

As Introduced

**130th General Assembly
Regular Session
2013-2014**

S. B. No. 20

Senator Turner

**Cosponsors: Senators Brown, Gentile, Kearney, Sawyer, Schiavoni,
Skindell, Tavares**

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A B I L L

To amend sections 3.02, 7.101, 302.09, 305.02,	1
503.24, 733.31, 1901.10, 2101.44, 2301.02,	2
3501.01, 3501.02, 3501.05, 3501.051, 3501.053,	3
3501.10, 3501.11, 3501.13, 3501.17, 3501.18,	4
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3509.01, 3509.03, 3509.04, 3509.05, 3509.06,	16
3509.07, 3509.08, 3511.02, 3511.021, 3511.04,	17
3511.05, 3511.09, 3511.11, 3511.14, 3513.05,	18
3513.13, 3513.131, 3513.14, 3513.19, 3513.21,	19
3513.31, 3515.04, 3515.08, 3517.01, 3517.012,	20
3517.014, 3517.015, 3517.106, 3517.11, 3599.07,	21
3599.11, 3599.17, 3599.19, and 3599.31, to enact	22

sections 3501.302, 3501.40, 3501.50, 3501.91, 23
3503.151, 3503.20, 3505.05, 3505.184, 3506.021, 24
3506.17, 3509.031, 3509.032, and 3511.012, and to 25
repeal sections 3503.29, 3506.16, 3517.016, and 26
3599.111 of the Revised Code to revise the 27
Election Law. 28

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

Section 1. That sections 3.02, 7.101, 302.09, 305.02, 503.24, 29
733.31, 1901.10, 2101.44, 2301.02, 3501.01, 3501.02, 3501.05, 30
3501.051, 3501.053, 3501.10, 3501.11, 3501.13, 3501.17, 3501.18, 31
3501.20, 3501.22, 3501.26, 3501.27, 3501.28, 3501.29, 3501.30, 32
3501.301, 3501.31, 3501.32, 3501.33, 3501.35, 3501.37, 3501.38, 33
3503.02, 3503.06, 3503.09, 3503.10, 3503.14, 3503.15, 3503.16, 34
3503.18, 3503.19, 3503.21, 3503.24, 3503.26, 3503.28, 3505.03, 35
3505.04, 3505.06, 3505.08, 3505.10, 3505.11, 3505.13, 3505.16, 36
3505.17, 3505.18, 3505.181, 3505.182, 3505.183, 3505.20, 3505.21, 37
3505.23, 3505.24, 3505.26, 3505.27, 3505.29, 3505.30, 3505.31, 38
3506.05, 3506.08, 3506.09, 3506.12, 3506.15, 3506.21, 3509.01, 39
3509.03, 3509.04, 3509.05, 3509.06, 3509.07, 3509.08, 3511.02, 40
3511.021, 3511.04, 3511.05, 3511.09, 3511.11, 3511.14, 3513.05, 41
3513.13, 3513.131, 3513.14, 3513.19, 3513.21, 3513.31, 3515.04, 42
3515.08, 3517.01, 3517.012, 3517.014, 3517.015, 3517.106, 3517.11, 43
3599.07, 3599.11, 3599.17, 3599.19, and 3599.31, be amended and 44
sections 3501.302, 3501.40, 3501.50, 3501.91, 3503.151, 3503.20, 45
3505.05, 3505.184, 3506.021, 3506.17, 3509.031, 3509.032, and 46
3511.012 of the Revised Code be enacted to read as follows: 47

Sec. 3.02. (A) When an elective office becomes vacant and is 48
filled by appointment, such appointee shall hold the office until 49
the appointee's successor is elected and qualified; and such 50
successor shall be elected for the unexpired term, at the first 51

general election for the office which is vacant that occurs more 52
than ~~fifty-six~~ forty days after the vacancy has occurred; provided 53
that when the unexpired term ends within one year immediately 54
following the date of such general election, an election to fill 55
such unexpired term shall not be held and the appointment shall be 56
for such unexpired term. 57

(B) When an elective office becomes vacant and is filled by 58
appointment, the appointing authority shall, immediately but no 59
later than seven days after making the appointment, certify it to 60
the board of elections and to the secretary of state. The board of 61
elections or, in the case of an appointment to a statewide office, 62
the secretary of state shall issue a certificate of appointment to 63
the appointee. Certificates of appointment shall be in such form 64
as the secretary of state shall prescribe. 65

(C) When an elected candidate fails to qualify for the office 66
to which the candidate has been elected, the office shall be 67
filled as in the case of a vacancy. Until so filled, the incumbent 68
officer shall continue to hold office. This section does not 69
postpone the time for such election beyond that at which it would 70
have been held had no such vacancy occurred, or affect the 71
official term, or the time for the commencement thereof, of any 72
person elected to such office before the occurrence of such 73
vacancy. 74

Sec. 7.101. For publication of proposed amendments to the 75
Ohio ~~constitution~~ Constitution, ballot language, and explanations 76
and arguments both for and against proposed amendments, referenda, 77
or laws proposed by initiative petitions, publishers of newspapers 78
may charge and receive rates charged on annual contracts by them 79
for a like amount of space to other advertisers who advertise in 80
its general display advertising columns. 81

