

**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are scheduled to take effect only if approved by the voters at a referendum to be held on November 6, 2012, are hereby repealed.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hereby repealed. 19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 80
commissioners or in the office of county auditor, county 81
treasurer, prosecuting attorney, clerk of the court of common 82
pleas, sheriff, county recorder, county engineer, or coroner more 83
than fifty-six days before the next general election for state and 84
county officers, the vacancy shall be filled as provided for in 85
divisions (A) and (B) of section 305.02 of the Revised Code. 86

Sec. 305.02. (A) If a vacancy in the office of county 87
commissioner, prosecuting attorney, county auditor, county 88
treasurer, clerk of the court of common pleas, sheriff, county 89
recorder, county engineer, or coroner occurs more than fifty-six 90
days before the next general election for state and county 91
officers, a successor shall be elected at such election for the 92
unexpired term unless such term expires within one year 93
immediately following the date of such general election. 94

In either event, the vacancy shall be filled as provided in 95
this section and the appointee shall hold office until a successor 96
is elected and qualified. 97

(B) If a vacancy occurs from any cause in any of the offices 98
named in division (A) of this section, the county central 99
committee of the political party with which the last occupant of 100
the office was affiliated shall appoint a person to hold the 101
office and to perform the duties thereof until a successor is 102
elected and has qualified, except that if such vacancy occurs 103
because of the death, resignation, or inability to take the office 104
of an officer-elect whose term has not yet begun, an appointment 105
to take such office at the beginning of the term shall be made by 106
the central committee of the political party with which such 107
officer-elect was affiliated. 108

(C) Not less than five nor more than forty-five days after a 109

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

	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
same time and in the same manner as an election for county
officers. The board shall certify the result of said election to
the secretary of state, to the probate judge of said county, and
to the judge of the court of common pleas, and such result shall
be spread upon the journal of the probate court and of the court
of common pleas.

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

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

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

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

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

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

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

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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 1008 1009
(C) Prepare rules and instructions for the conduct of elections;	1010 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 1013 1014
(E) Edit and issue all pamphlets concerning proposed laws or amendments required by law to be submitted to the voters;	1015 1016
(F) Prescribe the form of registration cards, blanks, and records;	1017 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 1020 1021 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 1024 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 1027 1028 1029 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 1032 1033 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 voters through boards of elections, designated agencies, and the offices of the registrar and deputy registrars of motor vehicles consistent with this chapter;

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

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

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

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

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

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

the same day as the conference or teleconference call takes place. 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 1377
(R) Administer oaths in matters pertaining to the administration of the election laws;	1378 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 1381 1382 1383 1384
(T) Establish and maintain a voter registration database of all qualified electors in the county who offer to register;	1385 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 1388 1389 1390 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 1393 1394
(W) Prepare and cause the following notice to be displayed in a prominent location in every polling place:	1395 1396
"NOTICE	1397
Ohio law prohibits any person from voting or attempting to vote more than once at the same election.	1398 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 1401 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 1404 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 1929 1930 1931 1932 1933 1934 1935 1936 1937 1938

(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 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 2067 2068 2069 2070 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 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 2076 2077 2078 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 2081 2082 2083 2084 2085 2086 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 2090 2091 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
Sec. 3501.32. (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
Sec. 3501.33. 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 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 2527 2528 2529 2530 2531 2532 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 2536 2537 2538 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 2541 2542 2543 2544 2545 2546 2547 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 2550 2551 2552 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 2566 2567 2568 2569 2570 2571 2572 2573 2574 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 2577 2578 2579 2580 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
Sec. 3503.29. (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
(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 security number information, the elector may cast a provisional ballot under section 3505.181 of the Revised Code, the envelope of which ballot shall include that social security number information.

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

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

- (a) The elector's name;
- (b) The elector's address;
- (c) The current date;
- (d) The elector's date of birth;
- (e) The elector's signature.

