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Am. S. B. No. 10

Senators Coley, Smith

**Cosponsors: Senators Obhof, Faber, Widener, Patton, Hite, Lehner,
Oelslager, Eklund, LaRose, Burke, Jones, Bacon, Beagle, Manning, Gardner,
Brown, Cafaro, Hughes, Peterson, Sawyer, Schaffer, Schiavoni, Tavares,
Turner, Uecker**

**Representatives Dovilla, Gerberry, Adams, J., Cera, Curtin, Fedor, Anielski,
Brenner, Brown, Buchy, Burkley, Grossman, Hackett, Hall, Huffman, Maag,
McClain, Milkovich, Perales, Pillich, Retherford, Sears, Stebelton, Stinziano,
Terhar, Wachtmann Speaker Batchelder**

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A B I L L

To amend sections 3501.29, 3501.35, 3505.181, 1
3505.23, 3505.24, and 3509.01 of the Revised Code 2
to revise the law regarding polling places and 3
voting machines. 4

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

Section 1. That sections 3501.29, 3501.35, 3505.181, 3505.23, 5
3505.24, and 3509.01 of the Revised Code be amended to read as 6
follows: 7

Sec. 3501.29. (A) The board of elections shall provide for 8
each precinct a polling place and provide adequate facilities at 9
each polling place for conducting the election. The board shall 10
provide a sufficient number of screened or curtained voting 11
compartments to which electors may retire and conveniently mark 12

their ballots, protected from the observation of others. Each 13
voting compartment shall be provided at all times with writing 14
implements, instructions how to vote, and other necessary 15
conveniences for marking the ballot. The presiding judge shall 16
ensure that the voting compartments at all times are adequately 17
lighted and contain the necessary supplies. The board shall 18
utilize, in so far as practicable, rooms in public schools and 19
other public buildings for polling places. Upon application of the 20
board of elections, the authority which has the control of any 21
building or grounds supported by taxation under the laws of this 22
state, shall make available the necessary space therein for the 23
purpose of holding elections and adequate space for the storage of 24
voting machines, without charge for the use thereof. A reasonable 25
sum may be paid for necessary janitorial service. When polling 26
places are established in private buildings, the board may pay a 27
reasonable rental therefor, and also the cost of liability 28
insurance covering the premises when used for election purposes, 29
or the board may purchase a single liability policy covering the 30
board and the owners of the premises when used for election 31
purposes. When removable buildings are supplied by the board, they 32
shall be constructed under the contract let to the lowest and best 33
bidder, and the board shall observe all ordinances and regulations 34
then in force as to safety. The board shall remove all such 35
buildings from streets and other public places within thirty days 36
after an election, unless another election is to be held within 37
ninety days. 38

(B)(1) Except as otherwise provided in this section, the 39
board shall ensure all of the following: 40

(a) That polling places are free of barriers that would 41
impede ingress and egress of handicapped persons; 42

(b) That the minimum number of special parking locations, 43
also known as handicapped parking spaces or disability parking 44

spaces, for handicapped persons are designated at each polling 45
place in accordance with 28 C.F.R. Part 36, Appendix A, and in 46
compliance with division (E) of section 4511.69 of the Revised 47
Code-~~i~~ 48

(c) That the entrances of polling places are level or are 49
provided with a nonskid ramp ~~of not over eight per cent gradient~~ 50
that meets the requirements of the "Americans with Disabilities 51
Act of 1990," 104 Stat. 327, 42 U.S.C. 12101; 52

(d) That doors are a minimum of thirty-two inches wide. 53

(2) Notwithstanding division (B)(1)(a), (c), or (d) of this 54
section, certain polling places may be specifically exempted by 55
the secretary of state upon certification by a board of elections 56
that a good faith, but unsuccessful, effort has been made to 57
modify, or change the location of, such polling places. 58