Legal advertising of proposed amendments to the constitution 82

shall be printed in display form and shall meet the following 83
specifications. The advertisements shall contain a headline 84
entitled "proposed amendment to the Ohio ~~constitution~~ 85
Constitution" printed in not smaller than thirty point type. The 86
ballot language, and explanations and arguments both for and 87
against the proposed amendments, shall be printed in type not 88
smaller than ten point type. For referenda and laws proposed by 89
initiative petitions, the advertisement shall contain a headline 90
entitled "referendum" or, when appropriate, "proposed law" printed 91
in not smaller than thirty point type. All advertisements shall 92
contain such normal spaces and blanks as contribute to clarity and 93
understanding and the entire section of each publication shall be 94
enclosed by a black border line of the same point type size as 95
corresponds to the type size of the ballot language. The notice 96
shall be printed in two or more columns if necessary to contribute 97
to clarity or understanding or if necessary to accommodate the 98
black border outline. 99

All legal advertisements or notices under this section shall 100
be printed in newspapers published in the English language only. 101

Sec. 302.09. When a vacancy occurs in the board of county 102
commissioners or in the office of county auditor, county 103
treasurer, prosecuting attorney, clerk of the court of common 104
pleas, sheriff, county recorder, county engineer, or coroner more 105
than ~~fifty-six~~ forty days before the next general election for 106
state and county officers, the vacancy shall be filled as provided 107
for in divisions (A) and (B) of section 305.02 of the Revised 108
Code. 109

Sec. 305.02. (A) If a vacancy in the office of county 110
commissioner, prosecuting attorney, county auditor, county 111
treasurer, clerk of the court of common pleas, sheriff, county 112
recorder, county engineer, or coroner occurs more than ~~fifty-six~~ 113

forty days before the next general election for state and county 114
officers, a successor shall be elected at such election for the 115
unexpired term unless such term expires within one year 116
immediately following the date of such general election. 117

In either event, the vacancy shall be filled as provided in 118
this section and the appointee shall hold office until a successor 119
is elected and qualified. 120

(B) If a vacancy occurs from any cause in any of the offices 121
named in division (A) of this section, the county central 122
committee of the political party with which the last occupant of 123
the office was affiliated shall appoint a person to hold the 124
office and to perform the duties thereof until a successor is 125
elected and has qualified, except that if such vacancy occurs 126
because of the death, resignation, or inability to take the office 127
of an officer-elect whose term has not yet begun, an appointment 128
to take such office at the beginning of the term shall be made by 129
the central committee of the political party with which such 130
officer-elect was affiliated. 131

(C) Not less than five nor more than forty-five days after a 132
vacancy occurs, the county central committee shall meet for the 133
purpose of making an appointment under this section. Not less than 134
four days before the date of such meeting the chairperson or 135
secretary of such central committee shall send by first class mail 136
to every member of such central committee a written notice which 137
shall state the time and place of such meeting and the purpose 138
thereof. A majority of the members of the central committee 139
present at such meeting may make the appointment. 140

(D) If the last occupant of the office or the officer-elect 141
was elected as an independent candidate, the board of county 142
commissioners shall make such appointment at the time when the 143
vacancy occurs, except where the vacancy is in the office of 144
county commissioner, in which case the prosecuting attorney and 145

the remaining commissioners or a majority of them shall make the 146
appointment. 147

(E) Appointments made under this section shall be certified 148
by the appointing county central committee or by the board of 149
county commissioners to the county board of elections and to the 150
secretary of state, and the persons so appointed and certified 151
shall be entitled to all remuneration provided by law for the 152
offices to which they are appointed. 153

(F) The board of county commissioners may appoint a person to 154
hold any of the offices named in division (A) of this section as 155
an acting officer and to perform the duties thereof between the 156
occurrence of the vacancy and the time when the officer appointed 157
by the central committee qualifies and takes the office. 158

(G) A person appointed prosecuting attorney or assistant 159
prosecuting attorney shall give bond and take the oath of office 160
prescribed by section 309.03 of the Revised Code for the 161
prosecuting attorney. 162

Sec. 503.24. If there is a vacancy by reason of the 163
nonacceptance, death, or removal of a person chosen to an office 164
in any township at the regular election, or if there is a vacancy 165
from any other cause, the board of township trustees shall appoint 166
a person having the qualifications of an elector to fill such 167
vacancy for the unexpired term or until a successor is elected. 168

If a township is without a board or if no appointment is made 169
within thirty days after the occurrence of a vacancy, a majority 170
of the persons designated as the committee of five on the 171
last-filed nominating petition of the township officer whose 172
vacancy is to be filled who are residents of the township shall 173
appoint a person having the qualifications of an elector to fill 174
the vacancy for the unexpired term or until a successor is 175
elected. If at least three of the committee members who are 176

residents of the township cannot be found, or if that number of 177
such members fails to make an appointment within ten days after 178
the thirty-day period in which the board of township trustees is 179
authorized to make an appointment, then the presiding probate 180
judge of the county shall appoint a suitable person having the 181
qualifications of an elector in the township to fill the vacancy 182
for the unexpired term or until a successor is elected. 183

If a vacancy occurs in a township elective office more than 184
~~fifty-six~~ forty days before the next general election for 185
municipal and township officers a successor shall be chosen at 186
that election to fill the unexpired term, provided the term does 187
not expire within one year from the day of the election. If the 188
term expires within one year from the day of the next general 189
election for municipal and township officers, a successor 190
appointed pursuant to this section shall serve out the unexpired 191
term. 192

Sec. 733.31. (A) Unless otherwise provided by law, vacancies 193
arising in appointive and elective offices of villages shall be 194
filled by appointment by the mayor for the remainder of the 195
unexpired term, provided that: 196

(1) Vacancies in the office of mayor shall be filled in the 197
manner provided by section 733.25 of the Revised Code; 198

(2) Vacancies in the membership of the legislative authority 199
shall be filled in the manner provided by section 731.43 of the 200
Revised Code; 201