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

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 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 3982 3983 3984 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 3987 3988 3989 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 3993
(b) Information regarding the date of the election and the hours during which polling places will be open;	3994 3995
(c) Instructions on how to vote, including how to cast a vote and how to cast a provisional ballot;	3996 3997
(d) Instructions for mail-in registrants and first-time voters under applicable federal and state laws;	3998 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 4001 4002 4003 4004
(f) General information on federal and state laws regarding prohibitions against acts of fraud and misrepresentation.	4005 4006
Sec. 3505.182. 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 4384 4385
(6) Have you voted or attempted to vote at any other location in this or in any other state at this election?	4386 4387
(7) Have you applied for any absent voter's ballot in any state for this election?	4388 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 4391 4392 4393 4394 4395 4396 4397 4398 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 4401 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 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 4408 4409 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
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(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 number;	5698 5699
(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 election mailed by a board of elections under section 3501.19 of the Revised Code or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the name and address of the elector.	5700 5701 5702 5703 5704 5705 5706 5707
(6) A statement identifying the election for which absent voter's ballots are requested;	5708 5709
(7) A statement that the person requesting the ballots is a qualified elector;	5710 5711
(8) A statement that the elector is an absent uniformed services voter or overseas voter as defined in 42 U.S.C. 1973ff-6;	5712 5713
(9) A statement of the elector's length of residence in the state immediately preceding the commencement of service, immediately preceding the date of leaving to be with or near the service member, or immediately preceding leaving the United States, 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, whichever is applicable;	5714 5715 5716 5717 5718 5719 5720 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 order for a uniformed services or overseas absent voter's ballot contained in it to be valid. Except as otherwise provided in this division, whether or not the return envelope containing the ballot is postmarked, contains a late postmark, or contains an illegible postmark, a uniformed services or overseas absent voter's ballot that is received after the close of the polls on election day through the tenth day after the election day shall be counted on the eleventh day after the election day at the office of the board of elections in the manner provided in divisions (C) and (D) of section 3509.06 of the Revised Code, if the voter signed the identification envelope by the time specified in section 3511.09 of the Revised Code. However, if a return envelope containing a uniformed services or overseas absent voter's ballot is so received and so indicates, but the identification envelope in it is signed after the close of the polls on election day, the uniformed services or overseas absent voter's ballot shall not be counted.

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

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

(2) Uniformed services or overseas absent voter's ballots contained in return envelopes that bear that designation and that are received after the tenth day following the election.

The uncounted ballots shall be preserved in their identification envelopes unopened until the time provided by

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 party, that is filled by an election and the offices of United States senator and representative.

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(10) "Anything of value" has the same meaning as in section 1.03 of the Revised Code.

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(11) "Beneficiary of a campaign fund" means a candidate, a public official or employee for whose benefit a campaign fund exists, and any other person who has ever been a candidate or public official or employee and for whose benefit a campaign fund exists.

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(12) "Campaign fund" means money or other property, including contributions.

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(13) "Public official or employee" has the same meaning as in section 102.01 of the Revised Code.

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(14) "Caucus" means all of the members of the house of representatives or all of the members of the senate of the general assembly who are members of the same political party.

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(15) "Legislative campaign fund" means a fund that is established as an auxiliary of a state political party and associated with one of the houses of the general assembly.

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(16) "In-kind contribution" means anything of value other than money that is used to influence the results of an election or is transferred to or used in support of or in opposition to a candidate, campaign committee, legislative campaign fund, political party, political action committee, or political contributing entity and that is made with the consent of, in coordination, cooperation, or consultation with, or at the request or suggestion of the benefited candidate, committee, fund, party, or entity. The financing of the dissemination, distribution, or republication, in whole or part, of any broadcast or of any written, graphic, or other form of campaign materials prepared by

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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 balance on hand and no outstanding obligations and desires to terminate itself, it shall file a statement to that effect, on a form prescribed under this section and made under penalty of election falsification, with the official with whom it files a statement under division (A) of this section after filing a final statement of contributions and a final statement of expenditures, if contributions have been received or expenditures made since the period reflected in its last previously filed statement.

(B) Except as otherwise provided in division (C)(7) of this section, each statement required by division (A) of this section shall contain the following information:

(1) The full name and address of each campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity, including any treasurer of the committee, fund, party, or entity, filing a contribution and expenditure statement;

(2)(a) In the case of a campaign committee, the candidate's full name and address;

(b) In the case of a political action committee, the registration number assigned to the committee under division (D)(1) of this section.

