1 3494  
by printing such number upon both of the stubs attached to the 3495  
ballot. On ballots bearing the names of candidates, each 3496  
candidate's name shall be printed in twelve point boldface upper 3497  
case type in an enclosed rectangular space, and an enclosed blank 3498  
rectangular space shall be provided at the left of the candidate's 3499  
name. The name of the political party of a candidate nominated at 3500  
a primary election or certified by a party committee shall be 3501  
printed in ten point lightface upper and lower case type and shall 3502  
be separated by a two point blank space. The name of each 3503  
candidate shall be indented one space within the enclosed 3504  
rectangular space, and the name of the political party shall be 3505  
indented two spaces within the enclosed rectangular space. 3506

The title of each office on the ballots shall be printed in 3507  
twelve point boldface upper and lower case type in a separate 3508  
enclosed rectangular space. A four point rule shall separate the 3509  
name of a candidate or a group of candidates for the same office 3510

from the title of the office next appearing below on the ballot; a 3511  
two point rule shall separate the title of the office from the 3512  
names of candidates; and a one point rule shall separate names of 3513  
candidates. Headings shall be printed in display Roman type. When 3514  
the names of several candidates are grouped together as candidates 3515  
for the same office, there shall be printed on the ballots 3516  
immediately below the title of the office and within the separate 3517  
rectangular space in which the title is printed "Vote for not more 3518  
than . . . . .," in six point boldface upper and lower case filling 3519  
the blank space with that number which will indicate the number of 3520  
persons who may be lawfully elected to the office. 3521

Columns on ballots shall be separated from each other by a 3522  
heavy vertical border or solid line at least one-eighth of an inch 3523  
wide, and a similar vertical border or line shall enclose the left 3524  
and right side of ballots. Ballots shall be trimmed along the 3525  
sides close to such lines. 3526

The ballots provided for by this section shall be comprised 3527  
of four kinds of ballots designated as follows: office type 3528  
ballot; nonpartisan ballot; questions and issues ballot; and 3529  
presidential ballot. 3530

On the back of each office type ballot shall be printed 3531  
"Official Office Type Ballot;" on the back of each nonpartisan 3532  
ballot shall be printed "Official Nonpartisan Ballot;" on the back 3533  
of each questions and issues ballot shall be printed "Official 3534  
Questions and Issues Ballot;" and on the back of each presidential 3535  
ballot shall be printed "Official Presidential Ballot." On the 3536  
back of every ballot also shall be printed the date of the 3537  
election at which the ballot is used and the facsimile signatures 3538  
of the members of the board of the county in which the ballot is 3539  
used. For the purpose of identifying the kind of ballot, the back 3540  
of every ballot may be numbered in the order the board shall 3541  
determine. The numbers shall be printed in not less than 3542

thirty-six point type above the words "Official Office Type 3543  
Ballot," "Official Nonpartisan Ballot," "Official Questions and 3544  
Issues Ballot," or "Official Presidential Ballot," as the case may 3545  
be. Ballot boxes bearing corresponding numbers shall be furnished 3546  
for each precinct in which the above-described numbered ballots 3547  
are used. 3548

On the back of every ballot used, there shall be a solid 3549  
black line printed opposite the blank rectangular space that is 3550  
used to mark the choice of the voter. This line shall be printed 3551  
wide enough so that the mark in the blank rectangular space will 3552  
not be visible from the back side of the ballot. 3553

Sample ballots may be printed by the board of elections for 3554  
all general elections. The ballots shall be printed on colored 3555  
paper, and "Sample Ballot" shall be plainly printed in boldface 3556  
type on the face of each ballot. In counties of less than one 3557  
hundred thousand population, the board may print not more than 3558  
five hundred sample ballots; in all other counties, it may print 3559  
not more than one thousand sample ballots. The sample ballots 3560  
shall not be distributed by a political party or a candidate, nor 3561  
shall a political party or candidate cause their title or name to 3562  
be imprinted on sample ballots. 3563

(B) Notwithstanding division (A) of this section, in 3564  
approving the form of an official ballot, the secretary of state 3565  
may authorize the use of fonts, type face settings, and ballot 3566  
formats other than those prescribed in that division. 3567

**Sec. 3505.11.** (A) The ballots, with the stubs attached, shall 3568  
be bound into tablets for each precinct, which tablets shall 3569  
contain at least one per cent more ballots than the total 3570  
registration in the precinct, except as otherwise provided in 3571  
division (B) of this section. Upon the covers of the tablets shall 3572  
be written, printed, or stamped the designation of the precinct 3573

for which the ballots have been prepared. All official ballots 3574  
shall be printed uniformly upon the same kind and quality of paper 3575  
and shall be of the same shape, size, and type. 3576

Electors who have failed to respond within thirty days to any 3577  
confirmation notice shall not be counted in determining the number 3578  
of ballots to be printed under this section. 3579

(B)(1) A board of elections may choose to provide ballots on 3580  
demand. If a board so chooses, the board shall have prepared for 3581  
each precinct at least five per cent more ballots for an election 3582  
than the number specified below for that kind of election: 3583

(a) For a primary election or a special election held on the 3584  
day of a primary election, the total number of electors in that 3585  
precinct who voted in the primary election held four years 3586  
previously; 3587

(b) For a general election or a special election held on the 3588  
day of a general election, the total number of electors in that 3589  
precinct who voted in the general election held four years 3590  
previously; 3591

(c) For a special election held at any time other than on the 3592  
day of a primary or general election, the total number of electors 3593  
in that precinct who voted in the most recent primary or general 3594  
election, whichever of those elections occurred in the precinct 3595  
most recently. 3596

(2) If, after the board complies with the requirements of 3597  
division (B)(1) of this section, the election officials of a 3598  
precinct determine that the precinct will not have enough ballots 3599  
to enable all the qualified electors in the precinct who wish to 3600  
vote at a particular election to do so, the officials shall 3601  
request that the board provide additional ballots, and the board 3602  
shall provide enough additional ballots, to that precinct in a 3603  
timely manner so that all qualified electors in that precinct who 3604

wish to vote at that election may do so. 3605

**Sec. 3505.13.** A contract for the printing of ballots 3606  
involving a cost in excess of ten thousand dollars shall not be 3607  
let until after five days' notice published once in a newspaper of 3608  
general circulation published in the county or upon notice given 3609  
by mail by the board of elections, addressed to the responsible 3610  
printing offices within the state. Except as otherwise provided in 3611  
this section, each bid for such printing must be accompanied by a 3612  
bond with at least two sureties, or a surety company, satisfactory 3613  
to the board, in a sum double the amount of the bid, conditioned 3614  
upon the faithful performance of the contract for such printing as 3615  
is awarded and for the payment as damages by such bidder to the 3616  
board of any excess of cost over the bid which it may be obliged 3617  
to pay for such work by reason of the failure of the bidder to 3618  
complete the contract. No bid unaccompanied by such bond shall be 3619  
considered by the board. The board may, however, waive the 3620  
requirement that each bid be accompanied by a bond if the cost of 3621  
the contract is ten thousand dollars or less. The contract shall 3622  
be let to the lowest responsible bidder in the state. All ballots 3623  
shall be printed within the state. 3624

**Sec. 3505.16.** Before the opening of the polls, the package of 3625  
supplies and the ballot boxes shall be opened in the presence of 3626  
the precinct officials. The ballot boxes, the package of ballots, 3627  
registration forms, and other supplies shall at all times be in 3628  
full sight of the observers, and no ballot box or unused ballots 3629  
during the balloting or counting shall be removed or screened from 3630  
their full sight until the counting has been closed and the final 3631  
returns completed and the certificate signed by the judges. 3632

3633

**Sec. 3505.17.** If by accident or casualty the ballots or other 3634

required papers, lists, or supplies are lost or destroyed, or in 3635  
case none are delivered at the polling place, or if during the 3636  
time the polls are open additional ballots or supplies are 3637  
required, the board of elections, upon requisition by telephone or 3638  
in writing and signed by a majority of the election judges of the 3639  
precinct stating why such additional supplies are needed, shall 3640  
supply them as speedily as possible. 3641

**Sec. 3505.18.** (A)(1) When an elector appears in a polling 3642  
place to vote, the elector shall announce to the precinct election 3643  
officials the elector's full name and current address and provide 3644  
proof of the elector's identity in the form of a current and valid 3645  
photo identification, a military identification, or a copy of a 3646  
current utility bill, bank statement, government check, paycheck, 3647  
or other government document, other than a notice of an election 3648  
mailed by a board of elections under section 3501.19 of the 3649  
Revised Code or a notice of voter registration mailed by a board 3650  
of elections under section 3503.19 of the Revised Code, that shows 3651  
the name and current address of the elector. If the elector 3652  
provides either a driver's license or a state identification card 3653  
issued under section 4507.50 of the Revised Code that does not 3654  
contain the elector's current residence address, the elector shall 3655  
provide the last four digits of the elector's driver's license 3656  
number or state identification card number, and the precinct 3657  
election official shall mark the poll list or signature pollbook 3658  
to indicate that the elector has provided a driver's license or 3659  
state identification card number with a former address and record 3660  
the last four digits of the elector's driver's license number or 3661  
state identification card number. 3662

(2) If an elector has but is unable to provide to the 3663  
precinct election officials any of the forms of identification 3664  
required under division (A)(1) of this section, but has a social 3665  
security number, the elector may provide the last four digits of 3666

the elector's social security number. Upon providing the social 3667  
security number information, the elector may cast a provisional 3668  
ballot under section 3505.181 of the Revised Code, the envelope of 3669  
which ballot shall include that social security number 3670  
information. 3671

(3) If an elector has but is unable to provide to the 3672  
precinct election officials any of the forms of identification 3673  
required under division (A)(1) of this section and if the elector 3674  
has a social security number but is unable to provide the last 3675  
four digits of the elector's social security number, the elector 3676  
may cast a provisional ballot under section 3505.181 of the 3677  
Revised Code. 3678

(4) If an elector does not have any of the forms of 3679  
identification required under division (A)(1) of this section and 3680  
cannot provide the last four digits of the elector's social 3681  
security number because the elector does not have a social 3682  
security number, the elector may execute an affirmation under 3683  
penalty of election falsification that the elector cannot provide 3684  
the identification required under that division or the last four 3685  
digits of the elector's social security number for those reasons. 3686  
Upon signing the affirmation, the elector may cast a provisional 3687  
ballot under section 3505.181 of the Revised Code. The secretary 3688  
of state shall prescribe the form of the affirmation, which shall 3689  
include spaces for all of the following: 3690

(a) The elector's name; 3691

(b) The elector's address; 3692

(c) The current date; 3693

(d) The elector's date of birth; 3694

(e) The elector's signature. 3695

(5) If an elector does not have any of the forms of 3696

identification required under division (A)(1) of this section and 3697  
cannot provide the last four digits of the elector's social 3698  
security number because the elector does not have a social 3699  
security number, and if the elector declines to execute an 3700  
affirmation under division (A)(4) of this section, the elector may 3701  
cast a provisional ballot under section 3505.181 of the Revised 3702  
Code, the envelope of which ballot shall include the elector's 3703  
name. 3704

(6) If an elector has but declines to provide to the precinct 3705  
election officials any of the forms of identification required 3706  
under division (A)(1) of this section or the elector has a social 3707  
security number but declines to provide to the precinct election 3708  
officials the last four digits of the elector's social security 3709  
number, the elector may cast a provisional ballot under section 3710  
3505.181 of the Revised Code. 3711

(B) After the elector has announced the elector's full name 3712  
and current address and provided any of the forms of 3713  
identification required under division (A)(1) of this section, the 3714  
elector shall write the elector's name and address at the proper 3715  
place in the poll list or signature pollbook provided for the 3716  
purpose, except that if, for any reason, an elector is unable to 3717  
write the elector's name and current address in the poll list or 3718  
signature pollbook, the elector may make the elector's mark at the 3719  
place intended for the elector's name, and a precinct election 3720  
official shall write the name of the elector at the proper place 3721  
on the poll list or signature pollbook following the elector's 3722  
mark. The making of such a mark shall be attested by the precinct 3723  
election official, who shall evidence the same by signing the 3724  
precinct election official's name on the poll list or signature 3725  
pollbook as a witness to the mark. Alternatively, if applicable, 3726  
an attorney in fact acting pursuant to section 3501.382 of the 3727  
Revised Code may sign the elector's signature in the poll list or 3728

signature pollbook in accordance with that section. 3729

The elector's signature in the poll list or signature 3730  
pollbook then shall be compared with the elector's signature on 3731  
the elector's registration form or a digitized signature list as 3732  
provided for in section 3503.13 of the Revised Code, and if, in 3733  
the opinion of a majority of the precinct election officials, the 3734  
signatures are the signatures of the same person, the election 3735  
officials shall enter the date of the election on the registration 3736  
form or shall record the date by other means prescribed by the 3737  
secretary of state. The validity of an attorney in fact's 3738  
signature on behalf of an elector shall be determined in 3739  
accordance with section 3501.382 of the Revised Code. 3740

If the right of the elector to vote is not then challenged, 3741  
or, if being challenged, the elector establishes the elector's 3742  
right to vote, the elector shall be allowed to proceed to use the 3743  
voting machine. If voting machines are not being used in that 3744  
precinct, the judge in charge of ballots shall then detach the 3745  
next ballots to be issued to the elector from Stub B attached to 3746  
each ballot, leaving Stub A attached to each ballot, hand the 3747  
ballots to the elector, and call the elector's name and the stub 3748  
number on each of the ballots. The judge shall enter the stub 3749  
numbers opposite the signature of the elector in the pollbook. The 3750  
elector shall then retire to one of the voting compartments to 3751  
mark the elector's ballots. No mark shall be made on any ballot 3752  
which would in any way enable any person to identify the person 3753  
who voted the ballot. 3754

**Sec. 3505.181.** (A) All of the following individuals shall be 3755  
permitted to cast a provisional ballot at an election: 3756

(1) An individual who declares that the individual is a 3757  
registered voter in the jurisdiction in which the individual 3758  
desires to vote and that the individual is eligible to vote in an 3759

election, but the name of the individual does not appear on the 3760  
official list of eligible voters for the polling place or an 3761  
election official asserts that the individual is not eligible to 3762  
vote; 3763

(2) An individual who has a social security number and 3764  
provides to the election officials the last four digits of the 3765  
individual's social security number as permitted by division 3766  
(A)(2) of section 3505.18 of the Revised Code; 3767

(3) An individual who has but is unable to provide to the 3768  
election officials any of the forms of identification required 3769  
under division (A)(1) of section 3505.18 of the Revised Code and 3770  
who has a social security number but is unable to provide the last 3771  
four digits of the individual's social security number as 3772  
permitted under division (A)(2) of that section; 3773

(4) An individual who does not have any of the forms of 3774  
identification required under division (A)(1) of section 3505.18 3775  
of the Revised Code, who cannot provide the last four digits of 3776  
the individual's social security number under division (A)(2) of 3777  
that section because the individual does not have a social 3778  
security number, and who has executed an affirmation as permitted 3779  
under division (A)(4) of that section; 3780

(5) An individual whose name in the poll list or signature 3781  
pollbook has been marked under section 3509.09 or 3511.13 of the 3782  
Revised Code as having requested an absent voter's ballot or an 3783  
armed service absent voter's ballot for that election and who 3784  
appears to vote at the polling place; 3785

(6) An individual whose notification of registration has been 3786  
returned undelivered to the board of elections and whose name in 3787  
the official registration list and in the poll list or signature 3788  
pollbook has been marked under division (C)(2) of section 3503.19 3789  
of the Revised Code; 3790

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

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

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

(10) 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) An individual who is challenged under section 3513.20 of the Revised Code who refuses to make the statement required under that section or who a majority of the precinct officials find lacks any of the qualifications to make the individual a qualified elector;

(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 3822  
required under division (A)(1) of section 3501.18 of the Revised 3823  
Code or who has a social security number but declines to provide 3824  
to the precinct election officials the last four digits of the 3825  
individual's social security number. 3826

(B) An individual who is eligible to cast a provisional 3827  
ballot under division (A) of this section shall be permitted to 3828  
cast a provisional ballot as follows: 3829

(1) An election official at the polling place shall notify 3830  
the individual that the individual may cast a provisional ballot 3831  
in that election. 3832

(2) The individual shall be permitted to cast a provisional 3833  
ballot at that polling place upon the execution of a written 3834  
affirmation by the individual before an election official at the 3835  
polling place stating that the individual is both of the 3836  
following: 3837

(a) A registered voter in the jurisdiction in which the 3838  
individual desires to vote; 3839

(b) Eligible to vote in that election. 3840

(3) An election official at the polling place shall transmit 3841  
the ballot cast by the individual, the voter information contained 3842  
in the written affirmation executed by the individual under 3843  
division (B)(2) of this section, or the individual's name if the 3844  
individual declines to execute such an affirmation to an 3845  
appropriate local election official for verification under 3846  
division (B)(4) of this section. 3847

(4) If the appropriate local election official to whom the 3848  
ballot or voter or address information is transmitted under 3849  
division (B)(3) of this section determines that the individual is 3850  
eligible to vote, the individual's provisional ballot shall be 3851  
counted as a vote in that election. 3852

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

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

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

(6) If, at the time that an individual casts a provisional ballot, the individual provides identification 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 3885  
address, or provides the last four digits of the individual's 3886  
social security number, or executes an affirmation that the 3887  
elector does not have any of those forms of identification or the 3888  
last four digits of the individual's social security number 3889  
because the individual does not have a social security number, or 3890  
declines to execute such an affirmation, the appropriate local 3891  
election official shall record the type of identification 3892  
provided, the social security number information, the fact that 3893  
the affirmation was executed, or the fact that the individual 3894  
declined to execute such an affirmation and include that 3895  
information with the transmission of the ballot or voter or 3896  
address information under division (B)(3) of this section. If the 3897  
individual declines to execute such an affirmation, the 3898  
appropriate local election official shall record the individual's 3899  
name and include that information with the transmission of the 3900  
ballot under division (B)(3) of this section. 3901

(7) If an individual casts a provisional ballot pursuant to 3902  
division (A)(3), (7), (8), (12), or (13) of this section, the 3903  
election official shall indicate, on the provisional ballot 3904  
verification statement required under section 3505.182 of the 3905  
Revised Code, that the individual is required to provide 3906  
additional information to the board of elections or that an 3907  
application or challenge hearing has been postponed with respect 3908  
to the individual, such that additional information is required 3909  
for the board of elections to determine the eligibility of the 3910  
individual who cast the provisional ballot. 3911

(8) During the ten days after the day of an election, an 3912  
individual who casts a provisional ballot pursuant to division 3913  
(A)(3), (7), (12), or (13) of this section shall appear at the 3914  
office of the board of elections and provide to the board any 3915  
additional information necessary to determine the eligibility of 3916

the individual who cast the provisional ballot. 3917

(a) For a provisional ballot cast pursuant to division 3918  
(A)(3), (12), or (13) of this section to be eligible to be 3919  
counted, the individual who cast that ballot, within ten days 3920  
after the day of the election, shall do any of the following: 3921

(i) Provide to the board of elections proof of the 3922  
individual's identity in the form of a current and valid photo 3923  
identification, a military identification, or a copy of a current 3924  
utility bill, bank statement, government check, paycheck, or other 3925  
government document, other than a notice of an election mailed by 3926  
a board of elections under section 3501.19 of the Revised Code or 3927  
a notice of voter registration mailed by a board of elections 3928  
under section 3503.19 of the Revised Code, that shows the 3929  
individual's name and current address; 3930

(ii) Provide to the board of elections the last four digits 3931  
of the individual's social security number; 3932

(iii) In the case of a provisional ballot executed pursuant 3933  
to division (A)(12) of this section, execute an affirmation as 3934  
permitted under division (A)(4) of section 3505.18 of the Revised 3935  
Code. 3936

(b) For a provisional ballot cast pursuant to division (A)(7) 3937  
of this section to be eligible to be counted, the individual who 3938  
cast that ballot, within ten days after the day of that election, 3939  
shall provide to the board of elections any identification or 3940  
other documentation required to be provided by the applicable 3941  
challenge questions asked of that individual under section 3505.20 3942  
of the Revised Code. 3943

(C)(1) If an individual declares that the individual is 3944  
eligible to vote in a jurisdiction other than the jurisdiction in 3945  
which the individual desires to vote, or if, upon review of the 3946  
precinct voting location guide using the residential street 3947

address provided by the individual, an election official at the 3948  
polling place at which the individual desires to vote determines 3949  
that the individual is not eligible to vote in that jurisdiction, 3950  
the election official shall direct the individual to the polling 3951  
place for the jurisdiction in which the individual appears to be 3952  
eligible to vote, explain that the individual may cast a 3953  
provisional ballot at the current location but the ballot will not 3954  
be counted if it is cast in the wrong precinct, and provide the 3955  
telephone number of the board of elections in case the individual 3956  
has additional questions. 3957

(2) If the individual refuses to travel to the polling place 3958  
for the correct jurisdiction or to the office of the board of 3959  
elections to cast a ballot, the individual shall be permitted to 3960  
vote a provisional ballot at that jurisdiction in accordance with 3961  
division (B) of this section. If any of the following apply, the 3962  
provisional ballot cast by that individual shall not be opened or 3963  
counted: 3964

(a) The individual is not properly registered in that 3965  
jurisdiction. 3966

(b) The individual is not eligible to vote in that election 3967  
in that jurisdiction. 3968

(c) The individual's eligibility to vote in that jurisdiction 3969  
in that election cannot be established upon examination of the 3970  
records on file with the board of elections. 3971

(D) The appropriate local election official shall cause 3972  
voting information to be publicly posted at each polling place on 3973  
the day of each election. 3974

(E) As used in this section and sections 3505.182 and 3975  
3505.183 of the Revised Code: 3976

(1) "Jurisdiction" means the precinct in which a person is a 3977  
legally qualified elector. 3978

|  |                                      |
|--|--------------------------------------|
| (2) "Precinct voting location guide" means either of the following:  | 3979<br>3980                         |
| (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;                           | 3981<br>3982<br>3983<br>3984<br>3985 |
| (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.                | 3986<br>3987<br>3988<br>3989<br>3990 |
| (3) "Voting information" means all of the following:   | 3991                                 |
| (a) A sample version of the ballot that will be used for that election;  | 3992<br>3993                         |
| (b) Information regarding the date of the election and the hours during which polling places will be open;   | 3994<br>3995                         |
| (c) Instructions on how to vote, including how to cast a vote and how to cast a provisional ballot;  | 3996<br>3997                         |
| (d) Instructions for mail-in registrants and first-time voters under applicable federal and state laws;  | 3998<br>3999                         |
| (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; | 4000<br>4001<br>4002<br>4003<br>4004 |
| (f) General information on federal and state laws regarding prohibitions against acts of fraud and misrepresentation.  | 4005<br>4006                         |
| <b>Sec. 3505.182.</b> Each individual who casts a provisional ballot   | 4007                                 |

under section 3505.181 of the Revised Code shall execute a written affirmation. The form of the written affirmation shall be printed upon the face of the provisional ballot envelope and shall be substantially as follows:

"Provisional Ballot Affirmation

STATE OF OHIO

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

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

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

.....  
(Signature of Voter)

.....  
(Voter's date of birth)

The last four digits of the  
voter's social security number

.....  
(To be provided if the voter is  
unable to provide a current and

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

|  |      |
|--|------|
| WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY   | 4037 |
| OF THE FIFTH DEGREE.   | 4038 |
| Additional Information For Determining Ballot Validity   | 4039 |
| (May be completed at voter's discretion)   | 4040 |
| Voter's current address: .....   | 4041 |
| Voter's former address if .....  | 4042 |
| 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  | 4043 |
| (Please circle number type) .....  | 4044 |
| (Voter may attach a copy of any of the following for identification purposes: a current and valid photo identification, a military identification, or a current utility bill, bank | 4045 |

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): 4046

..... Requested, but did not receive, absent voter's ballot 4047

..... Other 4048

Verification Statement 4049

(To be completed by election official) 4050

The Provisional Ballot Affirmation printed above was 4051

subscribed and affirmed before me this ..... day of 4052

..... (Month), ..... (Year). 4053

(If applicable, the election official must check the 4054

following true statement concerning additional information needed 4055

to determine the eligibility of the provisional voter.) 4056

..... The provisional voter is required to provide 4057

additional information to the board of elections. 4058

..... An application or challenge hearing regarding this 4059

voter has been postponed until after the election. 4060

(The election official must check the following true 4061

statement concerning identification provided by the provisional 4062

voter, if any.) 4063

..... The provisional voter provided a current and valid 4064

photo identification. 4065

..... The provisional voter provided a current valid photo 4066

identification, other than a driver's license or a state 4067

identification card, with the voter's former address instead of 4068

current address and has provided the election official both the 4069

current and former addresses. 4070

..... The provisional voter provided a military 4071  
identification or a copy of a current utility bill, bank 4072  
statement, government check, paycheck, or other government 4073  
document, other than a notice of an election mailed by a board of 4074  
elections under section 3501.19 of the Revised Code or a notice of 4075  
voter registration mailed by a board of elections under section 4076  
3503.19 of the Revised Code, with the voter's name and current 4077  
address. 4078

..... The provisional voter provided the last four digits of 4079  
the voter's social security number. 4080

..... The provisional voter is not able to provide a current 4081  
and valid photo identification, a military identification, or a 4082  
copy of a current utility bill, bank statement, government check, 4083  
paycheck, or other government document, other than a notice of an 4084  
election mailed by a board of elections under section 3501.19 of 4085  
the Revised Code or a notice of voter registration mailed by a 4086  
board of elections under section 3503.19 of the Revised Code, with 4087  
the voter's name and current address but does have one of these 4088  
forms of identification. The provisional voter must provide one of 4089  
the foregoing items of identification to the board of elections 4090  
within ten days after the election. 4091

..... The provisional voter is not able to provide a current 4092  
and valid photo identification, a military identification, or a 4093  
copy of a current utility bill, bank statement, government check, 4094  
paycheck, or other government document, other than a notice of an 4095  
election mailed by a board of elections under section 3501.19 of 4096  
the Revised Code or a notice of voter registration mailed by a 4097  
board of elections under section 3503.19 of the Revised Code, with 4098  
the voter's name and current address but does have one of these 4099  
forms of identification. Additionally, the provisional voter does 4100  
have a social security number but is not able to provide the last 4101  
four digits of the voter's social security number before voting. 4102

The provisional voter must provide one of the foregoing items of identification or the last four digits of the voter's social security number to the board of elections within ten days after the election.

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

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

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

.....  
(Signature of Election Official)"

In addition to any information required to be included on the written affirmation, an individual casting a provisional ballot may provide additional information to the election official to assist the board of elections in determining the individual's

eligibility to vote in that election, including the date and 4135  
location at which the individual registered to vote, if known. 4136

If the individual declines to execute the affirmation, an 4137  
appropriate local election official shall comply with division 4138  
(B)(6) of section 3505.181 of the Revised Code. 4139

**Sec. 3505.183.** (A) When the ballot boxes are delivered to the 4140  
board of elections from the precincts, the board shall separate 4141  
the provisional ballot envelopes from the rest of the ballots. 4142  
Teams of employees of the board consisting of one member of each 4143  
major political party shall place the sealed provisional ballot 4144  
envelopes in a secure location within the office of the board. The 4145  
sealed provisional ballot envelopes shall remain in that secure 4146  
location until the validity of those ballots is determined under 4147  
division (B) of this section. While the provisional ballot is 4148  
stored in that secure location, and prior to the counting of the 4149  
provisional ballots, if the board receives information regarding 4150  
the validity of a specific provisional ballot under division (B) 4151  
of this section, the board may note, on the sealed provisional 4152  
ballot envelope for that ballot, whether the ballot is valid and 4153  
entitled to be counted. 4154

(B)(1) To determine whether a provisional ballot is valid and 4155  
entitled to be counted, the board shall examine its records and 4156  
determine whether the individual who cast the provisional ballot 4157  
is registered and eligible to vote in the applicable election. The 4158  
board shall examine the information contained in the written 4159  
affirmation executed by the individual who cast the provisional 4160  
ballot under division (B)(2) of section 3505.181 of the Revised 4161  
Code. If the individual declines to execute such an affirmation, 4162  
the individual's name, written by either the individual or the 4163  
election official at the direction of the individual, shall be 4164  
included in a written affirmation in order for the provisional 4165

ballot to be eligible to be counted; otherwise, the following 4166  
information shall be included in the written affirmation in order 4167  
for the provisional ballot to be eligible to be counted: 4168

(a) The individual's name and signature; 4169

(b) A statement that the individual is a registered voter in 4170  
the jurisdiction in which the provisional ballot is being voted; 4171

(c) A statement that the individual is eligible to vote in 4172  
the election in which the provisional ballot is being voted. 4173

(2) In addition to the information required to be included in 4174  
an affirmation under division (B)(1) of this section, in 4175  
determining whether a provisional ballot is valid and entitled to 4176  
be counted, the board also shall examine any additional 4177  
information for determining ballot validity provided by the 4178  
provisional voter on the affirmation, provided by the provisional 4179  
voter to an election official under section 3505.182 of the 4180  
Revised Code, or provided to the board of elections during the ten 4181  
days after the day of the election under division (B)(8) of 4182  
section 3505.181 of the Revised Code, to assist the board in 4183  
determining the individual's eligibility to vote. 4184

(3) If, in examining a provisional ballot affirmation and 4185  
additional information under divisions (B)(1) and (2) of this 4186  
section and comparing the information required under division 4187  
(B)(1) of this section with the elector's information in the 4188  
statewide voter registration database, the board determines that 4189  
all of the following apply, the provisional ballot envelope shall 4190  
be opened, and the ballot shall be placed in a ballot box to be 4191  
counted: 4192

(a) The individual named on the affirmation is properly 4193  
registered to vote. 4194

(b) The individual named on the affirmation is eligible to 4195  
cast a ballot in the precinct and for the election in which the 4196

individual cast the provisional ballot. 4197

(c) The individual provided all of the information required 4198  
under division (B)(1) of this section in the affirmation that the 4199  
individual executed at the time the individual cast the 4200  
provisional ballot. 4201

(d) The last four digits of the elector's social security 4202  
number or the elector's driver's license number or state 4203  
identification number are not different from the last four digits 4204  
of the elector's social security number or the elector's driver's 4205  
license number or state identification number contained in the 4206  
statewide voter registration database. 4207

(e) If applicable, the individual provided any additional 4208  
information required under division (B)(8) of section 3505.181 of 4209  
the Revised Code within ten days after the day of the election. 4210

(f) If applicable, the hearing conducted under division (B) 4211  
of section 3503.24 of the Revised Code after the day of the 4212  
election resulted in the individual's inclusion in the official 4213  
registration list. 4214

(4)(a) If, in examining a provisional ballot affirmation and 4215  
additional information under divisions (B)(1) and (2) of this 4216  
section and comparing the information required under division 4217  
(B)(1) of this section with the elector's information in the 4218  
statewide voter registration database, the board determines that 4219  
any of the following applies, the provisional ballot envelope 4220  
shall not be opened, and the ballot shall not be counted: 4221

(i) The individual named on the affirmation is not qualified 4222  
or is not properly registered to vote. 4223

(ii) The individual named on the affirmation is not eligible 4224  
to cast a ballot in the precinct or for the election in which the 4225  
individual cast the provisional ballot. 4226

(iii) The individual did not provide all of the information 4227  
required under division (B)(1) of this section in the affirmation 4228  
that the individual executed at the time the individual cast the 4229  
provisional ballot. 4230

(iv) The individual has already cast a ballot for the 4231  
election in which the individual cast the provisional ballot. 4232

(v) If applicable, the individual did not provide any 4233  
additional information required under division (B)(8) of section 4234  
3505.181 of the Revised Code within ten days after the day of the 4235  
election. 4236

(vi) If applicable, the hearing conducted under division (B) 4237  
of section 3503.24 of the Revised Code after the day of the 4238  
election did not result in the individual's inclusion in the 4239  
official registration list. 4240

(vii) The individual failed to provide a current and valid 4241  
photo identification, a military identification, a copy of a 4242  
current utility bill, bank statement, government check, paycheck, 4243  
or other government document, other than a notice of an election 4244  
mailed by a board of elections under section 3501.19 of the 4245  
Revised Code or a notice of voter registration mailed by a board 4246  
of elections under section 3503.19 of the Revised Code, with the 4247  
voter's name and current address, or the last four digits of the 4248  
individual's social security number or to execute an affirmation 4249  
under division (A) of section 3505.18 or division (B) of section 4250  
3505.181 of the Revised Code. 4251

(viii) The last four digits of the elector's social security 4252  
number or the elector's driver's license number or state 4253  
identification number are different from the last four digits of 4254  
the elector's social security number or the elector's driver's 4255  
license number or state identification number contained in the 4256  
statewide voter registration database. 4257

(b) If, in examining a provisional ballot affirmation and additional information under divisions (B)(1) and (2) of this section and comparing the information required under division (B)(1) of this section with the elector's information in the statewide voter registration database, the board is unable to determine either of the following, the provisional ballot envelope shall not be opened, and the ballot shall not be counted:

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

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

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

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

(D) Provisional ballots that the board determines are eligible to be counted under division (B)(3) of this section shall be counted in the same manner as provided for other ballots under section 3505.27 of the Revised Code. No provisional ballots shall be counted in a particular county until the board determines the eligibility to be counted of all provisional ballots cast in that

county under division (B) of this section for that election. 4289  
Observers, as provided in section 3505.21 of the Revised Code, may 4290  
be present at all times that the board is determining the 4291  
eligibility of provisional ballots to be counted and counting 4292  
those provisional ballots determined to be eligible. No person 4293  
shall recklessly disclose the count or any portion of the count of 4294  
provisional ballots in such a manner as to jeopardize the secrecy 4295  
of any individual ballot. 4296

(E)(1) Except as otherwise provided in division (E)(2) of 4297  
this section, nothing in this section shall prevent a board of 4298  
elections from examining provisional ballot affirmations and 4299  
additional information under divisions (B)(1) and (2) of this 4300  
section to determine the eligibility of provisional ballots to be 4301  
counted during the ten days after the day of an election. 4302

(2) A board of elections shall not examine the provisional 4303  
ballot affirmation and additional information under divisions 4304  
(B)(1) and (2) of this section of any provisional ballot for which 4305  
an election official has indicated under division (B)(7) of 4306  
section 3505.181 of the Revised Code that additional information 4307  
is required for the board of elections to determine the 4308  
eligibility of the individual who cast that provisional ballot 4309  
until the individual provides any information required under 4310  
division (B)(8) of section 3505.181 of the Revised Code, until any 4311  
hearing required to be conducted under section 3503.24 of the 4312  
Revised Code with regard to the provisional voter is held, or 4313  
until the eleventh day after the day of the election, whichever is 4314  
earlier. 4315

**Sec. 3505.20.** Any person offering to vote may be challenged 4316  
at the polling place by any judge of elections. If the board of 4317  
elections has ruled on the question presented by a challenge prior 4318  
to election day, its finding and decision shall be final, and the 4319

presiding judge shall be notified in writing. If the board has not ruled, the question shall be determined as set forth in this section. If any person is so challenged as unqualified to vote, the presiding judge shall tender the person the following oath: "You do swear or affirm under penalty of election falsification that you will fully and truly answer all of the following questions put to you concerning your qualifications as an elector at this election."

(A) If the person is challenged as unqualified on the ground that the person is not a citizen, the judges shall put the following questions:

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

(2) Are you a native or naturalized citizen?

(3) Where were you born?

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

If the person offering to vote claims to be a naturalized citizen of the United States, the person shall, before the vote is received, produce for inspection of the judges a certificate of naturalization and declare under oath that the person is the identical person named in the certificate. If the person states under oath that, by reason of the naturalization of the person's parents or one of them, the person has become a citizen of the United States, and when or where the person's parents were naturalized, the certificate of naturalization need not be produced. If the person is unable to provide a certificate of naturalization on the day of the election, the judges shall provide to the person, and the person may vote, a provisional ballot under section 3505.181 of the Revised Code. The provisional ballot shall not be counted unless it is properly completed and the board of elections determines that the voter is properly

registered and eligible to vote in the election. 4351

(B) If the person is challenged as unqualified on the ground 4352  
that the person has not resided in this state for thirty days 4353  
immediately preceding the election, the judges shall put the 4354  
following questions: 4355

(1) Have you resided in this state for thirty days 4356  
immediately preceding this election? If so, where have you 4357  
resided? 4358

(2) Did you properly register to vote? 4359

(3) Can you provide some form of identification containing 4360  
your current mailing address in this precinct? Please provide that 4361  
identification. 4362

(4) Have you voted or attempted to vote at any other location 4363  
in this or in any other state at this election? 4364

(5) Have you applied for an absent voter's ballot in any 4365  
state for this election? 4366

If the judges are unable to verify the person's eligibility 4367  
to cast a ballot in the election, the judges shall provide to the 4368  
person, and the person may vote, a provisional ballot under 4369  
section 3505.181 of the Revised Code. The provisional ballot shall 4370  
not be counted unless it is properly completed and the board of 4371  
elections determines that the voter is properly registered and 4372  
eligible to vote in the election. 4373

(C) If the person is challenged as unqualified on the ground 4374  
that the person is not a resident of the precinct where the person 4375  
offers to vote, the judges shall put the following questions: 4376

(1) Do you reside in this precinct? 4377

(2) When did you move into this precinct? 4378

(3) When you came into this precinct, did you come for a 4379  
temporary purpose merely or for the purpose of making it your 4380

|  |  |
|--|--|
| home?  | 4381   |
| (4) What is your current mailing address?  | 4382   |
| (5) Do you have some official identification containing your current address in this precinct? Please provide that identification.   | 4383<br>4384<br>4385   |
| (6) Have you voted or attempted to vote at any other location in this or in any other state at this election?  | 4386<br>4387   |
| (7) Have you applied for any absent voter's ballot in any state for this election?   | 4388<br>4389   |
| The judges shall direct an individual who is not in the appropriate polling place to the appropriate polling place. If the individual refuses to go to the appropriate polling place, or if the judges are unable to verify the person's eligibility to cast a ballot in the election, the judges shall provide to the person, and the person may vote, a provisional ballot under section 3505.181 of the Revised Code. The provisional ballot shall not be counted unless it is properly completed and the board of elections determines that the voter is properly registered and eligible to vote in the election. | 4390<br>4391<br>4392<br>4393<br>4394<br>4395<br>4396<br>4397<br>4398<br>4399 |
| (D) If the person is challenged as unqualified on the ground that the person is not of legal voting age, the judges shall put the following questions:   | 4400<br>4401<br>4402   |
| (1) Are you eighteen years of age or more?   | 4403   |
| (2) What is your date of birth?  | 4404   |
| (3) Do you have some official identification verifying your age? Please provide that identification.   | 4405<br>4406   |
| If the judges are unable to verify the person's age and eligibility to cast a ballot in the election, the judges shall provide to the person, and the person may vote, a provisional ballot under section 3505.181 of the Revised Code. The provisional  | 4407<br>4408<br>4409<br>4410   |

ballot shall not be counted unless it is properly completed and 4411  
the board of elections determines that the voter is properly 4412  
registered and eligible to vote in the election. 4413

The presiding judge shall put such other questions to the 4414  
person challenged as are necessary to determine the person's 4415  
qualifications as an elector at the election. If a person 4416  
challenged refuses to answer fully any question put to the person, 4417  
is unable to answer the questions as they were answered on the 4418  
registration form by the person under whose name the person offers 4419  
to vote, or refuses to sign the person's name or make the person's 4420  
mark, or if for any other reason a majority of the judges believes 4421  
the person is not entitled to vote, the judges shall provide to 4422  
the person, and the person may vote, a provisional ballot under 4423  
section 3505.181 of the Revised Code. The provisional ballot shall 4424  
not be counted unless it is properly completed and the board of 4425  
elections determines that the voter is properly registered and 4426  
eligible to vote in the election. 4427

A qualified citizen who has certified the citizen's intention 4428  
to vote for president and vice-president as provided by Chapter 4429  
3504. of the Revised Code shall be eligible to receive only the 4430  
ballot containing presidential and vice-presidential candidates. 4431

However, prior to the nineteenth day before the day of an 4432  
election and in accordance with section 3503.24 of the Revised 4433  
Code, any person qualified to vote may challenge the right of any 4434  
other person to be registered as a voter, or the right to cast an 4435  
absent voter's ballot, or to make application for such ballot. 4436  
Such challenge shall be made in accordance with section 3503.24 of 4437  
the Revised Code, and the board of elections of the county in 4438  
which the voting residence of the challenged voter is situated 4439  
shall make a final determination relative to the legality of such 4440  
registration or application. 4441

Sec. 3505.21. At any primary, special, or general election, 4442  
any political party supporting candidates to be voted upon at such 4443  
election and any group of five or more candidates may appoint to 4444  
the board of elections or to any of the precincts in the county or 4445  
city one person, a qualified elector, who shall serve as observer 4446  
for such party or such candidates during the casting and counting 4447  
of the ballots; provided that separate observers may be appointed 4448  
to serve during the casting and during the counting of the 4449  
ballots. No candidate, no uniformed peace officer as defined by 4450  
section 2935.01 of the Revised Code, no uniformed state highway 4451  
patrol trooper, no uniformed member of any fire department, no 4452  
uniformed member of the armed services, no uniformed member of the 4453  
organized militia, no person wearing any other uniform, and no 4454  
person carrying a firearm or other deadly weapon shall serve as an 4455  
observer, nor shall any candidate be represented by more than one 4456  
observer at any one precinct except that a candidate who is a 4457  
member of a party controlling committee, as defined in section 4458  
3517.03 of the Revised Code, may serve as an observer. Any 4459  
political party or group of candidates appointing observers shall 4460  
notify the board of elections of the names and addresses of its 4461  
appointees and the precincts at which they shall serve. 4462  
Notification shall take place not less than eleven days before the 4463  
election on forms prescribed by the secretary of state and may be 4464  
amended by filing an amendment with the board of elections at any 4465  
time until four p.m. of the day before the election. The observer 4466  
serving on behalf of a political party shall be appointed in 4467  
writing by the chairperson and secretary of the respective 4468  
controlling party committee. Observers serving for any five or 4469  
more candidates shall have their certificates signed by those 4470  
candidates. Observers appointed to a precinct may file their 4471  
certificates of appointment with the presiding judge of the 4472  
precinct at the meeting on the evening prior to the election, or 4473

with the presiding judge of the precinct on the day of the 4474  
election. Upon the filing of a certificate, the person named as 4475  
observer in the certificate shall be permitted to be in and about 4476  
the polling place for the precinct during the casting of the 4477  
ballots and shall be permitted to watch every proceeding of the 4478  
judges of elections from the time of the opening until the closing 4479  
of the polls. The observer also may inspect the counting of all 4480  
ballots in the polling place or board of elections from the time 4481  
of the closing of the polls until the counting is completed and 4482  
the final returns are certified and signed. Observers appointed to 4483  
the board of elections under this section may observe at the board 4484  
of elections and may observe at any precinct in the county. The 4485  
judges of elections shall protect such observers in all of the 4486  
rights and privileges granted to them by Title XXXV of the Revised 4487  
Code. 4488

No persons other than the judges of elections, the observers, 4489  
a police officer, other persons who are detailed to any precinct 4490  
on request of the board of elections, or the secretary of state or 4491  
the secretary of state's legal representative shall be admitted to 4492  
the polling place, or any room in which a board of elections is 4493  
counting ballots, after the closing of the polls until the 4494  
counting, certifying, and signing of the final returns of each 4495  
election have been completed. 4496

Not later than four p.m. of the twentieth day prior to an 4497  
election at which questions are to be submitted to a vote of the 4498  
people, any committee that in good faith advocates or opposes a 4499  
measure may file a petition with the board of any county asking 4500  
that the petitioners be recognized as the committee entitled to 4501  
appoint observers to the count at the election. If more than one 4502  
committee alleging themselves to advocate or oppose the same 4503  
measure file such a petition, the board shall decide and announce 4504  
by registered mail to each committee not less than twelve days 4505

immediately preceding the election which committee is recognized 4506  
as being entitled to appoint observers. The decision shall not be 4507  
final, but any aggrieved party may institute mandamus proceedings 4508  
in the court of common pleas of the county in which the board has 4509  
jurisdiction to compel the judges of elections to accept the 4510  
appointees of such aggrieved party. Any such recognized committee 4511  
may appoint an observer to the count in each precinct. Committees 4512  
appointing observers shall notify the board of elections of the 4513  
names and addresses of its appointees and the precincts at which 4514  
they shall serve. Notification shall take place not less than 4515  
eleven days before the election on forms prescribed by the 4516  
secretary of state and may be amended by filing an amendment with 4517  
the board of elections at any time until four p.m. on the day 4518  
before the election. A person so appointed shall file the person's 4519  
certificate of appointment with the presiding judge in the 4520  
precinct in which the person has been appointed to serve. 4521  
Observers shall file their certificates before the polls are 4522  
closed. In no case shall more than six observers be appointed for 4523  
any one election in any one precinct. If more than three questions 4524  
are to be voted on, the committees which have appointed observers 4525  
may agree upon not to exceed six observers, and the judges of 4526  
elections shall appoint such observers. If such committees fail to 4527  
agree, the judges of elections shall appoint six observers from 4528  
the appointees so certified, in such manner that each side of the 4529  
several questions shall be represented. 4530

No person shall serve as an observer at any precinct unless 4531  
the board of elections of the county in which such observer is to 4532  
serve has first been notified of the name, address, and precinct 4533  
at which such observer is to serve. Notification to the board of 4534  
elections shall be given by the political party, group of 4535  
candidates, or committee appointing such observer as prescribed in 4536  
this section. No such observers shall receive any compensation 4537  
from the county, municipal corporation, or township, and they 4538

shall take the following oath, to be administered by one of the judges of elections:

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

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

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

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

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

Before leaving the voting compartment, the voter shall fold  
each ballot marked by the voter so that no part of the face of the  
ballot is visible, and so that the printing thereon indicating the  
kind of ballot it is and the facsimile signatures of the members  
of the board of elections are visible. The voter shall then leave  
the voting compartment, deliver the voter's ballots, and state the  
voter's name to the judge having charge of the ballot boxes, who  
shall announce the name, detach Stub A from each ballot, and  
announce the number on the stubs. The judges in charge of the poll  
lists or poll books shall check to ascertain whether the number so  
announced is the number on Stub B of the ballots issued to such  
voter, and if no discrepancy appears to exist, the judge in charge  
of the ballot boxes shall, in the presence of the voter, deposit  
each such ballot in the proper ballot box and shall place Stub A  
from each ballot in the container provided therefor. The voter  
shall then immediately leave the polling place.

No ballot delivered by a voter to the judge in charge of the  
ballot boxes with Stub A detached therefrom, and only ballots  
provided in accordance with Title XXXV of the Revised Code, shall  
be voted or deposited in the ballot boxes.