(3) Vacancies in the office of president pro tempore of a 202
village legislative authority shall be filled in the manner 203
provided by section 731.11 of the Revised Code. 204

In the event of a vacancy in the office of village clerk or 205
treasurer, the mayor may appoint a person to serve as an acting 206

officer to perform the duties of the office until a permanent 207
officer is appointed to fill the vacancy. 208

(B) Unless otherwise provided by law, vacancies arising in 209
appointive offices of cities shall be filled by appointment by the 210
mayor for the remainder of the unexpired term. 211

(C) A vacancy in the office of president of the legislative 212
authority of a city shall be filled in the same manner as provided 213
in division (D) of this section. Vacancies in the office of mayor 214
of a city shall be filled in the manner provided in section 733.08 215
of the Revised Code. Vacancies in the membership of the 216
legislative authority of a city shall be filled in the manner 217
provided in section 731.43 of the Revised Code. 218

(D) In case of the death, resignation, removal, or disability 219
of the director of law, auditor, or treasurer of a city and such 220
vacancy occurs more than ~~fifty-six~~ forty days before the next 221
general election for such office, a successor shall be elected at 222
such election for the unexpired term unless such term expires 223
within one year immediately following the date of such general 224
election. In either event, the vacancy shall be filled as provided 225
in this section and the appointee shall hold office until a 226
successor is elected and qualified. 227

(1) The county central committee of the political party with 228
which the last occupant of the office was affiliated, acting 229
through its members who reside in the city where the vacancy 230
occurs, shall appoint a person to hold the office and to perform 231
the duties thereof until a successor is elected and has qualified, 232
except that if such vacancy occurs because of the death, 233
resignation, or inability to take the office of an officer-elect 234
whose term has not yet begun, an appointment to take such office 235
at the beginning of the term shall be made by the members of the 236
central committee who reside in the city where the vacancy occurs. 237

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

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

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

(G) The mayor of the city may appoint a person to hold the
city office of director of law, auditor, or treasurer as an acting
officer and to perform the duties thereof between the occurrence
of the vacancy and the time when the person appointed by the
central committee qualifies and takes the office.

Sec. 1901.10. (A)(1)(a) The judges of the municipal court and
officers of the court shall take an oath of office as provided in
section 3.23 of the Revised Code. The office of judge of the
municipal court is subject to forfeiture, and the judge may be
removed from office, for the causes and by the procedure provided

in sections 3.07 to 3.10 of the Revised Code. A vacancy in the office of judge exists upon the death, resignation, forfeiture, removal from office, or absence from official duties for a period of six consecutive months, as determined under this section, of the judge and also by reason of the expiration of the term of an incumbent when no successor has been elected or qualified. The chief justice of the supreme court may designate a judge of another municipal court to act until that vacancy is filled in accordance with section 107.08 of the Revised Code. A vacancy resulting from the absence of a judge from official duties for a period of six consecutive months shall be determined and declared by the legislative authority.

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

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

(2) If a judge of a municipal court that has only one judge 301
is temporarily absent, incapacitated, or otherwise unavailable, 302
the judge may appoint a substitute who has the qualifications 303
required by section 1901.06 of the Revised Code or a retired judge 304
of a court of record who is a qualified elector and a resident of 305
the territory of the court. If the judge is unable to make the 306
appointment, the chief justice of the supreme court shall appoint 307
a substitute. The appointee shall serve during the absence, 308
incapacity, or unavailability of the incumbent, shall have the 309
jurisdiction and powers conferred upon the judge of the municipal 310
court, and shall be styled "acting judge." During that time of 311
service, the acting judge shall sign all process and records and 312
shall perform all acts pertaining to the office, except that of 313
removal and appointment of officers of the court. All courts shall 314
take judicial notice of the selection and powers of the acting 315
judge. The incumbent judge shall establish the amount of 316
compensation of an acting judge upon either a per diem, hourly, or 317
other basis, but the rate of pay shall not exceed the per diem 318
amount received by the incumbent judge. 319

(B) When the volume of cases pending in any municipal court 320
necessitates an additional judge, the chief justice of the supreme 321
court, upon the written request of the judge or presiding judge of 322
that municipal court, may designate a judge of another municipal 323
court or county court to serve for any period of time that the 324
chief justice may prescribe. The compensation of a judge so 325
designated shall be paid from the city treasury or, in the case of 326
a county-operated municipal court, from the county treasury. In 327
addition to the annual salary provided for in section 1901.11 of 328
the Revised Code and in addition to any compensation under 329
division (A)(5) or (6) of section 141.04 of the Revised Code to 330
which the judge is entitled in connection with the judge's own 331
court, a full-time or part-time judge while holding court outside 332
the judge's territory on the designation of the chief justice 333

shall receive actual and necessary expenses and compensation as 334
follows: 335

(1) A full-time judge shall receive thirty dollars for each 336
day of the assignment. 337

(2) A part-time judge shall receive for each day of the 338
assignment the per diem compensation of the judges of the court to 339
which the judge is assigned, less the per diem amount paid to 340
those judges pursuant to section 141.04 of the Revised Code, 341
calculated on the basis of two hundred fifty working days per 342
year. 343

If a request is made by a judge or the presiding judge of a 344
municipal court to designate a judge of another municipal court 345
because of the volume of cases in the court for which the request 346
is made and the chief justice reports, in writing, that no 347
municipal or county court judge is available to serve by 348
designation, the judges of the court requesting the designation 349
may appoint a substitute as provided in division (A)(2) of this 350
section, who may serve for any period of time that is prescribed 351
by the chief justice. The substitute judge shall be paid in the 352
same manner and at the same rate as the incumbent judges, except 353
that, if the substitute judge is entitled to compensation under 354
division (A)(5) or (6) of section 141.04 of the Revised Code, then 355
section 1901.121 of the Revised Code shall govern its payment. 356

Sec. 2101.44. The election upon the question of combining the 357
probate court and the court of common pleas shall be conducted as 358
provided for the election of county officers. 359

The board of ~~election~~ elections shall provide separate 360
ballots, ~~ballot boxes~~, tally sheets, blanks, stationery, and all 361
such other supplies as may be necessary in the conduct of such 362
election. 363

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

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

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.