(3) The date of the election and whether it was or will be a general, primary, or special election;

(4) A statement of contributions received, which shall include the following information:

(a) The month, day, and year of the contribution;

(b)(i) The full name and address of each person, political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity from whom

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

(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 8146 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 8149 8150
(v) Fifteen thousand dollars to any one legislative campaign fund in a calendar year;	8151 8152
(vi) Thirty thousand dollars to any one state political party for the party's state candidate fund in a calendar year;	8153 8154
(vii) Ten thousand dollars to any one political action committee in a calendar year;	8155 8156
(viii) Ten thousand dollars to any one political contributing entity in a calendar year.	8157 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 8160 8161 8162
(c) No individual who is under seven years of age shall make any contribution.	8163 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 8166 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 8169 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 8172 8173
(iii) Ten thousand dollars to the campaign committee of any	8174

one house candidate in a primary election period or in a general election period;	8175 8176
(iv) Fifteen thousand dollars to any one legislative campaign fund in a calendar year;	8177 8178
(v) Thirty thousand dollars to any one state political party for the party's state candidate fund in a calendar year;	8179 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 8182 8183 8184 8185 8186 8187 8188 8189 8190 8191 8192 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 8195 8196
(3) No campaign committee shall make a contribution or contributions aggregating more than:	8197 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 8200 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 8203 8204

(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

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

one house candidate in a primary election period or in a general election period; 8295
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(iv) Fifteen thousand dollars to any one legislative campaign fund in a calendar year; 8297
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(v) Thirty thousand dollars to any one state political party for the party's state candidate fund in a calendar year; 8299
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(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
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(b) No political contributing entity shall make a contribution or contributions to a county political party for the party's state candidate fund. 8314
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(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
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(i) Knowingly accept a contribution or contributions from any individual who is under seven years of age; 8320
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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 political action committee, from any one political contributing entity, or from any one other 8322
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campaign committee in a primary election period or in a general election period; 8326
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(iii) Accept a contribution or contributions aggregating more than two hundred fifty thousand dollars from any one or combination of state candidate funds of county political parties in a primary election period or in a general election period. 8328
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(b) No campaign committee of a statewide candidate shall accept a contribution or contributions aggregating more than two thousand five hundred dollars in a primary election period or in a general election period from a county political party that has no state candidate fund and that is located in a county having a population of less than one hundred fifty thousand. 8332
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(2)(a) Subject to division (D)(1) of this section and except for a designated state campaign committee, no campaign committee of a senate candidate shall do either of the following: 8338
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(i) Knowingly accept a contribution or contributions from any individual who is under seven years of age; 8341
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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 political action committee, from any one political contributing entity, from any one state candidate fund of a county political party, or from any one other campaign committee in a primary election period or in a general election period. 8343
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(b) No campaign committee of a senate candidate shall accept a contribution or contributions aggregating more than two thousand five hundred dollars in a primary election period or in a general election period from a county political party that has no state candidate fund and that is located in a county having a population of less than one hundred fifty thousand. 8350
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(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

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

(b) The political action committees and political contributing entities described in division (A)(1) of section 3517.11 of the Revised Code;	8793 8794 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 8799 8800 8801
(f) The campaign committees of candidates for the office of member of the general assembly;	8802 8803
(g) County political parties, with respect to their state candidate funds.	8804 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 8807 8808 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 8811 8812 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 8815 8816 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 8819 8820 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

(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 the 129th General Assembly are hereby repealed.	10914 10915
Section 3. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the following sections, presented in this act as composites of the sections as amended by the acts indicated, are the resulting versions of the sections in effect prior to the effective date of the sections as presented in this act:	10916 10917 10918 10919 10920 10921 10922 10923
Section 3501.13 of the Revised Code as amended by both Am. Sub. H.B. 3 of the 126th General Assembly and Am. Sub. H.B. 224 of the 129th General Assembly.	10924 10925 10926
Section 3501.17 of the Revised Code as amended by both Am. Sub. H.B. 1 of the 128th General Assembly and Am. Sub. H.B. 153 of the 129th General Assembly.	10927 10928 10929
Section 3503.14 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.	10930 10931 10932
Section 3503.19 of the Revised Code as amended by both Sub. H.B. 48 of the 128th General Assembly and Am. Sub. H.B. 224 of the 129th General Assembly.	10933 10934 10935
Section 3503.28 of the Revised Code as amended by both Sub. H.B. 562 of the 127th General Assembly and Am. Sub. H.B. 224 of the 129th General Assembly.	10936 10937 10938
Section 3505.13 of the Revised Code as amended by both Am. H.B. 47 of the 116th General Assembly and Am. Sub. H.B. 153 of the 129th General Assembly.	10939 10940 10941
Section 3505.18 of the Revised Code as amended by both Am.	10942

Sub. H.B. 562 of the 127th General Assembly and Am. Sub. H.B. 224 of the 129th General Assembly.	10943 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 10946 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 10949 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 10952 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 10955 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 10958 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 10961 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 10964 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 10967 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 10970 10971
Section 3511.05 of the Revised Code as amended by both Am.	10972

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