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

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

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

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

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

**Sec. 3505.24.** Any elector who declares to the presiding judge of elections that the elector is unable to mark the elector's ballot by reason of blindness, disability, or illiteracy may be accompanied in the voting booth and aided by any person of the elector's choice, other than the elector's employer, an agent of the elector's employer, or an officer or agent of the elector's

union, if any. The elector also may request and receive assistance 4633  
in the marking of the elector's ballot from two election officials 4634  
of different political parties. Any person providing assistance in 4635  
the marking of an elector's ballot under this section shall 4636  
thereafter provide no information in regard to the marking of that 4637  
ballot. 4638

Any judge may require a declaration of inability to be made 4639  
by the elector under oath before the judge. Assistance shall not 4640  
be rendered for causes other than those specified in this section, 4641  
and no candidate whose name appears on the ballot shall assist any 4642  
person in marking that person's ballot. 4643

**Sec. 3505.26.** At the time for closing the polls, the 4644  
presiding judge shall by proclamation announce that the polls are 4645  
closed. 4646

The judges shall then in the presence of observers proceed as 4647  
follows: 4648

(A) Count the number of electors who voted, as shown on the 4649  
pollbooks; 4650

(B) Count the unused ballots without removing stubs; 4651

(C) Count the soiled and defaced ballots; 4652

(D) Insert the totals of (A), (B), and (C) on the report 4653  
forms provided therefor in the pollbook; 4654

(E) Count the voted ballots. If the number of voted ballots 4655  
exceeds the number of voters whose names appear upon the 4656  
pollbooks, the presiding judge shall enter on the pollbooks an 4657  
explanation of that discrepancy, and that explanation, if agreed 4658  
to, shall be subscribed to by all of the judges. Any judge having 4659  
a different explanation shall enter it in the pollbooks and 4660  
subscribe to it. 4661

(F) Put the unused ballots with stubs attached, and soiled 4662

and defaced ballots with stubs attached, in the envelopes or 4663  
containers provided therefor, certify the number, and then proceed 4664  
to count and tally the votes in the manner prescribed by section 4665  
3505.27 of the Revised Code and certify the result of the election 4666  
to the board of elections. 4667

**Sec. 3505.28.** No ballot shall be counted which is marked 4668  
contrary to law, except that no ballot shall be rejected for any 4669  
technical error unless it is impossible to determine the voter's 4670  
choice. If two or more ballots are found folded together among the 4671  
ballots removed from a ballot box, they shall be deemed to be 4672  
fraudulent. Such ballots shall not be counted. They shall be 4673  
marked "Fraudulent" and shall be placed in an envelope indorsed 4674  
"Not Counted" with the reasons therefor, and such envelope shall 4675  
be delivered to the board of elections together with other 4676  
uncounted ballots. 4677

No ballot shall be rejected because of being marked with ink 4678  
or by any writing instrument other than one of the pencils 4679  
provided by the board of elections. 4680

**Sec. 3505.29.** From the time the ballot box is opened and the 4681  
count of ballots begun until the ballots are counted and 4682  
certificates of votes cast are made out, signed, certified and 4683  
given to the presiding judge for delivery to the headquarters of 4684  
the board of elections, the judges in each precinct shall not 4685  
separate, nor shall a judge leave the polling place except from 4686  
unavoidable necessity. In cases of illness or unavoidable 4687  
necessity, the board may substitute another qualified person for 4688  
any precinct official so incapacitated. 4689

**Sec. 3505.30.** When the results of the ballots have been 4690  
ascertained, such results shall be embodied in a summary statement 4691  
to be prepared by the judges in duplicate, on forms provided by 4692

the board of elections. One copy shall be certified by the judges 4693  
and posted on the front of the polling place, and one copy, 4694  
similarly certified, shall be transmitted without delay to the 4695  
board in a sealed envelope along with the other returns of the 4696  
election. The board shall, immediately upon receipt of such 4697  
summary statements, compile and prepare an unofficial count and 4698  
upon its completion shall transmit prepaid, immediately by 4699  
telephone, facsimile machine, or other telecommunications device, 4700  
the results of such unofficial count to the secretary of state, or 4701  
to the board of the most populous county of the district which is 4702  
authorized to canvass the returns. Such count, in no event, shall 4703  
be made later than twelve noon on the day following the election. 4704  
The board shall also, at the same time, certify the results 4705  
thereof to the secretary of state by certified mail. The board 4706  
shall remain in session from the time of the opening of the polls, 4707  
continuously, until the results of the election are received from 4708  
every precinct in the county and such results are communicated to 4709  
the secretary of state. 4710

**Sec. 3505.31.** When the results of the voting in a polling 4711  
place on the day of an election have been determined and entered 4712  
upon the proper forms and the certifications of those results have 4713  
been signed by the precinct officials, those officials, before 4714  
leaving the polling place, shall place all ballots that they have 4715  
counted in containers provided for that purpose by the board of 4716  
elections, and shall seal each container in a manner that it 4717  
cannot be opened without breaking the seal or the material of 4718  
which the container is made. They shall also seal the pollbook, 4719  
poll list or signature pollbook, and tally sheet in a manner that 4720  
the data contained in these items cannot be seen without breaking 4721  
the seals. On the outside of these items shall be a plain 4722  
indication that they are to be filed with the board. The presiding 4723  
judge and an employee or appointee of the board of elections who 4724

has taken an oath to uphold the laws and constitution of this 4725  
state, including an oath that the person will promptly and 4726  
securely perform the duties required under this section and who is 4727  
a member of a different political party than the presiding judge, 4728  
shall then deliver to the board the containers of ballots and the 4729  
sealed pollbook, poll list, and tally sheet, together with all 4730  
other election reports, materials, and supplies required to be 4731  
delivered to the board. 4732

The board shall carefully preserve all ballots prepared and 4733  
provided by it for use in an election, whether used or unused, for 4734  
sixty days after the day of the election, except that, if an 4735  
election includes the nomination or election of candidates for any 4736  
of the offices of president, vice-president, presidential elector, 4737  
member of the senate of the congress of the United States, or 4738  
member of the house of representatives of the congress of the 4739  
United States, the board shall carefully preserve all ballots 4740  
prepared and provided by it for use in that election, whether used 4741  
or unused, for twenty-two months after the day of the election. If 4742  
an election is held within that sixty-day period, the board shall 4743  
have authority to transfer those ballots to other containers to 4744  
preserve them until the sixty-day period has expired. After that 4745  
sixty-day period, the ballots shall be disposed of by the board in 4746  
a manner that the board orders, or where voting machines have been 4747  
used the counters may be turned back to zero; provided that the 4748  
secretary of state, within that sixty-day period, may order the 4749  
board to preserve the ballots or any part of the ballots for a 4750  
longer period of time, in which event the board shall preserve 4751  
those ballots for that longer period of time. 4752

In counties where voting machines are used, if an election is 4753  
to be held within the sixty days immediately following a primary, 4754  
general, or special election or within any period of time within 4755  
which the ballots have been ordered preserved by the secretary of 4756

state or a court of competent jurisdiction, the board, after 4757  
giving notice to all interested parties and affording them an 4758  
opportunity to have a representative present, shall open the 4759  
compartments of the machines and, without unlocking the machines, 4760  
shall recanvass the vote cast in them as if a recount were being 4761  
held. The results shall be certified by the board, and this 4762  
certification shall be filed in the board's office and retained 4763  
for the remainder of the period for which ballots must be kept. 4764  
After preparation of the certificate, the counters may be turned 4765  
back to zero, and the machines may be used for the election. 4766

The board shall carefully preserve the pollbook, poll list or 4767  
signature pollbook, and tally sheet delivered to it from each 4768  
polling place until it has completed the official canvass of the 4769  
election returns from all precincts in which electors were 4770  
entitled to vote at an election, and has prepared and certified 4771  
the abstracts of election returns, as required by law. The board 4772  
shall not break, or permit anyone to break, the seals upon the 4773  
pollbook, poll list or signature pollbook, and tally sheet, or 4774  
make, or permit any one to make, any changes or notations in these 4775  
items, while they are in its custody, except as provided by 4776  
section 3505.32 of the Revised Code. 4777

Pollbooks and poll lists or signature pollbooks of a party 4778  
primary election delivered to the board from polling places shall 4779  
be carefully preserved by it for two years after the day of 4780  
election in which they were used, and shall then be disposed of by 4781  
the board in a manner that the board orders. 4782

Pollbooks, poll lists or signature pollbooks, tally sheets, 4783  
summary statements, and other records and returns of an election 4784  
delivered to it from polling places shall be carefully preserved 4785  
by the board for two years after the day of the election in which 4786  
they were used, and shall then be disposed of by the board in a 4787  
manner that the board orders. 4788

Sec. 3506.05. (A) As used in this section, except when used 4789  
as part of the phrase "tabulating equipment" or "automatic 4790  
tabulating equipment": 4791

(1) "Equipment" means a voting machine, marking device, 4792  
automatic tabulating equipment, or software. 4793

(2) "Vendor" means the person that owns, manufactures, 4794  
distributes, or has the legal right to control the use of 4795  
equipment, or the person's agent. 4796

(B) No voting machine, marking device, automatic tabulating 4797  
equipment, or software for the purpose of casting or tabulating 4798  
votes or for communications among systems involved in the 4799  
tabulation, storage, or casting of votes shall be purchased, 4800  
leased, put in use, or continued to be used, except for 4801  
experimental use as provided in division (B) of section 3506.04 of 4802  
the Revised Code, unless it, a manual of procedures governing its 4803  
use, and training materials, service, and other support 4804  
arrangements have been certified by the secretary of state and 4805  
unless the board of elections of each county where the equipment 4806  
will be used has assured that a demonstration of the use of the 4807  
equipment has been made available to all interested electors. The 4808  
secretary of state shall appoint a board of voting machine 4809  
examiners to examine and approve equipment and its related manuals 4810  
and support arrangements. The board shall consist of four members, 4811  
who shall be appointed as follows: 4812

(1) Two members appointed by the secretary of state. 4813

(2) One member appointed by either the speaker of the house 4814  
of representatives or the minority leader of the house of 4815  
representatives, whichever is a member of the opposite political 4816  
party from the one to which the secretary of state belongs. 4817

(3) One member appointed by either the president of the 4818

senate or the minority leader of the senate, whichever is a member 4819  
of the opposite political party from the one to which the 4820  
secretary of state belongs. 4821

In all cases of a tie vote or a disagreement in the board, if 4822  
no decision can be arrived at, the board shall submit the matter 4823  
in controversy to the secretary of state, who shall summarily 4824  
decide the question, and the secretary of state's decision shall 4825  
be final. Each member of the board shall be a competent and 4826  
experienced election officer or a person who is knowledgeable 4827  
about the operation of voting equipment and shall serve during the 4828  
secretary of state's term. Any vacancy on the board shall be 4829  
filled in the same manner as the original appointment. The 4830  
secretary of state shall provide staffing assistance to the board, 4831  
at the board's request. 4832

For the member's service, each member of the board shall 4833  
receive three hundred dollars per day for each combination of 4834  
marking device, tabulating equipment, and voting machine examined 4835  
and reported, but in no event shall a member receive more than six 4836  
hundred dollars to examine and report on any one marking device, 4837  
item of tabulating equipment, or voting machine. Each member of 4838  
the board shall be reimbursed for expenses the member incurs 4839  
during an examination or during the performance of any related 4840  
duties that may be required by the secretary of state. 4841  
Reimbursement of these expenses shall be made in accordance with, 4842  
and shall not exceed, the rates provided for under section 126.31 4843  
of the Revised Code. 4844

Neither the secretary of state nor the board, nor any public 4845  
officer who participates in the authorization, examination, 4846  
testing, or purchase of equipment, shall have any pecuniary 4847  
interest in the equipment or any affiliation with the vendor. 4848

(C)(1) A vendor who desires to have the secretary of state 4849  
certify equipment shall first submit the equipment, all current 4850

related procedural manuals, and a current description of all 4851  
related support arrangements to the board of voting machine 4852  
examiners for examination, testing, and approval. The submission 4853  
shall be accompanied by a fee of two thousand four hundred dollars 4854  
and a detailed explanation of the construction and method of 4855  
operation of the equipment, a full statement of its advantages, 4856  
and a list of the patents and copyrights used in operations 4857  
essential to the processes of vote recording and tabulating, vote 4858  
storage, system security, and other crucial operations of the 4859  
equipment as may be determined by the board. An additional fee, in 4860  
an amount to be set by rules promulgated by the board, may be 4861  
imposed to pay for the costs of alternative testing or testing by 4862  
persons other than board members, record-keeping, and other 4863  
extraordinary costs incurred in the examination process. Moneys 4864  
not used shall be returned to the person or entity submitting the 4865  
equipment for examination. 4866

(2) Fees collected by the secretary of state under this 4867  
section shall be deposited into the state treasury to the credit 4868  
of the board of voting machine examiners fund, which is hereby 4869  
created. All moneys credited to this fund shall be used solely for 4870  
the purpose of paying for the services and expenses of each member 4871  
of the board or for other expenses incurred relating to the 4872  
examination, testing, reporting, or certification of voting 4873  
machine devices, the performance of any related duties as required 4874  
by the secretary of state, or the reimbursement of any person 4875  
submitting an examination fee as provided in this chapter. 4876

(D) Within sixty days after the submission of the equipment 4877  
and payment of the fee, or as soon thereafter as is reasonably 4878  
practicable, but in any event within not more than ninety days 4879  
after the submission and payment, the board of voting machine 4880  
examiners shall examine the equipment and file with the secretary 4881  
of state a written report on the equipment with its 4882

recommendations and its determination or condition of approval 4883  
regarding whether the equipment, manual, and other related 4884  
materials or arrangements meet the criteria set forth in sections 4885  
3506.07 and 3506.10 of the Revised Code and can be safely used by 4886  
the voters at elections under the conditions prescribed in Title 4887  
XXXV of the Revised Code, or a written statement of reasons for 4888  
which testing requires a longer period. The board may grant 4889  
temporary approval for the purpose of allowing experimental use of 4890  
equipment. If the board finds that the equipment meets the 4891  
criteria set forth in sections 3506.06, 3506.07, and 3506.10 of 4892  
the Revised Code, can be used safely and can be depended upon to 4893  
record and count accurately and continuously the votes of 4894  
electors, and has the capacity to be warranted, maintained, and 4895  
serviced, it shall approve the equipment and recommend that the 4896  
secretary of state certify the equipment. The secretary of state 4897  
shall notify all boards of elections of any such certification. 4898  
Equipment of the same model and make, if it provides for recording 4899  
of voter intent, system security, voter privacy, retention of 4900  
vote, and communication of voting records in an identical manner, 4901  
may then be adopted for use at elections. 4902

(E) The vendor shall notify the secretary of state, who shall 4903  
then notify the board of voting machine examiners, of any 4904  
enhancement and any significant adjustment to the hardware or 4905  
software that could result in a patent or copyright change or that 4906  
significantly alters the methods of recording voter intent, system 4907  
security, voter privacy, retention of the vote, communication of 4908  
voting records, and connections between the system and other 4909  
systems. The vendor shall provide the secretary of state with an 4910  
updated operations manual for the equipment, and the secretary of 4911  
state shall forward the manual to the board. Upon receiving such a 4912  
notification and manual, the board may require the vendor to 4913  
submit the equipment to an examination and test in order for the 4914  
equipment to remain certified. The board or the secretary of state 4915

shall periodically examine, test, and inspect certified equipment 4916  
to determine continued compliance with the requirements of this 4917  
chapter and the initial certification. Any examination, test, or 4918  
inspection conducted for the purpose of continuing certification 4919  
of any equipment in which a significant problem has been uncovered 4920  
or in which a record of continuing problems exists shall be 4921  
performed pursuant to divisions (C) and (D) of this section, in 4922  
the same manner as the examination, test, or inspection is 4923  
performed for initial approval and certification. 4924

(F) If, at any time after the certification of equipment, the 4925  
board of voting machine examiners or the secretary of state is 4926  
notified by a board of elections of any significant problem with 4927  
the equipment or determines that the equipment fails to meet the 4928  
requirements necessary for approval or continued compliance with 4929  
the requirements of this chapter, or if the board of voting 4930  
machine examiners determines that there are significant 4931  
enhancements or adjustments to the hardware or software, or if 4932  
notice of such enhancements or adjustments has not been given as 4933  
required by division (E) of this section, the secretary of state 4934  
shall notify the users and vendors of that equipment that 4935  
certification of the equipment may be withdrawn. 4936

(G)(1) The notice given by the secretary of state under 4937  
division (F) of this section shall be in writing and shall specify 4938  
both of the following: 4939

(a) The reasons why the certification may be withdrawn; 4940

(b) The date on which certification will be withdrawn unless 4941  
the vendor takes satisfactory corrective measures or explains why 4942  
there are no problems with the equipment or why the enhancements 4943  
or adjustments to the equipment are not significant. 4944

(2) A vendor who receives a notice under division (F) of this 4945  
section shall, within thirty days after receiving it, submit to 4946

the board of voting machine examiners in writing a description of 4947  
the corrective measures taken and the date on which they were 4948  
taken, or the explanation required under division (G)(1)(b) of 4949  
this section. 4950

(3) Not later than fifteen days after receiving a written 4951  
description or explanation under division (G)(2) of this section 4952  
from a vendor, the board shall determine whether the corrective 4953  
measures taken or the explanation is satisfactory to allow 4954  
continued certification of the equipment, and the secretary of 4955  
state shall send the vendor a written notice of the board's 4956  
determination, specifying the reasons for it. If the board has 4957  
determined that the measures taken or the explanation given is 4958  
unsatisfactory, the notice shall include the effective date of 4959  
withdrawal of the certification. This date may be different from 4960  
the date originally specified in division (G)(1)(b) of this 4961  
section. 4962

(4) A vendor who receives a notice under division (G)(3) of 4963  
this section indicating a decision to withdraw certification may, 4964  
within thirty days after receiving it, request in writing that the 4965  
board hold a hearing to reconsider its decision. Any interested 4966  
party shall be given the opportunity to submit testimony or 4967  
documentation in support of or in opposition to the board's 4968  
recommendation to withdraw certification. Failure of the vendor to 4969  
take appropriate steps as described in division (G)(1)(b) or to 4970  
comply with division (G)(2) of this section results in a waiver of 4971  
the vendor's rights under division (G)(4) of this section. 4972

(H)(1) The secretary of state, in consultation with the board 4973  
of voting machine examiners, shall establish, by rule, guidelines 4974  
for the approval, certification, and continued certification of 4975  
the voting machines, marking devices, and tabulating equipment to 4976  
be used under Title XXXV of the Revised Code. The guidelines shall 4977  
establish procedures requiring vendors or computer software 4978

developers to place in escrow with an independent escrow agent 4979  
approved by the secretary of state a copy of all source code and 4980  
related documentation, together with periodic updates as they 4981  
become known or available. The secretary of state shall require 4982  
that the documentation include a system configuration and that the 4983  
source code include all relevant program statements in low- or 4984  
high-level languages. As used in this division, "source code" does 4985  
not include variable codes created for specific elections. 4986

(2) Nothing in any rule adopted under division (H) of this 4987  
section shall be construed to limit the ability of the secretary 4988  
of state to follow or adopt, or to preclude the secretary of state 4989  
from following or adopting, any guidelines proposed by the federal 4990  
election commission, any entity authorized by the federal election 4991  
commission to propose guidelines, the election assistance 4992  
commission, or any entity authorized by the election assistance 4993  
commission to propose guidelines. 4994

(3)(a) Before the initial certification of any direct 4995  
recording electronic voting machine with a voter verified paper 4996  
audit trail, and as a condition for the continued certification 4997  
and use of those machines, the secretary of state shall establish, 4998  
by rule, standards for the certification of those machines. Those 4999  
standards shall include, but are not limited to, all of the 5000  
following: 5001

(i) A definition of a voter verified paper audit trail as a 5002  
paper record of the voter's choices that is verified by the voter 5003  
prior to the casting of the voter's ballot and that is securely 5004  
retained by the board of elections; 5005

(ii) Requirements that the voter verified paper audit trail 5006  
shall not be retained by any voter and shall not contain 5007  
individual voter information; 5008

(iii) A prohibition against the production by any direct 5009

recording electronic voting machine of anything that legally could 5010  
be removed by the voter from the polling place, such as a receipt 5011  
or voter confirmation; 5012

(iv) A requirement that paper used in producing a voter 5013  
verified paper audit trail be sturdy, clean, and resistant to 5014  
degradation; 5015

(v) A requirement that the voter verified paper audit trail 5016  
shall be capable of being optically scanned for the purpose of 5017  
conducting a recount or other audit of the voting machine and 5018  
shall be readable in a manner that makes the voter's ballot 5019  
choices obvious to the voter without the use of computer or 5020  
electronic codes; 5021

(vi) A requirement, for office-type ballots, that the voter 5022  
verified paper audit trail include the name of each candidate 5023  
selected by the voter; 5024

(vii) A requirement, for questions and issues ballots, that 5025  
the voter verified paper audit trail include the title of the 5026  
question or issue, the name of the entity that placed the question 5027  
or issue on the ballot, and the voter's ballot selection on that 5028  
question or issue, but not the entire text of the question or 5029  
issue. 5030

(b) The secretary of state, by rule adopted under Chapter 5031  
119. of the Revised Code, may waive the requirement under division 5032  
(H)(3)(a)(v) of this section, if the secretary of state determines 5033  
that the requirement is cost prohibitive. 5034

(4)(a) Except as otherwise provided in division (H)(4)(c) of 5035  
this section, any voting machine, marking device, or automatic 5036  
tabulating equipment initially certified or acquired on or after 5037  
December 1, 2008, shall have the most recent federal certification 5038  
number issued by the election assistance commission. 5039

(b) Any voting machine, marking device, or automatic 5040

tabulating equipment certified for use in this state on September 5041  
12, 2008, shall meet, as a condition of continued certification 5042  
and use, the voting system standards adopted by the federal 5043  
election commission in 2002. 5044

(c) A county that acquires additional voting machines, 5045  
marking devices, or automatic tabulating equipment on or after 5046  
December 1, 2008, shall not be considered to have acquired those 5047  
machines, devices, or equipment on or after December 1, 2008, for 5048  
the purpose of division (H)(4)(a) of this section if all of the 5049  
following apply: 5050

(i) The voting machines, marking devices, or automatic 5051  
tabulating equipment acquired are the same as the machines, 5052  
devices, or equipment currently used in that county. 5053

(ii) The acquisition of the voting machines, marking devices, 5054  
or automatic tabulating equipment does not replace or change the 5055  
primary voting system used in that county. 5056

(iii) The acquisition of the voting machines, marking 5057  
devices, or automatic tabulating equipment is for the purpose of 5058  
replacing inoperable machines, devices, or equipment or for the 5059  
purpose providing additional machines, devices, or equipment 5060  
required to meet the allocation requirements established pursuant 5061  
to division (I) of section 3501.11 of the Revised Code. 5062

**Sec. 3506.12.** In counties where marking devices, automatic 5063  
tabulating equipment, voting machines, or any combination of these 5064  
are in use or are to be used, the board of elections: 5065

(A) May combine, rearrange, and enlarge precincts; but the 5066  
board shall arrange for a sufficient number of these devices to 5067  
accommodate the number of electors in each precinct as determined 5068  
by the number of votes cast in that precinct at the most recent 5069  
election for the office of governor, taking into consideration the 5070

size and location of each selected polling place, available 5071  
parking, handicap accessibility and other accessibility to the 5072  
polling place, and the number of candidates and issues to be voted 5073  
on. Notwithstanding section 3501.22 of the Revised Code, the board 5074  
may appoint more than four precinct officers to each precinct if 5075  
this is made necessary by the number of voting machines to be used 5076  
in that precinct. 5077

(B) Except as otherwise provided in this division, shall 5078  
establish one or more counting stations to receive voted ballots 5079  
and other precinct election supplies after the polling precincts 5080  
are closed. Those stations shall be under the supervision and 5081  
direction of the board of elections. Processing and counting of 5082  
voted ballots, and the preparation of summary sheets, shall be 5083  
done in the presence of observers approved by the board. A 5084  
certified copy of the summary sheet for the precinct shall be 5085  
posted at each counting station immediately after completion of 5086  
the summary sheet. 5087

In counties where punch card ballots are used, one or more 5088  
counting stations, located at the board of elections, shall be 5089  
established, at which location all punch card ballots shall be 5090  
counted. 5091

As used in this division, "punch card ballot" has the same 5092  
meaning as in section 3506.16 of the Revised Code. 5093

**Sec. 3506.15.** The secretary of state shall provide each board 5094  
of elections with rules, instructions, directives, and advisories 5095  
regarding the examination, testing, and use of the voting machine 5096  
and tabulating equipment, the assignment of duties of booth 5097  
officials, the procedure for casting a vote on the machine, and 5098  
how the vote shall be tallied and reported to the board, and with 5099  
other rules, instructions, directives, and advisories the 5100  
secretary of state finds necessary to ensure the adequate care and 5101

custody of voting equipment, and the accurate registering, 5102  
counting, and canvassing of the votes as required by this chapter. 5103  
The boards of elections shall be charged with the responsibility 5104  
of providing for the adequate instruction of voters and election 5105  
officials in the proper use of the voting machine and marking 5106  
devices. The boards' instructions shall include, in counties where 5107  
punch card ballots are used, instructions that each voter shall 5108  
examine the voter's marked ballot card and remove any chads that 5109  
remain partially attached to it before returning it to election 5110  
officials. 5111

The secretary of state's rules, instructions, directives, and 5112  
advisories provided under this section shall comply, insofar as 5113  
practicable, with this chapter. The provisions of Title XXXV of 5114  
the Revised Code, not inconsistent with the provisions relating to 5115  
voting machines, apply in any county using a voting machine. 5116

As used in this section, "chad" and "punch card ballot" have 5117  
the same meanings as in section 3506.16 of the Revised Code. 5118

**Sec. 3506.16.** (A) As used in this section: 5119

(1) "Chad" means the small piece of paper or cardboard 5120  
produced from a punch card ballot when a voter pierces a hole in a 5121  
perforated, designated position on the ballot with a marking 5122  
device to record the voter's candidate, question, or issue choice. 5123

(2) "Punch card ballot" means a ballot card that contains 5124  
small perforated designated positions that a marking device must 5125  
pierce to form a hole that records a voter's candidate, question, 5126  
or issue choice. 5127

(B)(1) In counties where punch card ballots are used, 5128  
employees of the board of elections designated by the board under 5129  
division (C) of this section shall take all reasonable steps, in a 5130  
manner prescribed by the secretary of state, to inspect those 5131

ballots at the board of elections prior to their counting by 5132  
automatic tabulating equipment. 5133

(2) Those designees shall take all reasonable steps, in a 5134  
manner prescribed by the secretary of state, to remove from a 5135  
punch card ballot chads attached by two or fewer corners. They 5136  
shall not remove from a punch card ballot any chad attached by 5137  
three or four corners. If a chad is attached to a punch card 5138  
ballot by three or four corners, it shall be deemed that a voter 5139  
did not record a candidate, question, or issue choice at that 5140  
particular position on the ballot, and a vote shall not be counted 5141  
at that particular position on the ballot. 5142

(3)(a) Those designees shall remake and count as a valid 5143  
ballot any punch card ballot in which the pattern of holes punched 5144  
in areas of the ballot card other than the designated positions 5145  
assigned to candidates, questions, or issues makes it clear to the 5146  
designees that the voter inserted the ballot card into the voting 5147  
machine with the back side of the ballot card facing up. Only 5148  
holes that are clearly pierced through the punch card ballot shall 5149  
be remade and counted. The designees shall remake and count a 5150  
punch card ballot under this division whether the voter voted for 5151  
one candidate, question, or issue, more than one but not all 5152  
candidates, questions, or issues, or all candidates, questions, 5153  
and issues. 5154

(b) If the pattern of holes pierced through a punch card 5155  
ballot indicates that the ballot card was inserted into the voting 5156  
machine with the back side of the ballot facing up, partially 5157  
voted, then removed from the voting machine, reinserted properly, 5158  
and voted correctly, the designees shall remake and count as valid 5159  
only those votes represented by the properly punched side of the 5160  
original punch card ballot. 5161

(c) The board of elections of a county where punch card 5162  
ballots are used shall designate teams to inspect those ballots 5163

under division (B) of this section and, as necessary, to remove 5164  
chads from those ballots or remake those ballots. Those teams 5165  
shall consist of two employees of the board, one from each major 5166  
political party. The board may designate as many teams as the 5167  
board considers necessary to efficiently inspect those ballots 5168  
prior to their counting. The board also may designate teams of two 5169  
employees, one from each major political party, to monitor the 5170  
teams conducting the inspection of those ballots under division 5171  
(B) of this section. 5172

**Sec. 3509.01.** (A) The board of elections of each county shall 5173  
provide absent voter's ballots for use at every primary and 5174  
general election, or special election to be held on the day 5175  
specified by division (E) of section 3501.01 of the Revised Code 5176  
for the holding of a primary election, designated by the general 5177  
assembly for the purpose of submitting constitutional amendments 5178  
proposed by the general assembly to the voters of the state. Those 5179  
ballots shall be the same size, shall be printed on the same kind 5180  
of paper, and shall be in the same form as has been approved for 5181  
use at the election for which those ballots are to be voted; 5182  
except that, in counties using marking devices, ballot cards may 5183  
be used for absent voter's ballots, and those absent voters shall 5184  
be instructed to record the vote in the manner provided on the 5185  
ballot cards. In counties where punch card ballots are used, those 5186  
absent voters shall be instructed to examine their marked ballot 5187  
cards and to remove any chads that remain partially attached to 5188  
them before returning them to election officials. 5189

(B) The rotation of names of candidates and questions and 5190  
issues shall be substantially complied with on absent voter's 5191  
ballots, within the limitation of time allotted. Those ballots 5192  
shall be designated as "Absent Voter's Ballots." Except as 5193  
otherwise provided in division (D) of this section, those ballots 5194  
shall be printed and ready for use as follows: 5195

(1) For overseas voters and absent uniformed services voters 5196  
eligible to vote under the Uniformed and Overseas Citizens 5197  
Absentee Voting Act, Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 5198  
1973ff, et seq., as amended, ballots shall be printed and ready 5199  
for use on the forty-fifth day before the day of the election. 5200

(2) For all other voters who are applying to vote absent 5201  
voter's ballots, ballots shall be printed and ready for use on the 5202  
thirty-fifth day before the day of the election. 5203

(C) Absent voter's ballots provided for use at a general or 5204  
primary election, or special election to be held on the day 5205  
specified by division (E) of section 3501.01 of the Revised Code 5206  
for the holding of a primary election, designated by the general 5207  
assembly for the purpose of submitting constitutional amendments 5208  
proposed by the general assembly to the voters of the state, shall 5209  
include only those questions, issues, and candidacies that have 5210  
been lawfully ordered submitted to the electors voting at that 5211  
election. 5212

(D) If the laws governing the holding of a special election 5213  
on a day other than the day on which a primary or general election 5214  
is held make it impossible for absent voter's ballots to be 5215  
printed and ready for use by the deadlines established in division 5216  
(B) of this section, absent voter's ballots for those special 5217  
elections shall be ready for use as many days before the day of 5218  
the election as reasonably possible under the laws governing the 5219  
holding of that special election. 5220

(E) A copy of the absent voter's ballots shall be forwarded 5221  
by the director of the board in each county to the secretary of 5222  
state at least twenty-five days before the election. 5223

(F) As used in this section, "chad" and "punch card ballot" 5224  
have the same meanings as in section 3506.16 of the Revised Code. 5225

**Sec. 3509.02.** (A) Any qualified elector may vote by absent voter's ballots at an election. 5226  
5227

(B) Any qualified elector who is unable to appear at the office of the board of elections or, if pursuant to division (C) of section 3501.10 of the Revised Code the board has designated another location in the county at which registered electors may vote, at that other location on account of personal illness, physical disability, or infirmity, and who moves from one precinct to another within a county, changes the elector's name and moves from one precinct to another within a county, or moves from one county to another county within the state, on or prior to the day of a general, primary, or special election and has not filed a notice of change of residence or change of name may vote by absent voter's ballots in that election as specified in division (G) of section 3503.16 of the Revised Code. 5228  
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**Sec. 3509.03.** Except as provided in division (B) of section 3509.08 of the Revised Code, any qualified elector desiring to vote absent voter's ballots at an election shall make written application for those ballots to the director of elections of the county in which the elector's voting residence is located. The application need not be in any particular form but shall contain all of the following: 5241  
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(A) The elector's name; 5248

(B) The elector's signature; 5249

(C) The address at which the elector is registered to vote; 5250

(D) The elector's date of birth; 5251

(E) One of the following: 5252

(1) The elector's driver's license number; 5253

(2) The last four digits of the elector's social security 5254

number; 5255

(3) A copy of the elector's current and valid photo 5256  
identification, a copy of a military identification, or a copy of 5257  
a current utility bill, bank statement, government check, 5258  
paycheck, or other government document, other than a notice of an 5259  
election mailed by a board of elections under section 3501.19 of 5260  
the Revised Code or a notice of voter registration mailed by a 5261  
board of elections under section 3503.19 of the Revised Code, that 5262  
shows the name and address of the elector. 5263

(F) A statement identifying the election for which absent 5264  
voter's ballots are requested; 5265

(G) A statement that the person requesting the ballots is a 5266  
qualified elector; 5267

(H) If the request is for primary election ballots, the 5268  
elector's party affiliation; 5269

(I) If the elector desires ballots to be mailed to the 5270  
elector, the address to which those ballots shall be mailed. 5271

Each application for absent voter's ballots shall be 5272  
delivered to the director not earlier than the first day of 5273  
January of the year of the elections for which the absent voter's 5274  
ballots are requested or not earlier than ninety days before the 5275  
day of the election at which the ballots are to be voted, 5276  
whichever is earlier, and not later than twelve noon of the third 5277  
day before the day of the election at which the ballots are to be 5278  
voted, or not later than six p.m. on the the last Friday before 5279  
the day of the election at which the ballots are to be voted if 5280  
the application is delivered in person to the office of the board. 5281

**Sec. 3509.04.** (A) If a director of a board of elections 5282  
receives an application for absent voter's ballots that does not 5283  
contain all of the required information, the director promptly 5284

shall notify the applicant of the additional information required 5285  
to be provided by the applicant to complete that application. 5286

(B) Upon receipt by the director of elections of an 5287  
application for absent voter's ballots that contains all of the 5288  
required information, as provided by section 3509.03 and division 5289  
(G) of section 3503.16 of the Revised Code, the director, if the 5290  
director finds that the applicant is a qualified elector, shall 5291  
deliver to the applicant in person or mail directly to the 5292  
applicant by special delivery mail, air mail, or regular mail, 5293  
postage prepaid, proper absent voter's ballots. The director shall 5294  
deliver or mail with the ballots an unsealed identification 5295  
envelope upon the face of which shall be printed a form 5296  
substantially as follows: 5297

"Identification Envelope Statement of Voter 5298

I, .....(Name of voter), declare under 5299  
penalty of election falsification that the within ballot or 5300  
ballots contained no voting marks of any kind when I received 5301  
them, and I caused the ballot or ballots to be marked, enclosed in 5302  
the identification envelope, and sealed in that envelope. 5303

My voting residence in Ohio is 5304

..... 5305

(Street and Number, if any, or Rural Route and Number) 5306

of ..... (City, Village, or Township) 5307

Ohio, which is in Ward ..... Precinct ..... 5308

in that city, village, or township. 5309

The primary election ballots, if any, within this envelope 5310

are primary election ballots of the ..... Party. 5311

Ballots contained within this envelope are to be voted at the 5312

..... (general, special, or primary) election to be held on 5313

the ..... day of ....., .... 5314

My date of birth is ..... (Month and Day), 5315  
..... (Year). 5316

(Voter must provide one of the following:) 5317

My driver's license number is ..... (Driver's 5318  
license number). 5319

The last four digits of my Social Security Number are 5320  
..... (Last four digits of Social Security Number). 5321

..... In lieu of providing a driver's license number or the 5322  
last four digits of my Social Security Number, I am enclosing a 5323  
copy of one of the following in the return envelope in which this 5324  
identification envelope will be mailed: a current and valid photo 5325  
identification, a military identification, or a current utility 5326  
bill, bank statement, government check, paycheck, or other 5327  
government document, other than a notice of an election mailed by 5328  
a board of elections under section 3501.19 of the Revised Code or 5329  
a notice of voter registration mailed by a board of elections, 5330  
that shows my name and address. 5331

I hereby declare, under penalty of election falsification, 5332  
that the statements above are true, as I verily believe. 5333

..... 5334

(Signature of Voter) 5335

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 5336  
THE FIFTH DEGREE." 5337

The director shall mail with the ballots and the unsealed 5338  
identification envelope an unsealed return envelope upon the face 5339  
of which shall be printed the official title and post-office 5340  
address of the director. In the upper left corner on the face of 5341  
the return envelope, several blank lines shall be printed upon 5342  
which the voter may write the voter's name and return address. The 5343  
return envelope shall be of such size that the identification 5344  
envelope can be conveniently placed within it for returning the 5345

identification envelope to the director. 5346

**Sec. 3509.05.** (A) When an elector receives an absent voter's 5347  
ballot pursuant to the elector's application or request, the 5348  
elector shall, before placing any marks on the ballot, note 5349  
whether there are any voting marks on it. If there are any voting 5350  
marks, the ballot shall be returned immediately to the board of 5351  
elections; otherwise, the elector shall cause the ballot to be 5352  
marked, folded in a manner that the stub on it and the 5353  
indorsements and facsimile signatures of the members of the board 5354  
of elections on the back of it are visible, and placed and sealed 5355  
within the identification envelope received from the director of 5356  
elections for that purpose. Then, the elector shall cause the 5357  
statement of voter on the outside of the identification envelope 5358  
to be completed and signed, under penalty of election 5359  
falsification. 5360

If the elector does not provide the elector's driver's 5361  
license number or the last four digits of the elector's social 5362  
security number on the statement of voter on the identification 5363  
envelope, the elector also shall include in the return envelope 5364  
with the identification envelope a copy of the elector's current 5365  
valid photo identification, a copy of a military identification, 5366  
or a copy of a current utility bill, bank statement, government 5367  
check, paycheck, or other government document, other than a notice 5368  
of an election mailed by a board of elections under section 5369  
3501.19 of the Revised Code or a notice of voter registration 5370  
mailed by a board of elections under section 3503.19 of the 5371  
Revised Code, that shows the name and address of the elector. 5372

The elector shall mail the identification envelope to the 5373  
director from whom it was received in the return envelope, postage 5374  
prepaid, or the elector may personally deliver it to the director, 5375  
or the spouse of the elector, the father, mother, father-in-law, 5376

mother-in-law, grandfather, grandmother, brother, or sister of the 5377  
whole or half blood, or the son, daughter, adopting parent, 5378  
adopted child, stepparent, stepchild, uncle, aunt, nephew, or 5379  
niece of the elector may deliver it to the director. The return 5380  
envelope shall be transmitted to the director in no other manner, 5381  
except as provided in section 3509.08 of the Revised Code. 5382

When absent voter's ballots are delivered to an elector at 5383  
the office of the board, the elector may retire to a voting 5384  
compartment provided by the board and there mark the ballots. 5385  
Thereupon, the elector shall fold them, place them in the 5386  
identification envelope provided, seal the envelope, fill in and 5387  
sign the statement on the envelope under penalty of election 5388  
falsification, and deliver the envelope to the director of the 5389  
board. 5390

Except as otherwise provided in division (B) of this section, 5391  
all other envelopes containing marked absent voter's ballots shall 5392  
be delivered to the director not later than the close of the polls 5393  
on the day of an election. Absent voter's ballots delivered to the 5394  
director later than the times specified shall not be counted, but 5395  
shall be kept by the board in the sealed identification envelopes 5396  
in which they are delivered to the director, until the time 5397  
provided by section 3505.31 of the Revised Code for the 5398  
destruction of all other ballots used at the election for which 5399  
ballots were provided, at which time they shall be destroyed. 5400

(B)(1) Except as otherwise provided in division (B)(2) of 5401  
this section, any return envelope that is postmarked prior to the 5402  
day of the election shall be delivered to the director prior to 5403  
the eleventh day after the election. Ballots delivered in 5404  
envelopes postmarked prior to the day of the election that are 5405  
received after the close of the polls on election day through the 5406  
tenth day thereafter shall be counted on the eleventh day at the 5407  
board of elections in the manner provided in divisions (C) and (D) 5408

of section 3509.06 of the Revised Code. Any such ballots that are 5409  
received by the director later than the tenth day following the 5410  
election shall not be counted, but shall be kept by the board in 5411  
the sealed identification envelopes as provided in division (A) of 5412  
this section. 5413

(2) Division (B)(1) of this section shall not apply to any 5414  
mail that is postmarked using a postage evidencing system, 5415  
including a postage meter, as defined in 39 C.F.R. 501.1. 5416

**Sec. 3509.06.** (A) The board of elections shall determine 5417  
whether absent voter's ballots shall be counted in each precinct, 5418  
at the office of the board, or at some other location designated 5419  
by the board, and shall proceed accordingly under division (B) or 5420  
(C) of this section. 5421

(B) When the board of elections determines that absent 5422  
voter's ballots shall be counted in each precinct, the director 5423  
shall deliver to the presiding judge of each precinct on election 5424  
day identification envelopes purporting to contain absent voter's 5425  
ballots of electors whose voting residence appears from the 5426  
statement of voter on the outside of each of those envelopes, to 5427  
be located in such presiding judge's precinct, and which were 5428  
received by the director not later than the close of the polls on 5429  
election day. The director shall deliver to such presiding judge a 5430  
list containing the name and voting residence of each person whose 5431  
voting residence is in such precinct to whom absent voter's 5432  
ballots were mailed. 5433

(C) When the board of elections determines that absent 5434  
voter's ballots shall be counted at the office of the board of 5435  
elections or at another location designated by the board, special 5436  
election judges shall be appointed by the board for that purpose 5437  
having the same authority as is exercised by precinct judges. The 5438  
votes so cast shall be added to the vote totals by the board, and 5439

the absent voter's ballots shall be preserved separately by the 5440  
board, in the same manner and for the same length of time as 5441  
provided by section 3505.31 of the Revised Code. 5442

(D) Each of the identification envelopes purporting to 5443  
contain absent voter's ballots delivered to the presiding judge of 5444  
the precinct or the special judge appointed by the board of 5445  
elections shall be handled as follows: The election officials 5446  
shall compare the signature of the elector on the outside of the 5447  
identification envelope with the signature of that elector on the 5448  
elector's registration form and verify that the absent voter's 5449  
ballot is eligible to be counted under section 3509.07 of the 5450  
Revised Code. Any of the precinct officials may challenge the 5451  
right of the elector named on the identification envelope to vote 5452  
the absent voter's ballots upon the ground that the signature on 5453  
the envelope is not the same as the signature on the registration 5454  
form, or upon any other of the grounds upon which the right of 5455  
persons to vote may be lawfully challenged. If no such challenge 5456  
is made, or if such a challenge is made and not sustained, the 5457  
presiding judge shall open the envelope without defacing the 5458  
statement of voter and without mutilating the ballots in it, and 5459  
shall remove the ballots contained in it and proceed to count 5460  
them. 5461

The name of each person voting who is entitled to vote only 5462  
an absent voter's presidential ballot shall be entered in a 5463  
pollbook or poll list or signature pollbook followed by the words 5464  
"Absentee Presidential Ballot." The name of each person voting an 5465  
absent voter's ballot, other than such persons entitled to vote 5466  
only a presidential ballot, shall be entered in the pollbook or 5467  
poll list or signature pollbook and the person's registration card 5468  
marked to indicate that the person has voted. 5469

The date of such election shall also be entered on the 5470  
elector's registration form. If any such challenge is made and 5471

sustained, the identification envelope of such elector shall not 5472  
be opened, shall be endorsed "Not Counted" with the reasons the 5473  
ballots were not counted, and shall be delivered to the board. 5474

(E) Special election judges, employees or members of the 5475  
board of elections, or observers shall not disclose the count or 5476  
any portion of the count of absent voter's ballots prior to the 5477  
time of the closing of the polling places. No person shall 5478  
recklessly disclose the count or any portion of the count of 5479  
absent voter's ballots in such a manner as to jeopardize the 5480  
secrecy of any individual ballot. 5481

(F) Observers may be appointed under section 3505.21 of the 5482  
Revised Code to witness the examination and opening of 5483  
identification envelopes and the counting of absent voters' 5484  
ballots under this section. 5485

**Sec. 3509.07.** If election officials find that the statement 5486  
accompanying an absent voter's ballot or absent voter's 5487  
presidential ballot is insufficient, that the signatures do not 5488  
correspond with the person's registration signature, that the 5489  
applicant is not a qualified elector in the precinct, that the 5490  
ballot envelope contains more than one ballot of any one kind, or 5491  
any voted ballot that the elector is not entitled to vote, that 5492  
Stub A is detached from the absent voter's ballot or absent 5493  
voter's presidential ballot, or that the elector has not included 5494  
with the elector's ballot any identification required under 5495  
section 3509.05 or 3511.09 of the Revised Code, the vote shall not 5496  
be accepted or counted. The vote of any absent voter may be 5497  
challenged for cause in the same manner as other votes are 5498  
challenged, and the election officials shall determine the 5499  
legality of that ballot. Every ballot not counted shall be 5500  
endorsed on its back "Not Counted" with the reasons the ballot was 5501  
not counted, and shall be enclosed and returned to or retained by 5502

the board of elections along with the contested ballots. 5503

**Sec. 3509.08.** (A) Any qualified elector, who, on account of 5504  
the elector's own personal illness, physical disability, or 5505  
infirmity, or on account of the elector's confinement in a jail or 5506  
workhouse under sentence for a misdemeanor or awaiting trial on a 5507  
felony or misdemeanor, will be unable to travel from the elector's 5508  
home or place of confinement to the voting booth in the elector's 5509  
precinct on the day of any general, special, or primary election 5510  
may make application in writing for an absent voter's ballot to 5511  
the director of the board of elections of the elector's county. 5512  
The application shall include all of the information required 5513  
under section 3509.03 of the Revised Code and shall state the 5514  
nature of the elector's illness, physical disability, or 5515  
infirmity, or the fact that the elector is confined in a jail or 5516  
workhouse and the elector's resultant inability to travel to the 5517  
election booth in the elector's precinct on election day. The 5518  
application shall not be valid if it is delivered to the director 5519  
before the ninetieth day or after twelve noon of the third day 5520  
before the day of the election at which the ballot is to be voted. 5521

The absent voter's ballot may be mailed directly to the 5522  
applicant at the applicant's voting residence or place of 5523  
confinement as stated in the applicant's application, or the board 5524  
may designate two board employees belonging to the two major 5525  
political parties for the purpose of delivering the ballot to the 5526  
disabled or confined elector and returning it to the board, unless 5527  
the applicant is confined to a public or private institution 5528  
within the county, in which case the board shall designate two 5529  
board employees belonging to the two major political parties for 5530  
the purpose of delivering the ballot to the disabled or confined 5531  
elector and returning it to the board. In all other instances, the 5532  
ballot shall be returned to the office of the board in the manner 5533  
prescribed in section 3509.05 of the Revised Code. 5534

Any disabled or confined elector who declares to the two 5535  
board employees belonging to the two major political parties that 5536  
the elector is unable to mark the elector's ballot by reason of 5537  
physical infirmity that is apparent to the employees to be 5538  
sufficient to incapacitate the voter from marking the elector's 5539  
ballot properly, may receive, upon request, the assistance of the 5540  
employees in marking the elector's ballot, and they shall 5541  
thereafter give no information in regard to this matter. Such 5542  
assistance shall not be rendered for any other cause. 5543

When two board employees belonging to the two major political 5544  
parties deliver a ballot to a disabled or confined elector, each 5545  
of the employees shall be present when the ballot is delivered, 5546  
when assistance is given, and when the ballot is returned to the 5547  
office of the board, and shall subscribe to the declaration on the 5548  
identification envelope. 5549

The secretary of state shall prescribe the form of 5550  
application for absent voter's ballots under this division. 5551

This chapter applies to disabled and confined absent voter's 5552  
ballots except as otherwise provided in this section. 5553

(B)(1) Any qualified elector who is unable to travel to the 5554  
voting booth in the elector's precinct on the day of any general, 5555  
special, or primary election may apply to the director of the 5556  
board of elections of the county where the elector is a qualified 5557  
elector to vote in the election by absent voter's ballot if either 5558  
of the following apply: 5559

(a) The elector is confined in a hospital as a result of an 5560  
accident or unforeseeable medical emergency occurring before the 5561  
election; 5562

(b) The elector's minor child is confined in a hospital as a 5563  
result of an accident or unforeseeable medical emergency occurring 5564  
before the election. 5565

(2) The application authorized under division (B)(1) of this section shall be made in writing, shall include all of the information required under section 3509.03 of the Revised Code, and shall be delivered to the director not later than three p.m. on the day of the election. The application shall indicate the hospital where the applicant or the applicant's child is confined, the date of the applicant's or the applicant's child's admission to the hospital, and the offices for which the applicant is qualified to vote. The applicant may also request that a member of the applicant's family, as listed in section 3509.05 of the Revised Code, deliver the absent voter's ballot to the applicant. The director, after establishing to the director's satisfaction the validity of the circumstances claimed by the applicant, shall supply an absent voter's ballot to be delivered to the applicant. When the applicant or the applicant's child is in a hospital in the county where the applicant is a qualified elector and no request is made for a member of the family to deliver the ballot, the director shall arrange for the delivery of an absent voter's ballot to the applicant, and for its return to the office of the board, by two board employees belonging to the two major political parties according to the procedures prescribed in division (A) of this section. When the applicant or the applicant's child is in a hospital outside the county where the applicant is a qualified elector and no request is made for a member of the family to deliver the ballot, the director shall arrange for the delivery of an absent voter's ballot to the applicant by mail, and the ballot shall be returned to the office of the board in the manner prescribed in section 3509.05 of the Revised Code.