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.

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:

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

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

to begin February 9, 1955;	390
In Auglaize county, one judge, to be elected in 1956, term to begin January 9, 1957;	391 392
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;	393 394 395 396
In Morrow county, two judges, one to be elected in 1956, term to begin January 1, 1957, and one to be elected in 2006, term to begin January 1, 2007;	397 398 399
In Logan county, two judges, one to be elected in 1956, term to begin January 1, 1957, and one to be elected in 2004, term to begin January 2, 2005;	400 401 402
In Carroll, Clinton, Hocking, Meigs, Pickaway, Preble, Shelby, Van Wert, and Williams counties, one judge, to be elected in 1952, term to begin January 1, 1953;	403 404 405
In Champaign county, two judges, one to be elected in 1952, term to begin January 1, 1953, and one to be elected in 2008, term to begin February 10, 2009- <i>i</i> ;	406 407 408
In Harrison and Noble counties, one judge, to be elected in 1954, term to begin April 18, 1955;	409 410
In Henry county, two judges, one to be elected in 1956, term to begin May 9, 1957, and one to be elected in 2004, term to begin January 1, 2005;	411 412 413
In Putnam county, one judge, to be elected in 1956, term to begin May 9, 1957;	414 415
In Huron county, one judge, to be elected in 1952, term to begin May 14, 1953;	416 417
In Perry county, one judge, to be elected in 1954, term to begin July 6, 1956;	418 419

In Sandusky county, two judges, one to be elected in 1954, 420
term to begin February 10, 1955, and one to be elected in 1978, 421
term to begin January 1, 1979; 422

(B) In Allen county, three judges, one to be elected in 1956, 423
term to begin February 9, 1957, the second to be elected in 1958, 424
term to begin January 1, 1959, and the third to be elected in 425
1992, term to begin January 1, 1993; 426

In Ashtabula county, three judges, one to be elected in 1954, 427
term to begin February 9, 1955, one to be elected in 1960, term to 428
begin January 1, 1961, and one to be elected in 1978, term to 429
begin January 2, 1979; 430

In Athens county, two judges, one to be elected in 1954, term 431
to begin February 9, 1955, and one to be elected in 1990, term to 432
begin July 1, 1991; 433

In Erie county, four judges, one to be elected in 1956, term 434
to begin January 1, 1957, the second to be elected in 1970, term 435
to begin January 2, 1971, the third to be elected in 2004, term to 436
begin January 2, 2005, and the fourth to be elected in 2008, term 437
to begin February 9, 2009; 438

In Fairfield county, three judges, one to be elected in 1954, 439
term to begin February 9, 1955, the second to be elected in 1970, 440
term to begin January 1, 1971, and the third to be elected in 441
1994, term to begin January 2, 1995; 442

In Geauga county, two judges, one to be elected in 1956, term 443
to begin January 1, 1957, and the second to be elected in 1976, 444
term to begin January 6, 1977; 445

In Greene county, four judges, one to be elected in 1956, 446
term to begin February 9, 1957, the second to be elected in 1960, 447
term to begin January 1, 1961, the third to be elected in 1978, 448
term to begin January 2, 1979, and the fourth to be elected in 449
1994, term to begin January 1, 1995; 450

In Hancock county, two judges, one to be elected in 1952, 451
term to begin January 1, 1953, and the second to be elected in 452
1978, term to begin January 1, 1979; 453

In Lawrence county, two judges, one to be elected in 1954, 454
term to begin February 9, 1955, and the second to be elected in 455
1976, term to begin January 1, 1977; 456

In Marion county, three judges, one to be elected in 1952, 457
term to begin January 1, 1953, the second to be elected in 1976, 458
term to begin January 2, 1977, and the third to be elected in 459
1998, term to begin February 9, 1999; 460

In Medina county, three judges, one to be elected in 1956, 461
term to begin January 1, 1957, the second to be elected in 1966, 462
term to begin January 1, 1967, and the third to be elected in 463
1994, term to begin January 1, 1995; 464

In Miami county, two judges, one to be elected in 1954, term 465
to begin February 9, 1955, and one to be elected in 1970, term to 466
begin on January 1, 1971; 467

In Muskingum county, three judges, one to be elected in 1968, 468
term to begin August 9, 1969, one to be elected in 1978, term to 469
begin January 1, 1979, and one to be elected in 2002, term to 470
begin January 2, 2003; 471

In Portage county, three judges, one to be elected in 1956, 472
term to begin January 1, 1957, the second to be elected in 1960, 473
term to begin January 1, 1961, and the third to be elected in 474
1986, term to begin January 2, 1987; 475

In Ross county, two judges, one to be elected in 1956, term 476
to begin February 9, 1957, and the second to be elected in 1976, 477
term to begin January 1, 1977; 478

In Scioto county, three judges, one to be elected in 1954, 479
term to begin February 10, 1955, the second to be elected in 1960, 480

term to begin January 1, 1961, and the third to be elected in 481
1994, term to begin January 2, 1995; 482