(C) At any polling place that is exempted from compliance by 59
the secretary of state, the board of elections shall permit any 60
handicapped elector who travels to that elector's polling place, 61
but who is unable to enter the polling place, to vote, with the 62
assistance of two polling place officials of major political 63
parties, in the vehicle that conveyed that elector to the polling 64
place, or to receive and cast that elector's ballot at the door of 65
the polling place. 66

(D) The secretary of state shall: 67

(1) Work with other state agencies to facilitate the 68
distribution of information and technical assistance to boards of 69
elections to meet the requirements of division (B) of this 70
section; 71

(2) Work with organizations that represent or provide 72
services to handicapped, disabled, or elderly citizens to effect a 73
wide dissemination of information about the availability of 74
absentee voting, voting in the voter's vehicle or at the door of 75

the polling place, or other election services to handicapped, 76
disabled, or elderly citizens. 77

(E) Before the day of an election, the director of the board 78
of elections of each county shall sign a statement verifying that 79
each polling place that will be used in that county at that 80
election meets the requirements of division (B)(1)(b) of this 81
section. The signed statement shall be sent to the secretary of 82
state by certified mail. 83

(F) As used in this section, "handicapped" means having lost 84
the use of one or both legs, one or both arms, or any combination 85
thereof, or being blind or so severely disabled as to be unable to 86
move about without the aid of crutches or a wheelchair. 87

Sec. 3501.35. (A) During an election and the counting of the 88
ballots, no person shall do any of the following: 89

(1) Loiter, congregate, or engage in any kind of election 90
campaigning within the area between the polling place and the 91
small flags of the United States placed on the thoroughfares and 92
walkways leading to the polling place, and if the line of electors 93
waiting to vote extends beyond those small flags, within ten feet 94
of any elector in that line; 95

(2) In any manner hinder or delay an elector in reaching or 96
leaving the place fixed for casting the elector's ballot; 97

(3) Give, tender, or exhibit any ballot or ticket to any 98
person other than the elector's own ballot to the judge of 99
election within the area between the polling place and the small 100
flags of the United States placed on the thoroughfares and 101
walkways leading to the polling place, and if the line of electors 102
waiting to vote extends beyond those small flags, within ten feet 103
of any elector in that line; 104

(4) Exhibit any ticket or ballot which the elector intends to 105

cast; 106

(5) Solicit or in any manner attempt to influence any elector 107
in casting the elector's vote. 108

(B)(1) Except as otherwise provided in division (B)(2) of 109
this section and division (C) of section 3503.23 of the Revised 110
Code, no person who is not an election official, employee, 111
observer, or police officer shall be allowed to enter the polling 112
place during the election, except for the purpose of voting or 113
assisting another person to vote as provided in section 3505.24 of 114
the Revised Code. 115

(2) Notwithstanding any provision of this section to the 116
contrary, a journalist shall be allowed reasonable access to a 117
polling place during an election. As used in this division, 118
"journalist" has the same meaning as in division (B)(2) of section 119
2923.129 of the Revised Code. 120

(C) No more electors shall be allowed to approach the voting 121
shelves at any time than there are voting shelves provided. 122

(D) The judges of election and the police officer shall 123
strictly enforce the observance of this section. 124

Sec. 3505.181. (A) All of the following individuals shall be 125
permitted to cast a provisional ballot at an election: 126

(1) An individual who declares that the individual is a 127
registered voter in the jurisdiction in which the individual 128
desires to vote and that the individual is eligible to vote in an 129
election, but the name of the individual does not appear on the 130
official list of eligible voters for the polling place or an 131
election official asserts that the individual is not eligible to 132
vote; 133