(3) Any qualified elector who is eligible to vote under division (B) or (C) of section 3503.16 of the Revised Code but is unable to do so because of the circumstances described in division (B)(2) of this section may vote in accordance with division (B)(1) of this section if that qualified elector states in the

application for absent voter's ballots that that qualified elector 5599  
moved or had a change of name under the circumstances described in 5600  
division (B) or (C) of section 3503.16 of the Revised Code and if 5601  
that qualified elector complies with divisions (G)(1) to (4) of 5602  
section 3503.16 of the Revised Code. 5603

(C) Any qualified elector described in division (A) or (B)(1) 5604  
of this section who needs no assistance to vote or to return 5605  
absent voter's ballots to the board of elections may apply for 5606  
absent voter's ballots under section 3509.03 of the Revised Code 5607  
instead of applying for them under this section. 5608

**Sec. 3509.09.** (A) The poll list or signature pollbook for 5609  
each precinct shall identify each registered elector in that 5610  
precinct who has requested an absent voter's ballot for that 5611  
election. 5612

(B)(1) If a registered elector appears to vote in that 5613  
precinct and that elector has requested an absent voter's ballot 5614  
for that election but the director has not received a sealed 5615  
identification envelope purporting to contain that elector's voted 5616  
absent voter's ballots for that election, the elector shall be 5617  
permitted to cast a provisional ballot under section 3505.181 of 5618  
the Revised Code in that precinct on the day of that election. 5619

(2) If a registered elector appears to vote in that precinct 5620  
and that elector has requested an absent voter's ballot for that 5621  
election and the director has received a sealed identification 5622  
envelope purporting to contain that elector's voted absent voter's 5623  
ballots for that election, the elector shall be permitted to cast 5624  
a provisional ballot under section 3505.181 of the Revised Code in 5625  
that precinct on the day of that election. 5626

(C)(1) In counting absent voter's ballots under section 5627  
3509.06 of the Revised Code, the board of elections shall compare 5628  
the signature of each elector from whom the director has received 5629

a sealed identification envelope purporting to contain that 5630  
elector's voted absent voter's ballots for that election to the 5631  
signature on that elector's registration form. Except as otherwise 5632  
provided in division (C)(3) of this section, if the board of 5633  
elections determines that the absent voter's ballot in the sealed 5634  
identification envelope is valid, it shall be counted. If the 5635  
board of elections determines that the signature on the sealed 5636  
identification envelope purporting to contain the elector's voted 5637  
absent voter's ballot does not match the signature on the 5638  
elector's registration form, the ballot shall be set aside and the 5639  
board shall examine, during the time prior to the beginning of the 5640  
official canvass, the poll list or signature pollbook from the 5641  
precinct in which the elector is registered to vote to determine 5642  
if the elector also cast a provisional ballot under section 5643  
3505.181 of the Revised Code in that precinct on the day of the 5644  
election. 5645

(2) The board of elections shall count the provisional 5646  
ballot, instead of the absent voter's ballot, if both of the 5647  
following apply: 5648

(a) The board of elections determines that the signature of 5649  
the elector on the outside of the identification envelope in which 5650  
the absent voter's ballots are enclosed does not match the 5651  
signature of the elector on the elector's registration form; 5652

(b) The elector cast a provisional ballot in the precinct on 5653  
the day of the election. 5654

(3) If the board of elections does not receive the sealed 5655  
identification envelope purporting to contain the elector's voted 5656  
absent voter's ballot by the applicable deadline established under 5657  
section 3509.05 of the Revised Code, the provisional ballot cast 5658  
under section 3505.181 of the Revised Code in that precinct on the 5659  
day of the election shall be counted as valid, if that provisional 5660  
ballot is otherwise determined to be valid pursuant to section 5661

3505.183 of the Revised Code. 5662

(D) If the board of elections counts a provisional ballot 5663  
under division (C)(2) or (3) of this section, the returned 5664  
identification envelope of that elector shall not be opened, and 5665  
the ballot within that envelope shall not be counted. The 5666  
identification envelope shall be endorsed "Not Counted" with the 5667  
reason the ballot was not counted. 5668

**Sec. 3511.02.** Notwithstanding any section of the Revised Code 5669  
to the contrary, whenever any person applies for registration as a 5670  
voter on a form adopted in accordance with federal regulations 5671  
relating to the "Uniformed and Overseas Citizens Absentee Voting 5672  
Act," 100 Stat. 924, 42 U.S.C.A. 1973ff (1986), this application 5673  
shall be sufficient for voter registration and as a request for an 5674  
absent voter's ballot. Uniformed services or overseas absent 5675  
voter's ballots may be obtained by any person meeting the 5676  
requirements of section 3511.011 of the Revised Code by applying 5677  
electronically to the secretary of state or to the board of 5678  
elections of the county in which the person's voting residence is 5679  
located in accordance with section 3511.021 of the Revised Code or 5680  
by applying to the director of the board of elections of the 5681  
county in which the person's voting residence is located, in one 5682  
of the following ways: 5683

(A) That person may make written application for those 5684  
ballots. The person may personally deliver the application to the 5685  
director or may mail it, send it by facsimile machine, send it by 5686  
electronic mail, send it through internet delivery if such 5687  
delivery is offered by the board of elections or the secretary of 5688  
state, or otherwise send it to the director. The application need 5689  
not be in any particular form but shall contain all of the 5690  
following information: 5691

(1) The elector's name; 5692

|  |  |
|--|--|
| (2) The elector's signature;   | 5693   |
| (3) The address at which the elector is registered to vote;  | 5694   |
| (4) The elector's date of birth;   | 5695   |
| (5) One of the following:  | 5696   |
| (a) The elector's driver's license number;   | 5697   |
| (b) The last four digits of the elector's social security<br>number;   | 5698<br>5699   |
| (c) A copy of the elector's current and valid photo<br>identification, a copy of a military identification, or a copy of<br>a current utility bill, bank statement, government check,<br>paycheck, or other government document, other than a notice of an<br>election mailed by a board of elections under section 3501.19 of<br>the Revised Code or a notice of voter registration mailed by a<br>board of elections under section 3503.19 of the Revised Code, that<br>shows the name and address of the elector. | 5700<br>5701<br>5702<br>5703<br>5704<br>5705<br>5706<br>5707 |
| (6) A statement identifying the election for which absent<br>voter's ballots are requested;  | 5708<br>5709   |
| (7) A statement that the person requesting the ballots is a<br>qualified elector;  | 5710<br>5711   |
| (8) A statement that the elector is an absent uniformed<br>services voter or overseas voter as defined in 42 U.S.C. 1973ff-6;  | 5712<br>5713   |
| (9) A statement of the elector's length of residence in the<br>state immediately preceding the commencement of service,<br>immediately preceding the date of leaving to be with or near the<br>service member, or immediately preceding leaving the United<br>States, or a statement that the elector's parent or legal guardian<br>resided in this state long enough to establish residency for<br>voting purposes immediately preceding leaving the United States,<br>whichever is applicable;                     | 5714<br>5715<br>5716<br>5717<br>5718<br>5719<br>5720<br>5721 |
| (10) If the request is for primary election ballots, the   | 5722   |

elector's party affiliation; 5723

(11) If the elector desires ballots to be mailed to the 5724  
elector, the address to which those ballots shall be mailed; 5725

(12) If the elector desires ballots to be sent to the elector 5726  
by facsimile machine, the telephone number to which they shall be 5727  
so sent; 5728

(13) If the elector desires ballots to be sent to the elector 5729  
by electronic mail or, if offered by the board of elections or the 5730  
secretary of state, through internet delivery, the elector's 5731  
electronic mail address or other internet contact information. 5732

(B) A voter or any relative of a voter listed in division (C) 5733  
of this section may use a single federal post card application to 5734  
apply for uniformed services or overseas absent voter's ballots 5735  
for use at the primary and general elections in a given year and 5736  
any special election to be held on the day in that year specified 5737  
by division (E) of section 3501.01 of the Revised Code for the 5738  
holding of a primary election, designated by the general assembly 5739  
for the purpose of submitting constitutional amendments proposed 5740  
by the general assembly to the voters of the state. A single 5741  
federal postcard application shall be processed by the board of 5742  
elections pursuant to section 3511.04 of the Revised Code the same 5743  
as if the voter had applied separately for uniformed services or 5744  
overseas absent voter's ballots for each election. 5745

(C) Application to have uniformed services or overseas absent 5746  
voter's ballots mailed or sent by facsimile machine to such a 5747  
person may be made by the spouse, father, mother, father-in-law, 5748  
mother-in-law, grandfather, grandmother, brother or sister of the 5749  
whole blood or half blood, son, daughter, adopting parent, adopted 5750  
child, stepparent, stepchild, daughter-in-law, son-in-law, uncle, 5751  
aunt, nephew, or niece of such a person. The application shall be 5752  
in writing upon a blank form furnished only by the director or on 5753

a single federal post card as provided in division (B) of this section. The form of the application shall be prescribed by the secretary of state. The director shall furnish that blank form to any of the relatives specified in this division desiring to make the application, only upon the request of such a relative made in person at the office of the board or upon the written request of such a relative mailed to the office of the board. The application, subscribed and sworn to by the applicant, shall contain all of the following:

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

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

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

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

(5) The elector's date of birth;

(6) One of the following:

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

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

(c) A copy of the elector's current and valid photo identification, a copy of a military identification, or a copy of a current utility bill, bank statement, government check,

paycheck, or other government document, other than a notice of an 5784  
election mailed by a board of elections under section 3501.19 of 5785  
the Revised Code or a notice of voter registration mailed by a 5786  
board of elections under section 3503.19 of the Revised Code, that 5787  
shows the name and address of the elector. 5788

(7) A statement identifying the election for which absent 5789  
voter's ballots are requested; 5790

(8) A statement that the person requesting the ballots is a 5791  
qualified elector; 5792

(9) If the request is for primary election ballots, the 5793  
elector's party affiliation; 5794

(10) A statement that the applicant bears a relationship to 5795  
the elector as specified in division (C) of this section; 5796

(11) The address to which ballots shall be mailed, the 5797  
telephone number to which ballots shall be sent by facsimile 5798  
machine, the electronic mail address to which ballots shall be 5799  
sent by electronic mail, or, if internet delivery is offered by 5800  
the board of elections or the secretary of state, the internet 5801  
contact information to which ballots shall be sent through 5802  
internet delivery; 5803

(12) The signature and address of the person making the 5804  
application. 5805

Each application for uniformed services or overseas absent 5806  
voter's ballots shall be delivered to the director not earlier 5807  
than the first day of January of the year of the elections for 5808  
which the uniformed services or overseas absent voter's ballots 5809  
are requested or not earlier than ninety days before the day of 5810  
the election at which the ballots are to be voted, whichever is 5811  
earlier, and not later than twelve noon of the third day preceding 5812  
the day of the election, or not later than six p.m. on the last 5813  
Friday before the day of the election at which those ballots are 5814

to be voted if the application is delivered in person to the 5815  
office of the board. 5816

(D) If the voter for whom the application is made is entitled 5817  
to vote for presidential and vice-presidential electors only, the 5818  
applicant shall submit to the director in addition to the 5819  
requirements of divisions (A), (B), and (C) of this section, a 5820  
statement to the effect that the voter is qualified to vote for 5821  
presidential and vice-presidential electors and for no other 5822  
offices. 5823

**Sec. 3511.04.** (A) If a director of a board of elections 5824  
receives an application for uniformed services or overseas absent 5825  
voter's ballots that does not contain all of the required 5826  
information, the director promptly shall notify the applicant of 5827  
the additional information required to be provided by the 5828  
applicant to complete that application. 5829

(B) Not later than the forty-fifth day before the day of each 5830  
general or primary election, and at the earliest possible time 5831  
before the day of a special election held on a day other than the 5832  
day on which a general or primary election is held, the director 5833  
of the board of elections shall mail, send by facsimile machine, 5834  
send by electronic mail, send through internet delivery if such 5835  
delivery is offered by the board of elections or the secretary of 5836  
state, or otherwise send uniformed services or overseas absent 5837  
voter's ballots then ready for use as provided for in section 5838  
3511.03 of the Revised Code and for which the director has 5839  
received valid applications prior to that time. Thereafter, and 5840  
until twelve noon of the third day preceding the day of election, 5841  
the director shall promptly, upon receipt of valid applications 5842  
for them, mail, send by facsimile machine, send by electronic 5843  
mail, send through internet delivery if such delivery is offered 5844  
by the board of elections or the secretary of state, or otherwise 5845

send to the proper persons all uniformed services or overseas 5846  
absent voter's ballots then ready for use. 5847

If, after the seventieth day before the day of a general or 5848  
primary election, any other question, issue, or candidacy is 5849  
lawfully ordered submitted to the electors voting at the general 5850  
or primary election, the board shall promptly provide a separate 5851  
official issue, special election, or other election ballot for 5852  
submitting the question, issue, or candidacy to those electors, 5853  
and the director shall promptly mail, send by facsimile machine, 5854  
send by electronic mail, send through internet delivery if such 5855  
delivery is offered by the board of elections or the secretary of 5856  
state, or otherwise send each such separate ballot to each person 5857  
to whom the director has previously mailed or sent other uniformed 5858  
services or overseas absent voter's ballots. 5859

In mailing uniformed services or overseas absent voter's 5860  
ballots, the director shall use the fastest mail service 5861  
available, but the director shall not mail them by certified mail. 5862

**Sec. 3511.05.** (A) The director of the board of elections 5863  
shall place uniformed services or overseas absent voter's ballots 5864  
sent by mail in an unsealed identification envelope, gummed ready 5865  
for sealing. The director shall include with uniformed services or 5866  
overseas absent voter's ballots sent electronically, including by 5867  
facsimile machine, an instruction sheet for preparing a gummed 5868  
envelope in which the ballots shall be returned. The envelope for 5869  
returning ballots sent by either means shall have printed or 5870  
written on its face a form substantially as follows: 5871

"Identification Envelope Statement of Voter 5872

I, .....(Name of voter), declare under 5873  
penalty of election falsification that the within ballot or 5874  
ballots contained no voting marks of any kind when I received 5875  
them, and I caused the ballot or ballots to be marked, enclosed in 5876

|   |      |
|---|------|
| the identification envelope, and sealed in that envelope.         | 5877 |
| My voting residence in Ohio is                                    | 5878 |
| .....   | 5879 |
| (Street and Number, if any, or Rural Route and Number)            | 5880 |
| of ..... (City, Village, or Township)                             | 5881 |
| Ohio, which is in Ward ..... Precinct .....                       | 5882 |
| in that city, village, or township.                               | 5883 |
| The primary election ballots, if any, within this envelope        | 5884 |
| are primary election ballots of the ..... Party.                  | 5885 |
| Ballots contained within this envelope are to be voted at the     | 5886 |
| ..... (general, special, or primary) election to be held on       | 5887 |
| the ..... day of ....., ....                                      | 5888 |
| My date of birth is ..... (Month and Day),                        | 5889 |
| ..... (Year).   | 5890 |
| (Voter must provide one of the following:)                        | 5891 |
| My driver's license number is ..... (Driver's                     | 5892 |
| license number).  | 5893 |
| The last four digits of my Social Security Number are             | 5894 |
| ..... (Last four digits of Social Security Number).               | 5895 |
| ..... In lieu of providing a driver's license number or the       | 5896 |
| last four digits of my Social Security Number, I am enclosing a   | 5897 |
| copy of one of the following in the return envelope in which this | 5898 |
| identification envelope will be mailed: a current and valid photo | 5899 |
| identification, a military identification, or a current utility   | 5900 |
| bill, bank statement, government check, paycheck, or other        | 5901 |
| government document, other than a notice of an election mailed by | 5902 |
| a board of elections under section 3501.19 of the Revised Code or | 5903 |
| a notice of voter registration mailed by a board of elections,    | 5904 |
| that shows my name and address.                                   | 5905 |
| I hereby declare, under penalty of election falsification,        | 5906 |

that the statements above are true, as I verily believe. 5907

..... 5908

(Signature of Voter) 5909

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 5910

THE FIFTH DEGREE." 5911

(B) The director shall also mail with the ballots and the 5912

unsealed identification envelope sent by mail an unsealed return 5913

envelope, gummed, ready for sealing, for use by the voter in 5914

returning the voter's marked ballots to the director. The director 5915

shall send with the ballots and the instruction sheet for 5916

preparing a gummed envelope sent electronically, including by 5917

facsimile machine, an instruction sheet for preparing a second 5918

gummed envelope as described in this division, for use by the 5919

voter in returning that voter's marked ballots to the director. 5920

The return envelope shall have two parallel lines, each one 5921

quarter of an inch in width, printed across its face paralleling 5922

the top, with an intervening space of one quarter of an inch 5923

between such lines. The top line shall be one and one-quarter 5924

inches from the top of the envelope. Between the parallel lines 5925

shall be printed: "OFFICIAL ELECTION UNIFORMED SERVICES OR 5926

OVERSEAS ABSENT VOTER'S BALLOTS -- VIA AIR MAIL." Three blank 5927

lines shall be printed in the upper left corner on the face of the 5928

envelope for the use by the voter in placing the voter's complete 5929

military, naval, or mailing address on these lines, and beneath 5930

these lines there shall be printed a box beside the words "check 5931

if out-of-country." The voter shall check this box if the voter 5932

will be outside the United States on the day of the election. The 5933

official title and the post-office address of the director to whom 5934

the envelope shall be returned shall be printed on the face of 5935

such envelope in the lower right portion below the bottom parallel 5936

line. 5937

(C) On the back of each identification envelope and each 5938

return envelope shall be printed the following: 5939

"Instructions to voter: 5940

If the flap on this envelope is so firmly stuck to the back 5941  
of the envelope when received by you as to require forcible 5942  
opening in order to use it, open the envelope in the manner least 5943  
injurious to it, and, after marking your ballots and enclosing 5944  
same in the envelope for mailing them to the director of the board 5945  
of elections, reclose the envelope in the most practicable way, by 5946  
sealing or otherwise, and sign the blank form printed below. 5947

The flap on this envelope was firmly stuck to the back of the 5948  
envelope when received, and required forced opening before sealing 5949  
and mailing. 5950

..... 5951  
(Signature of voter)" 5952

(D) Division (C) of this section does not apply when absent 5953  
voter's ballots are sent electronically, including by facsimile 5954  
machine. 5955

**Sec. 3511.06.** The return envelope provided for in section 5956  
3511.05 of the Revised Code shall be of such size that the 5957  
identification envelope can be conveniently placed within it for 5958  
returning the identification envelope to the director. The 5959  
envelope in which the two envelopes and the uniformed services or 5960  
overseas absent voter's ballots are mailed to the elector shall 5961  
have two parallel lines, each one quarter of an inch in width, 5962  
printed across its face, paralleling the top, with an intervening 5963  
space of one-quarter of an inch between such lines. The top line 5964  
shall be one and one-quarter inches from the top of the envelope. 5965  
Between the parallel lines shall be printed: "official uniformed 5966  
services or overseas absent voter's balloting material--via air 5967  
mail." The appropriate return address of the director of the board 5968  
of elections shall be printed in the upper left corner on the face 5969

of such envelope. Several blank lines shall be printed on the face 5970  
of such envelope in the lower right portion, below the bottom 5971  
parallel line, for writing in the name and address of the elector 5972  
to whom such envelope is mailed. 5973

**Sec. 3511.07.** When mailing unsealed identification envelopes 5974  
and unsealed return envelopes to persons, the director of the 5975  
board of elections shall insert a sheet of waxed paper or other 5976  
appropriate insert between the gummed flap and the back of each of 5977  
such envelopes to minimize the possibility that the flap may 5978  
become firmly stuck to the back of the envelope by reason of 5979  
moisture, humid atmosphere, or other conditions to which they may 5980  
be subjected. If the flap on either of such envelopes should be so 5981  
firmly stuck to the back of the envelope when it is received by 5982  
the voter as to require forcible opening of the envelope in order 5983  
to use it, the voter shall open such envelope in the manner least 5984  
injurious to it, and, after marking his ballots and enclosing them 5985  
in the envelope for mailing to the director, he shall reclose such 5986  
envelope in the most practicable way, by sealing it or otherwise, 5987  
and shall sign the blank form printed on the back of such 5988  
envelope. 5989

**Sec. 3511.08.** The director of the board of elections shall 5990  
keep a record of the name and address of each person to whom the 5991  
director mails or delivers uniformed services or overseas absent 5992  
voter's ballots, the kinds of ballots so mailed or delivered, and 5993  
the name and address of the person who made the application for 5994  
such ballots. After the director has mailed or delivered such 5995  
ballots the director shall not mail or deliver additional ballots 5996  
of the same kind to such person pursuant to a subsequent request 5997  
unless such subsequent request contains the statement that an 5998  
earlier request had been sent to the director prior to the 5999  
thirtieth day before the election and that the uniformed services 6000

or overseas absent voter's ballots so requested had not been 6001  
received by such person prior to the fifteenth day before the 6002  
election, and provided that the director has not received an 6003  
identification envelope purporting to contain marked uniformed 6004  
services or overseas absent voter's ballots from such person. 6005

**Sec. 3511.09.** Upon receiving uniformed services or overseas 6006  
absent voter's ballots, the elector shall cause the questions on 6007  
the face of the identification envelope to be answered, and, by 6008  
writing the elector's usual signature in the proper place on the 6009  
identification envelope, the elector shall declare under penalty 6010  
of election falsification that the answers to those questions are 6011  
true and correct to the best of the elector's knowledge and 6012  
belief. Then, the elector shall note whether there are any voting 6013  
marks on the ballot. If there are any voting marks, the ballot 6014  
shall be returned immediately to the board of elections; 6015  
otherwise, the elector shall cause the ballot to be marked, folded 6016  
separately so as to conceal the markings on it, deposited in the 6017  
identification envelope, and securely sealed in the identification 6018  
envelope. The elector then shall cause the identification envelope 6019  
to be placed within the return envelope, sealed in the return 6020  
envelope, and mailed to the director of the board of elections to 6021  
whom it is addressed. The ballot shall be submitted for mailing 6022  
not later than 12:01 a.m. at the place where the voter completes 6023  
the ballot, on the date of the election. If the elector does not 6024  
provide the elector's driver's license number or the last four 6025  
digits of the elector's social security number on the statement of 6026  
voter on the identification envelope, the elector also shall 6027  
include in the return envelope with the identification envelope a 6028  
copy of the elector's current valid photo identification, a copy 6029  
of a military identification, or a copy of a current utility bill, 6030  
bank statement, government check, paycheck, or other government 6031  
document, other than a notice of an election mailed by a board of 6032

elections under section 3501.19 of the Revised Code or a notice of 6033  
voter registration mailed by a board of elections under section 6034  
3503.19 of the Revised Code, that shows the name and address of 6035  
the elector. Each elector who will be outside the United States on 6036  
the day of the election shall check the box on the return envelope 6037  
indicating this fact and shall mail the return envelope to the 6038  
director prior to the close of the polls on election day. 6039

Every uniformed services or overseas absent voter's ballot 6040  
identification envelope shall be accompanied by the following 6041  
statement in boldface capital letters: WHOEVER COMMITS ELECTION 6042  
FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. 6043

**Sec. 3511.10.** If, after the thirty-fifth day and before the 6044  
close of the polls on the day of a general or primary election, a 6045  
valid application for uniformed services or overseas absent 6046  
voter's ballots is delivered to the director of the board of 6047  
elections at the office of the board by a person making the 6048  
application on the person's own behalf, the director shall 6049  
forthwith deliver to the person all uniformed services or overseas 6050  
absent voter's ballots then ready for use, together with an 6051  
identification envelope. The person shall then immediately retire 6052  
to a voting booth in the office of the board, and mark the 6053  
ballots. The person shall then fold each ballot separately so as 6054  
to conceal the person's markings thereon, and deposit all of the 6055  
ballots in the identification envelope and securely seal it. 6056  
Thereupon the person shall fill in answers to the questions on the 6057  
face of the identification envelope, and by writing the person's 6058  
usual signature in the proper place thereon, the person shall 6059  
declare under penalty of election falsification that the answers 6060  
to those questions are true and correct to the best of that 6061  
person's knowledge and belief. The person shall then deliver the 6062  
identification envelope to the director. If thereafter, and before 6063  
the third day preceding such election, the board provides 6064

additional separate official issue or special election ballots, as 6065  
provided for in section 3511.04 of the Revised Code, the director 6066  
shall promptly, and not later than twelve noon of the third day 6067  
preceding the day of election, mail such additional ballots to 6068  
such person at the address specified by that person for that 6069  
purpose. 6070

In the event any person serving in the armed forces of the 6071  
United States is discharged after the closing date of 6072  
registration, and that person or that person's spouse, or both, 6073  
meets all the other qualifications set forth in section 3511.011 6074  
of the Revised Code, the person or spouse shall be permitted to 6075  
vote prior to the date of the election in the office of the board 6076  
in the person's or spouse's county, as set forth in this section. 6077

**Sec. 3511.11.** (A) Upon receipt of any return envelope bearing 6078  
the designation "Official Election Uniformed Services or Overseas 6079  
Absent Voter's Ballot" prior to the eleventh day after the day of 6080  
any election, the director of the board of elections shall open it 6081  
but shall not open the identification envelope contained in it. 6082  
If, upon so opening the return envelope, the director finds 6083  
ballots in it that are not enclosed in and properly sealed in the 6084  
identification envelope, the director shall not look at the 6085  
markings upon the ballots and shall promptly place them in the 6086  
identification envelope and promptly seal it. If, upon so opening 6087  
the return envelope, the director finds that ballots are enclosed 6088  
in the identification envelope but that it is not properly sealed, 6089  
the director shall not look at the markings upon the ballots and 6090  
shall promptly seal the identification envelope. 6091

(B) Uniformed services or overseas absent voter's ballots 6092  
delivered to the director not later than the close of the polls on 6093  
election day shall be counted in the manner provided in section 6094  
3509.06 of the Revised Code. 6095

(C) A return envelope is not required to be postmarked in 6096  
order for a uniformed services or overseas absent voter's ballot 6097  
contained in it to be valid. Except as otherwise provided in this 6098  
division, whether or not the return envelope containing the ballot 6099  
is postmarked, contains a late postmark, or contains an illegible 6100  
postmark, a uniformed services or overseas absent voter's ballot 6101  
that is received after the close of the polls on election day 6102  
through the tenth day after the election day shall be counted on 6103  
the eleventh day after the election day at the office of the board 6104  
of elections in the manner provided in divisions (C) and (D) of 6105  
section 3509.06 of the Revised Code, if the voter signed the 6106  
identification envelope by the time specified in section 3511.09 6107  
of the Revised Code. However, if a return envelope containing a 6108  
uniformed services or overseas absent voter's ballot is so 6109  
received and so indicates, but the identification envelope in it 6110  
is signed after the close of the polls on election day, the 6111  
uniformed services or overseas absent voter's ballot shall not be 6112  
counted. 6113

(D) The following types of uniformed services or overseas 6114  
absent voter's ballots shall not be counted: 6115

(1) Uniformed services or overseas absent voter's ballots 6116  
contained in return envelopes that bear the designation "Official 6117  
Election Uniformed Services or Overseas Absent Voter's Ballots," 6118  
that are received by the director after the close of the polls on 6119  
the day of the election, and that contain an identification 6120  
envelope that is signed after the time specified in section 6121  
3511.09 of the Revised Code; 6122

(2) Uniformed services or overseas absent voter's ballots 6123  
contained in return envelopes that bear that designation and that 6124  
are received after the tenth day following the election. 6125

The uncounted ballots shall be preserved in their 6126  
identification envelopes unopened until the time provided by 6127

section 3505.31 of the Revised Code for the destruction of all 6128  
other ballots used at the election for which ballots were 6129  
provided, at which time they shall be destroyed. 6130

**Sec. 3511.13.** (A) The poll list or signature pollbook for 6131  
each precinct shall identify each registered elector in that 6132  
precinct who has requested a uniformed services or overseas absent 6133  
voter's ballot for that election. 6134

(B)(1) If a registered elector appears to vote in that 6135  
precinct and that elector has requested a uniformed services or 6136  
overseas absent voter's ballot for that election but the director 6137  
has not received a sealed identification envelope purporting to 6138  
contain that elector's voted uniformed services or overseas absent 6139  
voter's ballots for that election, the elector shall be permitted 6140  
to cast a provisional ballot under section 3505.181 of the Revised 6141  
Code in that precinct on the day of that election. 6142

(2) If a registered elector appears to vote in that precinct 6143  
and that elector has requested a uniformed services or overseas 6144  
absent voter's ballot for that election and the director has 6145  
received a sealed identification envelope purporting to contain 6146  
that elector's voted uniformed services or overseas absent voter's 6147  
ballots for that election, the elector shall be permitted to cast 6148  
a provisional ballot under section 3505.181 of the Revised Code in 6149  
that precinct on the day of that election. 6150

(C)(1) In counting uniformed services or overseas absent 6151  
voter's ballots under section 3511.11 of the Revised Code, the 6152  
board of elections shall compare the signature of each elector 6153  
from whom the director has received a sealed identification 6154  
envelope purporting to contain that elector's voted uniformed 6155  
services or overseas absent voter's ballots for that election to 6156  
the signature on the elector's registration form. Except as 6157  
otherwise provided in division (C)(3) of this section, if the 6158

board of elections determines that the uniformed services or 6159  
overseas absent voter's ballot in the sealed identification 6160  
envelope is valid, it shall be counted. If the board of elections 6161  
determines that the signature on the sealed identification 6162  
envelope purporting to contain the elector's voted uniformed 6163  
services or overseas absent voter's ballot does not match the 6164  
signature on the elector's registration form, the ballot shall be 6165  
set aside and the board shall examine, during the time prior to 6166  
the beginning of the official canvass, the poll list or signature 6167  
pollbook from the precinct in which the elector is registered to 6168  
vote to determine if the elector also cast a provisional ballot 6169  
under section 3505.181 of the Revised Code in that precinct on the 6170  
day of the election. 6171

(2) The board of elections shall count the provisional 6172  
ballot, instead of the uniformed services or overseas absent 6173  
voter's ballot, of an elector from whom the director has received 6174  
an identification envelope purporting to contain that elector's 6175  
voted uniformed services or overseas absent voter's ballots, if 6176  
both of the following apply: 6177

(a) The board of elections determines that the signature of 6178  
the elector on the outside of the identification envelope in which 6179  
the uniformed services or overseas absent voter's ballots are 6180  
enclosed does not match the signature of the elector on the 6181  
elector's registration form; 6182

(b) The elector cast a provisional ballot in the precinct on 6183  
the day of the election. 6184

(3) If the board of elections does not receive the sealed 6185  
identification envelope purporting to contain the elector's voted 6186  
uniformed services or overseas absent voter's ballot by the 6187  
applicable deadline established under section 3511.11 of the 6188  
Revised Code, the provisional ballot cast under section 3505.181 6189  
of the Revised Code in that precinct on the day of the election 6190

shall be counted as valid, if that provisional ballot is otherwise 6191  
determined to be valid pursuant to section 3505.183 of the Revised 6192  
Code. 6193

(D) If the board of elections counts a provisional ballot 6194  
under division (C)(2) or (3) of this section, the returned 6195  
identification envelope of that elector shall not be opened, and 6196  
the ballot within that envelope shall not be counted. The 6197  
identification envelope shall be endorsed "Not Counted" with the 6198  
reason the ballot was not counted. 6199

**Sec. 3511.14.** (A) A board of elections shall accept and 6200  
process federal write-in absentee ballots for all elections for 6201  
office and for all ballot questions and issues as required under 6202  
"The Uniformed and Overseas Citizens Absentee Voting Act," Pub. L. 6203  
No. 99-410, 100 Stat. 924, 42 U.S.C. 1973ff, et seq., as amended. 6204

(B) A uniformed services or overseas voter may use the 6205  
declaration accompanying a federal write-in absentee ballot to 6206  
apply to register to vote simultaneously with the submission of 6207  
the federal write-in absentee ballot, if the declaration is 6208  
received not later than thirty days before the day of the 6209  
election. If the declaration is received after that date, the 6210  
declaration shall be considered an application to register to vote 6211  
for all subsequent elections. 6212

**Sec. 3513.02.** If, in any odd-numbered year, no valid 6213  
declaration of candidacy is filed for nomination as a candidate of 6214  
a political party for election to any of the offices to be voted 6215  
for at the general election to be held in such year, or if the 6216  
number of persons filing such declarations of candidacy for 6217  
nominations as candidates of one political party for election to 6218  
such offices does not exceed, as to any such office, the number of 6219  
candidates which such political party is entitled to nominate as 6220

its candidates for election to such office, then no primary 6221  
election shall be held for the purpose of nominating party 6222  
candidates of such party for election to offices to be voted for 6223  
at such general election and no primary ballots shall be provided 6224  
for such party. If, however, the only office for which there are 6225  
more valid declarations of candidacy filed than the number to be 6226  
nominated by a political party, is the office of councilperson in 6227  
a ward, a primary election shall be held for such party only in 6228  
the ward or wards in which there is a contest, and only the names 6229  
of the candidates for the office of councilperson in such ward 6230  
shall appear on the primary ballot of such political party. 6231

The election officials whose duty it would have been to 6232  
provide for and conduct the holding of such primary election, 6233  
declare the results thereof, and issue certificates of nomination 6234  
to the persons entitled thereto if such primary election had been 6235  
held shall declare each of such persons to be nominated as of the 6236  
date of the ninetieth day before the primary election, issue 6237  
appropriate certificates of nomination to each of them, and 6238  
certify their names to the proper election officials, in order 6239  
that their names may be printed on the official ballots provided 6240  
for use in the succeeding general election in the same manner as 6241  
though such primary election had been held and such persons had 6242  
been nominated at such election. 6243

**Sec. 3513.05.** Each person desiring to become a candidate for 6244  
a party nomination or for election to an office or position to be 6245  
voted for at a primary election, except persons desiring to become 6246  
joint candidates for the offices of governor and lieutenant 6247  
governor and except as otherwise provided in section 3513.051 of 6248  
the Revised Code, shall, not later than four p.m. of the ninetieth 6249  
day before the day of the primary election, file a declaration of 6250  
candidacy and petition and pay the fees required under divisions 6251  
(A) and (B) of section 3513.10 of the Revised Code. The 6252

declaration of candidacy and all separate petition papers shall be 6253  
filed at the same time as one instrument. When the offices are to 6254  
be voted for at a primary election, persons desiring to become 6255  
joint candidates for the offices of governor and lieutenant 6256  
governor shall, not later than four p.m. of the ninetieth day 6257  
before the day of the primary election, comply with section 6258  
3513.04 of the Revised Code. The prospective joint candidates' 6259  
declaration of candidacy and all separate petition papers of 6260  
candidacies shall be filed at the same time as one instrument. The 6261  
secretary of state or a board of elections shall not accept for 6262  
filing a declaration of candidacy and petition of a person seeking 6263  
to become a candidate if that person, for the same election, has 6264  
already filed a declaration of candidacy or a declaration of 6265  
intent to be a write-in candidate, or has become a candidate by 6266  
the filling of a vacancy under section 3513.30 of the Revised Code 6267  
for any federal, state, or county office, if the declaration of 6268  
candidacy is for a state or county office, or for any municipal or 6269  
township office, if the declaration of candidacy is for a 6270  
municipal or township office. 6271

If the declaration of candidacy declares a candidacy which is 6272  
to be submitted to electors throughout the entire state, the 6273  
petition, including a petition for joint candidates for the 6274  
offices of governor and lieutenant governor, shall be signed by at 6275  
least one thousand qualified electors who are members of the same 6276  
political party as the candidate or joint candidates, and the 6277  
declaration of candidacy and petition shall be filed with the 6278  
secretary of state; provided that the secretary of state shall not 6279  
accept or file any such petition appearing on its face to contain 6280  
signatures of more than three thousand electors. 6281

Except as otherwise provided in this paragraph, if the 6282  
declaration of candidacy is of one that is to be submitted only to 6283  
electors within a district, political subdivision, or portion 6284

thereof, the petition shall be signed by not less than fifty 6285  
qualified electors who are members of the same political party as 6286  
the political party of which the candidate is a member. If the 6287  
declaration of candidacy is for party nomination as a candidate 6288  
for member of the legislative authority of a municipal corporation 6289  
elected by ward, the petition shall be signed by not less than 6290  
twenty-five qualified electors who are members of the political 6291  
party of which the candidate is a member. 6292

No such petition, except the petition for a candidacy that is 6293  
to be submitted to electors throughout the entire state, shall be 6294  
accepted for filing if it appears to contain on its face 6295  
signatures of more than three times the minimum number of 6296  
signatures. When a petition of a candidate has been accepted for 6297  
filing by a board of elections, the petition shall not be deemed 6298  
invalid if, upon verification of signatures contained in the 6299  
petition, the board of elections finds the number of signatures 6300  
accepted exceeds three times the minimum number of signatures 6301  
required. A board of elections may discontinue verifying 6302  
signatures on petitions when the number of verified signatures 6303  
equals the minimum required number of qualified signatures. 6304

If the declaration of candidacy declares a candidacy for 6305  
party nomination or for election as a candidate of an intermediate 6306  
or minor party, the minimum number of signatures on such petition 6307  
is one-half the minimum number provided in this section, except 6308  
that, when the candidacy is one for election as a member of the 6309  
state central committee or the county central committee of a 6310  
political party, the minimum number shall be the same for an 6311  
intermediate or minor party as for a major party. 6312

If a declaration of candidacy is one for election as a member 6313  
of the state central committee or the county central committee of 6314  
a political party, the petition shall be signed by five qualified 6315  
electors of the district, county, ward, township, or precinct 6316

within which electors may vote for such candidate. The electors 6317  
signing such petition shall be members of the same political party 6318  
as the political party of which the candidate is a member. 6319

For purposes of signing or circulating a petition of 6320  
candidacy for party nomination or election, an elector is 6321  
considered to be a member of a political party if the elector 6322  
voted in that party's primary election within the preceding two 6323  
calendar years, or if the elector did not vote in any other 6324  
party's primary election within the preceding two calendar years. 6325

If the declaration of candidacy is of one that is to be 6326  
submitted only to electors within a county, or within a district 6327  
or subdivision or part thereof smaller than a county, the petition 6328  
shall be filed with the board of elections of the county. If the 6329  
declaration of candidacy is of one that is to be submitted only to 6330  
electors of a district or subdivision or part thereof that is 6331  
situated in more than one county, the petition shall be filed with 6332  
the board of elections of the county within which the major 6333  
portion of the population thereof, as ascertained by the next 6334  
preceding federal census, is located. 6335

A petition shall consist of separate petition papers, each of 6336  
which shall contain signatures of electors of only one county. 6337  
Petitions or separate petition papers containing signatures of 6338  
electors of more than one county shall not thereby be declared 6339  
invalid. In case petitions or separate petition papers containing 6340  
signatures of electors of more than one county are filed, the 6341  
board shall determine the county from which the majority of 6342  
signatures came, and only signatures from such county shall be 6343  
counted. Signatures from any other county shall be invalid. 6344

Each separate petition paper shall be circulated by one 6345  
person only, who shall be the candidate or a joint candidate or a 6346  
member of the same political party as the candidate or joint 6347  
candidates, and each separate petition paper shall be governed by 6348

the rules set forth in section 3501.38 of the Revised Code. 6349

The secretary of state shall promptly transmit to each board 6350  
such separate petition papers of each petition accompanying a 6351  
declaration of candidacy filed with the secretary of state as 6352  
purport to contain signatures of electors of the county of such 6353  
board. The board of the most populous county of a district shall 6354  
promptly transmit to each board within such district such separate 6355  
petition papers of each petition accompanying a declaration of 6356  
candidacy filed with it as purport to contain signatures of 6357  
electors of the county of each such board. The board of a county 6358  
within which the major portion of the population of a subdivision, 6359  
situated in more than one county, is located, shall promptly 6360  
transmit to the board of each other county within which a portion 6361  
of such subdivision is located such separate petition papers of 6362  
each petition accompanying a declaration of candidacy filed with 6363  
it as purport to contain signatures of electors of the portion of 6364  
such subdivision in the county of each such board. 6365

All petition papers so transmitted to a board and all 6366  
petitions accompanying declarations of candidacy filed with a 6367  
board shall, under proper regulations, be open to public 6368  
inspection until four p.m. of the eightieth day before the day of 6369  
the next primary election. Each board shall, not later than the 6370  
seventy-eighth day before the day of that primary election, 6371  
examine and determine the validity or invalidity of the signatures 6372  
on the petition papers so transmitted to or filed with it and 6373  
shall return to the secretary of state all petition papers 6374  
transmitted to it by the secretary of state, together with its 6375  
certification of its determination as to the validity or 6376  
invalidity of signatures thereon, and shall return to each other 6377  
board all petition papers transmitted to it by such board, 6378  
together with its certification of its determination as to the 6379  
validity or invalidity of the signatures thereon. All other 6380

matters affecting the validity or invalidity of such petition 6381  
papers shall be determined by the secretary of state or the board 6382  
with whom such petition papers were filed. 6383

Protests against the candidacy of any person filing a 6384  
declaration of candidacy for party nomination or for election to 6385  
an office or position, as provided in this section, may be filed 6386  
by any qualified elector who is a member of the same political 6387  
party as the candidate and who is eligible to vote at the primary 6388  
election for the candidate whose declaration of candidacy the 6389  
elector objects to, or by the controlling committee of that 6390  
political party. The protest shall be in writing, and shall be 6391  
filed not later than four p.m. of the seventy-fourth day before 6392  
the day of the primary election. The protest shall be filed with 6393  
the election officials with whom the declaration of candidacy and 6394  
petition was filed. Upon the filing of the protest, the election 6395  
officials with whom it is filed shall promptly fix the time for 6396  
hearing it, and shall forthwith mail notice of the filing of the 6397  
protest and the time fixed for hearing to the person whose 6398  
candidacy is so protested. They shall also forthwith mail notice 6399  
of the time fixed for such hearing to the person who filed the 6400  
protest. At the time fixed, such election officials shall hear the 6401  
protest and determine the validity or invalidity of the 6402  
declaration of candidacy and petition. If they find that such 6403  
candidate is not an elector of the state, district, county, or 6404  
political subdivision in which the candidate seeks a party 6405  
nomination or election to an office or position, or has not fully 6406  
complied with this chapter, the candidate's declaration of 6407  
candidacy and petition shall be determined to be invalid and shall 6408  
be rejected; otherwise, it shall be determined to be valid. That 6409  
determination shall be final. 6410

A protest against the candidacy of any persons filing a 6411  
declaration of candidacy for joint party nomination to the offices 6412

of governor and lieutenant governor shall be filed, heard, and 6413  
determined in the same manner as a protest against the candidacy 6414  
of any person filing a declaration of candidacy singly. 6415

The secretary of state shall, on the seventieth day before 6416  
the day of a primary election, certify to each board in the state 6417  
the forms of the official ballots to be used at the primary 6418  
election, together with the names of the candidates to be printed 6419  
on the ballots whose nomination or election is to be determined by 6420  
electors throughout the entire state and who filed valid 6421  
declarations of candidacy and petitions. 6422

The board of the most populous county in a district comprised 6423  
of more than one county but less than all of the counties of the 6424  
state shall, on the seventieth day before the day of a primary 6425  
election, certify to the board of each county in the district the 6426  
names of the candidates to be printed on the official ballots to 6427  
be used at the primary election, whose nomination or election is 6428  
to be determined only by electors within the district and who 6429  
filed valid declarations of candidacy and petitions. 6430

The board of a county within which the major portion of the 6431  
population of a subdivision smaller than the county and situated 6432  
in more than one county is located shall, on the seventieth day 6433  
before the day of a primary election, certify to the board of each 6434  
county in which a portion of that subdivision is located the names 6435  
of the candidates to be printed on the official ballots to be used 6436  
at the primary election, whose nomination or election is to be 6437  
determined only by electors within that subdivision and who filed 6438  
valid declarations of candidacy and petitions. 6439