In Seneca county, two judges, one to be elected in 1956, term 483
to begin January 1, 1957, and the second to be elected in 1986, 484
term to begin January 2, 1987; 485

In Warren county, four judges, one to be elected in 1954, 486
term to begin February 9, 1955, the second to be elected in 1970, 487
term to begin January 1, 1971, the third to be elected in 1986, 488
term to begin January 1, 1987, and the fourth to be elected in 489
2004, term to begin January 2, 2005; 490

In Washington county, two judges, one to be elected in 1952, 491
term to begin January 1, 1953, and one to be elected in 1986, term 492
to begin January 1, 1987; 493

In Wood county, three judges, one to be elected in 1968, term 494
beginning January 1, 1969, the second to be elected in 1970, term 495
to begin January 2, 1971, and the third to be elected in 1990, 496
term to begin January 1, 1991; 497

In Belmont and Jefferson counties, two judges, to be elected 498
in 1954, terms to begin January 1, 1955, and February 9, 1955, 499
respectively; 500

In Clark county, four judges, one to be elected in 1952, term 501
to begin January 1, 1953, the second to be elected in 1956, term 502
to begin January 2, 1957, the third to be elected in 1986, term to 503
begin January 3, 1987, and the fourth to be elected in 1994, term 504
to begin January 2, 1995; 505

In Clermont county, five judges, one to be elected in 1956, 506
term to begin January 1, 1957, the second to be elected in 1964, 507
term to begin January 1, 1965, the third to be elected in 1982, 508
term to begin January 2, 1983, the fourth to be elected in 1986, 509
term to begin January 2, 1987; and the fifth to be elected in 510
2006, term to begin January 3, 2007; 511

In Columbiana county, two judges, one to be elected in 1952, 512
term to begin January 1, 1953, and the second to be elected in 513
1956, term to begin January 1, 1957; 514

In Delaware county, two judges, one to be elected in 1990, 515
term to begin February 9, 1991, the second to be elected in 1994, 516
term to begin January 1, 1995; 517

In Lake county, six judges, one to be elected in 1958, term 518
to begin January 1, 1959, the second to be elected in 1960, term 519
to begin January 2, 1961, the third to be elected in 1964, term to 520
begin January 3, 1965, the fourth and fifth to be elected in 1978, 521
terms to begin January 4, 1979, and January 5, 1979, respectively, 522
and the sixth to be elected in 2000, term to begin January 6, 523
2001; 524

In Licking county, four judges, one to be elected in 1954, 525
term to begin February 9, 1955, one to be elected in 1964, term to 526
begin January 1, 1965, one to be elected in 1990, term to begin 527
January 1, 1991, and one to be elected in 2004, term to begin 528
January 1, 2005; 529

In Lorain county, nine judges, two to be elected in 1952, 530
terms to begin January 1, 1953, and January 2, 1953, respectively, 531
one to be elected in 1958, term to begin January 3, 1959, one to 532
be elected in 1968, term to begin January 1, 1969, two to be 533
elected in 1988, terms to begin January 4, 1989, and January 5, 534
1989, respectively, two to be elected in 1998, terms to begin 535
January 2, 1999, and January 3, 1999, respectively; and one to be 536
elected in 2006, term to begin January 6, 2007; 537

In Butler county, eleven judges, one to be elected in 1956, 538
term to begin January 1, 1957; two to be elected in 1954, terms to 539
begin January 1, 1955, and February 9, 1955, respectively; one to 540
be elected in 1968, term to begin January 2, 1969; one to be 541
elected in 1986, term to begin January 3, 1987; two to be elected 542

in 1988, terms to begin January 1, 1989, and January 2, 1989, 543
respectively; one to be elected in 1992, term to begin January 4, 544
1993; two to be elected in 2002, terms to begin January 2, 2003, 545
and January 3, 2003, respectively; and one to be elected in 2006, 546
term to begin January 3, 2007; 547

In Richland county, four judges, one to be elected in 1956, 548
term to begin January 1, 1957, the second to be elected in 1960, 549
term to begin February 9, 1961, the third to be elected in 1968, 550
term to begin January 2, 1969, and the fourth to be elected in 551
2004, term to begin January 3, 2005; 552

In Tuscarawas county, two judges, one to be elected in 1956, 553
term to begin January 1, 1957, and the second to be elected in 554
1960, term to begin January 2, 1961; 555

In Wayne county, two judges, one to be elected in 1956, term 556
beginning January 1, 1957, and one to be elected in 1968, term to 557
begin January 2, 1969; 558

In Trumbull county, six judges, one to be elected in 1952, 559
term to begin January 1, 1953, the second to be elected in 1954, 560
term to begin January 1, 1955, the third to be elected in 1956, 561
term to begin January 1, 1957, the fourth to be elected in 1964, 562
term to begin January 1, 1965, the fifth to be elected in 1976, 563
term to begin January 2, 1977, and the sixth to be elected in 564
1994, term to begin January 3, 1995; 565

(C) In Cuyahoga county, thirty-nine judges; eight to be 566
elected in 1954, terms to begin on successive days beginning from 567
January 1, 1955, to January 7, 1955, and February 9, 1955, 568
respectively; eight to be elected in 1956, terms to begin on 569
successive days beginning from January 1, 1957, to January 8, 570
1957; three to be elected in 1952, terms to begin from January 1, 571
1953, to January 3, 1953; two to be elected in 1960, terms to 572
begin on January 8, 1961, and January 9, 1961, respectively; two 573

to be elected in 1964, terms to begin January 4, 1965, and January 5, 1965, respectively; one to be elected in 1966, term to begin on January 10, 1967; four to be elected in 1968, terms to begin on successive days beginning from January 9, 1969, to January 12, 1969; two to be elected in 1974, terms to begin on January 18, 1975, and January 19, 1975, respectively; five to be elected in 1976, terms to begin on successive days beginning January 6, 1977, to January 10, 1977; two to be elected in 1982, terms to begin January 11, 1983, and January 12, 1983, respectively; and two to be elected in 1986, terms to begin January 13, 1987, and January 14, 1987, respectively;