(2) An individual who has a social security number and 134
provides to the election officials the last four digits of the 135

individual's social security number as permitted by division	136
(A)(2) of section 3505.18 of the Revised Code;	137
(3) An individual who has but is unable to provide to the	138
election officials any of the forms of identification required	139
under division (A)(1) of section 3505.18 of the Revised Code and	140
who has a social security number but is unable to provide the last	141
four digits of the individual's social security number as	142
permitted under division (A)(2) of that section;	143
(4) An individual who does not have any of the forms of	144
identification required under division (A)(1) of section 3505.18	145
of the Revised Code, who cannot provide the last four digits of	146
the individual's social security number under division (A)(2) of	147
that section because the individual does not have a social	148
security number, and who has executed an affirmation as permitted	149
under division (A)(4) of that section;	150
(5) An individual whose name in the poll list or signature	151
pollbook has been marked under section 3509.09 or 3511.13 of the	152
Revised Code as having requested an absent voter's ballot or an	153
armed service absent voter's ballot for that election and who	154
appears to vote at the polling place;	155
(6) An individual whose notification of registration has been	156
returned undelivered to the board of elections and whose name in	157
the official registration list and in the poll list or signature	158
pollbook has been marked under division (C)(2) of section 3503.19	159
of the Revised Code;	160
(7) An individual who is challenged under section 3505.20 of	161
the Revised Code and the election officials determine that the	162
person is ineligible to vote or are unable to determine the	163
person's eligibility to vote;	164
(8) An individual whose application or challenge hearing has	165
been postponed until after the day of the election under division	166

(D)(1) of section 3503.24 of the Revised Code;	167
(9) An individual who changes the individual's name and	168
remains within the precinct, moves from one precinct to another	169
within a county, moves from one precinct to another and changes	170
the individual's name, or moves from one county to another within	171
the state, and completes and signs the required forms and	172
statements under division (B) or (C) of section 3503.16 of the	173
Revised Code;	174
(10) An individual whose signature, in the opinion of the	175
precinct officers under section 3505.22 of the Revised Code, is	176
not that of the person who signed that name in the registration	177
forms;	178
(11) An individual who is challenged under section 3513.20 of	179
the Revised Code who refuses to make the statement required under	180
that section or who a majority of the precinct officials find	181
lacks any of the qualifications to make the individual a qualified	182
elector;	183
(12) An individual who does not have any of the forms of	184
identification required under division (A)(1) of section 3505.18	185
of the Revised Code, who cannot provide the last four digits of	186
the individual's social security number under division (A)(2) of	187
that section because the person does not have a social security	188
number, and who declines to execute an affirmation as permitted	189
under division (A)(4) of that section;	190
(13) An individual who has but declines to provide to the	191
precinct election officials any of the forms of identification	192
required under division (A)(1) of section 3501.18 of the Revised	193
Code or who has a social security number but declines to provide	194
to the precinct election officials the last four digits of the	195
individual's social security number.	196
(B) An individual who is eligible to cast a provisional	197

ballot under division (A) of this section shall be permitted to 198
cast a provisional ballot as follows: 199

(1) An election official at the polling place shall notify 200
the individual that the individual may cast a provisional ballot 201
in that election. 202

(2) The individual shall be permitted to cast a provisional 203
ballot at that polling place upon the execution of a written 204
affirmation by the individual before an election official at the 205
polling place stating that the individual is both of the 206
following: 207

(a) A registered voter in the jurisdiction in which the 208
individual desires to vote; 209

(b) Eligible to vote in that election. 210

(3) An election official at the polling place shall transmit 211
the ballot cast by the individual, the voter information contained 212
in the written affirmation executed by the individual under 213
division (B)(2) of this section, or the individual's name if the 214
individual declines to execute such an affirmation to an 215
appropriate local election official for verification under 216
division (B)(4) of this section. 217

(4) If the appropriate local election official to whom the 218
ballot or voter or address information is transmitted under 219
division (B)(3) of this section determines that the individual is 220
eligible to vote, the individual's provisional ballot shall be 221
counted as a vote in that election. 222