**Sec. 3513.12.** At a presidential primary election, which shall 6440  
be held on the first Tuesday after the first Monday in March in 6441  
the year 2000, and similarly in every fourth year thereafter, 6442  
delegates and alternates to the national conventions of the 6443

different major political parties shall be chosen by direct vote 6444  
of the electors as provided in this chapter. Candidates for 6445  
delegate and alternate shall be qualified and the election shall 6446  
be conducted in the manner prescribed in this chapter for the 6447  
nomination of candidates for state and district offices, except as 6448  
provided in section 3513.151 of the Revised Code and except that 6449  
whenever any group of candidates for delegate at large or 6450  
alternate at large, or any group of candidates for delegates or 6451  
alternates from districts, file with the secretary of state 6452  
statements as provided by this section, designating the same 6453  
persons as their first and second choices for president of the 6454  
United States, such a group of candidates may submit a group 6455  
petition containing a declaration of candidacy for each of such 6456  
candidates. The group petition need be signed only by the number 6457  
of electors required for the petition of a single candidate. No 6458  
group petition shall be submitted except by a group of candidates 6459  
equal in number to the whole number of delegates at large or 6460  
alternates at large to be elected or equal in number to the whole 6461  
number of delegates or alternates from a district to be elected. 6462

Each person seeking to be elected as delegate or alternate to 6463  
the national convention of the person's political party shall file 6464  
with the person's declaration of candidacy and certificate a 6465  
statement in writing signed by the person in which the person 6466  
shall state the person's first and second choices for nomination 6467  
as the candidate of the person's party for the presidency of the 6468  
United States. The secretary of state shall not permit any 6469  
declaration of candidacy and certificate of a candidate for 6470  
election as such delegate or alternate to be filed unless 6471  
accompanied by such statement in writing. The name of a candidate 6472  
for the presidency shall not be so used without the candidate's 6473  
written consent. 6474

A person who is a first choice for president of candidates 6475

seeking election as delegates and alternates shall file with the 6476  
secretary of state, prior to the day of the election, a list 6477  
indicating the order in which certificates of election are to be 6478  
issued to delegate or alternate candidates to whose candidacy the 6479  
person has consented, if fewer than all of such candidates are 6480  
entitled under party rules to be certified as elected. Each 6481  
candidate for election as such delegate or alternate may also file 6482  
along with the candidate's declaration of candidacy and 6483  
certificate a statement in writing signed by the candidate in the 6484  
following form: 6485

"Statement of Candidate 6486

For Election as ..... (Delegate) (Alternate) to the 6487  
..... (name of political party) National Convention 6488

I hereby declare to the voters of my political party in the 6489  
State of Ohio that, if elected as ..... (delegate) 6490  
(alternate) to their national party convention, I shall, to the 6491  
best of my judgment and ability, support that candidate for 6492  
President of the United States who shall have been selected at 6493  
this primary by the voters of my party in the manner provided in 6494  
Chapter 3513. of the Ohio Revised Code, as their candidate for 6495  
such office. 6496

..... (name,) 6497

Candidate for ..... 6498

(Delegate) (Alternate)" 6499

The procedures for the selection of candidates for delegate 6500  
and alternate to the national convention of a political party set 6501  
forth in this section and in section 3513.121 of the Revised Code 6502  
are alternative procedures, and if the procedures of this section 6503  
are followed, the procedures of section 3513.121 of the Revised 6504  
Code need not be followed. 6505

**Sec. 3513.131.** In the event two or more persons with 6506

identical surnames run for the same office in a primary election 6507  
on the same ballot, the names of the candidates shall be 6508  
differentiated on the ballot by varying combinations of first and 6509  
middle names and initials. Within twenty-four hours after the 6510  
final date for filing declarations of candidacy or petitions for 6511  
candidacy, the director of the board of elections for local, 6512  
municipal, county, general, or special elections, or the director 6513  
of the board of elections of the most populous county for 6514  
district, general, or special elections, or the secretary of state 6515  
for state-wide general and special elections shall notify the 6516  
persons with identical given names and surnames that the names of 6517  
such persons will be differentiated on the ballot. If one of the 6518  
candidates is an incumbent who is a candidate to succeed himself 6519  
for the office he occupies, he shall have first choice of the name 6520  
by which he is designated on the ballot. If an incumbent does not 6521  
make a choice within two days after notification or if none of the 6522  
candidates is an incumbent, the board of elections within three 6523  
days after notification shall designate the names by which the 6524  
candidates are identified on the ballot. In case of a district 6525  
candidate the board of elections in the most populous county shall 6526  
make the determination. In case of state-wide candidates, or in 6527  
the case any board of elections fails to make a designation within 6528  
three days after notification, the secretary of state shall 6529  
immediately make the determination. 6530

"Notification" as required by this section shall be by the 6531  
director of the board of elections or secretary of state by 6532  
special delivery or telegram at the candidate's address listed in 6533  
his declaration or petition of candidacy. 6534

**Sec. 3513.18.** Party primaries shall be held at the same place 6535  
and time, but there shall be separate pollbooks, tally sheets, and 6536  
ballot boxes provided at each polling place for each party 6537  
participating in the election, and the ballot of each voter shall 6538

be placed in the ballot box of the party with which he is 6539  
affiliated. Each ballot box shall be plainly marked with the name 6540  
of the political party whose ballots are to be placed therein, by 6541  
letters pasted or printed thereon or by a card attached thereto, 6542  
or both, and so placed that the designation may be easily seen and 6543  
read by the voter. 6544

If a special election on a question or issue is held on the 6545  
day of a primary election, there shall be provided in the 6546  
pollbooks pages on which shall be recorded the names of all 6547  
electors voting on said question or issue and not voting in such 6548  
primary. It shall not be necessary for electors desiring to vote 6549  
only on the question or issue to declare their political 6550  
affiliation. 6551

**Sec. 3513.19.** (A) It is the duty of any judge of elections, 6552  
whenever any judge of elections doubts that a person attempting to 6553  
vote at a primary election is legally entitled to vote at that 6554  
election, to challenge the right of that person to vote. The right 6555  
of a person to vote at a primary election may be challenged upon 6556  
the following grounds: 6557

(1) That the person whose right to vote is challenged is not 6558  
a legally qualified elector; 6559

(2) That the person has received or has been promised some 6560  
valuable reward or consideration for the person's vote; 6561

(3) That the person is not affiliated with or is not a member 6562  
of the political party whose ballot the person desires to vote. 6563  
Such party affiliation shall be determined by examining the 6564  
elector's voting record for the current year and the immediately 6565  
preceding two calendar years as shown on the voter's registration 6566  
card, using the standards of affiliation specified in the seventh 6567  
paragraph of section 3513.05 of the Revised Code. Division (A)(3) 6568  
of this section and the seventh paragraph of section 3513.05 of 6569

the Revised Code do not prohibit a person who holds an elective 6570  
office for which candidates are nominated at a party primary 6571  
election from doing any of the following: 6572

(a) If the person voted as a member of a different political 6573  
party at any primary election within the current year and the 6574  
immediately preceding two calendar years, being a candidate for 6575  
nomination at a party primary held during the times specified in 6576  
division (C)(2) of section 3513.191 of the Revised Code provided 6577  
that the person complies with the requirements of that section; 6578

(b) Circulating the person's own petition of candidacy for 6579  
party nomination in the primary election. 6580

(B) When the right of a person to vote is challenged upon the 6581  
ground set forth in division (A)(3) of this section, membership in 6582  
or political affiliation with a political party shall be 6583  
determined by the person's statement, made under penalty of 6584  
election falsification, that the person desires to be affiliated 6585  
with and supports the principles of the political party whose 6586  
primary ballot the person desires to vote. 6587

**Sec. 3513.21.** At the close of the polls in a primary 6588  
election, the judges of election shall proceed without delay to 6589  
canvass the vote, sign and seal it, and make returns thereof to 6590  
the board of elections forthwith on the forms to be provided by 6591  
the board. The provisions of Title XXXV of the Revised Code 6592  
relating to the accounting for and return of all ballots at 6593  
general elections apply to primary ballots. 6594

If there is any disagreement as to how a ballot should be 6595  
counted it shall be submitted to all of the judges. If three of 6596  
the judges do not agree as to how any part of the ballot shall be 6597  
counted, that part of such ballot which three of the judges do 6598  
agree shall be counted and a notation made upon the ballot 6599  
indicating what part has not been counted, and shall be placed in 6600

an envelope provided for that purpose, marked "Disputed Ballots" 6601  
and returned to the board. 6602

The board shall, on the day when the vote is canvassed, open 6603  
such sealed envelopes, determine what ballots and for whom they 6604  
should be counted, and proceed to count and tally the votes on 6605  
such ballots. 6606

**Sec. 3513.262.** The nominating petitions of all candidates 6607  
required to be filed before four p.m. of the day before the day of 6608  
the primary election immediately preceding the general election 6609  
shall be processed as follows: 6610

If such petition is filed with the secretary of state, he 6611  
shall, not later than the fifteenth day of June following the 6612  
filing of such petition, or if the primary election was a 6613  
presidential primary election, not later than the end of the sixth 6614  
week after the day of that election, transmit to each board such 6615  
separate petition papers as purport to contain signatures of 6616  
electors of the county of such board. If such petition is filed 6617  
with the board of the most populous county of a district or of a 6618  
county in which the major portion of the population of a 6619  
subdivision is located, such board shall, not later than the 6620  
fifteenth day of June, or if the primary election was a 6621  
presidential primary election, not later than the end of the sixth 6622  
week after the day of that election, transmit to each board within 6623  
such district such separate petition papers of the petition as 6624  
purport to contain signatures of electors of the county of such 6625  
board. 6626

All petition papers so transmitted to a board and all 6627  
nominating petitions filed with a board shall, under proper 6628  
regulations, be open to public inspection from the fifteenth day 6629  
of June until four p.m. of the thirtieth day of that month, or if 6630  
the primary election was a presidential primary election, from the 6631

end of the sixth week after the election until four p.m. of the 6632  
end of the seventh week after the election. Each board shall, not 6633  
later than the next fifteenth day of July, or if the primary 6634  
election was a presidential primary election, not later than the 6635  
end of the tenth week after the day of that election, examine and 6636  
determine the sufficiency of the signatures on the petition papers 6637  
transmitted to or filed with it, and the validity of the petitions 6638  
filed with it, and shall return to the secretary of state all 6639  
petition papers transmitted to it by him, together with its 6640  
certification of its determination as to the validity or 6641  
invalidity of signatures thereon, and shall return to each other 6642  
board all petition papers transmitted to it by such other board, 6643  
as provided in this section, together with its certification of 6644  
its determination as to the validity or invalidity of signatures 6645  
thereon. All other matters affecting the validity or invalidity of 6646  
such petition papers shall be determined by the secretary of state 6647  
or the board with whom such petition papers were filed. 6648

Written protests against nominating petitions may be filed by 6649  
any qualified elector eligible to vote for the candidate whose 6650  
nominating petition he objects to, not later than four p.m. of the 6651  
thirtieth day of July, or if the primary election was a 6652  
presidential primary election, not later than the end of the 6653  
twelfth week after the day of that election. Such protests shall 6654  
be filed with the election officials with whom the nominating 6655  
petition was filed. Upon the filing of such protest, the election 6656  
officials with whom it is filed shall promptly fix the time and 6657  
place for hearing it, and shall forthwith mail notice of the 6658  
filing of such protest and the time and place for hearing it to 6659  
the person whose nomination is protested. They shall also 6660  
forthwith mail notice of the time and place fixed for the hearing 6661  
to the person who filed the protest. At the time fixed, such 6662  
election officials shall hear the protest and determine the 6663  
validity or invalidity of the petition. Such determination shall 6664

be final. 6665

A protest against the nominating petition filed by joint 6666  
candidates for the offices of governor and lieutenant governor 6667  
shall be filed, heard, and determined in the same manner as a 6668  
protest against the nominating petition of a candidate who files 6669  
by himself. 6670

**Sec. 3513.30.** (A)(1) If only one valid declaration of 6671  
candidacy is filed for nomination as a candidate of a political 6672  
party for an office and that candidate dies prior to the tenth day 6673  
before the primary election, both of the following may occur: 6674

(a) The political party whose candidate died may fill the 6675  
vacancy so created as provided in division (A)(2) of this section. 6676

(b) Any major political party other than the one whose 6677  
candidate died may select a candidate as provided in division 6678  
(A)(2) of this section under either of the following 6679  
circumstances: 6680

(i) No person has filed a valid declaration of candidacy for 6681  
nomination as that party's candidate at the primary election. 6682

(ii) Only one person has filed a valid declaration of 6683  
candidacy for nomination as that party's candidate at the primary 6684  
election, that person has withdrawn, died, or been disqualified 6685  
under section 3513.052 of the Revised Code, and the vacancy so 6686  
created has not been filled. 6687

(2) A vacancy may be filled under division (A)(1)(a) and a 6688  
selection may be made under division (A)(1)(b) of this section by 6689  
the appropriate committee of the political party in the same 6690  
manner as provided in divisions (A) to (E) of section 3513.31 of 6691  
the Revised Code for the filling of similar vacancies created by 6692  
withdrawals or disqualifications under section 3513.052 of the 6693  
Revised Code after the primary election, except that the 6694

certification required under that section may not be filed with 6695  
the secretary of state, or with a board of the most populous 6696  
county of a district, or with the board of a county in which the 6697  
major portion of the population of a subdivision is located, later 6698  
than four p.m. of the tenth day before the day of such primary 6699  
election, or with any other board later than four p.m. of the 6700  
fifth day before the day of such primary election. 6701

(3) If only one valid declaration of candidacy is filed for 6702  
nomination as a candidate of a political party for an office and 6703  
that candidate dies on or after the tenth day before the day of 6704  
the primary election, that candidate is considered to have 6705  
received the nomination of that candidate's political party at 6706  
that primary election, and, for purposes of filling the vacancy so 6707  
created, that candidate's death shall be treated as if that 6708  
candidate died on the day after the day of the primary election. 6709

(B) Any person filing a declaration of candidacy may withdraw 6710  
as such candidate at any time prior to the primary election. The 6711  
withdrawal shall be effected and the statement of withdrawal shall 6712  
be filed in accordance with the procedures prescribed in division 6713  
(D) of this section for the withdrawal of persons nominated in a 6714  
primary election or by nominating petition. 6715

(C) A person who is the first choice for president of the 6716  
United States by a candidate for delegate or alternate to a 6717  
national convention of a political party may withdraw consent for 6718  
the selection of the person as such first choice no later than 6719  
four p.m. of the fortieth day before the day of the presidential 6720  
primary election. Withdrawal of consent shall be for the entire 6721  
slate of candidates for delegates and alternates who named such 6722  
person as their presidential first choice and shall constitute 6723  
withdrawal from the primary election by such delegates and 6724  
alternates. The withdrawal shall be made in writing and delivered 6725  
to the secretary of state. If the withdrawal is delivered to the 6726

secretary of state on or before the seventieth day before the day 6727  
of the primary election, the boards of elections shall remove both 6728  
the name of the withdrawn first choice and the names of such 6729  
withdrawn candidates from the ballots according to the directions 6730  
of the secretary of state. If the withdrawal is delivered to the 6731  
secretary of state after the seventieth day before the day of the 6732  
primary election, the board of elections shall not remove the name 6733  
of the withdrawn first choice and the names of the withdrawn 6734  
candidates from the ballots. The board of elections shall post a 6735  
notice at each polling location on the day of the primary 6736  
election, and shall enclose with each absent voter's ballot given 6737  
or mailed after the candidate withdraws, a notice that votes for 6738  
the withdrawn first choice or the withdrawn candidates will be 6739  
void and will not be counted. If such names are not removed from 6740  
all ballots before the day of the election, the votes for the 6741  
withdrawn first choice or the withdrawn candidates are void and 6742  
shall not be counted. 6743

(D) Any person nominated in a primary election or by 6744  
nominating petition as a candidate for election at the next 6745  
general election may withdraw as such candidate at any time prior 6746  
to the general election. Such withdrawal may be effected by the 6747  
filing of a written statement by such candidate announcing the 6748  
candidate's withdrawal and requesting that the candidate's name 6749  
not be printed on the ballots. If such candidate's declaration of 6750  
candidacy or nominating petition was filed with the secretary of 6751  
state, the candidate's statement of withdrawal shall be addressed 6752  
to and filed with the secretary of state. If such candidate's 6753  
declaration of candidacy or nominating petition was filed with a 6754  
board of elections, the candidate's statement of withdrawal shall 6755  
be addressed to and filed with such board. 6756

(E) When a person withdraws under division (B) or (D) of this 6757  
section on or before the seventieth day before the day of the 6758

primary election, the board of elections shall remove the name of 6759  
the withdrawn candidate from the ballots according to the 6760  
directions of the secretary of state. When a person withdraws 6761  
under division (B) or (D) of this section after the seventieth day 6762  
before the day of the primary election, the board of elections 6763  
shall not remove the name of the withdrawn candidate from the 6764  
ballots. The board of elections shall post a notice at each 6765  
polling place on the day of the primary election, and shall 6766  
enclose with each absent voter's ballot given or mailed after the 6767  
candidate withdraws, a notice that votes for the withdrawn 6768  
candidate will be void and will not be counted. If the name is not 6769  
removed from all ballots before the day of the election, the votes 6770  
for the withdrawn candidate are void and shall not be counted. 6771

**Sec. 3513.31.** (A) If a person nominated in a primary election 6772  
as a candidate for election at the next general election, whose 6773  
candidacy is to be submitted to the electors of the entire state, 6774  
withdraws as that candidate or is disqualified as that candidate 6775  
under section 3513.052 of the Revised Code, the vacancy in the 6776  
party nomination so created may be filled by the state central 6777  
committee of the major political party that made the nomination at 6778  
the primary election, if the committee's chairperson and secretary 6779  
certify the name of the person selected to fill the vacancy by the 6780  
time specified in this division, at a meeting called for that 6781  
purpose. The meeting shall be called by the chairperson of that 6782  
committee, who shall give each member of the committee at least 6783  
two days' notice of the time, place, and purpose of the meeting. 6784  
If a majority of the members of the committee are present at the 6785  
meeting, a majority of those present may select a person to fill 6786  
the vacancy. The chairperson and secretary of the meeting shall 6787  
certify in writing and under oath to the secretary of state, not 6788  
later than the eighty-sixth day before the day of the general 6789  
election, the name of the person selected to fill the vacancy. The 6790

certification must be accompanied by the written acceptance of the 6791  
nomination by the person whose name is certified. A vacancy that 6792  
may be filled by an intermediate or minor political party shall be 6793  
filled in accordance with the party's rules by authorized 6794  
officials of the party. Certification must be made as in the 6795  
manner provided for a major political party. 6796

(B) If a person nominated in a primary election as a party 6798  
candidate for election at the next general election, whose 6799  
candidacy is to be submitted to the electors of a district 6800  
comprised of more than one county but less than all of the 6801  
counties of the state, withdraws as that candidate or is 6802  
disqualified as that candidate under section 3513.052 of the 6803  
Revised Code, the vacancy in the party nomination so created may 6804  
be filled by a district committee of the major political party 6805  
that made the nomination at the primary election, if the 6806  
committee's chairperson and secretary certify the name of the 6807  
person selected to fill the vacancy by the time specified in this 6808  
division, at a meeting called for that purpose. The district 6809  
committee shall consist of the chairperson and secretary of the 6810  
county central committee of such political party in each county in 6811  
the district. The district committee shall be called by the 6812  
chairperson of the county central committee of such political 6813  
party of the most populous county in the district, who shall give 6814  
each member of the district committee at least two days' notice of 6815  
the time, place, and purpose of the meeting. If a majority of the 6816  
members of the district committee are present at the district 6817  
committee meeting, a majority of those present may select a person 6818  
to fill the vacancy. The chairperson and secretary of the meeting 6819  
shall certify in writing and under oath to the board of elections 6820  
of the most populous county in the district, not later than four 6821  
p.m. of the eighty-sixth day before the day of the general 6822  
election, the name of the person selected to fill the vacancy. The 6823

certification must be accompanied by the written acceptance of the 6824  
nomination by the person whose name is certified. A vacancy that 6825  
may be filled by an intermediate or minor political party shall be 6826  
filled in accordance with the party's rules by authorized 6827  
officials of the party. Certification must be made as in the 6828  
manner provided for a major political party. 6829

(C) If a person nominated in a primary election as a party 6830  
candidate for election at the next general election, whose 6831  
candidacy is to be submitted to the electors of a county, 6832  
withdraws as that candidate or is disqualified as that candidate 6833  
under section 3513.052 of the Revised Code, the vacancy in the 6834  
party nomination so created may be filled by the county central 6835  
committee of the major political party that made the nomination at 6836  
the primary election, or by the county executive committee if so 6837  
authorized, if the committee's chairperson and secretary certify 6838  
the name of the person selected to fill the vacancy by the time 6839  
specified in this division, at a meeting called for that purpose. 6840  
The meeting shall be called by the chairperson of that committee, 6841  
who shall give each member of the committee at least two days' 6842  
notice of the time, place, and purpose of the meeting. If a 6843  
majority of the members of the committee are present at the 6844  
meeting, a majority of those present may select a person to fill 6845  
the vacancy. The chairperson and secretary of the meeting shall 6846  
certify in writing and under oath to the board of that county, not 6847  
later than four p.m. of the eighty-sixth day before the day of the 6848  
general election, the name of the person selected to fill the 6849  
vacancy. The certification must be accompanied by the written 6850  
acceptance of the nomination by the person whose name is 6851  
certified. A vacancy that may be filled by an intermediate or 6852  
minor political party shall be filled in accordance with the 6853  
party's rules by authorized officials of the party. Certification 6854  
must be made as in the manner provided for a major political 6855  
party. 6856

(D) If a person nominated in a primary election as a party candidate for election at the next general election, whose candidacy is to be submitted to the electors of a district within a county, withdraws as that candidate or is disqualified as that candidate under section 3513.052 of the Revised Code, the vacancy in the party nomination so created may be filled by a district committee consisting of those members of the county central committee or, if so authorized, those members of the county executive committee in that county of the major political party that made the nomination at the primary election who represent the precincts or the wards and townships within the district, if the committee's chairperson and secretary certify the name of the person selected to fill the vacancy by the time specified in this division, at a meeting called for that purpose. The district committee meeting shall be called by the chairperson of the county central committee or executive committee, as appropriate, who shall give each member of the district committee at least two days' notice of the time, place, and purpose of the meeting. If a majority of the members of the district committee are present at the district committee meeting, a majority of those present may select a person to fill the vacancy. The chairperson and secretary of the district committee meeting shall certify in writing and under oath to the board of the county, not later than four p.m. of the eighty-sixth day before the day of the general election, the name of the person selected to fill the vacancy. The certification must be accompanied by the written acceptance of the nomination by the person whose name is certified. A vacancy that may be filled by an intermediate or minor political party shall be filled in accordance with the party's rules by authorized officials of the party. Certification must be made as in the manner provided for a major political party.

(E) If a person nominated in a primary election as a party candidate for election at the next general election, whose

candidacy is to be submitted to the electors of a subdivision 6890  
within a county, withdraws as that candidate or is disqualified as 6891  
that candidate under section 3513.052 of the Revised Code, the 6892  
vacancy in the party nomination so created may be filled by a 6893  
subdivision committee consisting of those members of the county 6894  
central committee or, if so authorized, those members of the 6895  
county executive committee in that county of the major political 6896  
party that made the nomination at that primary election who 6897  
represent the precincts or the wards and townships within that 6898  
subdivision, if the committee's chairperson and secretary certify 6899  
the name of the person selected to fill the vacancy by the time 6900  
specified in this division, at a meeting called for that purpose. 6901

The subdivision committee meeting shall be called by the 6902  
chairperson of the county central committee or executive 6903  
committee, as appropriate, who shall give each member of the 6904  
subdivision committee at least two days' notice of the time, 6905  
place, and purpose of the meeting. If a majority of the members of 6906  
the subdivision committee are present at the subdivision committee 6907  
meeting, a majority of those present may select a person to fill 6908  
the vacancy. The chairperson and secretary of the subdivision 6909  
committee meeting shall certify in writing and under oath to the 6910  
board of the county, not later than four p.m. of the eighty-sixth 6911  
day before the day of the general election, the name of the person 6912  
selected to fill the vacancy. The certification must be 6913  
accompanied by the written acceptance of the nomination by the 6914  
person whose name is certified. A vacancy that may be filled by an 6915  
intermediate or minor political party shall be filled in 6916  
accordance with the party's rules by authorized officials of the 6917  
party. Certification must be made in the manner provided for a 6918  
major political party. 6919

(F) If a person nominated by petition as an independent or 6920  
nonpartisan candidate for election at the next general election 6921

withdraws as that candidate or is disqualified as that candidate 6922  
under section 3513.052 of the Revised Code, the vacancy so created 6923  
may be filled by a majority of the committee of five, as 6924  
designated on the candidate's nominating petition, if a member of 6925  
that committee certifies in writing and under oath to the election 6926  
officials with whom the candidate filed the candidate's nominating 6927  
petition, not later than the eighty-sixth day before the day of 6928  
the general election, the name of the person selected to fill the 6929  
vacancy. The certification shall be accompanied by the written 6930  
acceptance of the nomination by the person whose name is certified 6931  
and shall be made in the manner provided for a major political 6932  
party. 6933

(G) If a person nominated in a primary election as a party 6934  
candidate for election at the next general election dies, the 6935  
vacancy so created may be filled by the same committee in the same 6936  
manner as provided in this section for the filling of similar 6937  
vacancies created by withdrawals or disqualifications under 6938  
section 3513.052 of the Revised Code, except that the 6939  
certification, when filling a vacancy created by death, may not be 6940  
filed with the secretary of state, or with a board of the most 6941  
populous county of a district, or with the board of a county in 6942  
which the major portion of the population of a subdivision is 6943  
located, later than four p.m. of the tenth day before the day of 6944  
such general election, or with any other board later than four 6945  
p.m. of the fifth day before the day of such general election. 6946

(H) If a person nominated by petition as an independent or 6947  
nonpartisan candidate for election at the next general election 6948  
dies prior to the tenth day before the day of that general 6949  
election, the vacancy so created may be filled by a majority of 6950  
the committee of five designated in the nominating petition to 6951  
represent the candidate named in it. To fill the vacancy a member 6952  
of the committee shall, not later than four p.m. of the fifth day 6953

before the day of the general election, file with the election 6954  
officials with whom the petition nominating the person was filed, 6955  
a certificate signed and sworn to under oath by a majority of the 6956  
members, designating the person they select to fill the vacancy. 6957  
The certification must be accompanied by the written acceptance of 6958  
the nomination by the person whose name is so certified. 6959

(I) If a person holding an elective office dies or resigns 6960  
subsequent to the one hundred fifteenth day before the day of a 6961  
primary election and prior to the eighty-sixth day before the day 6962  
of the next general election, and if, under the laws of this 6963  
state, a person may be elected at that general election to fill 6964  
the unexpired term of the person who has died or resigned, the 6965  
appropriate committee of each political party, acting as in the 6966  
case of a vacancy in a party nomination, as provided in divisions 6967  
(A) to (D) of this section, may select a person as the party 6968  
candidate for election for such unexpired term at that general 6969  
election, and certify the person's name to the appropriate 6970  
election official not later than four p.m. on the eighty-sixth day 6971  
before the day of that general election, or on the tenth day 6972  
following the day on which the vacancy occurs, whichever is later. 6973  
When the vacancy occurs on or subsequent to the eighty-sixth day 6974  
and prior to the fifty-sixth day before the general election, the 6975  
appropriate committee may select a person as the party candidate 6976  
and certify the person's name, as provided in the preceding 6977  
sentence, not later than four p.m. on the fiftieth day before the 6978  
general election. Thereupon the name shall be printed as the party 6979  
candidate under proper titles and in the proper place on the 6980  
proper ballots for use at the election. If a person has been 6981  
nominated in a primary election, the authorized committee of that 6982  
political party shall not select and certify a person as the party 6983  
candidate. 6984

(J) Each person desiring to become an independent candidate 6985

to fill the unexpired term shall file a statement of candidacy and 6986  
nominating petition, as provided in section 3513.261 of the 6987  
Revised Code, with the appropriate election official not later 6988  
than four p.m. on the tenth day following the day on which the 6989  
vacancy occurs, provided that when the vacancy occurs fewer than 6990  
six days before the fifty-sixth day before the general election, 6991  
the deadline for filing shall be four p.m. on the fiftieth day 6992  
before the general election. The nominating petition shall contain 6993  
at least seven hundred fifty signatures and no more than one 6994  
thousand five hundred signatures of qualified electors of the 6995  
district, political subdivision, or portion of a political 6996  
subdivision in which the office is to be voted upon, or the amount 6997  
provided for in section 3513.257 of the Revised Code, whichever is 6998  
less. 6999

(K) When a person nominated as a candidate by a political 7000  
party in a primary election or by nominating petition for an 7001  
elective office for which candidates are nominated at a party 7002  
primary election withdraws, dies, or is disqualified under section 7003  
3513.052 of the Revised Code prior to the general election, the 7004  
appropriate committee of any other major political party or 7005  
committee of five that has not nominated a candidate for that 7006  
office, or whose nominee as a candidate for that office has 7007  
withdrawn, died, or been disqualified without the vacancy so 7008  
created having been filled, may, acting as in the case of a 7009  
vacancy in a party nomination or nomination by petition as 7010  
provided in divisions (A) to (F) of this section, whichever is 7011  
appropriate, select a person as a candidate of that party or of 7012  
that committee of five for election to the office. 7013

**Sec. 3515.04.** At the time and place fixed for making a 7014  
recount, the board of elections, in the presence of all observers 7015  
who may be in attendance, shall open the sealed containers 7016  
containing the ballots to be recounted, and shall recount them. If 7017

a county used punch card ballots and if a chad is attached to a 7018  
punch card ballot by three or four corners, the voter shall be 7019  
deemed by the board not to have recorded a candidate, question, or 7020  
issue choice at the particular position on the ballot, and a vote 7021  
shall not be counted at that particular position on the ballot in 7022  
the recount. Ballots shall be handled only by the members of the 7023  
board or by the director or other employees of the board. 7024  
Observers shall be permitted to see the ballots, but they shall 7025  
not be permitted to touch them, and the board shall not permit the 7026  
counting or tabulation of votes shown on the ballots for any 7027  
nomination, or for election to any office or position, or upon any 7028  
question or issue, other than the votes shown on such ballots for 7029  
the nomination, election, question, or issue concerning which a 7030  
recount of ballots was applied for. 7031

At any time before the ballots from all of the precincts 7032  
listed in an application for the recount or involved in a recount 7033  
pursuant to section 3515.011 of the Revised Code have been 7034  
recounted, the applicant or declared losing candidate or nominee 7035  
or each of the declared losing candidates or nominees entitled to 7036  
file a request prior to the commencement of a recount, as provided 7037  
in section 3515.03 of the Revised Code, may file with the board a 7038  
written request to stop the recount and not recount the ballots 7039  
from the precincts so listed that have not been recounted prior to 7040  
the time of the request. If, upon the request, the board finds 7041  
that results of the votes in the precincts recounted, if 7042  
substituted for the results of the votes in those precincts as 7043  
shown in the abstract of the votes in those precincts, would not 7044  
cause the applicant, if a person for whom votes were cast for 7045  
nomination or election, to be declared nominated or elected or if 7046  
an election upon a question or issue would not cause a result 7047  
contrary to the result as declared prior to such recount, it shall 7048  
grant the request and shall not recount the ballots of the 7049  
precincts listed in the application for recount that have not been 7050

recounted prior to that time. If the board finds otherwise, it 7051  
shall deny the request and shall continue to recount ballots until 7052  
the ballots from all of the precincts listed in the application 7053  
for recount have been recounted; provided that, if the request is 7054  
denied, it may be renewed from time to time. Upon any such 7055  
renewal, the board shall consider and act upon the request in the 7056  
same manner as provided in this section in connection with an 7057  
original request. 7058

As used in this section, "chad" and "punch card ballot" have 7059  
the same meanings as in section 3506.16 of the Revised Code. 7060

**Sec. 3517.01.** (A)(1) A political party within the meaning of 7061  
Title XXXV of the Revised Code is any group of voters that, at the 7062  
most recent regular state election, polled for its candidate for 7063  
governor in the state or nominees for presidential electors at 7064  
least five per cent of the entire vote cast for that office or 7065  
that filed with the secretary of state, subsequent to any election 7066  
in which it received less than five per cent of that vote, a 7067  
petition signed by qualified electors equal in number to at least 7068  
one per cent of the total vote for governor or nominees for 7069  
presidential electors at the most recent election, declaring their 7070  
intention of organizing a political party, the name of which shall 7071  
be stated in the declaration, and of participating in the 7072  
succeeding primary election, held in even-numbered years, that 7073  
occurs more than one hundred twenty days after the date of filing. 7074  
No such group of electors shall assume a name or designation that 7075  
is similar, in the opinion of the secretary of state, to that of 7076  
an existing political party as to confuse or mislead the voters at 7077  
an election. If any political party fails to cast five per cent of 7078  
the total vote cast at an election for the office of governor or 7079  
president, it shall cease to be a political party. 7080

(2) A campaign committee shall be legally liable for any 7081

debts, contracts, or expenditures incurred or executed in its 7082  
name. 7083

(B) Notwithstanding the definitions found in section 3501.01 7084  
of the Revised Code, as used in this section and sections 3517.08 7085  
to 3517.14, 3517.99, and 3517.992 of the Revised Code: 7086

(1) "Campaign committee" means a candidate or a combination 7087  
of two or more persons authorized by a candidate under section 7088  
3517.081 of the Revised Code to receive contributions and make 7089  
expenditures. 7090

(2) "Campaign treasurer" means an individual appointed by a 7091  
candidate under section 3517.081 of the Revised Code. 7092

(3) "Candidate" has the same meaning as in division (H) of 7093  
section 3501.01 of the Revised Code and also includes any person 7094  
who, at any time before or after an election, receives 7095  
contributions or makes expenditures or other use of contributions, 7096  
has given consent for another to receive contributions or make 7097  
expenditures or other use of contributions, or appoints a campaign 7098  
treasurer, for the purpose of bringing about the person's 7099  
nomination or election to public office. When two persons jointly 7100  
seek the offices of governor and lieutenant governor, "candidate" 7101  
means the pair of candidates jointly. "Candidate" does not include 7102  
candidates for election to the offices of member of a county or 7103  
state central committee, presidential elector, and delegate to a 7104  
national convention or conference of a political party. 7105

(4) "Continuing association" means an association, other than 7106  
a campaign committee, political party, legislative campaign fund, 7107  
political contributing entity, or labor organization, that is 7108  
intended to be a permanent organization that has a primary purpose 7109  
other than supporting or opposing specific candidates, political 7110  
parties, or ballot issues, and that functions on a regular basis 7111  
throughout the year. "Continuing association" includes 7112

organizations that are determined to be not organized for profit 7113  
under subsection 501 and that are described in subsection 7114  
501(c)(3), 501(c)(4), or 501(c)(6) of the Internal Revenue Code. 7115

(5) "Contribution" means a loan, gift, deposit, forgiveness 7116  
of indebtedness, donation, advance, payment, or transfer of funds 7117  
or anything of value, including a transfer of funds from an inter 7118  
vivos or testamentary trust or decedent's estate, and the payment 7119  
by any person other than the person to whom the services are 7120  
rendered for the personal services of another person, which 7121  
contribution is made, received, or used for the purpose of 7122  
influencing the results of an election. Any loan, gift, deposit, 7123  
forgiveness of indebtedness, donation, advance, payment, or 7124  
transfer of funds or of anything of value, including a transfer of 7125  
funds from an inter vivos or testamentary trust or decedent's 7126  
estate, and the payment by any campaign committee, political 7127  
action committee, legislative campaign fund, political party, 7128  
political contributing entity, or person other than the person to 7129  
whom the services are rendered for the personal services of 7130  
another person, that is made, received, or used by a state or 7131  
county political party, other than moneys a state or county 7132  
political party receives from the Ohio political party fund 7133  
pursuant to section 3517.17 of the Revised Code and the moneys a 7134  
state or county political party may receive under sections 7135  
3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be 7136  
considered to be a "contribution" for the purpose of section 7137  
3517.10 of the Revised Code and shall be included on a statement 7138  
of contributions filed under that section. 7139

"Contribution" does not include any of the following: 7140

(a) Services provided without compensation by individuals 7141  
volunteering a portion or all of their time on behalf of a person; 7142

(b) Ordinary home hospitality; 7143

|  |      |
|--|------|
| (c) The personal expenses of a volunteer paid for by that          | 7144 |
| volunteer campaign worker;   | 7145 |
| (d) Any gift given to a state or county political party            | 7146 |
| pursuant to section 3517.101 of the Revised Code. As used in       | 7147 |
| division (B)(5)(d) of this section, "political party" means only a | 7148 |
| major political party;   | 7149 |
| (e) Any contribution as defined in section 3517.1011 of the        | 7150 |
| Revised Code that is made, received, or used to pay the direct     | 7151 |
| costs of producing or airing an electioneering communication;      | 7152 |
| (f) Any gift given to a state or county political party for        | 7153 |
| the party's restricted fund under division (A)(2) of section       | 7154 |
| 3517.1012 of the Revised Code;                                     | 7155 |
| (g) Any gift given to a state political party for deposit in       | 7156 |
| a Levin account pursuant to section 3517.1013 of the Revised Code. | 7157 |
| As used in this division, "Levin account" has the same meaning as  | 7158 |
| in that section.   | 7159 |
| (h) Any donation given to a transition fund under section          | 7160 |
| 3517.1014 of the Revised Code.                                     | 7161 |
| (6) "Expenditure" means the disbursement or use of a               | 7162 |
| contribution for the purpose of influencing the results of an      | 7163 |
| election or of making a charitable donation under division (G) of  | 7164 |
| section 3517.08 of the Revised Code. Any disbursement or use of a  | 7165 |
| contribution by a state or county political party is an            | 7166 |
| expenditure and shall be considered either to be made for the      | 7167 |
| purpose of influencing the results of an election or to be made as | 7168 |
| a charitable donation under division (G) of section 3517.08 of the | 7169 |
| Revised Code and shall be reported on a statement of expenditures  | 7170 |
| filed under section 3517.10 of the Revised Code. During the thirty | 7171 |
| days preceding a primary or general election, any disbursement to  | 7172 |
| pay the direct costs of producing or airing a broadcast, cable, or | 7173 |
| satellite communication that refers to a clearly identified        | 7174 |

candidate shall be considered to be made for the purpose of 7175  
influencing the results of that election and shall be reported as 7176  
an expenditure or as an independent expenditure under section 7177  
3517.10 or 3517.105 of the Revised Code, as applicable, except 7178  
that the information required to be reported regarding 7179  
contributors for those expenditures or independent expenditures 7180  
shall be the same as the information required to be reported under 7181  
divisions (D)(1) and (2) of section 3517.1011 of the Revised Code. 7182

As used in this division, "broadcast, cable, or satellite 7183  
communication" and "refers to a clearly identified candidate" have 7184  
the same meanings as in section 3517.1011 of the Revised Code. 7185

(7) "Personal expenses" includes, but is not limited to, 7186  
ordinary expenses for accommodations, clothing, food, personal 7187  
motor vehicle or airplane, and home telephone. 7188

(8) "Political action committee" means a combination of two 7189  
or more persons, the primary or major purpose of which is to 7190  
support or oppose any candidate, political party, or issue, or to 7191  
influence the result of any election through express advocacy, and 7192  
that is not a political party, a campaign committee, a political 7193  
contributing entity, or a legislative campaign fund. "Political 7194  
action committee" does not include either of the following: 7195

(a) A continuing association that makes disbursements for the 7196  
direct costs of producing or airing electioneering communications 7197  
and that does not engage in express advocacy; 7198

(b) A political club that is formed primarily for social 7199  
purposes and that consists of one hundred members or less, has 7200  
officers and periodic meetings, has less than two thousand five 7201  
hundred dollars in its treasury at all times, and makes an 7202  
aggregate total contribution of one thousand dollars or less per 7203  
calendar year. 7204

(9) "Public office" means any state, county, municipal, 7205

township, or district office, except an office of a political 7206  
party, that is filled by an election and the offices of United 7207  
States senator and representative. 7208

(10) "Anything of value" has the same meaning as in section 7209  
1.03 of the Revised Code. 7210

(11) "Beneficiary of a campaign fund" means a candidate, a 7211  
public official or employee for whose benefit a campaign fund 7212  
exists, and any other person who has ever been a candidate or 7213  
public official or employee and for whose benefit a campaign fund 7214  
exists. 7215

(12) "Campaign fund" means money or other property, including 7216  
contributions. 7217

(13) "Public official or employee" has the same meaning as in 7218  
section 102.01 of the Revised Code. 7219

(14) "Caucus" means all of the members of the house of 7220  
representatives or all of the members of the senate of the general 7221  
assembly who are members of the same political party. 7222

(15) "Legislative campaign fund" means a fund that is 7223  
established as an auxiliary of a state political party and 7224  
associated with one of the houses of the general assembly. 7225

(16) "In-kind contribution" means anything of value other 7226  
than money that is used to influence the results of an election or 7227  
is transferred to or used in support of or in opposition to a 7228  
candidate, campaign committee, legislative campaign fund, 7229  
political party, political action committee, or political 7230  
contributing entity and that is made with the consent of, in 7231  
coordination, cooperation, or consultation with, or at the request 7232  
or suggestion of the benefited candidate, committee, fund, party, 7233  
or entity. The financing of the dissemination, distribution, or 7234  
republication, in whole or part, of any broadcast or of any 7235  
written, graphic, or other form of campaign materials prepared by 7236

the candidate, the candidate's campaign committee, or their 7237  
authorized agents is an in-kind contribution to the candidate and 7238  
an expenditure by the candidate. 7239

(17) "Independent expenditure" means an expenditure by a 7240  
person advocating the election or defeat of an identified 7241  
candidate or candidates, that is not made with the consent of, in 7242  
coordination, cooperation, or consultation with, or at the request 7243  
or suggestion of any candidate or candidates or of the campaign 7244  
committee or agent of the candidate or candidates. As used in 7245  
division (B)(17) of this section: 7246

(a) "Person" means an individual, partnership, unincorporated 7247  
business organization or association, political action committee, 7248  
political contributing entity, separate segregated fund, 7249  
association, or other organization or group of persons, but not a 7250  
labor organization or a corporation unless the labor organization 7251  
or corporation is a political contributing entity. 7252

(b) "Advocating" means any communication containing a message 7253  
advocating election or defeat. 7254

(c) "Identified candidate" means that the name of the 7255  
candidate appears, a photograph or drawing of the candidate 7256  
appears, or the identity of the candidate is otherwise apparent by 7257  
unambiguous reference. 7258

(d) "Made in coordination, cooperation, or consultation with, 7259  
or at the request or suggestion of, any candidate or the campaign 7260  
committee or agent of the candidate" means made pursuant to any 7261  
arrangement, coordination, or direction by the candidate, the 7262  
candidate's campaign committee, or the candidate's agent prior to 7263  
the publication, distribution, display, or broadcast of the 7264  
communication. An expenditure is presumed to be so made when it is 7265  
any of the following: 7266

(i) Based on information about the candidate's plans, 7267

projects, or needs provided to the person making the expenditure 7268  
by the candidate, or by the candidate's campaign committee or 7269  
agent, with a view toward having an expenditure made; 7270

(ii) Made by or through any person who is, or has been, 7271  
authorized to raise or expend funds, who is, or has been, an 7272  
officer of the candidate's campaign committee, or who is, or has 7273  
been, receiving any form of compensation or reimbursement from the 7274  
candidate or the candidate's campaign committee or agent; 7275

(iii) Except as otherwise provided in division (D) of section 7276  
3517.105 of the Revised Code, made by a political party in support 7277  
of a candidate, unless the expenditure is made by a political 7278  
party to conduct voter registration or voter education efforts. 7279

(e) "Agent" means any person who has actual oral or written 7280  
authority, either express or implied, to make or to authorize the 7281  
making of expenditures on behalf of a candidate, or means any 7282  
person who has been placed in a position with the candidate's 7283  
campaign committee or organization such that it would reasonably 7284  
appear that in the ordinary course of campaign-related activities 7285  
the person may authorize expenditures. 7286

(18) "Labor organization" means a labor union; an employee 7287  
organization; a federation of labor unions, groups, locals, or 7288  
other employee organizations; an auxiliary of a labor union, 7289  
employee organization, or federation of labor unions, groups, 7290  
locals, or other employee organizations; or any other bona fide 7291  
organization in which employees participate and that exists for 7292  
the purpose, in whole or in part, of dealing with employers 7293  
concerning grievances, labor disputes, wages, hours, and other 7294  
terms and conditions of employment. 7295

(19) "Separate segregated fund" means a separate segregated 7296  
fund established pursuant to the Federal Election Campaign Act. 7297

(20) "Federal Election Campaign Act" means the "Federal 7298

Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et 7299  
seq., as amended. 7300

(21) "Restricted fund" means the fund a state or county 7301  
political party must establish under division (A)(1) of section 7302  
3517.1012 of the Revised Code. 7303

(22) "Electioneering communication" has the same meaning as 7304  
in section 3517.1011 of the Revised Code. 7305

(23) "Express advocacy" means a communication that contains 7306  
express words advocating the nomination, election, or defeat of a 7307  
candidate or that contains express words advocating the adoption 7308  
or defeat of a question or issue, as determined by a final 7309  
judgment of a court of competent jurisdiction. 7310

(24) "Political committee" has the same meaning as in section 7311  
3517.1011 of the Revised Code. 7312

(25) "Political contributing entity" means any entity, 7313  
including a corporation or labor organization, that may lawfully 7314  
make contributions and expenditures and that is not an individual 7315  
or a political action committee, continuing association, campaign 7316  
committee, political party, legislative campaign fund, designated 7317  
state campaign committee, or state candidate fund. For purposes of 7318  
this division, "lawfully" means not prohibited by any section of 7319  
the Revised Code, or authorized by a final judgment of a court of 7320  
competent jurisdiction. 7321

**Sec. 3517.012.** When a petition meeting the requirements of 7322  
section 3517.01 of the Revised Code declaring the intention to 7323  
organize a political party is filed with the secretary of state, 7324  
the new party comes into legal existence on the date of filing and 7325  
is entitled to hold a primary election as set out in section 7326  
3513.01 of the Revised Code, at the primary election, held in 7327  
even-numbered years that occurs more than one hundred twenty days 7328

after the date of filing. 7329

**Sec. 3517.014.** Those provisions of section 3513.19 of the 7330  
Revised Code relating to the determination of membership in or 7331  
political affiliation with a party do not apply to persons 7332  
desiring to become candidates for party nomination of a newly 7333  
formed political party meeting the requirements of sections 7334  
3517.011 and 3517.012 of the Revised Code at the first primary 7335  
held by that party in the even-numbered year occurring subsequent 7336  
to the formation of that party. 7337