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

In Hamilton county, twenty-one judges; eight to be elected in 1966, terms to begin January 1, 1967, January 2, 1967, and from February 9, 1967, to February 14, 1967, respectively; five to be elected in 1956, terms to begin from January 1, 1957, to January 5, 1957; one to be elected in 1964, term to begin January 1, 1965; one to be elected in 1974, term to begin January 15, 1975; one to be elected in 1980, term to begin January 16, 1981; two to be elected at large in the general election in 1982, terms to begin

April 1, 1983; one to be elected in 1990, term to begin July 1, 606
1991; and two to be elected in 1996, terms to begin January 3, 607
1997, and January 4, 1997, respectively; 608

In Lucas county, fourteen judges; two to be elected in 1954, 609
terms to begin January 1, 1955, and February 9, 1955, 610
respectively; two to be elected in 1956, terms to begin January 1, 611
1957, and October 29, 1957, respectively; two to be elected in 612
1952, terms to begin January 1, 1953, and January 2, 1953, 613
respectively; one to be elected in 1964, term to begin January 3, 614
1965; one to be elected in 1968, term to begin January 4, 1969; 615
two to be elected in 1976, terms to begin January 4, 1977, and 616
January 5, 1977, respectively; one to be elected in 1982, term to 617
begin January 6, 1983; one to be elected in 1988, term to begin 618
January 7, 1989; one to be elected in 1990, term to begin January 619
2, 1991; and one to be elected in 1992, term to begin January 2, 620
1993; 621

In Mahoning county, seven judges; three to be elected in 622
1954, terms to begin January 1, 1955, January 2, 1955, and 623
February 9, 1955, respectively; one to be elected in 1956, term to 624
begin January 1, 1957; one to be elected in 1952, term to begin 625
January 1, 1953; one to be elected in 1968, term to begin January 626
2, 1969; and one to be elected in 1990, term to begin July 1, 627
1991; 628

In Montgomery county, fifteen judges; three to be elected in 629
1954, terms to begin January 1, 1955, January 2, 1955, and January 630
3, 1955, respectively; four to be elected in 1952, terms to begin 631
January 1, 1953, January 2, 1953, July 1, 1953, and July 2, 1953, 632
respectively; one to be elected in 1964, term to begin January 3, 633
1965; one to be elected in 1968, term to begin January 3, 1969; 634
three to be elected in 1976, terms to begin on successive days 635
beginning January 4, 1977, to January 6, 1977; two to be elected 636
in 1990, terms to begin July 1, 1991, and July 2, 1991, 637

respectively; and one to be elected in 1992, term to begin January 1, 1993-; 638
639

In Stark county, eight judges; one to be elected in 1958, 640
term to begin on January 2, 1959; two to be elected in 1954, terms 641
to begin on January 1, 1955, and February 9, 1955, respectively; 642
two to be elected in 1952, terms to begin January 1, 1953, and 643
April 16, 1953, respectively; one to be elected in 1966, term to 644
begin on January 4, 1967; and two to be elected in 1992, terms to 645
begin January 1, 1993, and January 2, 1993, respectively; 646

In Summit county, thirteen judges; four to be elected in 647
1954, terms to begin January 1, 1955, January 2, 1955, January 3, 648
1955, and February 9, 1955, respectively; three to be elected in 649
1958, terms to begin January 1, 1959, January 2, 1959, and May 17, 650
1959, respectively; one to be elected in 1966, term to begin 651
January 4, 1967; one to be elected in 1968, term to begin January 652
5, 1969; one to be elected in 1990, term to begin May 1, 1991; one 653
to be elected in 1992, term to begin January 6, 1993; and two to 654
be elected in 2008, terms to begin January 5, 2009, and January 6, 655
2009, respectively. 656

Notwithstanding the foregoing provisions, in any county 657
having two or more judges of the court of common pleas, in which 658
more than one-third of the judges plus one were previously elected 659
at the same election, if the office of one of those judges so 660
elected becomes vacant more than ~~fifty-six~~ forty days prior to the 661
second general election preceding the expiration of that judge's 662
term, the office that that judge had filled shall be abolished as 663
of the date of the next general election, and a new office of 664
judge of the court of common pleas shall be created. The judge who 665
is to fill that new office shall be elected for a six-year term at 666
the next general election, and the term of that judge shall 667
commence on the first day of the year following that general 668
election, on which day no other judge's term begins, so that the 669

number of judges that the county shall elect shall not be reduced. 670

Judges of the probate division of the court of common pleas 671
are judges of the court of common pleas but shall be elected 672
pursuant to sections 2101.02 and 2101.021 of the Revised Code, 673
except in Adams, Harrison, Henry, Morgan, Noble, and Wyandot 674
counties in which the judge of the court of common pleas elected 675
pursuant to this section also shall serve as judge of the probate 676
division, except in Lorain county in which the judges of the 677
domestic relations division of the Lorain county court of common 678
pleas elected pursuant to this section also shall perform the 679
duties and functions of the judge of the probate division from 680
February 9, 2009, through September 28, 2009, and except in Morrow 681
county in which the judges of the court of common pleas elected 682
pursuant to this section also shall perform the duties and 683
functions of the judge of the probate division. 684