(5)(a) At the time that an individual casts a provisional 223
ballot, the appropriate local election official shall give the 224
individual written information that states that any individual who 225
casts a provisional ballot will be able to ascertain under the 226
system established under division (B)(5)(b) of this section 227
whether the vote was counted, and, if the vote was not counted, 228

the reason that the vote was not counted. 229

(b) The appropriate state or local election official shall 230
establish a free access system, in the form of a toll-free 231
telephone number, that any individual who casts a provisional 232
ballot may access to discover whether the vote of that individual 233
was counted, and, if the vote was not counted, the reason that the 234
vote was not counted. The free access system established under 235
this division also shall provide to an individual whose 236
provisional ballot was not counted information explaining how that 237
individual may contact the board of elections to register to vote 238
or to resolve problems with the individual's voter registration. 239

The appropriate state or local election official shall 240
establish and maintain reasonable procedures necessary to protect 241
the security, confidentiality, and integrity of personal 242
information collected, stored, or otherwise used by the free 243
access system established under this division. Access to 244
information about an individual ballot shall be restricted to the 245
individual who cast the ballot. 246

(6) If, at the time that an individual casts a provisional 247
ballot, the individual provides identification in the form of a 248
current and valid photo identification, a military identification, 249
or a copy of a current utility bill, bank statement, government 250
check, paycheck, or other government document, other than a notice 251
of an election mailed by a board of elections under section 252
3501.19 of the Revised Code or a notice of voter registration 253
mailed by a board of elections under section 3503.19 of the 254
Revised Code, that shows the individual's name and current 255
address, or provides the last four digits of the individual's 256
social security number, or executes an affirmation that the 257
elector does not have any of those forms of identification or the 258
last four digits of the individual's social security number 259
because the individual does not have a social security number, or 260

declines to execute such an affirmation, the appropriate local 261
election official shall record the type of identification 262
provided, the social security number information, the fact that 263
the affirmation was executed, or the fact that the individual 264
declined to execute such an affirmation and include that 265
information with the transmission of the ballot or voter or 266
address information under division (B)(3) of this section. If the 267
individual declines to execute such an affirmation, the 268
appropriate local election official shall record the individual's 269
name and include that information with the transmission of the 270
ballot under division (B)(3) of this section. 271

(7) If an individual casts a provisional ballot pursuant to 272
division (A)(3), (7), (8), (12), or (13) of this section, the 273
election official shall indicate, on the provisional ballot 274
verification statement required under section 3505.182 of the 275
Revised Code, that the individual is required to provide 276
additional information to the board of elections or that an 277
application or challenge hearing has been postponed with respect 278
to the individual, such that additional information is required 279
for the board of elections to determine the eligibility of the 280
individual who cast the provisional ballot. 281

(8) During the ten days after the day of an election, an 282
individual who casts a provisional ballot pursuant to division 283
(A)(3), (7), (12), or (13) of this section shall appear at the 284
office of the board of elections and provide to the board any 285
additional information necessary to determine the eligibility of 286
the individual who cast the provisional ballot. 287

(a) For a provisional ballot cast pursuant to division 288
(A)(3), (12), or (13) of this section to be eligible to be 289
counted, the individual who cast that ballot, within ten days 290
after the day of the election, shall do any of the following: 291

(i) Provide to the board of elections proof of the 292

individual's identity in the form of a current and valid photo 293
identification, a military identification, or a copy of a current 294
utility bill, bank statement, government check, paycheck, or other 295
government document, other than a notice of an election mailed by 296
a board of elections under section 3501.19 of the Revised Code or 297
a notice of voter registration mailed by a board of elections 298
under section 3503.19 of the Revised Code, that shows the 299
individual's name and current address; 300

(ii) Provide to the board of elections the last four digits 301
of the individual's social security number; 302

(iii) In the case of a provisional ballot executed pursuant 303
to division (A)(12) of this section, execute an affirmation as 304
permitted under division (A)(4) of section 3505.18 of the Revised 305
Code. 306

(b) For a provisional ballot cast pursuant to division (A)(7) 307
of this section to be eligible to be counted, the individual who 308
cast that ballot, within ten days after the day of that election, 309
shall provide to the board of elections any identification or 310
other documentation required to be provided by the applicable 311
challenge questions asked of that individual under section 3505.20 312
of the Revised Code. 313