**Sec. 3517.015.** Qualified electors who signed declarations of 7338  
candidacy of persons desiring to become candidates for party 7339  
nomination of a newly formed political party meeting the 7340  
requirements of sections 3517.011 and 3517.012 of the Revised Code 7341  
at the first primary election held by that party in the 7342  
even-numbered year subsequent to the party formation are not 7343  
subject to section 3513.19 of the Revised Code and shall, for the 7344  
purpose of signing said declarations of candidacy, be deemed 7345  
members of the newly formed political party regardless of prior 7346  
political affiliations. 7347

**Sec. 3517.016.** At the first primary election held by a newly 7348  
formed political party meeting the requirements of sections 7349  
3517.011 and 3517.012 of the Revised Code, any qualified elector 7350  
who desires to vote the new party primary ballot is not subject to 7351  
section 3513.19 of the Revised Code and shall be allowed to vote 7352  
the new party primary ballot regardless of prior political party 7353  
affiliation. 7354

**Sec. 3517.10.** (A) Except as otherwise provided in this 7355  
division, every campaign committee, political action committee, 7356  
legislative campaign fund, political party, and political 7357

contributing entity that made or received a contribution or made 7358  
an expenditure in connection with the nomination or election of 7359  
any candidate or in connection with any ballot issue or question 7360  
at any election held or to be held in this state shall file, on a 7361  
form prescribed under this section or by electronic means of 7362  
transmission as provided in this section and section 3517.106 of 7363  
the Revised Code, a full, true, and itemized statement, made under 7364  
penalty of election falsification, setting forth in detail the 7365  
contributions and expenditures, not later than four p.m. of the 7366  
following dates: 7367

(1) The twelfth day before the election to reflect 7368  
contributions received and expenditures made from the close of 7369  
business on the last day reflected in the last previously filed 7370  
statement, if any, to the close of business on the twentieth day 7371  
before the election; 7372

(2) The thirty-eighth day after the election to reflect the 7373  
contributions received and expenditures made from the close of 7374  
business on the last day reflected in the last previously filed 7375  
statement, if any, to the close of business on the seventh day 7376  
before the filing of the statement; 7377

(3) The last business day of January of every year to reflect 7378  
the contributions received and expenditures made from the close of 7379  
business on the last day reflected in the last previously filed 7380  
statement, if any, to the close of business on the last day of 7381  
December of the previous year; 7382

(4) The last business day of July of every year to reflect 7383  
the contributions received and expenditures made from the close of 7384  
business on the last day reflected in the last previously filed 7385  
statement, if any, to the close of business on the last day of 7386  
June of that year. 7387

A campaign committee shall only be required to file the 7388

statements prescribed under divisions (A)(1) and (2) of this 7389  
section in connection with the nomination or election of the 7390  
committee's candidate. 7391

The statement required under division (A)(1) of this section 7392  
shall not be required of any campaign committee, political action 7393  
committee, legislative campaign fund, political party, or 7394  
political contributing entity that has received contributions of 7395  
less than one thousand dollars and has made expenditures of less 7396  
than one thousand dollars at the close of business on the 7397  
twentieth day before the election. Those contributions and 7398  
expenditures shall be reported in the statement required under 7399  
division (A)(2) of this section. 7400

If an election to select candidates to appear on the general 7401  
election ballot is held within sixty days before a general 7402  
election, the campaign committee of a successful candidate in the 7403  
earlier election may file the statement required by division 7404  
(A)(1) of this section for the general election instead of the 7405  
statement required by division (A)(2) of this section for the 7406  
earlier election if the pregeneral election statement reflects the 7407  
status of contributions and expenditures for the period twenty 7408  
days before the earlier election to twenty days before the general 7409  
election. 7410

If a person becomes a candidate less than twenty days before 7411  
an election, the candidate's campaign committee is not required to 7412  
file the statement required by division (A)(1) of this section. 7413

No statement under division (A)(3) of this section shall be 7414  
required for any year in which a campaign committee, political 7415  
action committee, legislative campaign fund, political party, or 7416  
political contributing entity is required to file a postgeneral 7417  
election statement under division (A)(2) of this section. However, 7418  
a statement under division (A)(3) of this section may be filed, at 7419  
the option of the campaign committee, political action committee, 7420

legislative campaign fund, political party, or political  
contributing entity. 7421  
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No campaign committee of a candidate for the office of chief  
justice or justice of the supreme court, and no campaign committee  
of a candidate for the office of judge of any court in this state,  
shall be required to file a statement under division (A)(4) of  
this section. 7423  
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Except as otherwise provided in this paragraph and in the  
next paragraph of this section, the only campaign committees  
required to file a statement under division (A)(4) of this section  
are the campaign committee of a statewide candidate and the  
campaign committee of a candidate for county office. The campaign  
committee of a candidate for any other nonjudicial office is  
required to file a statement under division (A)(4) of this section  
if that campaign committee receives, during that period,  
contributions exceeding ten thousand dollars. 7428  
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No statement under division (A)(4) of this section shall be  
required of a campaign committee, a political action committee, a  
legislative campaign fund, a political party, or a political  
contributing entity for any year in which the campaign committee,  
political action committee, legislative campaign fund, political  
party, or political contributing entity is required to file a  
postprimary election statement under division (A)(2) of this  
section. However, a statement under division (A)(4) of this  
section may be filed at the option of the campaign committee,  
political action committee, legislative campaign fund, political  
party, or political contributing entity. 7437  
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No statement under division (A)(3) or (4) of this section  
shall be required if the campaign committee, political action  
committee, legislative campaign fund, political party, or  
political contributing entity has no contributions that it has  
received and no expenditures that it has made since the last date 7448  
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reflected in its last previously filed statement. However, the 7453  
campaign committee, political action committee, legislative 7454  
campaign fund, political party, or political contributing entity 7455  
shall file a statement to that effect, on a form prescribed under 7456  
this section and made under penalty of election falsification, on 7457  
the date required in division (A)(3) or (4) of this section, as 7458  
applicable. 7459

The campaign committee of a statewide candidate shall file a 7460  
monthly statement of contributions received during each of the 7461  
months of July, August, and September in the year of the general 7462  
election in which the candidate seeks office. The campaign 7463  
committee of a statewide candidate shall file the monthly 7464  
statement not later than three business days after the last day of 7465  
the month covered by the statement. During the period beginning on 7466  
the nineteenth day before the general election in which a 7467  
statewide candidate seeks election to office and extending through 7468  
the day of that general election, each time the campaign committee 7469  
of the joint candidates for the offices of governor and lieutenant 7470  
governor or of a candidate for the office of secretary of state, 7471  
auditor of state, treasurer of state, or attorney general receives 7472  
a contribution from a contributor that causes the aggregate amount 7473  
of contributions received from that contributor during that period 7474  
to equal or exceed ten thousand dollars and each time the campaign 7475  
committee of a candidate for the office of chief justice or 7476  
justice of the supreme court receives a contribution from a 7477  
contributor that causes the aggregate amount of contributions 7478  
received from that contributor during that period to exceed ten 7479  
thousand dollars, the campaign committee shall file a 7480  
two-business-day statement reflecting that contribution. During 7481  
the period beginning on the nineteenth day before a primary 7482  
election in which a candidate for statewide office seeks 7483  
nomination to office and extending through the day of that primary 7484  
election, each time either the campaign committee of a statewide 7485

candidate in that primary election that files a notice under 7486  
division (C)(1) of section 3517.103 of the Revised Code or the 7487  
campaign committee of a statewide candidate in that primary 7488  
election to which, in accordance with division (D) of section 7489  
3517.103 of the Revised Code, the contribution limitations 7490  
prescribed in section 3517.102 of the Revised Code no longer apply 7491  
receives a contribution from a contributor that causes the 7492  
aggregate amount of contributions received from that contributor 7493  
during that period to exceed ten thousand dollars, the campaign 7494  
committee shall file a two-business-day statement reflecting that 7495  
contribution. Contributions reported on a two-business-day 7496  
statement required to be filed by a campaign committee of a 7497  
statewide candidate in a primary election shall also be included 7498  
in the postprimary election statement required to be filed by that 7499  
campaign committee under division (A)(2) of this section. A 7500  
two-business-day statement required by this paragraph shall be 7501  
filed not later than two business days after receipt of the 7502  
contribution. The statements required by this paragraph shall be 7503  
filed in addition to any other statements required by this 7504  
section. 7505

Subject to the secretary of state having implemented, tested, 7506  
and verified the successful operation of any system the secretary 7507  
of state prescribes pursuant to divisions (C)(6)(b) and (D)(6) of 7508  
this section and division (H)(1) of section 3517.106 of the 7509  
Revised Code for the filing of campaign finance statements by 7510  
electronic means of transmission, a campaign committee of a 7511  
statewide candidate shall file a two-business-day statement under 7512  
the preceding paragraph by electronic means of transmission if the 7513  
campaign committee is required to file a pre-election, 7514  
postelection, or monthly statement of contributions and 7515  
expenditures by electronic means of transmission under this 7516  
section or section 3517.106 of the Revised Code. 7517

If a campaign committee or political action committee has no 7518  
balance on hand and no outstanding obligations and desires to 7519  
terminate itself, it shall file a statement to that effect, on a 7520  
form prescribed under this section and made under penalty of 7521  
election falsification, with the official with whom it files a 7522  
statement under division (A) of this section after filing a final 7523  
statement of contributions and a final statement of expenditures, 7524  
if contributions have been received or expenditures made since the 7525  
period reflected in its last previously filed statement. 7526

(B) Except as otherwise provided in division (C)(7) of this 7527  
section, each statement required by division (A) of this section 7528  
shall contain the following information: 7529

(1) The full name and address of each campaign committee, 7530  
political action committee, legislative campaign fund, political 7531  
party, or political contributing entity, including any treasurer 7532  
of the committee, fund, party, or entity, filing a contribution 7533  
and expenditure statement; 7534

(2)(a) In the case of a campaign committee, the candidate's 7535  
full name and address; 7536

(b) In the case of a political action committee, the 7537  
registration number assigned to the committee under division 7538  
(D)(1) of this section. 7539

(3) The date of the election and whether it was or will be a 7540  
general, primary, or special election; 7541

(4) A statement of contributions received, which shall 7542  
include the following information: 7543

(a) The month, day, and year of the contribution; 7544

(b)(i) The full name and address of each person, political 7545  
party, campaign committee, legislative campaign fund, political 7546  
action committee, or political contributing entity from whom 7547

contributions are received and the registration number assigned to 7548  
the political action committee under division (D)(1) of this 7549  
section. The requirement of filing the full address does not apply 7550  
to any statement filed by a state or local committee of a 7551  
political party, to a finance committee of such committee, or to a 7552  
committee recognized by a state or local committee as its 7553  
fund-raising auxiliary. Notwithstanding division (F) of this 7554  
section, the requirement of filing the full address shall be 7555  
considered as being met if the address filed is the same address 7556  
the contributor provided under division (E)(1) of this section. 7557

(ii) If a political action committee, political contributing 7558  
entity, legislative campaign fund, or political party that is 7559  
required to file campaign finance statements by electronic means 7560  
of transmission under section 3517.106 of the Revised Code or a 7561  
campaign committee of a statewide candidate or candidate for the 7562  
office of member of the general assembly receives a contribution 7563  
from an individual that exceeds one hundred dollars, the name of 7564  
the individual's current employer, if any, or, if the individual 7565  
is self-employed, the individual's occupation and the name of the 7566  
individual's business, if any; 7567

(iii) If a campaign committee of a statewide candidate or 7568  
candidate for the office of member of the general assembly 7569  
receives a contribution transmitted pursuant to section 3599.031 7570  
of the Revised Code from amounts deducted from the wages and 7571  
salaries of two or more employees that exceeds in the aggregate 7572  
one hundred dollars during any one filing period under division 7573  
(A)(1), (2), (3), or (4) of this section, the full name of the 7574  
employees' employer and the full name of the labor organization of 7575  
which the employees are members, if any. 7576

(c) A description of the contribution received, if other than 7577  
money; 7578

(d) The value in dollars and cents of the contribution; 7579

(e) A separately itemized account of all contributions and expenditures regardless of the amount, except a receipt of a contribution from a person in the sum of twenty-five dollars or less at one social or fund-raising activity and a receipt of a contribution transmitted pursuant to section 3599.031 of the Revised Code from amounts deducted from the wages and salaries of employees if the contribution from the amount deducted from the wages and salary of any one employee is twenty-five dollars or less aggregated in a calendar year. An account of the total contributions from each social or fund-raising activity shall include a description of and the value of each in-kind contribution received at that activity from any person who made one or more such contributions whose aggregate value exceeded two hundred fifty dollars and shall be listed separately, together with the expenses incurred and paid in connection with that activity. A campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity shall keep records of contributions from each person in the amount of twenty-five dollars or less at one social or fund-raising activity and contributions from amounts deducted under section 3599.031 of the Revised Code from the wages and salary of each employee in the amount of twenty-five dollars or less aggregated in a calendar year. No continuing association that is recognized by a state or local committee of a political party as an auxiliary of the party and that makes a contribution from funds derived solely from regular dues paid by members of the auxiliary shall be required to list the name or address of any members who paid those dues.

Contributions that are other income shall be itemized separately from all other contributions. The information required under division (B)(4) of this section shall be provided for all other income itemized. As used in this paragraph, "other income" means a loan, investment income, or interest income.

(f) In the case of a campaign committee of a state elected officer, if a person doing business with the state elected officer in the officer's official capacity makes a contribution to the campaign committee of that officer, the information required under division (B)(4) of this section in regard to that contribution, which shall be filed together with and considered a part of the committee's statement of contributions as required under division (A) of this section but shall be filed on a separate form provided by the secretary of state. As used in this division:

(i) "State elected officer" has the same meaning as in section 3517.092 of the Revised Code.

(ii) "Person doing business" means a person or an officer of an entity who enters into one or more contracts with a state elected officer or anyone authorized to enter into contracts on behalf of that officer to receive payments for goods or services, if the payments total, in the aggregate, more than five thousand dollars during a calendar year.

(5) A statement of expenditures which shall include the following information:

(a) The month, day, and year of the expenditure;

(b) The full name and address of each person, political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity to whom the expenditure was made and the registration number assigned to the political action committee under division (D)(1) of this section;

(c) The object or purpose for which the expenditure was made;

(d) The amount of each expenditure.

(C)(1) The statement of contributions and expenditures shall be signed by the person completing the form. If a statement of contributions and expenditures is filed by electronic means of

transmission pursuant to this section or section 3517.106 of the Revised Code, the electronic signature of the person who executes the statement and transmits the statement by electronic means of transmission, as provided in division (H) of section 3517.106 of the Revised Code, shall be attached to or associated with the statement and shall be binding on all persons and for all purposes under the campaign finance reporting law as if the signature had been handwritten in ink on a printed form.

(2) The person filing the statement, under penalty of election falsification, shall include with it a list of each anonymous contribution, the circumstances under which it was received, and the reason it cannot be attributed to a specific donor.

(3) Each statement of a campaign committee of a candidate who holds public office shall contain a designation of each contributor who is an employee in any unit or department under the candidate's direct supervision and control. In a space provided in the statement, the person filing the statement shall affirm that each such contribution was voluntarily made.

(4) A campaign committee that did not receive contributions or make expenditures in connection with the nomination or election of its candidate shall file a statement to that effect, on a form prescribed under this section and made under penalty of election falsification, on the date required in division (A)(2) of this section.

(5) The campaign committee of any person who attempts to become a candidate and who, for any reason, does not become certified in accordance with Title XXXV of the Revised Code for placement on the official ballot of a primary, general, or special election to be held in this state, and who, at any time prior to or after an election, receives contributions or makes expenditures, or has given consent for another to receive

contributions or make expenditures, for the purpose of bringing 7675  
about the person's nomination or election to public office, shall 7676  
file the statement or statements prescribed by this section and a 7677  
termination statement, if applicable. Division (C)(5) of this 7678  
section does not apply to any person with respect to an election 7679  
to the offices of member of a county or state central committee, 7680  
presidential elector, or delegate to a national convention or 7681  
conference of a political party. 7682

(6)(a) The statements required to be filed under this section 7683  
shall specify the balance in the hands of the campaign committee, 7684  
political action committee, legislative campaign fund, political 7685  
party, or political contributing entity and the disposition 7686  
intended to be made of that balance. 7687

(b) The secretary of state shall prescribe the form for all 7688  
statements required to be filed under this section and shall 7689  
furnish the forms to the boards of elections in the several 7690  
counties. The boards of elections shall supply printed copies of 7691  
those forms without charge. The secretary of state shall prescribe 7692  
the appropriate methodology, protocol, and data file structure for 7693  
statements required or permitted to be filed by electronic means 7694  
of transmission under division (A) of this section, divisions (E), 7695  
(F), and (G) of section 3517.106, division (D) of section 7696  
3517.1011, division (B) of section 3517.1012, division (C) of 7697  
section 3517.1013, and divisions (D) and (I) of section 3517.1014 7698  
of the Revised Code. Subject to division (A) of this section, 7699  
divisions (E), (F), and (G) of section 3517.106, division (D) of 7700  
section 3517.1011, division (B) of section 3517.1012, division (C) 7701  
of section 3517.1013, and divisions (D) and (I) of section 7702  
3517.1014 of the Revised Code, the statements required to be 7703  
stored on computer by the secretary of state under division (B) of 7704  
section 3517.106 of the Revised Code shall be filed in whatever 7705  
format the secretary of state considers necessary to enable the 7706

secretary of state to store the information contained in the 7707  
statements on computer. Any such format shall be of a type and 7708  
nature that is readily available to whoever is required to file 7709  
the statements in that format. 7710

(c) The secretary of state shall assess the need for training 7711  
regarding the filing of campaign finance statements by electronic 7712  
means of transmission and regarding associated technologies for 7713  
candidates, campaign committees, political action committees, 7714  
legislative campaign funds, political parties, or political 7715  
contributing entities, for individuals, partnerships, or other 7716  
entities, for persons making disbursements to pay the direct costs 7717  
of producing or airing electioneering communications, or for 7718  
treasurers of transition funds, required or permitted to file 7719  
statements by electronic means of transmission under this section 7720  
or section 3517.105, 3517.106, 3517.1011, 3517.1012, 3517.1013, or 7721  
3517.1014 of the Revised Code. If, in the opinion of the secretary 7722  
of state, training in these areas is necessary, the secretary of 7723  
state shall arrange for the provision of voluntary training 7724  
programs for candidates, campaign committees, political action 7725  
committees, legislative campaign funds, political parties, or 7726  
political contributing entities, for individuals, partnerships, 7727  
and other entities, for persons making disbursements to pay the 7728  
direct costs of producing or airing electioneering communications, 7729  
or for treasurers of transition funds, as appropriate. 7730

(7) Each monthly statement and each two-business-day 7731  
statement required by division (A) of this section shall contain 7732  
the information required by divisions (B)(1) to (4), (C)(2), and, 7733  
if appropriate, (C)(3) of this section. Each statement shall be 7734  
signed as required by division (C)(1) of this section. 7735

(D)(1) Prior to receiving a contribution or making an 7736  
expenditure, every campaign committee, political action committee, 7737  
legislative campaign fund, political party, or political 7738

contributing entity shall appoint a treasurer and shall file, on a 7739  
form prescribed by the secretary of state, a designation of that 7740  
appointment, including the full name and address of the treasurer 7741  
and of the campaign committee, political action committee, 7742  
legislative campaign fund, political party, or political 7743  
contributing entity. That designation shall be filed with the 7744  
official with whom the campaign committee, political action 7745  
committee, legislative campaign fund, political party, or 7746  
political contributing entity is required to file statements under 7747  
section 3517.11 of the Revised Code. The name of a campaign 7748  
committee shall include at least the last name of the campaign 7749  
committee's candidate. If two or more candidates are the 7750  
beneficiaries of a single campaign committee under division (B) of 7751  
section 3517.081 of the Revised Code, the name of the campaign 7752  
committee shall include at least the last name of each candidate 7753  
who is a beneficiary of that campaign committee. The secretary of 7754  
state shall assign a registration number to each political action 7755  
committee that files a designation of the appointment of a 7756  
treasurer under this division if the political action committee is 7757  
required by division (A)(1) of section 3517.11 of the Revised Code 7758  
to file the statements prescribed by this section with the 7759  
secretary of state. 7760

(2) The treasurer appointed under division (D)(1) of this 7761  
section shall keep a strict account of all contributions, from 7762  
whom received and the purpose for which they were disbursed. 7763

(3)(a) Except as otherwise provided in section 3517.108 of 7764  
the Revised Code, a campaign committee shall deposit all monetary 7765  
contributions received by the committee into an account separate 7766  
from a personal or business account of the candidate or campaign 7767  
committee. 7768

(b) A political action committee shall deposit all monetary 7769  
contributions received by the committee into an account separate 7770

from all other funds. 7771

(c) A state or county political party may establish a state 7772  
candidate fund that is separate from an account that contains the 7773  
public moneys received from the Ohio political party fund under 7774  
section 3517.17 of the Revised Code and from all other funds. A 7775  
state or county political party may deposit into its state 7776  
candidate fund any amounts of monetary contributions that are made 7777  
to or accepted by the political party subject to the applicable 7778  
limitations, if any, prescribed in section 3517.102 of the Revised 7779  
Code. A state or county political party shall deposit all other 7780  
monetary contributions received by the party into one or more 7781  
accounts that are separate from its state candidate fund and from 7782  
its account that contains the public moneys received from the Ohio 7783  
political party fund under section 3517.17 of the Revised Code. 7784

(d) Each state political party shall have only one 7785  
legislative campaign fund for each house of the general assembly. 7786  
Each such fund shall be separate from any other funds or accounts 7787  
of that state party. A legislative campaign fund is authorized to 7788  
receive contributions and make expenditures for the primary 7789  
purpose of furthering the election of candidates who are members 7790  
of that political party to the house of the general assembly with 7791  
which that legislative campaign fund is associated. Each 7792  
legislative campaign fund shall be administered and controlled in 7793  
a manner designated by the caucus. As used in this division, 7794  
"caucus" has the same meaning as in section 3517.01 of the Revised 7795  
Code and includes, as an ex officio member, the chairperson of the 7796  
state political party with which the caucus is associated or that 7797  
chairperson's designee. 7798

(4) Every expenditure in excess of twenty-five dollars shall 7799  
be vouched for by a receipted bill, stating the purpose of the 7800  
expenditure, that shall be filed with the statement of 7801  
expenditures. A canceled check with a notation of the purpose of 7802

the expenditure is a receipted bill for purposes of division 7803  
(D)(4) of this section. 7804

(5) The secretary of state or the board of elections, as the 7805  
case may be, shall issue a receipt for each statement filed under 7806  
this section and shall preserve a copy of the receipt for a period 7807  
of at least six years. All statements filed under this section 7808  
shall be open to public inspection in the office where they are 7809  
filed and shall be carefully preserved for a period of at least 7810  
six years after the year in which they are filed. 7811

(6) The secretary of state, by rule adopted pursuant to 7812  
section 3517.23 of the Revised Code, shall prescribe both of the 7813  
following: 7814

(a) The manner of immediately acknowledging, with date and 7815  
time received, and preserving the receipt of statements that are 7816  
transmitted by electronic means of transmission to the secretary 7817  
of state pursuant to this section or section 3517.106, 3517.1011, 7818  
3517.1012, 3517.1013, or 3517.1014 of the Revised Code; 7819

(b) The manner of preserving the contribution and 7820  
expenditure, contribution and disbursement, deposit and 7821  
disbursement, gift and disbursement, or donation and disbursement 7822  
information in the statements described in division (D)(6)(a) of 7823  
this section. The secretary of state shall preserve the 7824  
contribution and expenditure, contribution and disbursement, 7825  
deposit and disbursement, gift and disbursement, or donation and 7826  
disbursement information in those statements for at least ten 7827  
years after the year in which they are filed by electronic means 7828  
of transmission. 7829

(7) The secretary of state, pursuant to division (I) of 7830  
section 3517.106 of the Revised Code, shall make available online 7831  
to the public through the internet the contribution and 7832  
expenditure, contribution and disbursement, deposit and 7833

disbursement, gift and disbursement, or donation and disbursement 7834  
information in all statements, all addenda, amendments, or other 7835  
corrections to statements, and all amended statements filed with 7836  
the secretary of state by electronic or other means of 7837  
transmission under this section, division (B)(2)(b) or (C)(2)(b) 7838  
of section 3517.105, or section 3517.106, 3517.1011, 3517.1012, 7839  
3517.1013, 3517.1014, or 3517.11 of the Revised Code. The 7840  
secretary of state may remove the information from the internet 7841  
after a reasonable period of time. 7842

(E)(1) Any person, political party, campaign committee, 7843  
legislative campaign fund, political action committee, or 7844  
political contributing entity that makes a contribution in 7845  
connection with the nomination or election of any candidate or in 7846  
connection with any ballot issue or question at any election held 7847  
or to be held in this state shall provide its full name and 7848  
address to the recipient of the contribution at the time the 7849  
contribution is made. The political action committee also shall 7850  
provide the registration number assigned to the committee under 7851  
division (D)(1) of this section to the recipient of the 7852  
contribution at the time the contribution is made. 7853

(2) Any individual who makes a contribution that exceeds one 7854  
hundred dollars to a political action committee, political 7855  
contributing entity, legislative campaign fund, or political party 7856  
or to a campaign committee of a statewide candidate or candidate 7857  
for the office of member of the general assembly shall provide the 7858  
name of the individual's current employer, if any, or, if the 7859  
individual is self-employed, the individual's occupation and the 7860  
name of the individual's business, if any, to the recipient of the 7861  
contribution at the time the contribution is made. Sections 7862  
3599.39 and 3599.40 of the Revised Code do not apply to division 7863  
(E)(2) of this section. 7864

(3) If a campaign committee shows that it has exercised its 7865

best efforts to obtain, maintain, and submit the information 7866  
required under divisions (B)(4)(b)(ii) and (iii) of this section, 7867  
that committee is considered to have met the requirements of those 7868  
divisions. A campaign committee shall not be considered to have 7869  
exercised its best efforts unless, in connection with written 7870  
solicitations, it regularly includes a written request for the 7871  
information required under division (B)(4)(b)(ii) of this section 7872  
from the contributor or the information required under division 7873  
(B)(4)(b)(iii) of this section from whoever transmits the 7874  
contribution. 7875

(4) Any check that a political action committee uses to make 7876  
a contribution or an expenditure shall contain the full name and 7877  
address of the committee and the registration number assigned to 7878  
the committee under division (D)(1) of this section. 7879

(F) As used in this section: 7880

(1)(a) Except as otherwise provided in division (F)(1) of 7881  
this section, "address" means all of the following if they exist: 7882  
apartment number, street, road, or highway name and number, rural 7883  
delivery route number, city or village, state, and zip code as 7884  
used in a person's post-office address, but not post-office box. 7885

(b) Except as otherwise provided in division (F)(1) of this 7886  
section, if an address is required in this section, a post-office 7887  
box and office, room, or suite number may be included in addition 7888  
to, but not in lieu of, an apartment, street, road, or highway 7889  
name and number. 7890

(c) If an address is required in this section, a campaign 7891  
committee, political action committee, legislative campaign fund, 7892  
political party, or political contributing entity may use the 7893  
business or residence address of its treasurer or deputy 7894  
treasurer. The post-office box number of the campaign committee, 7895  
political action committee, legislative campaign fund, political 7896

party, or political contributing entity may be used in addition to 7897  
that address. 7898

(d) For the sole purpose of a campaign committee's reporting 7899  
of contributions on a statement of contributions received under 7900  
division (B)(4) of this section, "address" has one of the 7901  
following meanings at the option of the campaign committee: 7902

(i) The same meaning as in division (F)(1)(a) of this 7903  
section; 7904

(ii) All of the following, if they exist: the contributor's 7905  
post-office box number and city or village, state, and zip code as 7906  
used in the contributor's post-office address. 7907

(e) As used with regard to the reporting under this section 7908  
of any expenditure, "address" means all of the following if they 7909  
exist: apartment number, street, road, or highway name and number, 7910  
rural delivery route number, city or village, state, and zip code 7911  
as used in a person's post-office address, or post-office box. If 7912  
an address concerning any expenditure is required in this section, 7913  
a campaign committee, political action committee, legislative 7914  
campaign fund, political party, or political contributing entity 7915  
may use the business or residence address of its treasurer or 7916  
deputy treasurer or its post-office box number. 7917

(2) "Statewide candidate" means the joint candidates for the 7918  
offices of governor and lieutenant governor or a candidate for the 7919  
office of secretary of state, auditor of state, treasurer of 7920  
state, attorney general, member of the state board of education, 7921  
chief justice of the supreme court, or justice of the supreme 7922  
court. 7923

(3) "Candidate for county office" means a candidate for the 7924  
office of county auditor, county treasurer, clerk of the court of 7925  
common pleas, judge of the court of common pleas, sheriff, county 7926  
recorder, county engineer, county commissioner, prosecuting 7927

attorney, or coroner. 7928

(G) An independent expenditure shall be reported whenever and 7929  
in the same manner that an expenditure is required to be reported 7930  
under this section and shall be reported pursuant to division 7931  
(B)(2)(a) or (C)(2)(a) of section 3517.105 of the Revised Code. 7932

(H)(1) Except as otherwise provided in division (H)(2) of 7933  
this section, if, during the combined pre-election and 7934  
postelection reporting periods for an election, a campaign 7935  
committee has received contributions of five hundred dollars or 7936  
less and has made expenditures in the total amount of five hundred 7937  
dollars or less, it may file a statement to that effect, under 7938  
penalty of election falsification, in lieu of the statement 7939  
required by division (A)(2) of this section. The statement shall 7940  
indicate the total amount of contributions received and the total 7941  
amount of expenditures made during those combined reporting 7942  
periods. 7943

(2) In the case of a successful candidate at a primary 7944  
election, if either the total contributions received by or the 7945  
total expenditures made by the candidate's campaign committee 7946  
during the preprimary, postprimary, pregeneral, and postgeneral 7947  
election periods combined equal more than five hundred dollars, 7948  
the campaign committee may file the statement under division 7949  
(H)(1) of this section only for the primary election. The first 7950  
statement that the campaign committee files in regard to the 7951  
general election shall reflect all contributions received and all 7952  
expenditures made during the preprimary and postprimary election 7953  
periods. 7954

(3) Divisions (H)(1) and (2) of this section do not apply if 7955  
a campaign committee receives contributions or makes expenditures 7956  
prior to the first day of January of the year of the election at 7957  
which the candidate seeks nomination or election to office or if 7958  
the campaign committee does not file a termination statement with 7959

its postprimary election statement in the case of an unsuccessful 7960  
primary election candidate or with its postgeneral election 7961  
statement in the case of other candidates. 7962

(I) In the case of a contribution made by a partner of a 7963  
partnership or an owner or a member of another unincorporated 7964  
business from any funds of the partnership or other unincorporated 7965  
business, all of the following apply: 7966

(1) The recipient of the contribution shall report the 7967  
contribution by listing both the partnership or other 7968  
unincorporated business and the name of the partner, owner, or 7969  
member making the contribution. 7970

(2) In reporting the contribution, the recipient of the 7971  
contribution shall be entitled to conclusively rely upon the 7972  
information provided by the partnership or other unincorporated 7973  
business, provided that the information includes one of the 7974  
following: 7975

(a) The name of each partner, owner, or member as of the date 7976  
of the contribution or contributions, and a statement that the 7977  
total contributions are to be allocated equally among all of the 7978  
partners, owners, or members; or 7979

(b) The name of each partner, owner, or member as of the date 7980  
of the contribution or contributions who is participating in the 7981  
contribution or contributions, and a statement that the 7982  
contribution or contributions are to be allocated to those 7983  
individuals in accordance with the information provided by the 7984  
partnership or other unincorporated business to the recipient of 7985  
the contribution. 7986

(3) For purposes of section 3517.102 of the Revised Code, the 7987  
contribution shall be considered to have been made by the partner, 7988  
owner, or member reported under division (I)(1) of this section. 7989

(4) No contribution from a partner of a partnership or an 7990

owner or a member of another unincorporated business shall be 7991  
accepted from any funds of the partnership or other unincorporated 7992  
business unless the recipient reports the contribution under 7993  
division (I)(1) of this section together with the information 7994  
provided under division (I)(2) of this section. 7995

(5) No partnership or other unincorporated business shall 7996  
make a contribution or contributions solely in the name of the 7997  
partnership or other unincorporated business. 7998

(6) As used in division (I) of this section, "partnership or 7999  
other unincorporated business" includes, but is not limited to, a 8000  
cooperative, a sole proprietorship, a general partnership, a 8001  
limited partnership, a limited partnership association, a limited 8002  
liability partnership, and a limited liability company. 8003

(J) A candidate shall have only one campaign committee at any 8004  
given time for all of the offices for which the person is a 8005  
candidate or holds office. 8006

(K)(1) In addition to filing a designation of appointment of 8007  
a treasurer under division (D)(1) of this section, the campaign 8008  
committee of any candidate for an elected municipal office that 8009  
pays an annual amount of compensation of five thousand dollars or 8010  
less, the campaign committee of any candidate for member of a 8011  
board of education except member of the state board of education, 8012  
or the campaign committee of any candidate for township trustee or 8013  
township fiscal officer may sign, under penalty of election 8014  
falsification, a certificate attesting that the committee will not 8015  
accept contributions during an election period that exceed in the 8016  
aggregate two thousand dollars from all contributors and one 8017  
hundred dollars from any one individual, and that the campaign 8018  
committee will not make expenditures during an election period 8019  
that exceed in the aggregate two thousand dollars. 8020

The certificate shall be on a form prescribed by the 8021

secretary of state and shall be filed not later than ten days 8022  
after the candidate files a declaration of candidacy and petition, 8023  
a nominating petition, or a declaration of intent to be a write-in 8024  
candidate. 8025

(2) Except as otherwise provided in division (K)(3) of this 8026  
section, a campaign committee that files a certificate under 8027  
division (K)(1) of this section is not required to file the 8028  
statements required by division (A) of this section. 8029

(3) If, after filing a certificate under division (K)(1) of 8030  
this section, a campaign committee exceeds any of the limitations 8031  
described in that division during an election period, the 8032  
certificate is void and thereafter the campaign committee shall 8033  
file the statements required by division (A) of this section. If 8034  
the campaign committee has not previously filed a statement, then 8035  
on the first statement the campaign committee is required to file 8036  
under division (A) of this section after the committee's 8037  
certificate is void, the committee shall report all contributions 8038  
received and expenditures made from the time the candidate filed 8039  
the candidate's declaration of candidacy and petition, nominating 8040  
petition, or declaration of intent to be a write-in candidate. 8041

(4) As used in division (K) of this section, "election 8042  
period" means the period of time beginning on the day a person 8043  
files a declaration of candidacy and petition, nominating 8044  
petition, or declaration of intent to be a write-in candidate 8045  
through the day of the election at which the person seeks 8046  
nomination to office if the person is not elected to office, or, 8047  
if the candidate was nominated in a primary election, the day of 8048  
the election at which the candidate seeks office. 8049

(L) A political contributing entity that receives 8050  
contributions from the dues, membership fees, or other assessments 8051  
of its members or from its officers, shareholders, and employees 8052  
may report the aggregate amount of contributions received from 8053

those contributors and the number of individuals making those 8054  
contributions, for each filing period under divisions (A)(1), (2), 8055  
(3), and (4) of this section, rather than reporting information as 8056  
required under division (B)(4) of this section, including, when 8057  
applicable, the name of the current employer, if any, of a 8058  
contributor whose contribution exceeds one hundred dollars or, if 8059  
such a contributor is self-employed, the contributor's occupation 8060  
and the name of the contributor's business, if any. Division 8061  
(B)(4) of this section applies to a political contributing entity 8062  
with regard to contributions it receives from all other 8063  
contributors. 8064

**Sec. 3517.102.** (A) Except as otherwise provided in section 8065  
3517.103 of the Revised Code, as used in this section and sections 8066  
3517.103 and 3517.104 of the Revised Code: 8067

(1) "Candidate" has the same meaning as in section 3517.01 of 8068  
the Revised Code but includes only candidates for the offices of 8069  
governor, lieutenant governor, secretary of state, auditor of 8070  
state, treasurer of state, attorney general, member of the state 8071  
board of education, member of the general assembly, chief justice 8072  
of the supreme court, and justice of the supreme court. 8073

(2) "Statewide candidate" or "any one statewide candidate" 8074  
means the joint candidates for the offices of governor and 8075  
lieutenant governor or a candidate for the office of secretary of 8076  
state, auditor of state, treasurer of state, attorney general, 8077  
member of the state board of education, chief justice of the 8078  
supreme court, or justice of the supreme court. 8079

(3) "Senate candidate" means a candidate for the office of 8080  
state senator. 8081

(4) "House candidate" means a candidate for the office of 8082  
state representative. 8083

(5)(a) "Primary election period" for a candidate begins on 8084  
the beginning date of the candidate's pre-filing period specified 8085  
in division (A)(9) of section 3517.109 of the Revised Code and 8086  
ends on the day of the primary election. 8087

(b) In regard to any candidate, the "general election period" 8088  
begins on the day after the primary election immediately preceding 8089  
the general election at which the candidate seeks an office 8090  
specified in division (A)(1) of this section and ends on the 8091  
thirty-first day of December following that general election. 8092

(6) "State candidate fund" means the state candidate fund 8093  
established by a state or county political party under division 8094  
(D)(3)(c) of section 3517.10 of the Revised Code. 8095

(7) "Postgeneral election statement" means the statement 8096  
filed under division (A)(2) of section 3517.10 of the Revised Code 8097  
by the campaign committee of a candidate after the general 8098  
election in which the candidate ran for office or filed by 8099  
legislative campaign fund after the general election in an 8100  
even-numbered year. 8101

(8) "Contribution" means any contribution that is required to 8102  
be reported in the statement of contributions under section 8103  
3517.10 of the Revised Code. 8104

(9)(a) Except as otherwise provided in division (A)(9)(b) of 8105  
this section and in division (F) of section 3517.103 and division 8106  
(B)(3)(b) of section 3517.1010 of the Revised Code, "designated 8107  
state campaign committee" means: 8108

(i) In the case of contributions to or from a state political 8109  
party, a campaign committee of a statewide candidate, statewide 8110  
officeholder, senate candidate, house candidate, or member of the 8111  
general assembly. 8112

(ii) In the case of contributions to or from a county 8113  
political party, a campaign committee of a senate candidate or 8114

house candidate whose candidacy is to be submitted to some or all 8115  
of the electors in that county, or member of the general assembly 8116  
whose district contains all or part of that county. 8117

(iii) In the case of contributions to or from a legislative 8118  
campaign fund, a campaign committee of any of the following: 8119

(I) A senate or house candidate who, if elected, will be a 8120  
member of the same party that established the legislative campaign 8121  
fund and the same house with which the legislative campaign fund 8122  
is associated; 8123

(II) A state senator or state representative who is a member 8124  
of the same party that established the legislative campaign fund 8125  
and the same house with which the legislative campaign fund is 8126  
associated. 8127

(b) A campaign committee is no longer a "designated state 8128  
campaign committee" after the campaign committee's candidate 8129  
changes the designation of treasurer required to be filed under 8130  
division (D)(1) of section 3517.10 of the Revised Code to indicate 8131  
that the person intends to be a candidate for, or becomes a 8132  
candidate for nomination or election to, any office that, if 8133  
elected, would not qualify that candidate's campaign committee as 8134  
a "designated state campaign committee" under division (A)(9)(a) 8135  
of this section. 8136

(B)(1)(a) No individual who is seven years of age or older 8137  
shall make a contribution or contributions aggregating more than: 8138

(i) Ten thousand dollars to the campaign committee of any one 8139  
statewide candidate in a primary election period or in a general 8140  
election period; 8141

(ii) Ten thousand dollars to the campaign committee of any 8142  
one senate candidate in a primary election period or in a general 8143  
election period; 8144

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| (iii) Ten thousand dollars to the campaign committee of any one house candidate in a primary election period or in a general election period;  | 8145<br>8146<br>8147         |
| (iv) Ten thousand dollars to a county political party of the county in which the individual's designated Ohio residence is located for the party's state candidate fund in a calendar year;                              | 8148<br>8149<br>8150         |
| (v) Fifteen thousand dollars to any one legislative campaign fund in a calendar year;  | 8151<br>8152                 |
| (vi) Thirty thousand dollars to any one state political party for the party's state candidate fund in a calendar year;   | 8153<br>8154                 |
| (vii) Ten thousand dollars to any one political action committee in a calendar year;   | 8155<br>8156                 |
| (viii) Ten thousand dollars to any one political contributing entity in a calendar year.   | 8157<br>8158                 |
| (b) No individual shall make a contribution or contributions to the state candidate fund of a county political party of any county other than the county in which the individual's designated Ohio residence is located. | 8159<br>8160<br>8161<br>8162 |
| (c) No individual who is under seven years of age shall make any contribution.   | 8163<br>8164                 |
| (2)(a) Subject to division (D)(1) of this section, no political action committee shall make a contribution or contributions aggregating more than:   | 8165<br>8166<br>8167         |
| (i) Ten thousand dollars to the campaign committee of any one statewide candidate in a primary election period or in a general election period;  | 8168<br>8169<br>8170         |
| (ii) Ten thousand dollars to the campaign committee of any one senate candidate in a primary election period or in a general election period;  | 8171<br>8172<br>8173         |
| (iii) Ten thousand dollars to the campaign committee of any  | 8174                         |

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| one house candidate in a primary election period or in a general election period;  | 8175<br>8176   |
| (iv) Fifteen thousand dollars to any one legislative campaign fund in a calendar year;   | 8177<br>8178   |
| (v) Thirty thousand dollars to any one state political party for the party's state candidate fund in a calendar year;  | 8179<br>8180   |
| (vi) Ten thousand dollars to another political action committee or to a political contributing entity in a calendar year. This division does not apply to a political action committee that makes a contribution to a political action committee or a political contributing entity affiliated with it. For purposes of this division, a political action committee is affiliated with another political action committee or with a political contributing entity if they are both established, financed, maintained, or controlled by, or if they are, the same corporation, organization, labor organization, continuing association, or other person, including any parent, subsidiary, division, or department of that corporation, organization, labor organization, continuing association, or other person. | 8181<br>8182<br>8183<br>8184<br>8185<br>8186<br>8187<br>8188<br>8189<br>8190<br>8191<br>8192<br>8193 |
| (b) No political action committee shall make a contribution or contributions to a county political party for the party's state candidate fund.   | 8194<br>8195<br>8196   |
| (3) No campaign committee shall make a contribution or contributions aggregating more than:  | 8197<br>8198   |
| (a) Ten thousand dollars to the campaign committee of any one statewide candidate in a primary election period or in a general election period;  | 8199<br>8200<br>8201   |
| (b) Ten thousand dollars to the campaign committee of any one senate candidate in a primary election period or in a general election period;   | 8202<br>8203<br>8204   |

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| (c) Ten thousand dollars to the campaign committee of any one     | 8205 |
| house candidate in a primary election period or in a general      | 8206 |
| election period;  | 8207 |
| (d) Ten thousand dollars to any one political action              | 8208 |
| committee in a calendar year;                                     | 8209 |
| (e) Ten thousand dollars to any one political contributing        | 8210 |
| entity in a calendar year.  | 8211 |
| (4)(a) Subject to division (D)(3) of this section, no             | 8212 |
| political party shall make a contribution or contributions        | 8213 |
| aggregating more than ten thousand dollars to any one political   | 8214 |
| action committee or to any one political contributing entity in a | 8215 |
| calendar year.  | 8216 |
| (b) No county political party shall make a contribution or        | 8217 |
| contributions to another county political party.                  | 8218 |
| (5)(a) Subject to division (B)(5)(b) of this section, no          | 8219 |
| campaign committee, other than a designated state campaign        | 8220 |
| committee, shall make a contribution or contributions aggregating | 8221 |
| in a calendar year more than:                                     | 8222 |
| (i) Thirty thousand dollars to any one state political party      | 8223 |
| for the party's state candidate fund;                             | 8224 |
| (ii) Fifteen thousand dollars to any one legislative campaign     | 8225 |
| fund;   | 8226 |
| (iii) Ten thousand dollars to any one county political party      | 8227 |
| for the party's state candidate fund.                             | 8228 |
| (b) No campaign committee shall make a contribution or            | 8229 |
| contributions to a county political party for the party's state   | 8230 |
| candidate fund unless one of the following applies:               | 8231 |
| (i) The campaign committee's candidate will appear on a           | 8232 |
| ballot in that county.  | 8233 |
| (ii) The campaign committee's candidate is the holder of an       | 8234 |

elected public office that represents all or part of the 8235  
population of that county at the time the contribution is made. 8236

(6)(a) No state candidate fund of a county political party 8237  
shall make a contribution or contributions, except a contribution 8238  
or contributions to a designated state campaign committee, in a 8239  
primary election period or a general election period, aggregating 8240  
more than: 8241

(i) Two hundred fifty thousand dollars to the campaign 8242  
committee of any one statewide candidate; 8243

(ii) Ten thousand dollars to the campaign committee of any 8244  
one senate candidate; 8245

(iii) Ten thousand dollars to the campaign committee of any 8246  
one house candidate. 8247

(b)(i) No state candidate fund of a state or county political 8248  
party shall make a transfer or a contribution or transfers or 8249  
contributions of cash or cash equivalents to a designated state 8250  
campaign committee in a primary election period or in a general 8251  
election period aggregating more than: 8252

(I) Five hundred thousand dollars to the campaign committee 8253  
of any one statewide candidate; 8254

(II) One hundred thousand dollars to the campaign committee 8255  
of any one senate candidate; 8256

(III) Fifty thousand dollars to the campaign committee of any 8257  
one house candidate. 8258

(ii) No legislative campaign fund shall make a transfer or a 8259  
contribution or transfers or contributions of cash or cash 8260  
equivalents to a designated state campaign committee aggregating 8261  
more than: 8262

(I) Fifty thousand dollars in a primary election period or 8263  
one hundred thousand dollars in a general election period to the 8264