Sec. 3501.01. As used in the sections of the Revised Code 685
relating to elections and political communications: 686

(A) "General election" means the election held on the first 687
Tuesday after the first Monday in each November. 688

(B) "Regular municipal election" means the election held on 689
the first Tuesday after the first Monday in November in each 690
odd-numbered year. 691

(C) "Regular state election" means the election held on the 692
first Tuesday after the first Monday in November in each 693
even-numbered year. 694

(D) "Special election" means any election other than those 695
elections defined in other divisions of this section. A special 696
election may be held only on the first Tuesday after the first 697
Monday in February, May, August, or November, or on the day 698
authorized by a particular municipal or county charter for the 699

holding of a primary election, except that in any year in which a 700
presidential primary election is held, no special election shall 701
be held in February or May, except as authorized by a municipal or 702
county charter, but may be held on the first Tuesday after the 703
first Monday in March. 704

(E)(1) "Primary" or "primary election" means an election held 705
for the purpose of nominating persons as candidates of political 706
parties for election to offices, and for the purpose of electing 707
persons as members of the controlling committees of political 708
parties and as delegates and alternates to the conventions of 709
political parties. Primary elections shall be held on the first 710
Tuesday after the first Monday in May of each year except in years 711
in which a presidential primary election is held. 712

(2) "Presidential primary election" means a primary election 713
as defined by division (E)(1) of this section at which an election 714
is held for the purpose of choosing delegates and alternates to 715
the national conventions of the major political parties pursuant 716
to section 3513.12 of the Revised Code. Unless otherwise 717
specified, presidential primary elections are included in 718
references to primary elections. In years in which a presidential 719
primary election is held, all primary elections shall be held on 720
the first Tuesday after the first Monday in March except as 721
otherwise authorized by a municipal or county charter. 722

(F) "Political party" means any group of voters meeting the 723
requirements set forth in section 3517.01 of the Revised Code for 724
the formation and existence of a political party. 725

(1) "Major political party" means any political party 726
organized under the laws of this state whose candidate for 727
governor or nominees for presidential electors received no less 728
than twenty per cent of the total vote cast for such office at the 729
most recent regular state election. 730

(2) "Intermediate political party" means any political party 731
organized under the laws of this state whose candidate for 732
governor or nominees for presidential electors received less than 733
twenty per cent but not less than ten per cent of the total vote 734
cast for such office at the most recent regular state election. 735

(3) "Minor political party" means any political party 736
organized under the laws of this state whose candidate for 737
governor or nominees for presidential electors received less than 738
ten per cent but not less than five per cent of the total vote 739
cast for such office at the most recent regular state election or 740
which has filed with the secretary of state, subsequent to any 741
election in which it received less than five per cent of such 742
vote, a petition signed by qualified electors equal in number to 743
at least one per cent of the total vote cast for such office in 744
the last preceding regular state election, except that a newly 745
formed political party shall be known as a minor political party 746
until the time of the first election for governor or president 747
which occurs not less than twelve months subsequent to the 748
formation of such party, after which election the status of such 749
party shall be determined by the vote for the office of governor 750
or president. 751

(G) "Dominant party in a precinct" or "dominant political 752
party in a precinct" means that political party whose candidate 753
for election to the office of governor at the most recent regular 754
state election at which a governor was elected received more votes 755
than any other person received for election to that office in such 756
precinct at such election. 757

(H) "Candidate" means any qualified person certified in 758
accordance with the provisions of the Revised Code for placement 759
on the official ballot of a primary, general, or special election 760
to be held in this state, or any qualified person who claims to be 761
a write-in candidate, or who knowingly assents to being 762

represented as a write-in candidate by another at either a 763
primary, general, or special election to be held in this state. 764

(I) "Independent candidate" means any candidate who claims 765
not to be affiliated with a political party, and whose name has 766
been certified on the office-type ballot at a general or special 767
election through the filing of a statement of candidacy and 768
nominating petition, as prescribed in section 3513.257 of the 769
Revised Code. 770

(J) "Nonpartisan candidate" means any candidate whose name is 771
required, pursuant to section 3505.04 of the Revised Code, to be 772
listed on the nonpartisan ballot, including all candidates for 773
judicial office, for member of any board of education, for 774
municipal or township offices in which primary elections are not 775
held for nominating candidates by political parties, and for 776
offices of municipal corporations having charters that provide for 777
separate ballots for elections for these offices. 778

(K) "Party candidate" means any candidate who claims to be a 779
member of a political party, whose name has been certified on the 780
office-type ballot at a general or special election through the 781
filing of a declaration of candidacy and petition of candidate, 782
and who has won the primary election of the candidate's party for 783
the public office the candidate seeks or is selected by party 784
committee in accordance with section 3513.31 of the Revised Code. 785

(L) "Officer of a political party" includes, but is not 786
limited to, any member, elected or appointed, of a controlling 787
committee, whether representing the territory of the state, a 788
district therein, a county, township, a city, a ward, a precinct, 789
or other territory, of a major, intermediate, or minor political 790
party. 791