(C)(1) If an individual declares that the individual is 314
eligible to vote in a jurisdiction other than the jurisdiction in 315
which the individual desires to vote, or if, upon review of the 316
precinct voting location guide using the residential street 317
address provided by the individual, an election official at the 318
polling place at which the individual desires to vote determines 319
that the individual is not eligible to vote in that jurisdiction, 320
the election official shall direct the individual to the polling 321
place for the jurisdiction in which the individual appears to be 322
eligible to vote, explain that the individual may cast a 323
provisional ballot at the current location but the ballot will not 324

be counted if it is cast in the wrong precinct, and provide the 325
telephone number of the board of elections in case the individual 326
has additional questions. 327

(2) If the individual refuses to travel to the polling place 328
for the correct jurisdiction or to the office of the board of 329
elections to cast a ballot, the individual shall be permitted to 330
vote a provisional ballot at that jurisdiction in accordance with 331
division (B) of this section. If any of the following apply, the 332
provisional ballot cast by that individual shall not be opened or 333
counted: 334

(a) The individual is not properly registered in that 335
jurisdiction. 336

(b) The individual is not eligible to vote in that election 337
in that jurisdiction. 338

(c) The individual's eligibility to vote in that jurisdiction 339
in that election cannot be established upon examination of the 340
records on file with the board of elections. 341

(D) The appropriate local election official shall cause 342
voting information to be publicly posted at each polling place on 343
the day of each election. 344

(E) As used in this section and sections 3505.182 and 345
3505.183 of the Revised Code: 346

(1) "Jurisdiction" means the precinct in which a person is a 347
legally qualified elector. 348

(2) "Precinct voting location guide" means either of the 349
following: 350

(a) An electronic or paper record that lists the correct 351
jurisdiction and polling place for either each specific 352
residential street address in the county or the range of 353
residential street addresses located in each neighborhood block in 354

the county; 355

(b) Any other method that a board of elections creates that 356
allows a precinct election official or any elector who is at a 357
polling place in that county to determine the correct jurisdiction 358
and polling place of any qualified elector who resides in the 359
county. 360

(3) "Voting information" means all of the following: 361

(a) A sample version of the ballot that will be used for that 362
election; 363

(b) Information regarding the date of the election and the 364
hours during which polling places will be open; 365

(c) Instructions on how to vote, including how to cast a vote 366
and how to cast a provisional ballot; 367

(d) Instructions for mail-in registrants and first-time 368
voters under applicable federal and state laws; 369

(e) General information on voting rights under applicable 370
federal and state laws, including information on the right of an 371
individual to cast a provisional ballot and instructions on how to 372
contact the appropriate officials if these rights are alleged to 373
have been violated; 374

(f) General information on federal and state laws regarding 375
prohibitions against acts of fraud and misrepresentation. 376

(F) Nothing in this section or section 3505.183 of the 377
Revised Code is in derogation of section 3505.24 of the Revised 378
Code, which permits a blind, disabled, or illiterate elector to 379
receive assistance in the marking of the elector's ballot by two 380
precinct election officials of different political parties. A 381
blind, disabled, or illiterate elector may receive assistance in 382
marking that elector's provisional ballot and in completing the 383
required affirmation in the same manner as an elector may receive 384

assistance on the day of an election under that section. 385

Sec. 3505.23. ~~No~~ Except as otherwise provided in this 386
section, no voter shall be allowed to occupy a voting compartment 387
or use a voting machine more than ~~five~~ ten minutes when all the 388
voting compartments or machines are in use and voters are waiting 389
to occupy them. ~~Except~~ The ten-minute time limit shall not apply 390
to any person who requires the use of a disabled-accessible voting 391
machine as required under the "Help America Vote Act of 2002," 116 392
Stat. 1704, 42 U.S.C. 15481. 393

Except as otherwise provided by section 3505.24 of the 394
Revised Code, no voter shall occupy a voting compartment or 395
machine with another person or speak to anyone, nor shall anyone 396
speak to the voter, while the voter is in a voting compartment or 397
machine. 398