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| campaign committee of any one senate candidate;                    | 8265 |
| (II) Twenty-five thousand dollars in a primary election            | 8266 |
| period or fifty thousand dollars in a general election period to   | 8267 |
| the campaign committee of any one house candidate.                 | 8268 |
| (iii) As used in divisions (B)(6)(b) and (C)(6) of this            | 8269 |
| section, "transfer or contribution of cash or cash equivalents"    | 8270 |
| does not include any in-kind contributions.                        | 8271 |
| (c) A county political party that has no state candidate fund      | 8272 |
| and that is located in a county having a population of less than   | 8273 |
| one hundred fifty thousand may make one or more contributions from | 8274 |
| other accounts to any one statewide candidate or to any one        | 8275 |
| designated state campaign committee that do not exceed, in the     | 8276 |
| aggregate, two thousand five hundred dollars in any primary        | 8277 |
| election period or general election period. As used in this        | 8278 |
| division, "other accounts" does not include an account that        | 8279 |
| contains the public moneys received from the Ohio political party  | 8280 |
| fund under section 3517.17 of the Revised Code.                    | 8281 |
| (d) No legislative campaign fund shall make a contribution,        | 8282 |
| other than to a designated state campaign committee or to the      | 8283 |
| state candidate fund of a political party.                         | 8284 |
| (7)(a) Subject to division (D)(1) of this section, no              | 8285 |
| political contributing entity shall make a contribution or         | 8286 |
| contributions aggregating more than:                               | 8287 |
| (i) Ten thousand dollars to the campaign committee of any one      | 8288 |
| statewide candidate in a primary election period or in a general   | 8289 |
| election period;   | 8290 |
| (ii) Ten thousand dollars to the campaign committee of any         | 8291 |
| one senate candidate in a primary election period or in a general  | 8292 |
| election period;   | 8293 |
| (iii) Ten thousand dollars to the campaign committee of any        | 8294 |

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| one house candidate in a primary election period or in a general election period;  | 8295<br>8296   |
| (iv) Fifteen thousand dollars to any one legislative campaign fund in a calendar year;   | 8297<br>8298   |
| (v) Thirty thousand dollars to any one state political party for the party's state candidate fund in a calendar year;  | 8299<br>8300   |
| (vi) Ten thousand dollars to another political contributing entity or to a political action committee in a calendar year. This division does not apply to a political contributing entity that makes a contribution to a political contributing entity or a political action committee affiliated with it. For purposes of this division, a political contributing entity is affiliated with another political contributing entity or with a political action committee if they are both established, financed, maintained, or controlled by, or if they are, the same corporation, organization, labor organization, continuing association, or other person, including any parent, subsidiary, division, or department of that corporation, organization, labor organization, continuing association, or other person. | 8301<br>8302<br>8303<br>8304<br>8305<br>8306<br>8307<br>8308<br>8309<br>8310<br>8311<br>8312<br>8313 |
| (b) No political contributing entity shall make a contribution or contributions to a county political party for the party's state candidate fund.  | 8314<br>8315<br>8316   |
| (C)(1)(a) Subject to division (D)(1) of this section, no campaign committee of a statewide candidate shall do any of the following:  | 8317<br>8318<br>8319   |
| (i) Knowingly accept a contribution or contributions from any individual who is under seven years of age;  | 8320<br>8321   |
| (ii) Accept a contribution or contributions aggregating more than ten thousand dollars from any one individual who is seven years of age or older, from any one political action committee, from any one political contributing entity, or from any one other  | 8322<br>8323<br>8324<br>8325   |

campaign committee in a primary election period or in a general 8326  
election period; 8327

(iii) Accept a contribution or contributions aggregating more 8328  
than two hundred fifty thousand dollars from any one or 8329  
combination of state candidate funds of county political parties 8330  
in a primary election period or in a general election period. 8331

(b) No campaign committee of a statewide candidate shall 8332  
accept a contribution or contributions aggregating more than two 8333  
thousand five hundred dollars in a primary election period or in a 8334  
general election period from a county political party that has no 8335  
state candidate fund and that is located in a county having a 8336  
population of less than one hundred fifty thousand. 8337

(2)(a) Subject to division (D)(1) of this section and except 8338  
for a designated state campaign committee, no campaign committee 8339  
of a senate candidate shall do either of the following: 8340

(i) Knowingly accept a contribution or contributions from any 8341  
individual who is under seven years of age; 8342

(ii) Accept a contribution or contributions aggregating more 8343  
than ten thousand dollars from any one individual who is seven 8344  
years of age or older, from any one political action committee, 8345  
from any one political contributing entity, from any one state 8346  
candidate fund of a county political party, or from any one other 8347  
campaign committee in a primary election period or in a general 8348  
election period. 8349

(b) No campaign committee of a senate candidate shall accept 8350  
a contribution or contributions aggregating more than two thousand 8351  
five hundred dollars in a primary election period or in a general 8352  
election period from a county political party that has no state 8353  
candidate fund and that is located in a county having a population 8354  
of less than one hundred fifty thousand. 8355

(3)(a) Subject to division (D)(1) of this section and except 8356

for a designated state campaign committee, no campaign committee 8357  
of a house candidate shall do either of the following: 8358

(i) Knowingly accept a contribution or contributions from any 8359  
individual who is under seven years of age; 8360

(ii) Accept a contribution or contributions aggregating more 8361  
than ten thousand dollars from any one individual who is seven 8362  
years of age or older, from any one political action committee, 8363  
from any one political contributing entity, from any one state 8364  
candidate fund of a county political party, or from any one other 8365  
campaign committee in a primary election period or in a general 8366  
election period. 8367

(b) No campaign committee of a house candidate shall accept a 8368  
contribution or contributions aggregating more than two thousand 8369  
five hundred dollars in a primary election period or in a general 8370  
election period from a county political party that has no state 8371  
candidate fund and that is located in a county having a population 8372  
of less than one hundred fifty thousand. 8373

(4)(a)(i) Subject to division (C)(4)(a)(ii) of this section 8374  
and except for a designated state campaign committee, no county 8375  
political party shall knowingly accept a contribution or 8376  
contributions from any individual who is under seven years of age, 8377  
or accept a contribution or contributions for the party's state 8378  
candidate fund aggregating more than ten thousand dollars from any 8379  
one individual whose designated Ohio residence is located within 8380  
that county and who is seven years of age or older or from any one 8381  
campaign committee in a calendar year. 8382

(ii) Subject to division (D)(1) of this section, no county 8383  
political party shall accept a contribution or contributions for 8384  
the party's state candidate fund from any individual whose 8385  
designated Ohio residence is located outside of that county and 8386  
who is seven years of age or older, from any campaign committee 8387

unless the campaign committee's candidate will appear on a ballot 8388  
in that county or unless the campaign committee's candidate is the 8389  
holder of an elected public office that represents all or part of 8390  
the population of that county at the time the contribution is 8391  
accepted, or from any political action committee or any political 8392  
contributing entity. 8393

(iii) No county political party shall accept a contribution 8394  
or contributions from any other county political party. 8395

(b) Subject to division (D)(1) of this section, no state 8396  
political party shall do either of the following: 8397

(i) Knowingly accept a contribution or contributions from any 8398  
individual who is under seven years of age; 8399

(ii) Accept a contribution or contributions for the party's 8400  
state candidate fund aggregating more than thirty thousand dollars 8401  
from any one individual who is seven years of age or older, from 8402  
any one political action committee, from any one political 8403  
contributing entity, or from any one campaign committee, other 8404  
than a designated state campaign committee, in a calendar year. 8405

(5) Subject to division (D)(1) of this section, no 8406  
legislative campaign fund shall do either of the following: 8407

(a) Knowingly accept a contribution or contributions from any 8408  
individual who is under seven years of age; 8409

(b) Accept a contribution or contributions aggregating more 8410  
than fifteen thousand dollars from any one individual who is seven 8411  
years of age or older, from any one political action committee, 8412  
from any one political contributing entity, or from any one 8413  
campaign committee, other than a designated state campaign 8414  
committee, in a calendar year. 8415

(6)(a) No designated state campaign committee shall accept a 8416  
transfer or contribution of cash or cash equivalents from a state 8417

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| candidate fund of a state political party aggregating in a primary | 8418 |
| election period or a general election period more than:            | 8419 |
| (i) Five hundred thousand dollars, in the case of a campaign       | 8420 |
| committee of a statewide candidate;                                | 8421 |
| (ii) One hundred thousand dollars, in the case of a campaign       | 8422 |
| committee of a senate candidate;                                   | 8423 |
| (iii) Fifty thousand dollars, in the case of a campaign            | 8424 |
| committee of a house candidate.                                    | 8425 |
| (b) No designated state campaign committee shall accept a          | 8426 |
| transfer or contribution of cash or cash equivalents from a        | 8427 |
| legislative campaign fund aggregating more than:                   | 8428 |
| (i) Fifty thousand dollars in a primary election period or         | 8429 |
| one hundred thousand dollars in a general election period, in the  | 8430 |
| case of a campaign committee of a senate candidate;                | 8431 |
| (ii) Twenty-five thousand dollars in a primary election            | 8432 |
| period or fifty thousand dollars in a general election period, in  | 8433 |
| the case of a campaign committee of a house candidate.             | 8434 |
| (c) No campaign committee of a candidate for the office of         | 8435 |
| member of the general assembly, including a designated state       | 8436 |
| campaign committee, shall accept a transfer or contribution of     | 8437 |
| cash or cash equivalents from any one or combination of state      | 8438 |
| candidate funds of county political parties aggregating in a       | 8439 |
| primary election period or a general election period more than:    | 8440 |
| (i) One hundred thousand dollars, in the case of a campaign        | 8441 |
| committee of a senate candidate;                                   | 8442 |
| (ii) Fifty thousand dollars, in the case of a campaign             | 8443 |
| committee of a house candidate.                                    | 8444 |
| (7)(a) Subject to division (D)(3) of this section, no              | 8445 |
| political action committee and no political contributing entity    | 8446 |
| shall do either of the following:                                  | 8447 |

(i) Knowingly accept a contribution or contributions from any individual who is under seven years of age; 8448  
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(ii) Accept a contribution or contributions aggregating more than ten thousand dollars from any one individual who is seven years of age or older, from any one campaign committee, or from any one political party in a calendar year. 8450  
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(b) Subject to division (D)(1) of this section, no political action committee shall accept a contribution or contributions aggregating more than ten thousand dollars from another political action committee or from a political contributing entity in a calendar year. Subject to division (D)(1) of this section, no political contributing entity shall accept a contribution or contributions aggregating more than ten thousand dollars from another political contributing entity or from a political action committee in a calendar year. This division does not apply to a political action committee or political contributing entity that accepts a contribution from a political action committee or political contributing entity affiliated with it. For purposes of this division, a political action committee is affiliated with another political action committee or with a political contributing entity if they are both established, financed, maintained, or controlled by the same corporation, organization, labor organization, continuing association, or other person, including any parent, subsidiary, division, or department of that corporation, organization, labor organization, continuing association, or other person. 8454  
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(D)(1)(a) For purposes of the limitations prescribed in division (B)(2) of this section and the limitations prescribed in divisions (C)(1), (2), (3), (4), (5), and (7)(b) of this section, whichever is applicable, all contributions made by and all contributions accepted from political action committees that are established, financed, maintained, or controlled by, or that are, 8474  
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the same corporation, organization, labor organization, continuing 8480  
association, or other person, including any parent, subsidiary, 8481  
division, or department of that corporation, organization, labor 8482  
organization, continuing association, or other person, are 8483  
considered to have been made by or accepted from a single 8484  
political action committee. 8485

(b) For purposes of the limitations prescribed in division 8486  
(B)(7) of this section and the limitations prescribed in divisions 8487  
(C)(1), (2), (3), (4), (5), and (7)(b) of this section, whichever 8488  
is applicable, all contributions made by and all contributions 8489  
accepted from political contributing entities that are 8490  
established, financed, maintained, or controlled by, or that are, 8491  
the same corporation, organization, labor organization, continuing 8492  
association, or other person, including any parent, subsidiary, 8493  
division, or department of that corporation, organization, labor 8494  
organization, continuing association, or other person, are 8495  
considered to have been made by or accepted from a single 8496  
political contributing entity. 8497

(2) As used in divisions (B)(1)(a)(vii), (B)(3)(d), 8498  
(B)(4)(a), and (C)(7) of this section, "political action 8499  
committee" does not include a political action committee that is 8500  
organized to support or oppose a ballot issue or question and that 8501  
makes no contributions to or expenditures on behalf of a political 8502  
party, campaign committee, legislative campaign fund, political 8503  
action committee, or political contributing entity. As used in 8504  
divisions (B)(1)(a)(viii), (B)(3)(e), (B)(4)(a), and (C)(7) of 8505  
this section, "political contributing entity" does not include a 8506  
political contributing entity that is organized to support or 8507  
oppose a ballot issue or question and that makes no contributions 8508  
to or expenditures on behalf of a political party, campaign 8509  
committee, legislative campaign fund, political action committee, 8510  
or political contributing entity. 8511

(3) For purposes of the limitations prescribed in divisions 8512  
(B)(4) and (C)(7)(a) of this section, all contributions made by 8513  
and all contributions accepted from a national political party, a 8514  
state political party, and a county political party are considered 8515  
to have been made by or accepted from a single political party and 8516  
shall be combined with each other to determine whether the 8517  
limitations have been exceeded. 8518

(E)(1) If a legislative campaign fund has kept a total amount 8519  
of contributions exceeding one hundred fifty thousand dollars at 8520  
the close of business on the seventh day before the postgeneral 8521  
election statement is required to be filed under section 3517.10 8522  
of the Revised Code, the legislative campaign fund shall comply 8523  
with division (E)(2) of this section. 8524

(2)(a) Any legislative campaign fund that has kept a total 8525  
amount of contributions in excess of the amount specified in 8526  
division (E)(1) of this section at the close of business on the 8527  
seventh day before the postgeneral election statement is required 8528  
to be filed under section 3517.10 of the Revised Code shall 8529  
dispose of the excess amount in the manner prescribed in division 8530  
(E)(2)(b)(i), (ii), or (iii) of this section not later than ninety 8531  
days after the day the postgeneral election statement is required 8532  
to be filed under section 3517.10 of the Revised Code. Any 8533  
legislative campaign fund that is required to dispose of an excess 8534  
amount of contributions under this division shall file a statement 8535  
on the ninetieth day after the postgeneral election statement is 8536  
required to be filed under section 3517.10 of the Revised Code 8537  
indicating the total amount of contributions the fund has at the 8538  
close of business on the seventh day before the postgeneral 8539  
election statement is required to be filed under section 3517.10 8540  
of the Revised Code and that the excess contributions were 8541  
disposed of pursuant to this division and division (E)(2)(b) of 8542  
this section. The statement shall be on a form prescribed by the 8543

secretary of state and shall contain any additional information 8544  
the secretary of state considers necessary. 8545

(b) Any legislative campaign fund that is required to dispose 8546  
of an excess amount of contributions under division (E)(2) of this 8547  
section shall dispose of that excess amount by doing any of the 8548  
following: 8549

(i) Giving the amount to the treasurer of state for deposit 8550  
into the state treasury to the credit of the Ohio elections 8551  
commission fund created by division (I) of section 3517.152 of the 8552  
Revised Code; 8553

(ii) Giving the amount to individuals who made contributions 8554  
to that legislative campaign fund as a refund of all or part of 8555  
their contributions; 8556

(iii) Giving the amount to a corporation that is exempt from 8557  
federal income taxation under subsection 501(a) and described in 8558  
subsection 501(c) of the Internal Revenue Code. 8559

(F)(1) No legislative campaign fund shall fail to file a 8560  
statement required by division (E) of this section. 8561

(2) No legislative campaign fund shall fail to dispose of 8562  
excess contributions as required by division (E) of this section. 8563

(G) Nothing in this section shall affect, be used in 8564  
determining, or supersede a limitation on campaign contributions 8565  
as provided for in the Federal Election Campaign Act. 8566

**Sec. 3517.103.** (A)(1) For purposes of this section: 8567

(a) "Statewide candidate" means the joint candidates for the 8568  
offices of governor and lieutenant governor or a candidate for the 8569  
office of secretary of state, auditor of state, treasurer of 8570  
state, attorney general, or member of the state board of 8571  
education. 8572

(b)(i) "Personal funds" means contributions to the campaign committee of a candidate by the candidate or by the candidate's spouse, parents, children, sons-in-law, daughters-in-law, brothers, sisters, grandparents, mother-in-law, father-in-law, brothers-in-law, sisters-in-law, or grandparents by marriage.

(ii) A loan obtained by, guaranteed by, or for the benefit of a statewide candidate, senate candidate, or house candidate shall be considered "personal funds" subject to the provisions of this section and section 3517.1010 of the Revised Code to the extent that the loan is obtained or guaranteed by the candidate or is for the benefit of the candidate and is obtained or guaranteed by the candidate's spouse, parents, children, sons-in-law, daughters-in-law, brothers, sisters, grandparents, mother-in-law, father-in-law, brothers-in-law, sisters-in-law, or grandparents by marriage. A loan that is obtained or guaranteed and that is for the benefit of a statewide candidate, senate candidate, or house candidate shall not be considered "personal funds" for the purposes of this section and section 3517.1010 of the Revised Code but shall be considered to be a "contribution" for the purposes of this chapter if the loan is obtained or guaranteed by anyone other than the candidate or the candidate's spouse, parents, children, sons-in-law, daughters-in-law, brothers, sisters, grandparents, mother-in-law, father-in-law, brothers-in-law, sisters-in-law, or grandparents by marriage.

(iii) When a debt or other obligation incurred by a committee or by a candidate on behalf of the candidate's committee described in division (C)(1) or (2) of this section is to be paid from "personal funds," those funds are considered to be expended when the debt or other obligation is incurred, regardless of when it is paid.

(2) For purposes of this chapter, a candidate is an "opponent" when the candidate has indicated on the candidate's

most recently filed designation of treasurer that the candidate 8605  
seeks the same office at the same primary or general election as 8606  
another candidate whose campaign committee has filed a personal 8607  
funds notice required by division (C)(1) or (2) of this section. 8608

(B)(1) Except as otherwise provided in division (B)(2) of 8609  
this section, no statewide candidate or candidate for the office 8610  
of member of the general assembly shall make an expenditure of 8611  
personal funds to influence the results of an election for that 8612  
candidate's nomination or election to office unless the personal 8613  
funds are first deposited into the campaign fund of that 8614  
candidate's campaign committee. 8615

(2) A statewide candidate or candidate for the office of 8616  
member of the general assembly may make an expenditure of personal 8617  
funds without first depositing those funds into the campaign 8618  
committee's funds as long as the aggregate total of those 8619  
expenditures does not exceed five hundred dollars at any time 8620  
during an election period. After the candidate's campaign 8621  
committee reimburses the candidate for any direct expenditure of 8622  
personal funds, the amount that was reimbursed is no longer 8623  
included in the aggregate total of expenditures of personal funds 8624  
subject to the five-hundred-dollar limit. 8625

(C)(1) If the campaign committee of any statewide candidate 8626  
has received or expended or expects to expend more than one 8627  
hundred thousand dollars of personal funds during a primary 8628  
election period or one hundred fifty thousand dollars of personal 8629  
funds during a general election period, the campaign committee 8630  
shall file a personal funds notice in the manner provided in 8631  
division (C)(3) of this section indicating that the committee has 8632  
received or expended or expects to expend more than that amount. 8633  
For the purpose of this division, a joint team of candidates for 8634  
governor and lieutenant governor shall be considered a single 8635  
candidate and their personal funds shall be combined. 8636

(2) If the campaign committee of any senate candidate or  
house candidate has received or expended or expects to expend more  
than twenty-five thousand dollars of personal funds during a  
primary election period or twenty-five thousand dollars of  
personal funds during a general election period, the campaign  
committee shall file a personal funds notice in the manner  
provided in division (C)(3) of this section indicating that the  
committee has received or expended or expects to expend more than  
that amount.

(3) The personal funds notice required in divisions (C)(1)  
and (2) of this section and the declaration of no limits required  
under division (D)(2) of this section shall be on a form  
prescribed by the secretary of state. The personal funds notice  
required in divisions (C)(1) and (2) of this section shall be  
filed not later than the earlier of the following times:

(a) One hundred twenty days before a primary election, in the  
case of personal funds received, expended, or expected to be  
expended during a primary election period, or not later than one  
hundred twenty days before a general election, in the case of  
personal funds received, expended, or expected to be expended  
during a general election period;

(b) Two business days after the candidate's campaign  
committee receives or makes an expenditure of personal funds or  
the candidate makes an expenditure of personal funds on behalf of  
the candidate's campaign committee during that election period  
that exceed, in the aggregate, the amount specified in division  
(C)(1) or (2) of this section.

The personal funds notice required under divisions (C)(1) and  
(2) of this section and the declaration of no limits required  
under division (D)(2) of this section shall be filed wherever the  
campaign committee files statements of contributions and  
expenditures under section 3517.11 of the Revised Code. The board

of elections shall send to the secretary of state a copy of any 8669  
personal funds notice or declaration of no limits filed by the 8670  
campaign committee of a senate candidate or house candidate under 8671  
division (C)(3) or (D)(2) of this section. 8672

(D)(1) Whenever a campaign committee files a notice under 8673  
division (C)(1) or (2) of this section, and the campaign committee 8674  
of an opponent files a declaration of no limits pursuant to 8675  
division (D)(2) of this section within thirty days of the filing 8676  
of the personal funds notice under division (C)(1) or (2) of this 8677  
section, the contribution limitations prescribed in section 8678  
3517.102 of the Revised Code no longer apply to the campaign 8679  
committee of the candidate's opponent. 8680

(2) No campaign committee of a candidate described in 8681  
division (D)(1) of this section shall accept any contribution or 8682  
contributions from a contributor that exceed the limitations 8683  
prescribed in section 3517.102 of the Revised Code until the 8684  
committee files a declaration that the committee will accept 8685  
contributions that exceed those limitations. This declaration 8686  
shall be filed not later than thirty days after a candidate's 8687  
opponent has filed a personal funds notice pursuant to division 8688  
(C)(1) or (2) of section 3517.103 of the Revised Code, shall be 8689  
referred to as the "declaration of no limits," and shall list all 8690  
of the following: 8691

(a) The amount of cash on hand in the candidate's campaign 8692  
fund at the end of the day immediately preceding the day on which 8693  
the candidate's campaign committee files the declaration of no 8694  
limits; 8695

(b) The value and description of all campaign assets worth 8696  
five hundred dollars or more available to the candidate at the end 8697  
of the day immediately preceding the day on which the candidate's 8698  
campaign committee files the declaration of no limits. 8699

(3) A candidate who was not an opponent of a candidate who filed the personal funds notice required under division (C)(3) of this section on the date the personal funds notice was filed may file the declaration of no limits pursuant to division (D)(2) of this section within thirty days after becoming an opponent of the candidate who filed the personal funds notice.

(4) If the candidate whose campaign committee filed a personal funds notice under division (C)(1) or (2) of this section fails to file a declaration of candidacy for the office listed on the designation of treasurer filed under division (D) of section 3517.10 of the Revised Code or files a declaration of candidacy or nominating petition for that office and dies or withdraws, both of the following apply to the campaign committee of that candidate's opponent if the opponent has filed a declaration of no limits pursuant to division (D) of this section:

(a) No contribution from a contributor may thereafter be accepted that, when added to the aggregate total of all contributions received by that committee from that contributor during the primary election period or general election period, whichever is applicable, would cause that committee to exceed the contribution limitations prescribed in section 3517.102 of the Revised Code for the applicable election period.

(b) The statement of primary-day finances or the year-end statement required to be filed under division (E) of section 3517.1010 of the Revised Code shall be filed not later than fourteen days after the date the candidate's opponent fails to file a declaration of candidacy or nominating petition by the appropriate filing deadline, or dies or withdraws. For purposes of calculating permitted funds under division (A)(4) of section 3517.1010 of the Revised Code, the primary or general election period, whichever is applicable, shall be considered to have ended on the filing deadline, in the case of an opponent who fails to

file a declaration of candidacy or nominating petition, or on the 8732  
date of the opponent's death or withdrawal. In such an event, the 8733  
filing of a statement of primary-day finances or year-end finances 8734  
and the disposing of any excess funds as required under division 8735  
(B) of section 3517.1010 of the Revised Code satisfies the 8736  
candidate's obligation to file such a statement for that election 8737  
period. 8738

(E)(1) No campaign committee shall fail to file a personal 8739  
funds notice as required under division (C)(1) or (2) of this 8740  
section. 8741

(2) No campaign committee shall accept any contribution in 8742  
excess of the contribution limitations prescribed in section 8743  
3517.102 of the Revised Code: 8744

(a) Unless a declaration of no limits has been filed under 8745  
division (D)(2) of this section; 8746

(b) In violation of division (D)(4) of this section once the 8747  
candidate who filed a personal funds notice under division (C)(3) 8748  
of this section fails to file a declaration of candidacy or 8749  
nominating petition or that candidate dies or withdraws. 8750

(3) No campaign committee that violates division (E)(1) of 8751  
this section shall expend any personal funds in excess of the 8752  
amount specified in division (C)(1) or (2) of this section, 8753  
whichever is appropriate to the committee. 8754

(4) The candidate of any campaign committee that violates 8755  
division (E) of this section shall forfeit the candidate's 8756  
nomination, if the candidate was nominated, or the office to which 8757  
the candidate was elected, if the candidate was elected to office. 8758

(F)(1) Whenever a campaign committee files a notice under 8759  
division (C)(1) or (2) of this section or whenever the 8760  
contribution limitations prescribed in section 3517.102 of the 8761  
Revised Code do not apply to a campaign committee under division 8762

(D)(1) of this section, that committee is not a designated state 8763  
campaign committee for the purpose of the limitations prescribed 8764  
in section 3517.102 of the Revised Code with regard to 8765  
contributions made by that campaign committee to a legislative 8766  
campaign fund or to a state candidate fund of a state or county 8767  
political party. 8768

(2) Division (F)(1) of this section no longer applies to a 8769  
campaign committee after both of the following occur: 8770

(a) The primary or general election period during which the 8771  
contribution limitations prescribed in section 3517.102 of the 8772  
Revised Code did not apply after being removed pursuant to 8773  
division (D) of this section has expired; 8774

(b) When the campaign committee has disposed of all excess 8775  
funds and excess aggregate contributions as required under section 8776  
3517.1010 of the Revised Code. 8777

**Sec. 3517.106.** (A) As used in this section: 8778

(1) "Statewide office" means any of the offices of governor, 8779  
lieutenant governor, secretary of state, auditor of state, 8780  
treasurer of state, attorney general, chief justice of the supreme 8781  
court, and justice of the supreme court. 8782

(2) "Addendum to a statement" includes an amendment or other 8783  
correction to that statement. 8784

(B)(1) The secretary of state shall store on computer the 8785  
information contained in statements of contributions and 8786  
expenditures and monthly statements required to be filed under 8787  
section 3517.10 of the Revised Code and in statements of 8788  
independent expenditures required to be filed under section 8789  
3517.105 of the Revised Code by any of the following: 8790

(a) The campaign committees of candidates for statewide 8791  
office; 8792

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| (b) The political action committees and political contributing entities described in division (A)(1) of section 3517.11 of the Revised Code;   | 8793<br>8794<br>8795         |
| (c) Legislative campaign funds;  | 8796                         |
| (d) State political parties;   | 8797                         |
| (e) Individuals, partnerships, corporations, labor organizations, or other entities that make independent expenditures in support of or opposition to a statewide candidate or a statewide ballot issue or question;             | 8798<br>8799<br>8800<br>8801 |
| (f) The campaign committees of candidates for the office of member of the general assembly;  | 8802<br>8803                 |
| (g) County political parties, with respect to their state candidate funds.   | 8804<br>8805                 |
| (2) The secretary of state shall store on computer the information contained in disclosure of electioneering communications statements required to be filed under section 3517.1011 of the Revised Code.                         | 8806<br>8807<br>8808<br>8809 |
| (3) The secretary of state shall store on computer the information contained in deposit and disbursement statements required to be filed with the office of the secretary of state under section 3517.1012 of the Revised Code.  | 8810<br>8811<br>8812<br>8813 |
| (4) The secretary of state shall store on computer the gift and disbursement information contained in statements required to be filed with the office of the secretary of state under section 3517.1013 of the Revised Code.     | 8814<br>8815<br>8816<br>8817 |
| (5) The secretary of state shall store on computer the information contained in donation and disbursement statements required to be filed with the office of the secretary of state under section 3517.1014 of the Revised Code. | 8818<br>8819<br>8820<br>8821 |
| (C)(1) The secretary of state shall make available to the  | 8822                         |

campaign committees, political action committees, political 8823  
contributing entities, legislative campaign funds, political 8824  
parties, individuals, partnerships, corporations, labor 8825  
organizations, treasurers of transition funds, and other entities 8826  
described in division (B) of this section, and to members of the 8827  
news media and other interested persons, for a reasonable fee, 8828  
computer programs that are compatible with the secretary of 8829  
state's method of storing the information contained in the 8830  
statements. 8831

(2) The secretary of state shall make the information 8832  
required to be stored under division (B) of this section available 8833  
on computer at the secretary of state's office so that, to the 8834  
maximum extent feasible, individuals may obtain at the secretary 8835  
of state's office any part or all of that information for any 8836  
given year, subject to the limitation expressed in division (D) of 8837  
this section. 8838

(D) The secretary of state shall keep the information stored 8839  
on computer under division (B) of this section for at least six 8840  
years. 8841

(E)(1) Subject to division (L) of this section and subject to 8842  
the secretary of state having implemented, tested, and verified 8843  
the successful operation of any system the secretary of state 8844  
prescribes pursuant to division (H)(1) of this section and 8845  
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 8846  
Code for the filing of campaign finance statements by electronic 8847  
means of transmission, the campaign committee of each candidate 8848  
for statewide office may file the statements prescribed by section 8849  
3517.10 of the Revised Code by electronic means of transmission 8850  
or, if the total amount of the contributions received or the total 8851  
amount of the expenditures made by the campaign committee for the 8852  
applicable reporting period as specified in division (A) of 8853  
section 3517.10 of the Revised Code exceeds ten thousand dollars, 8854

shall file those statements by electronic means of transmission. 8855

Except as otherwise provided in this division, within five 8856  
business days after a statement filed by a campaign committee of a 8857  
candidate for statewide office is received by the secretary of 8858  
state by electronic or other means of transmission, the secretary 8859  
of state shall make available online to the public through the 8860  
internet, as provided in division (I) of this section, the 8861  
contribution and expenditure information in that statement. The 8862  
secretary of state shall not make available online to the public 8863  
through the internet any contribution or expenditure information 8864  
contained in a statement for any candidate until the secretary of 8865  
state is able to make available online to the public through the 8866  
internet the contribution and expenditure information for all 8867  
candidates for a particular office, or until the applicable filing 8868  
deadline for that statement has passed, whichever is sooner. As 8869  
soon as the secretary of state has available all of the 8870  
contribution and expenditure information for all candidates for a 8871  
particular office, or as soon as the applicable filing deadline 8872  
for a statement has passed, whichever is sooner, the secretary of 8873  
state shall simultaneously make available online to the public 8874  
through the internet the information for all candidates for that 8875  
office. 8876

If a statement filed by electronic means of transmission is 8877  
found to be incomplete or inaccurate after the examination of the 8878  
statement for completeness and accuracy pursuant to division 8879  
(B)(3)(a) of section 3517.11 of the Revised Code, the campaign 8880  
committee shall file by electronic means of transmission any 8881  
addendum to the statement that provides the information necessary 8882  
to complete or correct the statement or, if required by the 8883  
secretary of state under that division, an amended statement. 8884

Within five business days after the secretary of state 8885  
receives from a campaign committee of a candidate for statewide 8886

office an addendum to the statement or an amended statement by 8887  
electronic or other means of transmission under this division or 8888  
division (B)(3)(a) of section 3517.11 of the Revised Code, the 8889  
secretary of state shall make the contribution and expenditure 8890  
information in the addendum or amended statement available online 8891  
to the public through the internet as provided in division (I) of 8892  
this section. 8893

(2) Subject to the secretary of state having implemented, 8894  
tested, and verified the successful operation of any system the 8895  
secretary of state prescribes pursuant to division (H)(1) of this 8896  
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 8897  
the Revised Code for the filing of campaign finance statements by 8898  
electronic means of transmission, a political action committee and 8899  
a political contributing entity described in division (B)(1)(b) of 8900  
this section, a legislative campaign fund, and a state political 8901  
party may file the statements prescribed by section 3517.10 of the 8902  
Revised Code by electronic means of transmission or, if the total 8903  
amount of the contributions received or the total amount of the 8904  
expenditures made by the political action committee, political 8905  
contributing entity, legislative campaign fund, or state political 8906  
party for the applicable reporting period as specified in division 8907  
(A) of section 3517.10 of the Revised Code exceeds ten thousand 8908  
dollars, shall file those statements by electronic means of 8909  
transmission. 8910

Within five business days after a statement filed by a 8911  
political action committee or a political contributing entity 8912  
described in division (B)(1)(b) of this section, a legislative 8913  
campaign fund, or a state political party is received by the 8914  
secretary of state by electronic or other means of transmission, 8915  
the secretary of state shall make available online to the public 8916  
through the internet, as provided in division (I) of this section, 8917  
the contribution and expenditure information in that statement. 8918

If a statement filed by electronic means of transmission is 8919  
found to be incomplete or inaccurate after the examination of the 8920  
statement for completeness and accuracy pursuant to division 8921  
(B)(3)(a) of section 3517.11 of the Revised Code, the political 8922  
action committee, political contributing entity, legislative 8923  
campaign fund, or state political party shall file by electronic 8924  
means of transmission any addendum to the statement that provides 8925  
the information necessary to complete or correct the statement or, 8926  
if required by the secretary of state under that division, an 8927  
amended statement. 8928

Within five business days after the secretary of state 8929  
receives from a political action committee or a political 8930  
contributing entity described in division (B)(1)(b) of this 8931  
section, a legislative campaign fund, or a state political party 8932  
an addendum to the statement or an amended statement by electronic 8933  
or other means of transmission under this division or division 8934  
(B)(3)(a) of section 3517.11 of the Revised Code, the secretary of 8935  
state shall make the contribution and expenditure information in 8936  
the addendum or amended statement available online to the public 8937  
through the internet as provided in division (I) of this section. 8938

(3) Subject to the secretary of state having implemented, 8939  
tested, and verified the successful operation of any system the 8940  
secretary of state prescribes pursuant to division (H)(1) of this 8941  
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 8942  
the Revised Code for the filing of campaign finance statements by 8943  
electronic means of transmission, a county political party shall 8944  
file the statements prescribed by section 3517.10 of the Revised 8945  
Code with respect to its state candidate fund by electronic means 8946  
of transmission to the office of the secretary of state. 8947

Within five business days after a statement filed by a county 8948  
political party with respect to its state candidate fund is 8949  
received by the secretary of state by electronic means of 8950

transmission, the secretary of state shall make available online 8951  
to the public through the internet, as provided in division (I) of 8952  
this section, the contribution and expenditure information in that 8953  
statement. 8954

If a statement is found to be incomplete or inaccurate after 8955  
the examination of the statement for completeness and accuracy 8956  
pursuant to division (B)(3)(a) of section 3517.11 of the Revised 8957  
Code, a county political party shall file by electronic means of 8958  
transmission any addendum to the statement that provides the 8959  
information necessary to complete or correct the statement or, if 8960  
required by the secretary of state under that division, an amended 8961  
statement. 8962

Within five business days after the secretary of state 8963  
receives from a county political party an addendum to the 8964  
statement or an amended statement by electronic means of 8965  
transmission under this division or division (B)(3)(a) of section 8966  
3517.11 of the Revised Code, the secretary of state shall make the 8967  
contribution and expenditure information in the addendum or 8968  
amended statement available online to the public through the 8969  
internet as provided in division (I) of this section. 8970

(F)(1) Subject to division (L) of this section and subject to 8971  
the secretary of state having implemented, tested, and verified 8972  
the successful operation of any system the secretary of state 8973  
prescribes pursuant to division (H)(1) of this section and 8974  
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 8975  
Code for the filing of campaign finance statements by electronic 8976  
means of transmission, a campaign committee of a candidate for the 8977  
office of member of the general assembly or a campaign committee 8978  
of a candidate for the office of judge of a court of appeals may 8979  
file the statements prescribed by section 3517.10 of the Revised 8980  
Code in accordance with division (A)(2) of section 3517.11 of the 8981  
Revised Code or by electronic means of transmission to the office 8982

of the secretary of state or, if the total amount of the 8983  
contributions received by the campaign committee for the 8984  
applicable reporting period as specified in division (A) of 8985  
section 3517.10 of the Revised Code exceeds ten thousand dollars, 8986  
shall file those statements by electronic means of transmission to 8987  
the office of the secretary of state. 8988

Except as otherwise provided in this division, within five 8989  
business days after a statement filed by a campaign committee of a 8990  
candidate for the office of member of the general assembly or a 8991  
campaign committee of a candidate for the office of judge of a 8992  
court of appeals is received by the secretary of state by 8993  
electronic or other means of transmission, the secretary of state 8994  
shall make available online to the public through the internet, as 8995  
provided in division (I) of this section, the contribution and 8996  
expenditure information in that statement. The secretary of state 8997  
shall not make available online to the public through the internet 8998  
any contribution or expenditure information contained in a 8999  
statement for any candidate until the secretary of state is able 9000  
to make available online to the public through the internet the 9001  
contribution and expenditure information for all candidates for a 9002  
particular office, or until the applicable filing deadline for 9003  
that statement has passed, whichever is sooner. As soon as the 9004  
secretary of state has available all of the contribution and 9005  
expenditure information for all candidates for a particular 9006  
office, or as soon as the applicable filing deadline for a 9007  
statement has passed, whichever is sooner, the secretary of state 9008  
shall simultaneously make available online to the public through 9009  
the internet the information for all candidates for that office. 9010

If a statement filed by electronic means of transmission is 9011  
found to be incomplete or inaccurate after the examination of the 9012  
statement for completeness and accuracy pursuant to division 9013  
(B)(3)(a) of section 3517.11 of the Revised Code, the campaign 9014

committee shall file by electronic means of transmission to the 9015  
office of the secretary of state any addendum to the statement 9016  
that provides the information necessary to complete or correct the 9017  
statement or, if required by the secretary of state under that 9018  
division, an amended statement. 9019

Within five business days after the secretary of state 9020  
receives from a campaign committee of a candidate for the office 9021  
of member of the general assembly or a campaign committee of a 9022  
candidate for the office of judge of a court of appeals an 9023  
addendum to the statement or an amended statement by electronic or 9024  
other means of transmission under this division or division 9025  
(B)(3)(a) of section 3517.11 of the Revised Code, the secretary of 9026  
state shall make the contribution and expenditure information in 9027  
the addendum or amended statement available online to the public 9028  
through the internet as provided in division (I) of this section. 9029

(2) If a statement, addendum, or amended statement is not 9030  
filed by electronic means of transmission to the office of the 9031  
secretary of state but is filed by printed version only under 9032  
division (A)(2) of section 3517.11 of the Revised Code with the 9033  
appropriate board of elections, the campaign committee of a 9034  
candidate for the office of member of the general assembly or a 9035  
campaign committee of a candidate for the office of judge of a 9036  
court of appeals shall file two copies of the printed version of 9037  
the statement, addendum, or amended statement with the board of 9038  
elections. The board of elections shall send one of those copies 9039  
by certified mail to the secretary of state before the close of 9040  
business on the day the board of elections receives the statement, 9041  
addendum, or amended statement. 9042

(G) Subject to the secretary of state having implemented, 9043  
tested, and verified the successful operation of any system the 9044  
secretary of state prescribes pursuant to division (H)(1) of this 9045  
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 9046

the Revised Code for the filing of campaign finance statements by 9047  
electronic means of transmission, any individual, partnership, or 9048  
other entity that makes independent expenditures in support of or 9049  
opposition to a statewide candidate or a statewide ballot issue or 9050  
question as provided in division (B)(2)(b) or (C)(2)(b) of section 9051  
3517.105 of the Revised Code may file the statement specified in 9052  
that division by electronic means of transmission or, if the total 9053  
amount of independent expenditures made during the reporting 9054  
period under that division exceeds ten thousand dollars, shall 9055  
file the statement specified in that division by electronic means 9056  
of transmission. 9057

Within five business days after a statement filed by an 9058  
individual, partnership, or other entity is received by the 9059  
secretary of state by electronic or other means of transmission, 9060  
the secretary of state shall make available online to the public 9061  
through the internet, as provided in division (I) of this section, 9062  
the expenditure information in that statement. 9063

If a statement filed by electronic means of transmission is 9064  
found to be incomplete or inaccurate after the examination of the 9065  
statement for completeness and accuracy pursuant to division 9066  
(B)(3)(a) of section 3517.11 of the Revised Code, the individual, 9067  
partnership, or other entity shall file by electronic means of 9068  
transmission any addendum to the statement that provides the 9069  
information necessary to complete or correct the statement or, if 9070  
required by the secretary of state under that division, an amended 9071  
statement. 9072

Within five business days after the secretary of state 9073  
receives from an individual, partnership, or other entity 9074  
described in division (B)(2)(b) or (C)(2)(b) of section 3517.105 9075  
of the Revised Code an addendum to the statement or an amended 9076  
statement by electronic or other means of transmission under this 9077  
division or division (B)(3)(a) of section 3517.11 of the Revised 9078

Code, the secretary of state shall make the expenditure 9079  
information in the addendum or amended statement available online 9080  
to the public through the internet as provided in division (I) of 9081  
this section. 9082

(H)(1) The secretary of state, by rule adopted pursuant to 9083  
section 3517.23 of the Revised Code, shall prescribe one or more 9084  
techniques by which a person who executes and transmits by 9085  
electronic means a statement of contributions and expenditures, a 9086  
statement of independent expenditures, a disclosure of 9087  
electioneering communications statement, a deposit and 9088  
disbursement statement, a gift and disbursement statement, or a 9089  
donation and disbursement statement, an addendum to any of those 9090  
statements, an amended statement of contributions and 9091  
expenditures, an amended statement of independent expenditures, an 9092  
amended disclosure of electioneering communications statement, an 9093  
amended deposit and disbursement statement, an amended gift and 9094  
disbursement statement, or an amended donation and disbursement 9095  
statement, under this section or section 3517.10, 3517.105, 9096  
3517.1011, 3517.1012, 3517.1013, or 3517.1014 of the Revised Code 9097  
shall electronically sign the statement, addendum, or amended 9098  
statement. Any technique prescribed by the secretary of state 9099  
pursuant to this division shall create an electronic signature 9100  
that satisfies all of the following: 9101

(a) It is unique to the signer. 9102

(b) It objectively identifies the signer. 9103

(c) It involves the use of a signature device or other means 9104  
or method that is under the sole control of the signer and that 9105  
cannot be readily duplicated or compromised. 9106

(d) It is created and linked to the electronic record to 9107  
which it relates in a manner that, if the record or signature is 9108  
intentionally or unintentionally changed after signing, the 9109

electronic signature is invalidated. 9110

(2) An electronic signature prescribed by the secretary of 9111  
state under division (H)(1) of this section shall be attached to 9112  
or associated with the statement of contributions and 9113  
expenditures, the statement of independent expenditures, the 9114  
disclosure of electioneering communications statement, the deposit 9115  
and disbursement statement, the gift and disbursement statement, 9116  
or the donation and disbursement statement, the addendum to any of 9117  
those statements, the amended statement of contributions and 9118  
expenditures, the amended statement of independent expenditures, 9119  
the amended disclosure of electioneering communications statement, 9120  
the amended deposit and disbursement statement, the amended gift 9121  
and disbursement statement, or the amended donation and 9122  
disbursement statement that is executed and transmitted by 9123  
electronic means by the person to whom the electronic signature is 9124  
attributed. The electronic signature that is attached to or 9125  
associated with the statement, addendum, or amended statement 9126  
under this division shall be binding on all persons and for all 9127  
purposes under the campaign finance reporting law as if the 9128  
signature had been handwritten in ink on a printed form. 9129

(I) The secretary of state shall make the contribution and 9130  
expenditure, the contribution and disbursement, the deposit and 9131  
disbursement, the gift and disbursement, or the donation and 9132  
disbursement information in all statements, all addenda to the 9133  
statements, and all amended statements that are filed with the 9134  
secretary of state by electronic or other means of transmission 9135  
under this section or section 3517.10, 3517.105, 3517.1011, 9136  
3517.1012, 3517.1013, 3517.1014, or 3517.11 of the Revised Code 9137  
available online to the public by any means that are searchable, 9138  
viewable, and accessible through the internet. 9139

(J)(1) As used in this division, "library" means a library 9140  
that is open to the public and that is one of the following: 9141

(a) A library that is maintained and regulated under section 9142  
715.13 of the Revised Code; 9143

(b) A library that is created, maintained, and regulated 9144  
under Chapter 3375. of the Revised Code. 9145

(2) The secretary of state shall notify all libraries of the 9146  
location on the internet at which the contribution and 9147  
expenditure, contribution and disbursement, deposit and 9148  
disbursement, gift and disbursement, or donation and disbursement 9149  
information in campaign finance statements required to be made 9150  
available online to the public through the internet pursuant to 9151  
division (I) of this section may be accessed. 9152

If that location is part of the world wide web and if the 9153  
secretary of state has notified a library of that world wide web 9154  
location as required by this division, the library shall include a 9155  
link to that world wide web location on each internet-connected 9156  
computer it maintains that is accessible to the public. 9157

(3) If the system the secretary of state prescribes for the 9158  
filing of campaign finance statements by electronic means of 9159  
transmission pursuant to division (H)(1) of this section and 9160  
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 9161  
Code includes filing those statements through the internet via the 9162  
world wide web, the secretary of state shall notify all libraries 9163  
of the world wide web location at which those statements may be 9164  
filed. 9165

If those statements may be filed through the internet via the 9166  
world wide web and if the secretary of state has notified a 9167  
library of that world wide web location as required by this 9168  
division, the library shall include a link to that world wide web 9169  
location on each internet-connected computer it maintains that is 9170  
accessible to the public. 9171

(K) It is an affirmative defense to a complaint or charge 9172

brought against any campaign committee, political action 9173  
committee, political contributing entity, legislative campaign 9174  
fund, or political party, any individual, partnership, or other 9175  
entity, any person making disbursements to pay the direct costs of 9176  
producing or airing electioneering communications, or any 9177  
treasurer of a transition fund, for the failure to file by 9178  
electronic means of transmission a campaign finance statement as 9179  
required by this section or section 3517.10, 3517.105, 3517.1011, 9180  
3517.1012, 3517.1013, or 3517.1014 of the Revised Code that all of 9181  
the following apply to the campaign committee, political action 9182  
committee, political contributing entity, legislative campaign 9183  
fund, or political party, the individual, partnership, or other 9184  
entity, the person making disbursements to pay the direct costs of 9185  
producing or airing electioneering communications, or the 9186  
treasurer of a transition fund that failed to so file: 9187

(1) The campaign committee, political action committee, 9188  
political contributing entity, legislative campaign fund, or 9189  
political party, the individual, partnership, or other entity, the 9190  
person making disbursements to pay the direct costs of producing 9191  
or airing electioneering communications, or the treasurer of a 9192  
transition fund attempted to file by electronic means of 9193  
transmission the required statement prior to the deadline set 9194  
forth in the applicable section. 9195

(2) The campaign committee, political action committee, 9196  
political contributing entity, legislative campaign fund, or 9197  
political party, the individual, partnership, or other entity, the 9198  
person making disbursements to pay the direct costs of producing 9199  
or airing electioneering communications, or the treasurer of a 9200  
transition fund was unable to file by electronic means of 9201  
transmission due to an expected or unexpected shutdown of the 9202  
whole or part of the electronic campaign finance statement-filing 9203  
system, such as for maintenance or because of hardware, software, 9204

or network connection failure. 9205

(3) The campaign committee, political action committee, 9206  
political contributing entity, legislative campaign fund, or 9207  
political party, the individual, partnership, or other entity, the 9208  
person making disbursements to pay the direct costs of producing 9209  
or airing electioneering communications, or the treasurer of a 9210  
transition fund filed by electronic means of transmission the 9211  
required statement within a reasonable period of time after being 9212  
unable to so file it under the circumstance described in division 9213  
(K)(2) of this section. 9214

(L)(1) The secretary of state shall adopt rules pursuant to 9215  
Chapter 119. of the Revised Code to permit a campaign committee of 9216  
a candidate for statewide office that makes expenditures of less 9217  
than twenty-five thousand dollars during the filing period or a 9218  
campaign committee for the office of member of the general 9219  
assembly or the office of judge of a court of appeals that would 9220  
otherwise be required to file campaign finance statements by 9221  
electronic means of transmission under division (E) or (F) of this 9222  
section to file those statements by paper with the office of the 9223  
secretary of state. Those rules shall provide for all of the 9224  
following: 9225

(a) An eligible campaign committee that wishes to file a 9226  
campaign finance statement by paper instead of by electronic means 9227  
of transmission shall file the statement on paper with the office 9228  
of the secretary of state not sooner than twenty-four hours after 9229  
the end of the filing period set forth in section 3517.10 of the 9230  
Revised Code that is covered by the applicable statement. 9231

(b) The statement shall be accompanied by a fee, the amount 9232  
of which the secretary of state shall determine by rule. The 9233  
amount of the fee established under this division shall not exceed 9234  
the data entry and data verification costs the secretary of state 9235  
will incur to convert the information on the statement to an 9236

electronic format as required under division (I) of this section. 9237

(c) The secretary of state shall arrange for the information 9238  
in campaign finance statements filed pursuant to division (L) of 9239  
this section to be made available online to the public through the 9240  
internet in the same manner, and at the same times, as information 9241  
is made available under divisions (E), (F), and (I) of this 9242  
section for candidates whose campaign committees file those 9243  
statements by electronic means of transmission. 9244

(d) The candidate of an eligible campaign committee that 9245  
intends to file a campaign finance statement pursuant to division 9246  
(L) of this section shall file a notice indicating that the 9247  
candidate's campaign committee intends to so file and stating that 9248  
filing the statement by electronic means of transmission would 9249  
constitute a hardship for the candidate or for the eligible 9250  
campaign committee. 9251

(e) An eligible campaign committee that files a campaign 9252  
finance statement on paper pursuant to division (L) of this 9253  
section shall review the contribution and information made 9254  
available online by the secretary of state with respect to that 9255  
paper filing and shall notify the secretary of state of any errors 9256  
with respect to that filing that appear in the data made available 9257  
on that web site. 9258

(f) If an eligible campaign committee whose candidate has 9259  
filed a notice in accordance with rules adopted under division 9260  
(L)(1)(d) of this section subsequently fails to file that 9261  
statement on paper by the applicable deadline established in rules 9262  
adopted under division (L)(1)(a) of this section, penalties for 9263  
the late filing of the campaign finance statement shall apply to 9264  
that campaign committee for each day after that paper filing 9265  
deadline, as if the campaign committee had filed the statement 9266  
after the applicable deadline set forth in division (A) of section 9267  
3517.10 of the Revised Code. 9268

(2) The process for permitting campaign committees that would otherwise be required to file campaign finance statements by electronic means of transmission to file those statements on paper with the office of the secretary of state that is required to be developed under division (L)(1) of this section shall be in effect and available for use by eligible campaign committees for all campaign finance statements that are required to be filed on or after June 30, 2005. Notwithstanding any provision of the Revised Code to the contrary, if the process the secretary of state is required to develop under division (L)(1) of this section is not in effect and available for use on and after June 30, 2005, all penalties for the failure of campaign committees to file campaign finance statements by electronic means of transmission shall be suspended until such time as that process is in effect and available for use.