In precincts that do not use voting machines the following 399
procedure shall be followed: 400

If a voter tears, soils, defaces, or erroneously marks a 401
ballot the voter may return it to the precinct election officials 402
and a second ballot shall be issued to the voter. Before returning 403
a torn, soiled, defaced, or erroneously marked ballot, the voter 404
shall fold it so as to conceal any marks the voter made upon it, 405
but the voter shall not remove Stub A therefrom. If the voter 406
tears, soils, defaces, or erroneously marks such second ballot, 407
the voter may return it to the precinct election officials, and a 408
third ballot shall be issued to the voter. In no case shall more 409
than three ballots be issued to a voter. Upon receiving a returned 410
torn, soiled, defaced, or erroneously marked ballot the precinct 411
election officials shall detach Stub A therefrom, write "Defaced" 412
on the back of such ballot, and place the stub and the ballot in 413
the separate containers provided therefor. 414

No elector shall leave the polling place until the elector 415

returns to the precinct election officials every ballot issued to 416
the elector with Stub A on each ballot attached thereto, 417
regardless of whether the elector has or has not placed any marks 418
upon the ballot. 419

Before leaving the voting compartment, the voter shall fold 420
each ballot marked by the voter so that no part of the face of the 421
ballot is visible, and so that the printing thereon indicating the 422
kind of ballot it is and the facsimile signatures of the members 423
of the board of elections are visible. The voter shall then leave 424
the voting compartment, deliver the voter's ballots, and state the 425
voter's name to the judge having charge of the ballot boxes, who 426
shall announce the name, detach Stub A from each ballot, and 427
announce the number on the stubs. The judges in charge of the poll 428
lists or poll books shall check to ascertain whether the number so 429
announced is the number on Stub B of the ballots issued to such 430
voter, and if no discrepancy appears to exist, the judge in charge 431
of the ballot boxes shall, in the presence of the voter, deposit 432
each such ballot in the proper ballot box and shall place Stub A 433
from each ballot in the container provided therefor. The voter 434
shall then immediately leave the polling place. 435

No ballot delivered by a voter to the judge in charge of the 436
ballot boxes with Stub A detached therefrom, and only ballots 437
provided in accordance with Title XXXV of the Revised Code, shall 438
be voted or deposited in the ballot boxes. 439

In marking a presidential ballot, the voter shall record the 440
vote in the manner provided on the ballot next to the names of the 441
candidates for the offices of president and vice-president. Such 442
ballot shall be considered and counted as a vote for each of the 443
candidates for election as presidential elector whose names were 444
certified to the secretary of state by the political party of such 445
nominees for president and vice-president. 446

In marking an office type ballot or nonpartisan ballot, the 447

voter shall record the vote in the manner provided on the ballot 448
next to the name of each candidate for whom the voter desires to 449
vote. 450

In marking a primary election ballot, the voter shall record 451
the vote in the manner provided on the ballot next to the name of 452
each candidate for whom the voter desires to vote. If the voter 453
desires to vote for the nomination of a person whose name is not 454
printed on the primary election ballot, the voter may do so by 455
writing such person's name on the ballot in the proper place 456
provided for such purpose. 457

In marking a questions and issues ballot, the voter shall 458
record the vote in the manner provided on the ballot at the left 459
or at the right of "YES" or "NO" or other words of similar import 460
which are printed on the ballot to enable the voter to indicate 461
how the voter votes in connection with each question or issue upon 462
which the voter desires to vote. 463

In marking any ballot on which a blank space has been 464
provided wherein an elector may write in the name of a person for 465
whom the elector desires to vote, the elector shall write such 466
person's name in such blank space and on no other place on the 467
ballot. Unless specific provision is made by statute, no blank 468
space shall be provided on a ballot for write-in votes, and any 469
names written on a ballot other than in a blank space provided 470
therefor shall not be counted or recorded. 471