(3) Notwithstanding any provision of the Revised Code to the contrary, any eligible campaign committee that files campaign finance statements on paper with the office of the secretary of state pursuant to division (L)(1) of this section shall be deemed to have filed those campaign finance statements by electronic means of transmission to the office of the secretary of state.

**Sec. 3517.107.** (A) As used in this section, "federal political committee" means a political committee, as defined in the Federal Election Campaign Act, that is registered with the federal election commission under that act.

(B) Any federal political committee may make contributions, expenditures, or independent expenditures from its federal account in connection with any state or local election in Ohio. Prior to making any such contribution, expenditure, or independent expenditure, the federal political committee shall register with the secretary of state by filing a copy of its most recent federal

statement of organization. A federal political committee 9300  
registered with the secretary of state under this division shall 9301  
file with the secretary of state any amendment to its statement of 9302  
organization that is required under the Federal Election Campaign 9303  
Act to be reported to the federal election commission. 9304

(C) When, during any federal reporting period under the 9305  
Federal Election Campaign Act, a federal political committee makes 9306  
a contribution, expenditure, or independent expenditure from its 9307  
federal account in connection with a state or local election in 9308  
Ohio, the committee shall file with the secretary of state not 9309  
later than the date on which its report is required to be filed 9310  
with the appropriate federal office or officer under the Federal 9311  
Election Campaign Act, copies of the following pages from that 9312  
report: 9313

(1) The summary page; 9314

(2) The detailed summary page; 9315

(3) The page or pages that contain an itemized list of the 9316  
contributions, expenditures, and independent expenditures made in 9317  
connection with state and local elections in Ohio. 9318

The total amount of contributions, expenditures, and 9319  
independent expenditures made in connection with state and local 9320  
elections in Ohio shall be reflected on the summary page or on a 9321  
form that the secretary of state shall prescribe. 9322

(D) When, during any calendar year, a federal political 9323  
committee makes a contribution from its federal account in 9324  
connection with a state or local election in Ohio to a state or 9325  
local political action committee that is required under section 9326  
3517.11 of the Revised Code to file any statement prescribed by 9327  
section 3517.10 of the Revised Code, and the federal political 9328  
committee and state or local political action committee are 9329  
established, financed, maintained, or controlled by the same 9330

corporation, organization, continuing association, or other 9331  
person, including any parent, subsidiary, division, department, or 9332  
unit of that corporation, organization, continuing association, or 9333  
other person, the federal political committee shall file a 9334  
statement with the secretary of state not later than the last 9335  
business day of January of the next calendar year. The statement 9336  
shall be on a form prescribed by the secretary of state and shall 9337  
include a list of the names and addresses of contributors that are 9338  
residents of Ohio that made contributions to the federal political 9339  
committee during the calendar year covered by the statement and, 9340  
for each name listed, the aggregate total amount contributed by 9341  
each contributor during the reporting period. 9342

**Sec. 3517.1010.** (A) As used in this section: 9343

(1) "Aggregate contribution," "allowable aggregate 9344  
contribution," "excess aggregate contribution," and "pre-filing 9345  
period" have the same meanings as in section 3517.109 of the 9346  
Revised Code. 9347

(2) "Filing deadline" means the last date on which a 9348  
candidacy petition may be filed for an office. 9349

(3) "Campaign asset" means prepaid, purchased, or donated 9350  
assets, goods, or services available to the candidate's campaign 9351  
committee on the date specified in the filing required under 9352  
division (F) of this section that will be consumed, depleted, or 9353  
used in the course of the candidate's election campaign, 9354  
including, but not limited to, postage, rent for any campaign 9355  
office, radio, television, and newspaper advertising, and 9356  
consulting and personal services. 9357

(4) "Permitted funds" means one of the following: 9358

(a) In the case of a disposal of excess funds under division 9359  
(B)(1) of this section, the sum of the primary carry-in amount and 9360

the product of both of the following: 9361

(i) The sum of the campaign committee's net cash on hand and 9362  
the campaign committee's total reported campaign assets on the day 9363  
of the primary election less the primary carry-in amount; 9364

(ii) The ratio of the sum of the allowable aggregate 9365  
contributions of each contributor to the sum of all contributions 9366  
received, during the period extending from the first day on which, 9367  
in accordance with division (D) of section 3517.103 of the Revised 9368  
Code, the contribution limitations prescribed in section 3517.102 9369  
of the Revised Code no longer apply to the campaign committee 9370  
through the end of the primary election period. 9371

For the purposes of division (A)(4)(a) of this section, the 9372  
allowable aggregate contribution of each contributor is calculated 9373  
as if the limitations on contributions prescribed in section 9374  
3517.102 of the Revised Code were in effect. 9375

As used in division (A)(4)(a) of this section, "primary 9376  
carry-in amount" is the sum of the campaign committee's cash on 9377  
hand and reported campaign assets as reported on the campaign 9378  
committee's declaration of no limits filed pursuant to division 9379  
(D) of section 3517.103 of the Revised Code. 9380

(b) In the case of a disposal of excess funds under division 9381  
(B)(5) of this section, the product of both of the following: 9382

(i) The sum of the cash on hand and reported campaign assets 9383  
at the end of the thirty-first day of December immediately 9384  
following the general election; 9385

(ii) The ratio of the sum of the allowable aggregate 9386  
contributions of each contributor and the general carry-in amount 9387  
to the sum of all contributions received during the general 9388  
election period and the general carry-in amount. 9389

For the purposes of division (A)(4)(b) of this section, when 9390

a candidate has filed a declaration of no limits under division 9391  
(D)(2) of section 3517.103 of the Revised Code, the allowable 9392  
aggregate contribution calculated for each contributor is 9393  
calculated as if the limitations on contributions prescribed in 9394  
section 3517.102 of the Revised Code were in effect. 9395

As used in division (A)(4)(b) of this section, "general 9396  
carry-in amount" is the sum of the campaign committee's reported 9397  
campaign assets and net cash on hand as of the day of the primary 9398  
election, after the committee has disposed of excess funds under 9399  
division (B)(1) of this section, if required. "General election 9400  
period" has the same meaning as in section 3517.102 of the Revised 9401  
Code. 9402

(5) "Excess funds" means the amount by which the sum of the 9403  
campaign committee's cash on hand on the date specified in the 9404  
filing required to be made under division (F) of this section and 9405  
total reported campaign assets exceeds permitted funds. 9406

(6) "Net cash on hand" means the cash on hand on the day of 9407  
the primary election less the sum of all debts and obligations 9408  
reported under division (F) of this section. 9409

(B)(1) Except as otherwise provided in division (G) of this 9410  
section, the campaign committee of any candidate who has filed a 9411  
declaration of no limits in accordance with division (D) of 9412  
section 3517.103 of the Revised Code, and to which the 9413  
contribution limitations prescribed in section 3517.102 of the 9414  
Revised Code no longer apply during a primary election period, 9415  
shall dispose of any excess funds not later than fourteen days 9416  
after the day on which the primary election was held. 9417

(2) The campaign committee of any candidate that has filed a 9418  
personal funds notice under division (C)(1) or (2) of section 9419  
3517.103 of the Revised Code shall, at the end of the primary 9420  
election period, do one of the following: 9421

(a) Return that portion of the personal funds remaining in the candidate's campaign committee fund at the end of the primary election period that are excess funds not later than fourteen days after the day on which the primary election was held;

(b) Retain the personal funds remaining in the candidate's campaign committee fund at the end of the primary election period and file a statement with the secretary of state declaring that the campaign committee will retain those remaining personal funds in the committee's campaign fund and indicating the amount of remaining personal funds that would be characterized as excess funds.

(3) If a campaign committee elects to retain personal funds pursuant to division (B)(2)(b) of this section, both of the following apply:

(a) The amount characterized as excess funds is considered to be an expenditure of personal funds for the purpose of determining whether the amount of personal funds the campaign committee has received under division (C)(1) or (2) of section 3517.103 of the Revised Code during an election period exceeds the amounts specified in those divisions.

(b) The campaign committee is not a designated state campaign committee for the purpose of making contributions to a legislative campaign fund or to the state candidate fund of a state or county political party.

(4) Except as otherwise provided in division (G) of this section, the campaign committee of any candidate that has expended personal funds in excess of the amount specified in division (C)(1) or (2) of section 3517.103 of the Revised Code shall dispose of any excess funds not later than fourteen days after the day on which the primary election is held or the thirty-first day of December after the day on which the general election was held,

whichever is applicable, or choose to retain personal funds under 9453  
division (B)(2) of this section. The calculation of excess funds 9454  
under this division shall be made in the same manner that a 9455  
campaign committee is required to dispose of excess funds under 9456  
division (B)(1) or (5) of this section, whichever election period 9457  
is applicable. For the purposes of this division, the allowable 9458  
aggregate contribution of each contributor, including one or more 9459  
contributions from the candidate and from the candidate's spouse, 9460  
parents, children, sons-in-law, daughters-in-law, brothers, 9461  
sisters, grandparents, mothers-in-law, fathers-in-law, 9462  
brothers-in-law, sisters-in-law, or grandparents by marriage, is 9463  
calculated for that contributor as if the contribution limitations 9464  
prescribed by section 3517.102 of the Revised Code were in effect. 9465

(5) Except as otherwise provided in division (G) of this 9466  
section, the campaign committee of any candidate to which, in 9467  
accordance with division (D) of section 3517.103 of the Revised 9468  
Code, the contribution limitations prescribed in section 3517.102 9469  
of the Revised Code no longer apply during a general election 9470  
period shall dispose of any excess funds not later than the 9471  
thirty-first day of December after the day on which the general 9472  
election was held. 9473

(6) Notwithstanding division (B) of section 3517.109 of the 9474  
Revised Code, the amount of excess aggregate contributions 9475  
required to be disposed of under that division by a candidate 9476  
whose contribution limitations have been reimposed pursuant to 9477  
division (D)(4) of section 3517.103 of the Revised Code is limited 9478  
to no more than the sum of the following: 9479

(a) The difference between the sum of the cash on hand and 9480  
reported campaign assets on the date of the declaration of 9481  
candidacy filing deadline, date of death, or date of withdrawal, 9482  
whichever is applicable, less the sum of the cash on hand and 9483  
reported campaign assets reported on the campaign committee's 9484

declaration of no limits under division (D)(2) of section 3517.103 9485  
of the Revised Code; 9486

(b) The sum of the aggregate excess contributions of all 9487  
contributors made from the beginning of the primary election 9488  
period to the day immediately preceding the day on which 9489  
contribution limitations prescribed in section 3517.102 of the 9490  
Revised Code became inapplicable pursuant to division (D)(1) of 9491  
section 3517.103 of the Revised Code. 9492

(C) Any campaign committee that is required to dispose of 9493  
excess funds or excess aggregate contributions under division (B) 9494  
of this section shall dispose of the excess amount or amounts in 9495  
accordance with division (C) of section 3517.109 of the Revised 9496  
Code. 9497

(D)(1) Any candidate who knowingly fails to dispose of excess 9498  
funds or excess aggregate contributions as required by divisions 9499  
(B) and (C) of this section, except a candidate whose campaign 9500  
committee has been given a letter of substantial compliance as 9501  
provided for in division (D)(2) of this section, shall not appear 9502  
on the ballot, even if the candidate has been certified to appear 9503  
on the ballot. 9504

(2) The secretary of state shall, after initially examining 9505  
and reviewing any declaration provided for in division (F) of this 9506  
section and making a determination that a campaign committee has 9507  
substantially complied with the disposal requirements of division 9508  
(B) of this section, promptly issue to the candidate's campaign 9509  
committee a letter certifying that committee's substantial 9510  
compliance. 9511

(3) The campaign committee of a candidate for state office as 9512  
defined in division (A) of section 3517.109 of the Revised Code 9513  
has not substantially complied with the disposal requirements of 9514  
division (B) of this section if, upon initial review of a 9515

declaration filed pursuant to division (F) of this section, it is 9516  
discovered that the candidate's campaign committee has failed to 9517  
dispose of excess funds or excess aggregate contributions totaling 9518  
in the aggregate more than ten thousand dollars. 9519

(4) The campaign committee of a candidate for member of the 9520  
general assembly has not substantially complied with the disposal 9521  
requirements of division (B) of this section if, upon initial 9522  
review of a declaration filed pursuant to division (F) of this 9523  
section, it is discovered that the candidate's campaign committee 9524  
has failed to dispose of excess funds or excess aggregate 9525  
contributions totaling in the aggregate more than twenty-five 9526  
hundred dollars. 9527

(5) Any campaign committee that has received a letter 9528  
indicating substantial compliance as provided for in division 9529  
(D)(2) of this section shall, within thirty days after receiving 9530  
such a letter, fully comply with the disposal requirements of 9531  
division (B) of this section. 9532

(E) When the campaign committee of a candidate files a 9533  
personal funds notice in accordance with division (C), or a 9534  
declaration of no limits in accordance with division (D), of 9535  
section 3517.103 of the Revised Code, the campaign committee of 9536  
each such candidate shall file in the case of a primary election 9537  
period a declaration of primary-day finances not later than 9538  
fourteen days after the day on which the primary election was 9539  
held, or shall file in the case of a general election period a 9540  
declaration of year-end finances not later than the last business 9541  
day of January of the next calendar year immediately following the 9542  
day on which the general election was held. 9543

(F) The declaration of primary-day finances and declaration 9544  
of year-end finances shall be filed on a form prescribed by the 9545  
secretary of state and shall list all of the following: 9546

(1) The amount of net cash on hand in the candidate's 9547  
campaign committee fund at the end of the day on which the primary 9548  
election was held or cash on hand on the thirty-first day of 9549  
December immediately following the day on which the general 9550  
election was held, whichever is appropriate; 9551

(2) In the case of a declaration of primary-day finances, any 9552  
debt or other obligation incurred by the committee during the 9553  
primary election period and related to the primary election of the 9554  
campaign committee's candidate; 9555

(3) The value and description of all campaign assets worth 9556  
five hundred dollars or more available to the candidate at the end 9557  
of the day on which the primary election was held or on the 9558  
thirty-first day of December immediately following the day on 9559  
which the general election was held; 9560

(4) The total of all aggregate contributions received by the 9561  
candidate's campaign committee during the primary or general 9562  
election period; 9563

(5) The total of all allowable aggregate contributions 9564  
received by the candidate's campaign committee during the primary 9565  
or general election period, whichever is applicable. The allowable 9566  
aggregate contribution of each contributor shall be calculated as 9567  
if the contribution limitations prescribed by section 3517.102 of 9568  
the Revised Code were in effect. 9569

(6) A description of all excess funds and excess aggregate 9570  
contributions disposed of by the candidate's campaign committee in 9571  
accordance with division (B) of this section for that election. 9572

(G) The campaign committee of a candidate is not required to 9573  
dispose of excess funds or excess aggregate contributions under 9574  
division (B) of this section if both of the following apply: 9575

(1) The campaign committee has not accepted any aggregate 9576  
contribution greater than the amount applicable under that 9577

division. 9578

(2) The campaign committee files on a form, prescribed by the 9579  
secretary of state, with the official or board with which the 9580  
candidate is required to file statements under section 3517.11 of 9581  
the Revised Code, stating that the committee has not accepted 9582  
aggregate contributions as described in division (G)(1) of this 9583  
section. 9584

**Sec. 3517.1011.** (A) As used in this section: 9585

(1) "Address" has the same meaning as in section 3517.10 of 9586  
the Revised Code. 9587

(2) "Broadcast, cable, or satellite communication" means a 9588  
communication that is publicly distributed by a television 9589  
station, radio station, cable television system, or satellite 9590  
system. 9591

(3) "Candidate" has the same meaning as in section 3501.01 of 9592  
the Revised Code; 9593

(4) "Contribution" means any loan, gift, deposit, forgiveness 9594  
of indebtedness, donation, advance, payment, or transfer of funds 9595  
or of anything of value, including a transfer of funds from an 9596  
inter vivos or testamentary trust or decedent's estate, and the 9597  
payment by any person other than the person to whom the services 9598  
are rendered for the personal services of another person, that is 9599  
made, received, or used to pay the direct costs of producing or 9600  
airing electioneering communications. 9601

(5)(a) "Coordinated electioneering communication" means any 9602  
electioneering communication that is made pursuant to any 9603  
arrangement, coordination, or direction by a candidate or a 9604  
candidate's campaign committee, by an officer, agent, employee, or 9605  
consultant of a candidate or a candidate's campaign committee, or 9606  
by a former officer, former agent, former employee, or former 9607

consultant of a candidate or a candidate's campaign committee 9608  
prior to the airing, broadcasting, or cablecasting of the 9609  
communication. An electioneering communication is presumed to be a 9610  
"coordinated electioneering communication" when it is either of 9611  
the following: 9612

(i) Based on information about a candidate's plans, projects, 9613  
or needs provided to the person making the disbursement by the 9614  
candidate or the candidate's campaign committee, by an officer, 9615  
agent, employee, or consultant of the candidate or the candidate's 9616  
campaign committee, or by a former officer, former agent, former 9617  
employee, or former consultant of the candidate or the candidate's 9618  
campaign committee, with a view toward having the communication 9619  
made; 9620

(ii) Made by or through any person who is, or has been, 9621  
authorized to raise or expend funds on behalf of a candidate or 9622  
the candidate's campaign committee, who is, or has been, an 9623  
officer, agent, employee, or consultant of the candidate or of the 9624  
candidate's campaign committee, or who is, or has been, receiving 9625  
any form of compensation or reimbursement from the candidate or 9626  
the candidate's campaign committee or from an officer, agent, 9627  
employee, or consultant of the candidate or of the candidate's 9628  
campaign committee. 9629

(b) An electioneering communication shall not be presumed to 9630  
be a "coordinated electioneering communication" under division 9631  
(A)(5)(a)(ii) of this section if the communication is made through 9632  
any person who provides a service that does not affect the content 9633  
of the communication, such as communications placed through the 9634  
efforts of a media buyer, unless that person also affects the 9635  
content of the communication. 9636

(6) "Disclosure date" means both of the following: 9637

(a) The first date during any calendar year by which a person 9638

makes disbursements for the direct costs of producing or airing 9639  
electioneering communications aggregating in excess of ten 9640  
thousand dollars; 9641

(b) The same day of the week of each remaining week in the 9642  
same calendar year as the day of the week of the initial 9643  
disclosure date established under division (A)(6)(a) of this 9644  
section, if, during that remaining week, the person makes 9645  
disbursements for the direct costs of producing or airing 9646  
electioneering communications aggregating in excess of one dollar. 9647

(7)(a) "Electioneering communication" means any broadcast, 9648  
cable, or satellite communication that refers to a clearly 9649  
identified candidate and that is made during either of the 9650  
following periods of time: 9651

(i) If the person becomes a candidate before the day of the 9652  
primary election at which candidates will be nominated for 9653  
election to that office, between the date that the person becomes 9654  
a candidate and the thirtieth day prior to that primary election, 9655  
and between the date of the primary election and the thirtieth day 9656  
prior to the general election at which a candidate will be elected 9657  
to that office; 9658

(ii) If the person becomes a candidate after the day of the 9659  
primary election at which candidates were nominated for election 9660  
to that office, between the date of the primary election and the 9661  
thirtieth day prior to the general election at which a candidate 9662  
will be elected to that office. 9663

(b) "Electioneering communication" does not include any of 9664  
the following: 9665

(i) A communication that is publicly disseminated through a 9666  
means of communication other than a broadcast, cable, or satellite 9667  
television or radio station. For example, "electioneering 9668  
communication" does not include communications appearing in print 9669

media, including a newspaper or magazine, handbill, brochure, 9670  
bumper sticker, yard sign, poster, billboard, and other written 9671  
materials, including mailings; communications over the internet, 9672  
including electronic mail; or telephone communications. 9673

(ii) A communication that appears in a news story, 9674  
commentary, public service announcement, bona fide news 9675  
programming, or editorial distributed through the facilities of 9676  
any broadcast, cable, or satellite television or radio station, 9677  
unless those facilities are owned or controlled by any political 9678  
party, political committee, or candidate; 9679

(iii) A communication that constitutes an expenditure or an 9680  
independent expenditure under section 3517.01 of the Revised Code; 9681

(iv) A communication that constitutes a candidate debate or 9682  
forum or that solely promotes a candidate debate or forum and is 9683  
made by or on behalf of the person sponsoring the debate or forum. 9684

(8) "Filing date" has the same meaning as in section 3517.109 9685  
of the Revised Code. 9686

(9) "Immigration and Nationality Act" means the Immigration 9687  
and Nationality Act, 110 Stat. 309 (1996), 8 U.S.C. 1101 et seq., 9688  
as amended. 9689

(10) "Person" has the same meaning as in section 1.59 of the 9690  
Revised Code and includes any political organization considered 9691  
exempt from income taxation under section 527 of the Internal 9692  
Revenue Code. 9693

(11) "Political committee" means any of the following: 9694

(a) Any committee, club, association, or other group of 9695  
persons that receives contributions aggregating in excess of one 9696  
thousand dollars during a calendar year or that makes expenditures 9697  
aggregating in excess of one thousand dollars during a calendar 9698  
year; 9699

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| (b) Any separate segregated fund;   | 9700 |
| (c) Any state, county, or local committee of a political party that does any of the following:  | 9701 |
| (i) Receives contributions aggregating in excess of five thousand dollars during a calendar year;   | 9702 |
| (ii) Makes payments that do not constitute contributions or expenditures aggregating in excess of five thousand dollars during a calendar year;   | 9703 |
| (iii) Makes contributions or expenditures aggregating in excess of one thousand dollars during a calendar year.   | 9704 |
| (12) "Publicly distributed" means aired, broadcast, cablecast, or otherwise disseminated for a fee.   | 9705 |
| (13) "Refers to a clearly identified candidate" means that the candidate's name, nickname, photograph, or drawing appears, or the identity of the candidate is otherwise apparent through an unambiguous reference to the person such as "the chief justice," "the governor," "member of the Ohio senate," "member of the Ohio house of representatives," "county auditor," "mayor," or "township trustee" or through an unambiguous reference to the person's status as a candidate. | 9706 |
| (B) For the purposes of this section, a person shall be considered to have made a disbursement if the person has entered into a contract to make the disbursement.  | 9707 |
| (C) Any person intending to make a disbursement or disbursements for the direct costs of producing or airing electioneering communications, prior to making the first disbursement for the direct costs of producing or airing an electioneering communication, shall file a notice with the office of the secretary of state that the person is intending to make such disbursements.  | 9708 |
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(D)(1) Every person that makes a disbursement or 9730  
disbursements for the direct costs of producing and airing 9731  
electioneering communications aggregating in excess of ten 9732  
thousand dollars during any calendar year shall file, within 9733  
twenty-four hours of each disclosure date, a disclosure of 9734  
electioneering communications statement containing the following 9735  
information: 9736

(a) The full name and address of the person making the 9737  
disbursement, of any person sharing or exercising direction or 9738  
control over the activities of the person making the disbursement, 9739  
and of the custodian of the books and accounts of the person 9740  
making the disbursement; 9741

(b) The principal place of business of the person making the 9742  
disbursement, if not an individual; 9743

(c) The amount of each disbursement of more than one dollar 9744  
during the period covered by the statement and the identity of the 9745  
person to whom the disbursement was made; 9746

(d) The nominations or elections to which the electioneering 9747  
communications pertain and the names, if known, of the candidates 9748  
identified or to be identified; 9749

(e) If the disbursements were paid out of a segregated bank 9750  
account that consists of funds contributed solely by individuals 9751  
who are United States citizens or nationals or lawfully admitted 9752  
for permanent residence as defined in section 101(a)(20) of the 9753  
Immigration and Nationality Act directly to the account for 9754  
electioneering communications, the information specified in 9755  
division (D)(2) of this section for all contributors who 9756  
contributed an aggregate amount of two hundred dollars or more to 9757  
the segregated bank account and whose contributions were used for 9758  
making the disbursement or disbursements required to be reported 9759  
under division (D) of this section during the period covered by 9760

the statement. Nothing in this division prohibits or shall be 9761  
construed to prohibit the use of funds in such a segregated bank 9762  
account for a purpose other than electioneering communications. 9763

(f) If the disbursements were paid out of funds not described 9764  
in division (D)(1)(e) of this section, the information specified 9765  
in division (D)(2) of this section for all contributors who 9766  
contributed an aggregate amount of two hundred dollars or more to 9767  
the person making the disbursement and whose contributions were 9768  
used for making the disbursement or disbursements required to be 9769  
reported under division (D) of this section during the period 9770  
covered by the statement. 9771

(2) For each contributor for which information is required to 9772  
be reported under division (D)(1)(e) or (f) of this section, all 9773  
of the following shall be reported: 9774

(a) The month, day, and year that the contributor made the 9775  
contribution or contributions aggregating two hundred dollars or 9776  
more; 9777

(b)(i) The full name and address of the contributor, and, if 9778  
the contributor is a political action committee, the registration 9779  
number assigned to the political action committee under division 9780  
(D)(1) of section 3517.10 of the Revised Code; 9781

(ii) If the contributor is an individual, the name of the 9782  
individual's current employer, if any, or, if the individual is 9783  
self-employed, the individual's occupation and the name of the 9784  
individual's business, if any; 9785

(iii) If the contribution is transmitted pursuant to section 9786  
3599.031 of the Revised Code from amounts deducted from the wages 9787  
and salaries of two or more employees that exceed in the aggregate 9788  
one hundred dollars during the period specified in division 9789  
(D)(1)(e) or (f) of this section, as applicable, the full name of 9790  
the employees' employer and the full name of the labor 9791

organization of which the employees are members, if any. 9792

(c) A description of the contribution, if other than money; 9793

(d) The value in dollars and cents of the contribution. 9794

(3) Subject to the secretary of state having implemented, 9795  
tested, and verified the successful operation of any system the 9796  
secretary of state prescribes pursuant to divisions (C)(6)(b) and 9797  
(D)(6) of section 3517.10 and division (H)(1) of section 3517.106 9798  
of the Revised Code for the filing of campaign finance statements 9799  
by electronic means of transmission, a person shall file the 9800  
disclosure of electioneering communications statement prescribed 9801  
under divisions (D)(1) and (2) of this section by electronic means 9802  
of transmission to the office of the secretary of state. 9803

Within five business days after the secretary of state 9804  
receives a disclosure of electioneering communications statement 9805  
under this division, the secretary of state shall make available 9806  
online to the public through the internet, as provided in division 9807  
(I) of section 3517.106 of the Revised Code, the contribution and 9808  
disbursement information in that statement. 9809

If a filed disclosure of electioneering communications 9810  
statement is found to be incomplete or inaccurate after its 9811  
examination for completeness and accuracy pursuant to division 9812  
(B)(3)(a) of section 3517.11 of the Revised Code, the person shall 9813  
file by electronic means of transmission to the office of the 9814  
secretary of state any addendum, amendment, or other correction to 9815  
the statement that provides the information necessary to complete 9816  
or correct the statement or, if required by the secretary of state 9817  
under that division, an amended statement. 9818

Within five business days after the secretary of state 9819  
receives an addendum, amendment, or other correction to a 9820  
disclosure of electioneering communications statement or an 9821  
amended statement by electronic means of transmission under this 9822

division or division (B)(3)(a) of section 3517.11 of the Revised Code, the secretary of state shall make the contribution and disbursement information in the addendum, amendment, or other correction to the statement or amended statement available online to the public through the internet as provided in division (I) of section 3517.106 of the Revised Code.

(E)(1) Any person who makes a contribution for the purpose of funding the direct costs of producing or airing an electioneering communication under this section shall provide the person's full name and address to the recipient of the contribution at the time the contribution is made.

(2) Any individual who makes a contribution or contributions aggregating two hundred dollars or more for the purpose of funding the direct costs of producing or airing an electioneering communication under this section shall provide the name of the individual's current employer, if any, or, if the individual is self-employed, the individual's occupation and the name of the individual's business, if any, to the recipient of the contribution at the time the contribution is made.

(F) In each electioneering communication, a statement shall appear or be presented in a clear and conspicuous manner that does both of the following:

(1) Clearly indicates that the electioneering communication is not authorized by the candidate or the candidate's campaign committee;

(2) Clearly identifies the person making the disbursement for the electioneering communication in accordance with section 3517.20 of the Revised Code.

(G) Any coordinated electioneering communication is an in-kind contribution, subject to the applicable contribution limits prescribed in section 3517.102 of the Revised Code, to the

candidate by the person making disbursements to pay the direct 9854  
costs of producing or airing the communication. 9855

(H) No person shall make, during the thirty days preceding a 9856  
primary election or during the thirty days preceding a general 9857  
election, any broadcast, cable, or satellite communication that 9858  
refers to a clearly identified candidate using any contributions 9859  
received from a corporation or labor organization. 9860

**Sec. 3517.11.** (A)(1) Campaign committees of candidates for 9861  
statewide office or the state board of education, political action 9862  
committees or political contributing entities that make 9863  
contributions to campaign committees of candidates that are 9864  
required to file the statements prescribed by section 3517.10 of 9865  
the Revised Code with the secretary of state, political action 9866  
committees or political contributing entities that make 9867  
contributions to campaign committees of candidates for member of 9868  
the general assembly, political action committees or political 9869  
contributing entities that make contributions to state and 9870  
national political parties and to legislative campaign funds, 9871  
political action committees or political contributing entities 9872  
that receive contributions or make expenditures in connection with 9873  
a statewide ballot issue, political action committees or political 9874  
contributing entities that make contributions to other political 9875  
action committees or political contributing entities, political 9876  
parties, and campaign committees, except as set forth in division 9877  
(A)(3) of this section, legislative campaign funds, and state and 9878  
national political parties shall file the statements prescribed by 9879  
section 3517.10 of the Revised Code with the secretary of state. 9880

(2)(a) Except as otherwise provided in division (F) of 9881  
section 3517.106 of the Revised Code, campaign committees of 9882  
candidates for all other offices shall file the statements 9883  
prescribed by section 3517.10 of the Revised Code with the board 9884

of elections where their candidates are required to file their 9885  
petitions or other papers for nomination or election. 9886

(b) A campaign committee of a candidate for office of member 9887  
of the general assembly or a campaign committee of a candidate for 9888  
the office of judge of a court of appeals shall file two copies of 9889  
the printed version of any statement, addendum, or amended 9890  
statement if the committee does not file pursuant to division 9891  
(F)(1) or (L) of section 3517.106 of the Revised Code but files by 9892  
printed version only with the appropriate board of elections. The 9893  
board of elections shall send one of those copies by certified 9894  
mail to the secretary of state before the close of business on the 9895  
day the board of elections receives the statement, addendum, or 9896  
amended statement. 9897

(3) Political action committees or political contributing 9898  
entities that only contribute to a county political party, 9899  
contribute to campaign committees of candidates whose nomination 9900  
or election is to be submitted only to electors within a county, 9901  
subdivision, or district, excluding candidates for member of the 9902  
general assembly, and receive contributions or make expenditures 9903  
in connection with ballot questions or issues to be submitted only 9904  
to electors within a county, subdivision, or district shall file 9905  
the statements prescribed by section 3517.10 of the Revised Code 9906  
with the board of elections in that county or in the county 9907  
contained in whole or part within the subdivision or district 9908  
having a population greater than that of any other county 9909  
contained in whole or part within that subdivision or district, as 9910  
the case may be. 9911

(4) Except as otherwise provided in division (E)(3) of 9912  
section 3517.106 of the Revised Code with respect to state 9913  
candidate funds, county political parties shall file the 9914  
statements prescribed by section 3517.10 of the Revised Code with 9915  
the board of elections of their respective counties. 9916

(B)(1) The official with whom petitions and other papers for nomination or election to public office are filed shall furnish each candidate at the time of that filing a copy of sections 3517.01, 3517.08 to 3517.11, 3517.13 to 3517.993, 3599.03, and 3599.031 of the Revised Code and any other materials that the secretary of state may require. Each candidate receiving the materials shall acknowledge their receipt in writing.

(2) On or before the tenth day before the dates on which statements are required to be filed by section 3517.10 of the Revised Code, every candidate subject to the provisions of this section and sections 3517.10 and 3517.106 of the Revised Code shall be notified of the requirements and applicable penalties of those sections. The secretary of state, by certified mail, return receipt requested, shall notify all candidates required to file those statements with the secretary of state's office. The board of elections of every county shall notify by first class mail any candidate who has personally appeared at the office of the board on or before the tenth day before the statements are required to be filed and signed a form, to be provided by the secretary of state, attesting that the candidate has been notified of the candidate's obligations under the campaign finance law. The board shall forward the completed form to the secretary of state. The board shall use certified mail, return receipt requested, to notify all other candidates required to file those statements with it.

(3)(a) Any statement required to be filed under sections 3517.081 to 3517.17 of the Revised Code that is found to be incomplete or inaccurate by the officer to whom it is submitted shall be accepted on a conditional basis, and the person who filed it shall be notified by certified mail as to the incomplete or inaccurate nature of the statement. The secretary of state may examine statements filed for candidates for the office of member

of the general assembly and candidates for the office of judge of 9949  
a court of appeals for completeness and accuracy. The secretary of 9950  
state shall examine for completeness and accuracy statements that 9951  
campaign committees of candidates for the office of member of the 9952  
general assembly and campaign committees of candidates for the 9953  
office of judge of a court of appeals file pursuant to division 9954  
(F) or (L) of section 3517.106 of the Revised Code. If an officer 9955  
at the board of elections where a statement filed for a candidate 9956  
for the office of member of the general assembly or for a 9957  
candidate for the office of judge of a court of appeals was 9958  
submitted finds the statement to be incomplete or inaccurate, the 9959  
officer shall immediately notify the secretary of state of its 9960  
incomplete or inaccurate nature. If either an officer at the board 9961  
of elections or the secretary of state finds a statement filed for 9962  
a candidate for the office of member of the general assembly or 9963  
for a candidate for the office of judge of a court of appeals to 9964  
be incomplete or inaccurate, only the secretary of state shall 9965  
send the notification as to the incomplete or inaccurate nature of 9966  
the statement. 9967

Within twenty-one days after receipt of the notice, in the 9968  
case of a pre-election statement, a postelection statement, a 9969  
monthly statement, an annual statement, or a semiannual statement 9970  
prescribed by section 3517.10, an annual statement prescribed by 9971  
section 3517.101, or a statement prescribed by division (B)(2)(b) 9972  
or (C)(2)(b) of section 3517.105 or section 3517.107 of the 9973  
Revised Code, the recipient shall file an addendum, amendment, or 9974  
other correction to the statement providing the information 9975  
necessary to complete or correct the statement. The secretary of 9976  
state may require that, in lieu of filing an addendum, amendment, 9977  
or other correction to a statement that is filed by electronic 9978  
means of transmission to the office of the secretary of state 9979  
pursuant to section 3517.106 of the Revised Code, the recipient of 9980  
the notice described in this division file by electronic means of 9981

transmission an amended statement that incorporates the 9982  
information necessary to complete or correct the statement. 9983

The secretary of state shall determine by rule when an 9984  
addendum, amendment, or other correction to any of the following 9985  
or when an amended statement of any of the following shall be 9986  
filed: 9987

(i) A two-business-day statement prescribed by section 9988  
3517.10 of the Revised Code; 9989

(ii) A disclosure of electioneering communications statement 9990  
prescribed by division (D) of section 3517.1011 of the Revised 9991  
Code; 9992

(iii) A deposit and disbursement statement prescribed under 9993  
division (B) of section 3517.1012 of the Revised Code; 9994

(iv) A gift and disbursement statement prescribed under 9995  
section 3517.1013 of the Revised Code; 9996

(v) A donation and disbursement statement prescribed under 9997  
section 3517.1014 of the Revised Code. 9998

An addendum, amendment, or other correction to a statement 9999  
that is filed by electronic means of transmission pursuant to 10000  
section 3517.106 of the Revised Code shall be filed in the same 10001  
manner as the statement. 10002

The provisions of sections 3517.10, 3517.106, 3517.1011, 10003  
3517.1012, 3517.1013, and 3517.1014 of the Revised Code pertaining 10004  
to the filing of statements of contributions and expenditures, 10005  
statements of independent expenditures, disclosure of 10006  
electioneering communications statements, deposit and disbursement 10007  
statements, gift and disbursement statements, and donation and 10008  
disbursement statements by electronic means of transmission apply 10009  
to the filing of addenda, amendments, or other corrections to 10010  
those statements by electronic means of transmission and the 10011

filing of amended statements by electronic means of transmission. 10012

(b) Within five business days after the secretary of state 10013  
receives, by electronic or other means of transmission, an 10014  
addendum, amendment, or other correction to a statement or an 10015  
amended statement under division (B)(3)(a) of this section, the 10016  
secretary of state, pursuant to divisions (E), (F), (G), and (I) 10017  
of section 3517.106 or division (D) of section 3517.1011 of the 10018  
Revised Code, shall make the contribution and expenditure, 10019  
contribution and disbursement, deposit and disbursement, gift and 10020  
disbursement, or donation and disbursement information in that 10021  
addendum, amendment, correction, or amended statement available 10022  
online to the public through the internet. 10023

(4)(a) The secretary of state or the board of elections shall 10024  
examine all statements for compliance with sections 3517.08 to 10025  
3517.17 of the Revised Code. 10026

(b) The secretary of state may contract with an individual or 10027  
entity not associated with the secretary of state and experienced 10028  
in interpreting the campaign finance law of this state to conduct 10029  
examinations of statements filed by any statewide candidate, as 10030  
defined in section 3517.103 of the Revised Code. 10031

(c) The examination shall be conducted by a person or entity 10032  
qualified to conduct it. The results of the examination shall be 10033  
available to the public, and, when the examination is conducted by 10034  
an individual or entity not associated with the secretary of 10035  
state, the results of the examination shall be reported to the 10036  
secretary of state. 10037

(C)(1) In the event of a failure to file or a late filing of 10038  
a statement required to be filed under sections 3517.081 to 10039  
3517.17 of the Revised Code, or if a filed statement or any 10040  
addendum, amendment, or other correction to a statement or any 10041  
amended statement, if an addendum, amendment, or other correction 10042

or an amended statement is required to be filed, is incomplete or 10043  
inaccurate or appears to disclose a failure to comply with or a 10044  
violation of law, the official whose duty it is to examine the 10045  
statement shall promptly file a complaint with the Ohio elections 10046  
commission under section 3517.153 of the Revised Code if the law 10047  
is one over which the commission has jurisdiction to hear 10048  
complaints, or the official shall promptly report the failure or 10049  
violation to the board of elections and the board shall promptly 10050  
report it to the prosecuting attorney in accordance with division 10051  
(J) of section 3501.11 of the Revised Code. If the official files 10052  
a complaint with the commission, the commission shall proceed in 10053  
accordance with sections 3517.154 to 3517.157 of the Revised Code. 10054

(2) For purposes of division (C)(1) of this section, a 10055  
statement or an addendum, amendment, or other correction to a 10056  
statement or an amended statement required to be filed under 10057  
sections 3517.081 to 3517.17 of the Revised Code is incomplete or 10058  
inaccurate under this section if the statement, addendum, 10059  
amendment, other correction, or amended statement fails to 10060  
disclose substantially all contributions, gifts, or donations that 10061  
are received or deposits that are made that are required to be 10062  
reported under sections 3517.10, 3517.107, 3517.108, 3517.1011, 10063  
3517.1012, 3517.1013, and 3517.1014 of the Revised Code or if the 10064  
statement, addendum, amendment, other correction, or amended 10065  
statement fails to disclose at least ninety per cent of the total 10066  
contributions, gifts, or donations received or deposits made or of 10067  
the total expenditures or disbursements made during the reporting 10068  
period. 10069

(D) No certificate of nomination or election shall be issued 10070  
to a person, and no person elected to an office shall enter upon 10071  
the performance of the duties of that office, until that person or 10072  
that person's campaign committee, as appropriate, has fully 10073  
complied with this section and sections 3517.08, 3517.081, 10074

3517.10, and 3517.13 of the Revised Code. 10075

**Sec. 3517.153.** (A) Upon the filing of a complaint with the 10076  
Ohio elections commission, which shall be made by affidavit of any 10077  
person, on personal knowledge, and subject to the penalties for 10078  
perjury, or upon the filing of a complaint made by the secretary 10079  
of state or an official at the board of elections, setting forth a 10080  
failure to comply with or a violation of any provision in sections 10081  
3517.08 to 3517.13, 3517.17, 3517.18, 3517.20 to 3517.22, 3599.03, 10082  
or 3599.031 of the Revised Code, the commission shall proceed in 10083  
accordance with sections 3517.154 to 3517.157 of the Revised Code. 10084

(B) The commission shall prescribe the form for complaints 10085  
made under division (A) of this section. The secretary of state 10086  
and boards of elections shall furnish the information that the 10087  
commission requests. The commission or a member of the commission 10088  
may administer oaths, and the commission may issue subpoenas to 10089  
any person in the state compelling the attendance of witnesses and 10090  
the production of relevant papers, books, accounts, and reports. 10091  
Section 101.42 of the Revised Code governs the issuance of 10092  
subpoenas insofar as applicable. Upon the refusal of any person to 10093  
obey a subpoena or to be sworn or to answer as a witness, the 10094  
commission may apply to the court of common pleas of Franklin 10095  
county under section 2705.03 of the Revised Code. The court shall 10096  
hold proceedings in accordance with Chapter 2705. of the Revised 10097  
Code. 10098

(C) No prosecution shall commence for a violation of a 10099  
provision in sections 3517.08 to 3517.13, 3517.17, 3517.18, 10100  
3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised Code 10101  
unless a complaint has been filed with the commission under this 10102  
section and all proceedings of the commission or a panel of the 10103  
commission, as appropriate, under sections 3517.154 to 3517.157 of 10104  
the Revised Code are completed. 10105

(D) The commission may recommend legislation and render 10106  
advisory opinions concerning sections 3517.08, 3517.082, 3517.092, 10107  
3517.102, 3517.103, 3517.105, 3517.1014, 3517.13, 3517.18, 3517.20 10108  
to 3517.22, 3599.03, and 3599.031 of the Revised Code for persons 10109  
over whose acts it has or may have jurisdiction. When the 10110  
commission renders an advisory opinion relating to a specific set 10111  
of circumstances involving any of those sections stating that 10112  
there is no violation of a provision in those sections, the person 10113  
to whom the opinion is directed or a person who is similarly 10114  
situated may reasonably rely on the opinion and is immune from 10115  
criminal prosecution and a civil action, including, without 10116  
limitation, a civil action for removal from public office or 10117  
employment, based on facts and circumstances covered by the 10118  
opinion. 10119

(E) The commission shall establish a web site on which it 10120  
shall post, at a minimum, all decisions and advisory opinions 10121  
issued by the commission and copies of each election law as it is 10122  
amended by the general assembly. The commission shall update the 10123  
web site regularly to reflect any changes to those decisions and 10124  
advisory opinions and any new decisions and advisory opinions. 10125

**Sec. 3517.154.** (A)(1) The full-time attorney for the Ohio 10126  
elections commission shall review each complaint filed with the 10127  
commission under section 3517.153 of the Revised Code, shall 10128  
determine the nature of the complaint, and, unless division 10129  
(A)(2)(a) of this section requires that the complaint receive an 10130  
automatic expedited hearing, shall make a recommendation to the 10131  
commission for its disposition, in accordance with this section. 10132  
The attorney shall make the determination and the recommendation, 10133  
if required, not later than one business day after the complaint 10134  
is filed. 10135

(2)(a) If the attorney determines that the complaint sets 10136

forth a violation of division (B) of section 3517.21 or division 10137  
(B) of section 3517.22 of the Revised Code and that the complaint 10138  
is filed during one of the periods of time specified in division 10139  
(B)(1) of section 3517.156 of the Revised Code, or that the 10140  
complaint sets forth a violation of section 3517.103 of the 10141  
Revised Code or a violation described in division (D) of section 10142  
3517.1010 of the Revised Code, the complaint shall receive an 10143  
automatic expedited hearing under section 3517.156 of the Revised 10144  
Code. 10145

(b) If the attorney determines that the complaint sets forth 10146  
a failure to comply with or a violation of division (G), (I), (J), 10147  
(O), (P), or (Q) of section 3517.13, division (A) of section 10148  
3517.21, or division (A) of section 3517.22 of the Revised Code 10149  
and that the complaint is filed during one of the periods of time 10150  
specified in division (B)(1) of section 3517.156 of the Revised 10151  
Code, the attorney shall recommend to the commission that the 10152  
complaint receive an expedited hearing under section 3517.156 of 10153  
the Revised Code, and the complaint shall receive such a hearing. 10154

(c) If the attorney determines that the complaint sets forth 10155  
a failure to comply with or a violation of a section of the 10156  
Revised Code over which the commission has jurisdiction to hear 10157  
complaints other than the sections described in divisions 10158  
(A)(2)(a) and (b) of this section, and unless the attorney makes a 10159  
determination as provided for in division (A)(3) of this section, 10160  
the attorney shall recommend to the commission that the complaint 10161  
be submitted to the commission under section 3517.155 of the 10162  
Revised Code. After the attorney makes that recommendation, the 10163  
attorney shall notify all parties to the complaint of the 10164  
attorney's recommendation. 10165

(3)(a) If a complaint sets forth a failure to comply with or 10166  
a violation of a section of the Revised Code over which the 10167  
commission has jurisdiction to hear complaints other than the 10168

sections described in divisions (A)(2)(a) and (b) of this section 10169  
and if the complaint is filed during one of the periods of time 10170  
specified in division (B)(1) of section 3517.156 of the Revised 10171  
Code, the attorney may determine that the complaint should receive 10172  
an expedited hearing under that section. The attorney shall make 10173  
that determination by considering one or more of the following: 10174

(i) The number of prior failures to comply with or violations 10175  
of Title XXXV of the Revised Code that the person or entity 10176  
against whom the complaint has been brought has committed and any 10177  
prior penalties the commission has imposed on the person or 10178  
entity; 10179

(ii) If the complaint involves a statement required to be 10180  
filed under section 3517.10, division (E) of section 3517.102, or 10181  
section 3517.103, 3517.105, 3517.107, 3517.108, 3517.109, 10182  
3517.1011, 3517.1012, or 3517.1014 of the Revised Code or an 10183  
addendum required to be filed under section 3517.11 of the Revised 10184  
Code that is filed late, how late the filing is and how much time 10185  
has elapsed between the deadline for filing the statement or 10186  
addendum and the filing of the complaint; 10187

(iii) If the complaint involves contributions and 10188  
expenditures, contributions and disbursements, deposits and 10189  
disbursements, gifts and disbursements, or donations and 10190  
disbursements required to be reported under section 3517.10, 10191  
division (E) of section 3517.102, or section 3517.105, 3517.107, 10192  
3517.108, 3517.109, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 10193  
of the Revised Code that are either not reported or reported late, 10194  
the number of contributions and expenditures, contributions and 10195  
disbursements, deposits and disbursements, gifts and 10196  
disbursements, or donations and disbursements not reported or how 10197  
late they were reported; 10198

(iv) If the complaint involves contributions required to be 10199  
reported by a campaign committee under section 3517.10, division 10200

(E) of section 3517.102, or section 3517.105, 3517.107, 3517.108, 10201  
or 3517.109 of the Revised Code that are not reported, whether any 10202  
of the contributors of the contributions not reported have a 10203  
personal or professional relationship with the campaign 10204  
committee's candidate; 10205

(v) If the complaint involves a statement required to be 10206  
filed under section 3517.10, division (E) of section 3517.102, or 10207  
section 3517.103, 3517.105, 3517.107, 3517.108, 3517.109, 10208  
3517.1011, 3517.1012, 3517.1013, or 3517.1014 of the Revised Code 10209  
that is incomplete, the degree to which it is incomplete; 10210

(vi) If the complaint involves the receipt of contributions 10211  
in violation of section 3599.03 of the Revised Code, the dollar 10212  
amount and number of contributions received in violation of that 10213  
section; 10214

(vii) If the complaint involves a failure to make the 10215  
identification or a misstatement of the identification required 10216  
under section 3517.105 or 3517.20 of the Revised Code, whether the 10217  
failure or misstatement was purposely made; 10218

(viii) If the complaint sets forth a failure to comply with 10219  
or a violation of a section of the Revised Code described in 10220  
division (A)(2)(c) of this section, whether the person or entity 10221  
against whom the complaint has been made has committed more than 10222  
one such failure or violation within a reasonable amount of time, 10223  
or whether the cumulative nature of the failures or violations 10224  
indicates a systematic disregard for the law. 10225

(b) Prior to making a determination under division (A)(3)(a) 10226  
of this section that the complaint should receive an expedited 10227  
hearing under section 3517.156 of the Revised Code, the attorney 10228  
shall take into consideration the number of panels of the 10229  
commission that have cases pending before them and the number of 10230  
cases pending before the panels and shall not make a determination 10231

that will place an undue burden on a panel of the commission. 10232

(c) If the attorney determines that the complaint should 10233  
receive an expedited hearing under section 3517.156 of the Revised 10234  
Code, the attorney shall recommend to the commission that the 10235  
complaint receive an expedited hearing, and, if a majority of the 10236  
members of the commission agrees with the recommendation, the 10237  
complaint shall receive an expedited hearing under that section. 10238

(4) The attorney may join two or more complaints if the 10239  
attorney determines that the allegations in each complaint are of 10240  
the same or similar character, are based on the same act or 10241  
failure to act, or are based on two or more acts or failures to 10242  
act constituting parts of a common scheme or plan. If one 10243  
complaint contains two or more allegations, the attorney may 10244  
separate the allegations if they are not of the same or similar 10245  
character, if they are not based on the same act or failure to 10246  
act, or if they are not based on two or more acts or failures to 10247  
act constituting parts of a common scheme or plan. If the attorney 10248  
separates the allegations in a complaint, the attorney may make 10249  
separate recommendations under division (A)(2) or (3) of this 10250  
section for each allegation. 10251

(B) Whenever a person or other entity files a complaint with 10252  
the commission setting forth a failure to comply with or a 10253  
violation of a section of the Revised Code as described in 10254  
division (A)(2)(c) of this section and the complaint is filed 10255  
during one of the periods of time specified in division (B)(1) of 10256  
section 3517.156 of the Revised Code, the person or entity may 10257  
request an expedited hearing under that section at the time the 10258  
complaint is filed. The attorney for the commission shall inform 10259  
the members of the commission of that request at the time the 10260  
attorney makes a recommendation under division (A) of this 10261  
section. The commission may grant the request for an expedited 10262  
hearing under this division if it determines that an expedited 10263

hearing is practicable. 10264

**Sec. 3517.155.** (A)(1) Except as otherwise provided in 10265  
division (B) of this section, the Ohio elections commission shall 10266  
hold its first hearing on a complaint filed with it, other than a 10267  
complaint that receives an expedited hearing under section 10268  
3517.156 of the Revised Code, not later than ninety business days 10269  
after the complaint is filed unless the commission has good cause 10270  
to hold the hearing after that time, in which case it shall hold 10271  
the hearing not later than one hundred eighty business days after 10272  
the complaint is filed. At the hearing, the commission shall 10273  
determine whether or not the failure to act or the violation 10274  
alleged in the complaint has occurred and shall do only one of the 10275  
following, except as otherwise provided in division (B) of this 10276  
section or in division (B) of section 3517.151 of the Revised 10277  
Code: 10278

(a) Enter a finding that good cause has been shown not to 10279  
impose a fine or not to refer the matter to the appropriate 10280  
prosecutor; 10281

(b) Impose a fine under section 3517.993 of the Revised Code; 10282

(c) Refer the matter to the appropriate prosecutor; 10283

(d) Direct the secretary of state or appropriate board of 10284  
elections with the authority to certify a candidate to the ballot 10285  
to remove a candidate's name from the ballot if the candidate is 10286  
barred from the ballot under division (D) of section 3517.1010 of 10287  
the Revised Code. 10288

(2) As used in division (A) of this section, "appropriate 10289  
prosecutor" means a prosecutor as defined in section 2935.01 of 10290  
the Revised Code and either of the following: 10291

(a) In the case of a failure to comply with or a violation of 10292  
law involving a campaign committee or the committee's candidate, a 10293

political party, a legislative campaign fund, a political action committee, or a political contributing entity, that is required to file a statement of contributions and expenditures with the secretary of state under division (A) of section 3517.11 of the Revised Code, the prosecutor of Franklin county;

(b) In the case of a failure to comply with or a violation of law involving any other campaign committee or committee's candidate, or any other political party, political action committee, or political contributing entity either of the following as determined by the commission:

(i) The prosecutor of Franklin county;

(ii) The prosecutor of the county in which the candidacy or ballot question or issue is submitted to the electors or, if it is submitted in more than one county, the most populous of those counties.

(B) If the commission decides that the evidence is insufficient for it to determine whether or not the failure to act or the violation alleged in the complaint has occurred, the commission, by the affirmative vote of five members, may request that an investigatory attorney investigate the complaint. Upon that request, an investigatory attorney shall make an investigation in order to produce sufficient evidence for the commission to decide the matter. If the commission requests an investigation under this division, for good cause shown by the investigatory attorney, the commission may extend by sixty days the deadline for holding its first hearing on the complaint as required in division (A) of this section.

(C) The commission shall take one of the actions required under division (A) of this section not later than thirty days after the close of all the evidence presented.

(D)(1) The commission shall make any finding of a failure to

comply with or a violation of law in regard to a complaint that 10325  
alleges a violation of division (D) of section 3517.1010, division 10326  
(A) or (B) of section 3517.21, or division (A) or (B) of section 10327  
3517.22 of the Revised Code by clear and convincing evidence. The 10328  
commission shall make any finding of a failure to comply with or a 10329  
violation of law in regard to any other complaint by a 10330  
preponderance of the evidence. 10331

(2) If the commission finds a violation of division (B) of 10332  
section 3517.21 or division (B) of section 3517.22 of the Revised 10333  
Code, it shall refer the matter to the appropriate prosecutor 10334  
under division (A)(1)(c) of this section and shall not impose a 10335  
fine under division (A)(1)(b) of this section or section 3517.993 10336  
of the Revised Code. 10337

(E) In an action before the commission or a panel of the 10338  
commission, if the allegations of the complainant are not proved, 10339  
and the commission takes the action described in division 10340  
(A)(1)(a) of this section or a panel of the commission takes the 10341  
action described in division (C)(1) of section 3517.156 of the 10342  
Revised Code, the commission or a panel of the commission may find 10343  
that the complaint is frivolous, and, if the commission or panel 10344  
so finds, the commission shall order the complainant to pay 10345  
reasonable attorney's fees and to pay the costs of the commission 10346  
or panel as determined by a majority of the members of the 10347  
commission. The costs paid to the commission or panel under this 10348  
division shall be deposited into the Ohio elections commission 10349  
fund. 10350

**Sec. 3517.992.** This section establishes penalties only with 10351  
respect to acts or failures to act that occur on and after August 10352  
24, 1995. 10353

(A)(1) A candidate whose campaign committee violates division 10354  
(A), (B), (C), (D), or (V) of section 3517.13 of the Revised Code, 10355

or a treasurer of a campaign committee who violates any of those 10356  
divisions, shall be fined not more than one hundred dollars for 10357  
each day of violation. 10358

(2) Whoever violates division (E) or (X)(5) of section 10359  
3517.13 or division (E)(1) of section 3517.1014 of the Revised 10360  
Code shall be fined not more than one hundred dollars for each day 10361  
of violation. 10362

(B) A political party that violates division (F)(1) of 10363  
section 3517.101 of the Revised Code shall be fined not more than 10364  
one hundred dollars for each day of violation. 10365

(C) Whoever violates division (F)(2) of section 3517.101, 10366  
division (G) of section 3517.13, or division (E)(2) or (3) of 10367  
section 3517.1014 of the Revised Code shall be fined not more than 10368  
ten thousand dollars or, if the offender is a person who was 10369  
nominated or elected to public office, shall forfeit the 10370  
nomination or the office to which the offender was elected, or 10371  
both. 10372

(D) Whoever violates division (F) of section 3517.13 of the 10373  
Revised Code shall be fined not more than three times the amount 10374  
contributed. 10375

(E) Whoever violates division (H) of section 3517.13 of the 10376  
Revised Code shall be fined not more than one hundred dollars. 10377

(F) Whoever violates division (O), (P), or (Q) of section 10378  
3517.13 of the Revised Code is guilty of a misdemeanor of the 10379  
first degree. 10380

(G) A state or county committee of a political party that 10381  
violates division (B)(1) of section 3517.18 of the Revised Code 10382  
shall be fined not more than twice the amount of the improper 10383  
expenditure. 10384

(H) A state or county political party that violates division 10385

(G) of section 3517.101 of the Revised Code shall be fined not 10386  
more than twice the amount of the improper expenditure or use. 10387

(I)(1) Any individual who violates division (B)(1) of section 10388  
3517.102 of the Revised Code and knows that the contribution the 10389  
individual makes violates that division shall be fined an amount 10390  
equal to three times the amount contributed in excess of the 10391  
amount permitted by that division. 10392

(2) Any political action committee that violates division 10393  
(B)(2) of section 3517.102 of the Revised Code shall be fined an 10394  
amount equal to three times the amount contributed in excess of 10395  
the amount permitted by that division. 10396

(3) Any campaign committee that violates division (B)(3) or 10397  
(5) of section 3517.102 of the Revised Code shall be fined an 10398  
amount equal to three times the amount contributed in excess of 10399  
the amount permitted by that division. 10400

(4)(a) Any legislative campaign fund that violates division 10401  
(B)(6) of section 3517.102 of the Revised Code shall be fined an 10402  
amount equal to three times the amount transferred or contributed 10403  
in excess of the amount permitted by that division, as applicable. 10404

(b) Any state political party, county political party, or 10405  
state candidate fund of a state political party or county 10406  
political party that violates division (B)(6) of section 3517.102 10407  
of the Revised Code shall be fined an amount equal to three times 10408  
the amount transferred or contributed in excess of the amount 10409  
permitted by that division, as applicable. 10410

(c) Any political contributing entity that violates division 10411  
(B)(7) of section 3517.102 of the Revised Code shall be fined an 10412  
amount equal to three times the amount contributed in excess of 10413  
the amount permitted by that division. 10414

(5) Any political party that violates division (B)(4) of 10415  
section 3517.102 of the Revised Code shall be fined an amount 10416

equal to three times the amount contributed in excess of the 10417  
amount permitted by that division. 10418

(6) Notwithstanding divisions (I)(1), (2), (3), (4), and (5) 10419  
of this section, no violation of division (B) of section 3517.102 10420  
of the Revised Code occurs, and the secretary of state shall not 10421  
refer parties to the Ohio elections commission, if the amount 10422  
transferred or contributed in excess of the amount permitted by 10423  
that division meets either of the following conditions: 10424

(a) It is completely refunded within five business days after 10425  
it is accepted. 10426

(b) It is completely refunded on or before the tenth business 10427  
day after notification to the recipient of the excess transfer or 10428  
contribution by the board of elections or the secretary of state 10429  
that a transfer or contribution in excess of the permitted amount 10430  
has been received. 10431

(J)(1) Any campaign committee that violates division (C)(1), 10432  
(2), (3), or (6) of section 3517.102 of the Revised Code shall be 10433  
fined an amount equal to three times the amount accepted in excess 10434  
of the amount permitted by that division. 10435

(2)(a) Any county political party that violates division 10436  
(C)(4)(a)(ii) or (iii) of section 3517.102 of the Revised Code 10437  
shall be fined an amount equal to three times the amount accepted. 10438

(b) Any county political party that violates division 10439  
(C)(4)(a)(i) of section 3517.102 of the Revised Code shall be 10440  
fined an amount from its state candidate fund equal to three times 10441  
the amount accepted in excess of the amount permitted by that 10442  
division. 10443

(c) Any state political party that violates division 10444  
(C)(4)(b) of section 3517.102 of the Revised Code shall be fined 10445  
an amount from its state candidate fund equal to three times the 10446  
amount accepted in excess of the amount permitted by that 10447

division. 10448

(3) Any legislative campaign fund that violates division 10449  
(C)(5) of section 3517.102 of the Revised Code shall be fined an 10450  
amount equal to three times the amount accepted in excess of the 10451  
amount permitted by that division. 10452

(4) Any political action committee or political contributing 10453  
entity that violates division (C)(7) of section 3517.102 of the 10454  
Revised Code shall be fined an amount equal to three times the 10455  
amount accepted in excess of the amount permitted by that 10456  
division. 10457

(5) Notwithstanding divisions (J)(1), (2), (3), and (4) of 10458  
this section, no violation of division (C) of section 3517.102 of 10459  
the Revised Code occurs, and the secretary of state shall not 10460  
refer parties to the Ohio elections commission, if the amount 10461  
transferred or contributed in excess of the amount permitted to be 10462  
accepted by that division meets either of the following 10463  
conditions: 10464

(a) It is completely refunded within five business days after 10465  
its acceptance. 10466

(b) It is completely refunded on or before the tenth business 10467  
day after notification to the recipient of the excess transfer or 10468  
contribution by the board of elections or the secretary of state 10469  
that a transfer or contribution in excess of the permitted amount 10470  
has been received. 10471

(K)(1) Any legislative campaign fund that violates division 10472  
(F)(1) of section 3517.102 of the Revised Code shall be fined 10473  
twenty-five dollars for each day of violation. 10474

(2) Any legislative campaign fund that violates division 10475  
(F)(2) of section 3517.102 of the Revised Code shall give to the 10476  
treasurer of state for deposit into the state treasury to the 10477  
credit of the Ohio elections commission fund all excess 10478

contributions not disposed of as required by division (E) of 10479  
section 3517.102 of the Revised Code. 10480

(L) Whoever violates section 3517.105 of the Revised Code 10481  
shall be fined one thousand dollars. 10482

(M)(1) Whoever solicits a contribution in violation of 10483  
section 3517.092 or violates division (B) of section 3517.09 of 10484  
the Revised Code is guilty of a misdemeanor of the first degree. 10485

(2) Whoever knowingly accepts a contribution in violation of 10486  
division (B) or (C) of section 3517.092 of the Revised Code shall 10487  
be fined an amount equal to three times the amount accepted in 10488  
violation of either of those divisions and shall return to the 10489  
contributor any amount so accepted. Whoever unknowingly accepts a 10490  
contribution in violation of division (B) or (C) of section 10491  
3517.092 of the Revised Code shall return to the contributor any 10492  
amount so accepted. 10493

(N) Whoever violates division (S) of section 3517.13 of the 10494  
Revised Code shall be fined an amount equal to three times the 10495  
amount of funds transferred or three times the value of the assets 10496  
transferred in violation of that division. 10497

(O) Any campaign committee that accepts a contribution or 10498  
contributions in violation of section 3517.108 of the Revised 10499  
Code, uses a contribution in violation of that section, or fails 10500  
to dispose of excess contributions in violation of that section 10501  
shall be fined an amount equal to three times the amount accepted, 10502  
used, or kept in violation of that section. 10503

(P) Any political party, state candidate fund, legislative 10504  
candidate fund, or campaign committee that violates division (T) 10505  
of section 3517.13 of the Revised Code shall be fined an amount 10506  
equal to three times the amount contributed or accepted in 10507  
violation of that section. 10508

(Q) A treasurer of a committee or another person who violates 10509

division (U) of section 3517.13 of the Revised Code shall be fined 10510  
not more than two hundred fifty dollars. 10511

(R) Whoever violates division (I) or (J) of section 3517.13 10512  
of the Revised Code shall be fined not more than one thousand 10513  
dollars. Whenever a person is found guilty of violating division 10514  
(I) or (J) of section 3517.13 of the Revised Code, the contract 10515  
awarded in violation of either of those divisions shall be 10516  
rescinded if its terms have not yet been performed. 10517

(S) A candidate whose campaign committee violates or a 10518  
treasurer of a campaign committee who violates section 3517.081 of 10519  
the Revised Code, and a candidate whose campaign committee 10520  
violates or a treasurer of a campaign committee or another person 10521  
who violates division (C) of section 3517.10 of the Revised Code, 10522  
shall be fined not more than five hundred dollars. 10523

(T) A candidate whose campaign committee violates or a 10524  
treasurer of a committee who violates division (B) of section 10525  
3517.09 of the Revised Code, or a candidate whose campaign 10526  
committee violates or a treasurer of a campaign committee or 10527  
another person who violates division (C) of section 3517.09 of the 10528  
Revised Code shall be fined not more than one thousand dollars. 10529

(U) Whoever violates section 3517.20 of the Revised Code 10530  
shall be fined not more than five hundred dollars. 10531

(V) Whoever violates section 3517.21 or 3517.22 of the 10532  
Revised Code shall be imprisoned for not more than six months or 10533  
fined not more than five thousand dollars, or both. 10534

(W) A campaign committee that is required to file a 10535  
declaration of no limits under division (D)(2) of section 3517.103 10536  
of the Revised Code that, before filing that declaration, accepts 10537  
a contribution or contributions that exceed the limitations 10538  
prescribed in section 3517.102 of the Revised Code, shall return 10539  
that contribution or those contributions to the contributor. 10540

(X) Any campaign committee that fails to file the declaration 10541  
of filing-day finances required by division (F) of section 10542  
3517.109 or the declaration of primary-day finances or declaration 10543  
of year-end finances required by division (E) of section 3517.1010 10544  
of the Revised Code shall be fined twenty-five dollars for each 10545  
day of violation. 10546

(Y)(1) Any campaign committee that fails to dispose of excess 10547  
funds or excess aggregate contributions under division (B) of 10548  
section 3517.109 of the Revised Code in the manner required by 10549  
division (C) of that section or under division (B) of section 10550  
3517.1010 of the Revised Code in the manner required by division 10551  
(C) of that section shall give to the treasurer of state for 10552  
deposit into the Ohio elections commission fund created under 10553  
division (I) of section 3517.152 of the Revised Code all funds not 10554  
disposed of pursuant to those divisions. 10555

(2) Any treasurer of a transition fund that fails to dispose 10556  
of assets remaining in the transition fund as required under 10557  
division (H)(1) or (2) of section 3517.1014 of the Revised Code 10558  
shall give to the treasurer of state for deposit into the Ohio 10559  
elections commission fund all assets not disposed of pursuant to 10560  
that division. 10561

(Z) Any individual, campaign committee, political action 10562  
committee, political contributing entity, legislative campaign 10563  
fund, political party, treasurer of a transition fund, or other 10564  
entity that violates any provision of sections 3517.09 to 3517.12 10565  
of the Revised Code for which no penalty is provided for under any 10566  
other division of this section shall be fined not more than one 10567  
thousand dollars. 10568

(AA)(1) Whoever knowingly violates division (W)(1) of section 10569  
3517.13 of the Revised Code shall be fined an amount equal to 10570  
three times the amount contributed, expended, or promised in 10571  
violation of that division or ten thousand dollars, whichever 10572

amount is greater. 10573

(2) Whoever knowingly violates division (W)(2) of section 10574  
3517.13 of the Revised Code shall be fined an amount equal to 10575  
three times the amount solicited or accepted in violation of that 10576  
division or ten thousand dollars, whichever amount is greater. 10577

(BB) Whoever knowingly violates division (C) or (D) of 10578  
section 3517.1011 of the Revised Code shall be fined not more than 10579  
ten thousand dollars plus not more than one thousand dollars for 10580  
each day of violation. 10581

(CC)(1) Subject to division (CC)(2) of this section, whoever 10582  
violates division (H) of section 3517.1011 of the Revised Code 10583  
shall be fined an amount up to three times the amount disbursed 10584  
for the direct costs of airing the communication made in violation 10585  
of that division. 10586

(2) Whoever has been ordered by the Ohio elections commission 10587  
or by a court of competent jurisdiction to cease making 10588  
communications in violation of division (H) of section 3517.1011 10589  
of the Revised Code who again violates that division shall be 10590  
fined an amount equal to three times the amount disbursed for the 10591  
direct costs of airing the communication made in violation of that 10592  
division. 10593

(DD)(1) Any corporation or labor organization that violates 10594  
division (X)(3)(a) of section 3517.13 of the Revised Code shall be 10595  
fined an amount equal to three times the amount given in excess of 10596  
the amount permitted by that division. 10597

(2) Any state or county political party that violates 10598  
division (X)(3)(b) of section 3517.13 of the Revised Code shall be 10599  
fined an amount equal to three times the amount accepted in excess 10600  
of the amount permitted by that division. 10601

(EE)(1) Any campaign committee or person who violates 10602  
division (C)(1)(b) or (c) of section 3517.1014 of the Revised Code 10603

shall be fined an amount equal to three times the amount donated 10604  
in excess of the amount permitted by that division. 10605

(2) Any officeholder or treasurer of a transition fund who 10606  
violates division (C)(3)(a) or (b) of section 3517.1014 of the 10607  
Revised Code shall be fined an amount equal to three times the 10608  
amount accepted in excess of the amount permitted by that 10609  
division. 10610

**Sec. 3519.01.** (A) Only one proposal of law or constitutional 10611  
amendment to be proposed by initiative petition shall be contained 10612  
in an initiative petition to enable the voters to vote on that 10613  
proposal separately. A petition shall include the text of any 10614  
existing statute or constitutional provision that would be amended 10615  
or repealed if the proposed law or constitutional amendment is 10616  
adopted. 10617

Whoever seeks to propose a law or constitutional amendment by 10618  
initiative petition shall, by a written petition signed by one 10619  
thousand qualified electors, submit the proposed law or 10620  
constitutional amendment and a summary of it to the attorney 10621  
general for examination. Within ten days after the receipt of the 10622  
written petition and the summary of it, the attorney general shall 10623  
conduct an examination of the summary. If, in the opinion of the 10624  
attorney general, the summary is a fair and truthful statement of 10625  
the proposed law or constitutional amendment, the attorney general 10626  
shall so certify and then forward the submitted petition to the 10627  
Ohio ballot board for its approval under division (A) of section 10628  
3505.062 of the Revised Code. If the Ohio ballot board returns the 10629  
submitted petition to the attorney general with its certification 10630  
as described in that division, the attorney general shall then 10631  
file with the secretary of state a verified copy of the proposed 10632  
law or constitutional amendment together with its summary and the 10633  
attorney general's certification. 10634

Whenever the Ohio ballot board divides an initiative petition 10635  
into individual petitions containing only proposed law or 10636  
constitutional amendment under division (A) of section 3505.062 of 10637  
the Revised Code resulting in the need for the petitioners to 10638  
resubmit to the attorney general appropriate summaries for each of 10639  
the individual petitions arising from the board's division of the 10640  
initiative petition, the attorney general shall review the 10641  
resubmitted summaries, within ten days after their receipt, to 10642  
determine if they are a fair and truthful statement of the 10643  
respective proposed laws or constitutional amendments and, if so, 10644  
certify them. These resubmissions shall contain no new 10645  
explanations or arguments. Then, the attorney general shall file 10646  
with the secretary of state a verified copy of each of the 10647  
proposed laws or constitutional amendments together with their 10648  
respective summaries and the attorney general's certification of 10649  
each. 10650

(B)(1) Whoever seeks to file a referendum petition against 10651  
any law, section, or item in any law shall, by a written petition 10652  
signed by one thousand qualified electors, submit the measure to 10653  
be referred and a summary of it to the secretary of state and, on 10654  
the same day or within one business day before or after that day, 10655  
submit a copy of the petition, measure, and summary to the 10656  
attorney general. 10657

(2) Not later than ten business days after receiving the 10658  
petition, measure, and summary, the secretary of state shall do 10659  
both of the following: 10660

(a) Have the validity of the signatures on the petition 10661  
verified; 10662

(b) After comparing the text of the measure to be referred 10663  
with the copy of the enrolled act on file in the secretary of 10664  
state's office containing the law, section, or item of law, 10665  
determine whether the text is correct and, if it is, so certify. 10666

(3) Not later than ten business days after receiving a copy 10667  
of the petition, measure, and summary, the attorney general shall 10668  
examine the summary and, if in the attorney general's opinion, the 10669  
summary is a fair and truthful statement of the measure to be 10670  
referred, so certify. 10671

(C) Any person who is aggrieved by a certification decision 10672  
under division (A) or (B) of this section may challenge the 10673  
certification or failure to certify of the attorney general in the 10674  
supreme court, which shall have exclusive, original jurisdiction 10675  
in all challenges of those certification decisions. 10676

**Sec. 3519.16.** The circulator of any part-petition, the 10677  
committee interested in the petition, or any elector may file with 10678  
the board of elections a protest against the board's findings made 10679  
pursuant to section 3519.15 of the Revised Code. Protests shall be 10680  
in writing and shall specify reasons for the protest. Protests for 10681  
all initiative and referendum petitions other than those to be 10682  
voted on by electors throughout the entire state shall be filed 10683  
not later than four p.m. of the seventy-fourth day before the day 10684  
of the election. Once a protest is filed, the board shall proceed 10685  
to establish the sufficiency or insufficiency of the signatures 10686  
and of the verification of those signatures in an action before 10687  
the court of common pleas in the county. The action shall be 10688  
brought within three days after the protest is filed, and it shall 10689  
be heard forthwith by a judge of that court, whose decision shall 10690  
be certified to the board. The signatures that are adjudged 10691  
sufficient or the part-petitions that are adjudged properly 10692  
verified shall be included with the others by the board, and those 10693  
found insufficient and all those part-petitions that are adjudged 10694  
not properly verified shall not be included. 10695

The properly verified part-petitions, together with the 10696  
report of the board, shall be returned to the secretary of state 10697

not less than sixty days before the election, provided that, in 10698  
the case of an initiated law to be presented to the general 10699  
assembly, the boards shall promptly check and return the petitions 10700  
together with their report. The secretary of state shall notify 10701  
the chairperson of the committee in charge of the circulation as 10702  
to the sufficiency or insufficiency of the petition and the extent 10703  
of the insufficiency. 10704

If the petition is found insufficient because of an 10705  
insufficient number of valid signatures, the committee shall be 10706  
allowed ten additional days after the notification by the 10707  
secretary of state for the filing of additional signatures to the 10708  
petition. The part-petitions of the supplementary petition that 10709  
appear to the secretary of state to be properly verified, upon 10710  
their receipt by the secretary of state, shall forthwith be 10711  
forwarded to the boards of the several counties together with the 10712  
part-petitions of the original petition that have been properly 10713  
verified. They shall be immediately examined and passed upon as to 10714  
the validity and sufficiency of the signatures on them by each of 10715  
the boards and returned within five days to the secretary of state 10716  
with the report of each board. No signature on a supplementary 10717  
part-petition that is the same as a signature on an original 10718  
part-petition shall be counted. The number of signatures in both 10719  
the original and supplementary petitions, properly verified, shall 10720  
be used by the secretary of state in determining the total number 10721  
of signatures to the petition that the secretary of state shall 10722  
record and announce. If they are sufficient, the amendment, 10723  
proposed law, or law shall be placed on the ballot as required by 10724  
law. If the petition is found insufficient, the secretary of state 10725  
shall notify the committee in charge of the circulation of the 10726  
petition. 10727

**Sec. 3599.03.** (A)(1) Except to carry on activities specified 10728  
in sections 3517.082 and 3517.1011, division (A)(2) of section 10729

3517.1012, division (B) of section 3517.1013, division (C)(1) of 10730  
section 3517.1014, and section 3599.031 of the Revised Code and 10731  
except as provided in divisions (D), (E), and (F) of this section, 10732  
no corporation, no nonprofit corporation, and no labor 10733  
organization, directly or indirectly, shall pay or use, or offer, 10734  
advise, consent, or agree to pay or use, the corporation's money 10735  
or property, or the labor organization's money, including dues, 10736  
initiation fees, or other assessments paid by members, or 10737  
property, for or in aid of or opposition to a political party, a 10738  
candidate for election or nomination to public office, a political 10739  
action committee including a political action committee of the 10740  
corporation or labor organization, a legislative campaign fund, or 10741  
any organization that supports or opposes any such candidate, or 10742  
for any partisan political purpose, shall violate any law 10743  
requiring the filing of an affidavit or statement respecting such 10744  
use of those funds, or shall pay or use the corporation's or labor 10745  
organization's money for the expenses of a social fund-raising 10746  
event for its political action committee if an employee's or labor 10747  
organization member's right to attend such an event is predicated 10748  
on the employee's or member's contribution to the corporation's or 10749  
labor organization's political action committee. 10750

(2) Whoever violates division (A)(1) of this section shall be 10751  
fined not less than five hundred nor more than five thousand 10752  
dollars. 10753

(B)(1) No officer, stockholder, attorney, or agent of a 10754  
corporation or nonprofit corporation, no member, including an 10755  
officer, attorney, or agent, of a labor organization, and no 10756  
candidate, political party official, or other individual shall 10757  
knowingly aid, advise, solicit, or receive money or other property 10758  
in violation of division (A)(1) of this section. 10759

(2) Whoever violates division (B)(1) of this section shall be 10760  
fined not more than one thousand dollars, or imprisoned not more 10761

than one year, or both. 10762

(C) A corporation, a nonprofit corporation, or a labor 10763  
organization may use its funds or property for or in aid of or 10764  
opposition to a proposed or certified ballot issue. Such use of 10765  
funds or property shall be reported on a form prescribed by the 10766  
secretary of state. Reports of contributions in connection with 10767  
statewide ballot issues shall be filed with the secretary of 10768  
state. Reports of contributions in connection with local issues 10769  
shall be filed with the board of elections of the most populous 10770  
county of the district in which the issue is submitted or to be 10771  
submitted to the electors. Reports made pursuant to this division 10772  
shall be filed by the times specified in divisions (A)(1) and (2) 10773  
of section 3517.10 of the Revised Code. 10774

(D)(1) Any gift made pursuant to section 3517.101 of the 10775  
Revised Code does not constitute a violation of this section or of 10776  
any other section of the Revised Code. 10777

(2) Any gift made pursuant to division (A)(2) of section 10778  
3517.1012 of the Revised Code does not constitute a violation of 10779  
this section. 10780

(3) Any gift made pursuant to division (B) of section 10781  
3517.1013 of the Revised Code does not constitute a violation of 10782  
this section. 10783

(4) Any donation made pursuant to division (C)(1) of section 10784  
3517.1014 of the Revised Code does not constitute a violation of 10785  
this section. 10786

(E) Any compensation or fees paid by a financial institution 10787  
to a state political party for services rendered pursuant to 10788  
division (B) of section 3517.19 of the Revised Code do not 10789  
constitute a violation of this section or of any other section of 10790  
the Revised Code. 10791

(F)(1) The use by a nonprofit corporation of its money or 10792

property for communicating information for a purpose specified in 10793  
division (A) of this section is not a violation of that division 10794  
if the stockholders, members, donors, trustees, or officers of the 10795  
nonprofit corporation are the predominant recipients of the 10796  
communication. 10797

(2) The placement of a campaign sign on the property of a 10798  
corporation, nonprofit corporation, or labor organization is not a 10799  
use of property in violation of division (A) of this section by 10800  
that corporation, nonprofit corporation, or labor organization. 10801

(3) The use by a corporation or labor organization of its 10802  
money or property for communicating information for a purpose 10803  
specified in division (A) of this section is not a violation of 10804  
that division if it is not a communication made by mass broadcast 10805  
such as radio or television or made by advertising in a newspaper 10806  
of general circulation but is a communication sent exclusively to 10807  
members, employees, officers, or trustees of that labor 10808  
organization or shareholders, employees, officers, or directors of 10809  
that corporation or to members of the immediate families of any 10810  
such individuals or if the communication intended to be so sent 10811  
exclusively is unintentionally sent as well to a de minimis number 10812  
of other individuals. 10813

(G) In addition to the laws listed in division (A) of section 10814  
4117.10 of the Revised Code that prevail over conflicting 10815  
agreements between employee organizations and public employers, 10816  
this section prevails over any conflicting provisions of 10817  
agreements between labor organizations and public employers that 10818  
are entered into on or after March 31, 2005, pursuant to Chapter 10819  
4117. of the Revised Code. 10820

(H) As used in this section, "labor organization" has the 10821  
same meaning as in section 3517.01 of the Revised Code. 10822

**Sec. 3599.07.** No judge of elections, observer, or police 10823

officer admitted into the polling rooms at the election, at any 10824  
time while the polls are open, shall have in the individual's 10825  
possession, distribute, or give out any ballot or ticket to any 10826  
person on any pretense during the receiving, counting, or 10827  
certifying of the votes, or have any ballot or ticket in the 10828  
individual's possession or control, except in the proper discharge 10829  
of the individual's official duty in receiving, counting, or 10830  
canvassing the votes. This section does not prevent the lawful 10831  
exercise by a judge of elections or observer of the individual 10832  
right to vote at such election. 10833

**Sec. 3599.17.** (A) No elections official serving as a 10834  
registrar or judge of elections shall do any of the following: 10835

(1) Fail to appear before the board of elections, or its 10836  
representative, after notice has been served personally upon the 10837  
official or left at the official's usual place of residence, for 10838  
examination as to the official's qualifications; 10839

(2) Fail to appear at the polling place to which the official 10840  
is assigned at the hour and during the hours set for the 10841  
registration or election; 10842

(3) Fail to take the oath prescribed by section 3501.31 of 10843  
the Revised Code, unless excused by such board; 10844

(4) Refuse or sanction the refusal of another registrar or 10845  
judge of elections to administer an oath required by law; 10846

(5) Fail to send notice to the board of the appointment of a 10847  
judge to fill a vacancy; 10848

(6) Act as registrar or judge without having been appointed 10849  
and having received a certificate of appointment, except a judge 10850  
appointed to fill a vacancy caused by absence or removal; 10851

(7) Fail in any other way to perform any duty imposed by law. 10852

(B) Whoever violates division (A) of this section is guilty 10853

of a misdemeanor of the first degree. 10854

**Sec. 3599.19.** (A) No judge of elections shall knowingly do 10855  
any of the following: 10856

(1) Unlawfully open or permit to be opened the sealed package 10857  
containing registration lists, ballots, blanks, pollbooks, and 10858  
other papers and material to be used in an election; 10859

(2) Unlawfully misplace, carry away, negligently lose or 10860  
permit to be taken from the judge, fail to deliver, or destroy any 10861  
such packages, papers, or material; 10862

(3) Receive or sanction the reception of a ballot from a 10863  
person not a qualified elector or from a person who refused to 10864  
answer a question in accordance with the election law; 10865

(4) Refuse to receive or sanction the rejection of a ballot 10866  
from a person, knowing that person to be a qualified elector; 10867

(5) Permit a fraudulent ballot to be placed in the ballot 10868  
box; 10869

(6) Place or permit to be placed in any ballot box any ballot 10870  
known by the judge to be improperly or falsely marked; 10871

(7) Count or permit to be counted any illegal or fraudulent 10872  
ballot; 10873

(8) Mislead an elector who is physically unable to prepare 10874  
the elector's ballot, mark a ballot for such elector otherwise 10875  
than as directed by that elector, or disclose to any person, 10876  
except when legally required to do so, how such elector voted; 10877

(9) Alter or mark or permit any alteration or marking on any 10878  
ballot when counting the ballots; 10879

(10) Unlawfully count or tally or sanction the wrongful 10880  
counting or tallying of votes; 10881

(11) After the counting of votes commences, as required by 10882

law, postpone or sanction the postponement of the counting of 10883  
votes, adjourn at any time or to any place, or remove the ballot 10884  
box from the place of voting, or from the custody or presence of 10885  
all the judges of such elections; 10886

(12) Permit any ballot to remain or to be in the ballot box 10887  
at the opening of the polls, or to be put in the box during the 10888  
counting of the ballots, or to be left in the box without being 10889  
counted; 10890

(13) Admit or sanction the admission to the polling room at 10891  
an election during the receiving, counting, and certifying of 10892  
votes of any person not qualified by law to be so admitted; 10893

(14) Refuse to admit or sanction the refusal to admit any 10894  
person, upon lawful request for admission, who is legally 10895  
qualified to be present; 10896

(15) Permit or sanction the counting of the ballots contrary 10897  
to the manner prescribed by law; 10898

(16) Neglect or unlawfully execute any duty enjoined upon the 10899  
judge by law. 10900

(B) Whoever violates division (A) of this section is guilty 10901  
of a misdemeanor of the first degree. 10902

**Sec. 3599.31.** No officer of the law shall fail to obey 10903  
forthwith an order of the presiding judge and aid in enforcing a 10904  
lawful order of the presiding judges at an election, against 10905  
persons unlawfully congregating or loitering within one hundred 10906  
feet of a polling place, hindering or delaying an elector from 10907  
reaching or leaving the polling place, soliciting or attempting, 10908  
within one hundred feet of the polling place, to influence an 10909  
elector in casting the elector's vote, or interfering with the 10910  
registration of voters or casting and counting of the ballots. 10911

Whoever violates this section is guilty of a misdemeanor of 10912

the first degree. 10913

**Section 2.** Sections 5, 6, 7, and 8 of Am. Sub. H.B. 194 of 10914  
the 129th General Assembly are hereby repealed. 10915

**Section 3.** The General Assembly, applying the principle 10916  
stated in division (B) of section 1.52 of the Revised Code that 10917  
amendments are to be harmonized if reasonably capable of 10918  
simultaneous operation, finds that the following sections, 10919  
presented in this act as composites of the sections as amended by 10920  
the acts indicated, are the resulting versions of the sections in 10921  
effect prior to the effective date of the sections as presented in 10922  
this act: 10923

Section 3501.13 of the Revised Code as amended by both Am. 10924  
Sub. H.B. 3 of the 126th General Assembly and Am. Sub. H.B. 224 of 10925  
the 129th General Assembly. 10926

Section 3501.17 of the Revised Code as amended by both Am. 10927  
Sub. H.B. 1 of the 128th General Assembly and Am. Sub. H.B. 153 of 10928  
the 129th General Assembly. 10929

Section 3503.14 of the Revised Code as amended by both Am. 10930  
Sub. H.B. 562 of the 127th General Assembly and Am. Sub. H.B. 224 10931  
of the 129th General Assembly. 10932

Section 3503.19 of the Revised Code as amended by both Sub. 10933  
H.B. 48 of the 128th General Assembly and Am. Sub. H.B. 224 of the 10934  
129th General Assembly. 10935

Section 3503.28 of the Revised Code as amended by both Sub. 10936  
H.B. 562 of the 127th General Assembly and Am Sub. H.B. 224 of the 10937  
129th General Assembly. 10938

Section 3505.13 of the Revised Code as amended by both Am. 10939  
H.B. 47 of the 116th General Assembly and Am. Sub. H.B. 153 of the 10940  
129th General Assembly. 10941

Section 3505.18 of the Revised Code as amended by both Am. 10942

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| Sub. H.B. 562 of the 127th General Assembly and Am. Sub. H.B. 224 of the 129th General Assembly.   | 10943<br>10944          |
| Section 3505.181 of the Revised Code as amended by both Am. Sub. H.B. 562 of the 127th General Assembly and Am. Sub. H.B. 224 of the 129th General Assembly. | 10945<br>10946<br>10947 |
| Section 3505.183 of the Revised Code as amended by both Am. Sub. H.B. 562 of the 127th General Assembly and Am. Sub. H.B. 224 of the 129th General Assembly. | 10948<br>10949<br>10950 |
| Section 3506.05 of the Revised Code as amended by both Am. Sub. H.B. 350 of the 127th General Assembly and Am. Sub. H.B. 153 of the 129th General Assembly.  | 10951<br>10952<br>10953 |
| Section 3509.03 of the Revised Code as amended by both Am. Sub. H.B. 48 of the 128th General Assembly and Am. Sub. H.B. 224 of the 129th General Assembly.   | 10954<br>10955<br>10956 |
| Section 3509.04 of the Revised Code as amended by both Am. Sub. H.B. 48 of the 128th General Assembly and Am. Sub. H.B. 224 of the 129th General Assembly.   | 10957<br>10958<br>10959 |
| Section 3509.05 of the Revised Code as amended by both Am. Sub. H.B. 48 of the 128th General Assembly and Am. Sub. H.B. 224 of the 129th General Assembly.   | 10960<br>10961<br>10962 |
| Section 3509.07 of the Revised Code as amended by both Sub. H.B. 234 of the 126th General Assembly and Am. Sub. H.B. 224 of the 129th General Assembly.      | 10963<br>10964<br>10965 |
| Section 3511.02 of the Revised Code as amended by both Am. Sub. H.B. 48 of the 128th General Assembly and Am. Sub. H.B. 224 of the 129th General Assembly.   | 10966<br>10967<br>10968 |
| Section 3511.04 of the Revised Code as amended by both Am. Sub. H.B. 48 of the 128th General Assembly and Am. Sub. H.B. 224 of the 129th General Assembly.   | 10969<br>10970<br>10971 |
| Section 3511.05 of the Revised Code as amended by both Am.   | 10972                   |

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| Sub. H.B. 48 of the 128th General Assembly and Am. Sub. H.B. 224<br>of the 129th General Assembly.   | 10973<br>10974          |
| Section 3511.09 of the Revised Code as amended by both Am.<br>Sub. H.B. 48 of the 128th General Assembly and Am. Sub. H.B. 224<br>of the 129th General Assembly. | 10975<br>10976<br>10977 |
| Section 3511.10 of the Revised Code as amended by both Am.<br>Sub. H.B. 48 of the 128th General Assembly and Am. Sub. H.B. 224<br>of the 129th General Assembly. | 10978<br>10979<br>10980 |
| Section 3511.11 of the Revised Code as amended by both Am.<br>Sub. H.B. 48 of the 128th General Assembly and Am. Sub. H.B. 224<br>of the 129th General Assembly. | 10981<br>10982<br>10983 |
| Section 3511.14 of the Revised Code as amended by both Am.<br>Sub. H.B. 48 of the 128th General Assembly and Am. Sub. H.B. 224<br>of the 129th General Assembly. | 10984<br>10985<br>10986 |