Sec. 3505.24. ~~Any~~ Notwithstanding any provision of the 472
Revised Code to the contrary, any elector who declares to the 473
presiding judge of elections that the elector is unable to mark 474
the elector's ballot by reason of blindness, disability, or 475
illiteracy may be accompanied in the voting booth and aided by any 476
person of the elector's choice, other than the elector's employer, 477
an agent of the elector's employer, or an officer or agent of the 478

elector's union, if any. The elector also may request and receive 479
assistance in the marking of the elector's ballot from two 480
election officials of different political parties. Any person 481
providing assistance in the marking of an elector's ballot under 482
this section shall thereafter provide no information in regard to 483
the marking of that ballot. 484

Any judge may require a declaration of inability to be made 485
by the elector under oath before the judge. Assistance shall not 486
be rendered for causes other than those specified in this section, 487
and no candidate whose name appears on the ballot shall assist any 488
person in marking that person's ballot. 489

Sec. 3509.01. (A) The board of elections of each county shall 490
provide absent voter's ballots for use at every primary and 491
general election, or special election to be held on the day 492
specified by division (E) of section 3501.01 of the Revised Code 493
for the holding of a primary election, designated by the general 494
assembly for the purpose of submitting constitutional amendments 495
proposed by the general assembly to the voters of the state. Those 496
ballots shall be the same size, shall be printed on the same kind 497
of paper, and shall be in the same form as has been approved for 498
use at the election for which those ballots are to be voted; 499
except that, in counties using marking devices, ballot cards may 500
be used for absent voter's ballots, and those absent voters shall 501
be instructed to record the vote in the manner provided on the 502
ballot cards. In counties where punch card ballots are used, those 503
absent voters shall be instructed to examine their marked ballot 504
cards and to remove any chads that remain partially attached to 505
them before returning them to election officials. 506

(B) The rotation of names of candidates and questions and 507
issues shall be substantially complied with on absent voter's 508
ballots, within the limitation of time allotted. Those ballots 509

shall be designated as "Absent Voter's Ballots." Except as 510
otherwise provided in division (D) of this section, those ballots 511
shall be printed and ready for use as follows: 512

(1) For overseas voters and absent uniformed services voters 513
eligible to vote under the Uniformed and Overseas Citizens 514
Absentee Voting Act, Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 515
1973ff, et seq., as amended, ballots shall be printed and ready 516
for use on the forty-fifth day before the day of the election. 517

(2) For all other voters who are applying to vote absent 518
voter's ballots, ballots shall be printed and ready for use on the 519
thirty-fifth day before the day of the election. 520

(3) If, at the time for the close of in-person absent voting 521
on a particular day, there are voters waiting in line to cast 522
their ballots, the in-person absent voting location shall be kept 523
open until such waiting voters have cast their absent voter's 524
ballots. 525

(C) Absent voter's ballots provided for use at a general or 526
primary election, or special election to be held on the day 527
specified by division (E) of section 3501.01 of the Revised Code 528
for the holding of a primary election, designated by the general 529
assembly for the purpose of submitting constitutional amendments 530
proposed by the general assembly to the voters of the state, shall 531
include only those questions, issues, and candidacies that have 532
been lawfully ordered submitted to the electors voting at that 533
election. 534

(D) If the laws governing the holding of a special election 535
on a day other than the day on which a primary or general election 536
is held make it impossible for absent voter's ballots to be 537
printed and ready for use by the deadlines established in division 538
(B) of this section, absent voter's ballots for those special 539
elections shall be ready for use as many days before the day of 540

the election as reasonably possible under the laws governing the 541
holding of that special election. 542

(E) A copy of the absent voter's ballots shall be forwarded 543
by the director of the board in each county to the secretary of 544
state at least twenty-five days before the election. 545

(F) As used in this section, "chad" and "punch card ballot" 546
have the same meanings as in section 3506.16 of the Revised Code. 547

Section 2. That existing sections 3501.29, 3501.35, 3505.181, 548
3505.23, 3505.24, and 3509.01 of the Revised Code are hereby 549
repealed. 550