(M) "Question or issue" means any question or issue certified 792
in accordance with the Revised Code for placement on an official 793

ballot at a general or special election to be held in this state.	794
(N) "Elector" or "qualified elector" means a person having the qualifications provided by law to be entitled to vote.	795 796
(O) "Voter" means an elector who votes at an election.	797
(P) "Voting residence" means that place of residence of an elector which shall determine the precinct in which the elector may vote.	798 799 800
(Q) "Precinct" means a district within a county established by the board of elections of such county within which all qualified electors having a voting residence therein may vote at the same polling place.	801 802 803 804
(R) "Polling place" means that place provided for each precinct at which the electors having a voting residence in such precinct may vote.	805 806 807
(S) "Board" or "board of elections" means the board of elections appointed in a county pursuant to section 3501.06 of the Revised Code.	808 809 810
(T) "Political subdivision" means a county, township, city, village, or school district.	811 812
(U) "Election officer" or "election official" means any of the following:	813 814
(1) Secretary of state;	815
(2) Employees of the secretary of state serving the division of elections in the capacity of attorney, administrative officer, administrative assistant, elections administrator, office manager, or clerical supervisor;	816 817 818 819
(3) Director of a board of elections;	820
(4) Deputy director of a board of elections;	821
(5) Member of a board of elections;	822

(6) Employees of a board of elections;	823
(7) Precinct polling place judges <u>election officials</u> ;	824
(8) Employees appointed by the boards of elections on a temporary or part-time basis.	825 826
(V) "Acknowledgment notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, informing a voter registration applicant or an applicant who wishes to change the applicant's residence or name of the status of the application; the information necessary to complete or update the application, if any; and if the application is complete, the precinct in which the applicant is to vote.	827 828 829 830 831 832 833
(W) "Confirmation notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, to a registered elector to confirm the registered elector's current address.	834 835 836 837
(X) "Designated agency" means an <u>both of the following</u> :	838
(1) <u>An</u> office or agency in the state that provides public assistance or that provides state-funded programs primarily engaged in providing services to persons with disabilities and that is required by the National Voter Registration Act of 1993 to implement a program designed and administered by the secretary of state for registering voters, or any ;	839 840 841 842 843 844
(2) <u>Any</u> other public or government office or agency that implements a program designed and administered by the secretary of state for registering voters, including the department of job and family services, the program administered under section 3701.132 of the Revised Code by the department of health, the department of mental health, the department of developmental disabilities, the rehabilitation services commission, and any other agency the secretary of state designates. "Designated, or an independent contractor engaged by such an office, to which residents of Ohio	845 846 847 848 849 850 851 852 853

who are eligible to register to vote interact with for the purpose 854
of registering, applying, recertifying, renewing, participating, 855
or updating of information pertaining to a certification or 856
license issued by the state or a state government program 857

An independent contractor that was not considered a 858
"designated agency" prior to the effective date of this amendment 859
shall only become a "designated agency" by entering into a new 860
contract after the effective date of this amendment. 861

"Designated agency" does not include public high schools and 862
vocational schools, public libraries, or the office of a county 863
treasurer. 864

(Y) "National Voter Registration Act of 1993" means the 865
"National Voter Registration Act of 1993," 107 Stat. 77, 42 866
U.S.C.A. 1973gg. 867

(Z) "Voting Rights Act of 1965" means the "Voting Rights Act 868
of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. 869

(AA) "Photo identification" means ~~a document that meets each~~ 870
~~of the following requirements:~~ 871

~~(1) It shows the name of the individual to whom it was~~ 872
~~issued, which shall conform to the name in the poll list or~~ 873
~~signature pollbook.~~ 874

~~(2) It shows the current address of the individual to whom it~~ 875
~~was issued, which shall conform to the address in the poll list or~~ 876
~~signature pollbook, except for a driver's license or a state~~ 877
~~identification card issued under section 4507.50 of the Revised~~ 878
~~Code, which may show either the current or former address of the~~ 879
~~individual to whom it was issued, regardless of whether that~~ 880
~~address conforms to the address in the poll list or signature~~ 881
~~pollbook.~~ 882

~~(3) It shows a photograph of the individual to whom it was~~ 883

~~issued.~~ 884

~~(4) It includes an expiration date that has not passed.~~ 885

~~(5) It was issued by the government of the United States or~~ 886
~~this state~~ any document, card, badge, license, or other item that 887
includes the image of the voter and the voter's first and last 888
name that is issued by the United States government, the state of 889
Ohio, or any political subdivision of the state of Ohio. No 890
expiration date, address, or other information is required to be 891
included on the identification. If an address is listed on the 892
identification it is not required to match the voter's 893
registration address. 894

Sec. 3501.02. General elections in the state and its 895
political subdivisions shall be held as follows: 896

(A) For the election of electors of president and 897
vice-president of the United States, in the year of 1932 and every 898
four years thereafter; 899

(B) For the election of a member of the senate of the United 900
States, in the years 1932 and 1934, and every six years after each 901
of such years; except as otherwise provided for filling vacancies; 902

(C) For the election of representatives in the congress of 903
the United States and of elective state and county officers 904
including elected members of the state board of education, in the 905
even-numbered years; except as otherwise provided for filling 906
vacancies; 907

(D) For municipal and township officers, members of boards of 908
education, judges and clerks of municipal courts, in the 909
odd-numbered years; 910

(E) (1) Proposed constitutional amendments or proposed 911
measures submitted ~~by the general assembly or~~ by initiative or 912
referendum petitions to the voters of the state at large may be 913

submitted to the general election in any year occurring at least 914
~~sixty days, in case of a referendum, and ninety one hundred~~ 915
~~twenty-five days, in the case of an initiated measure,~~ subsequent 916
to the filing of the petitions therefor. ~~Proposed~~ 917

(2) ~~Proposed~~ constitutional amendments submitted by the 918
general assembly to the voters of the state at large may be 919
submitted at a special election or general election in any year 920
occurring at least ninety days after the resolution is filed with 921
the secretary of state. The proposed constitutional amendment may 922
be submitted to the voters at a special election occurring on the 923
day in any year specified by division (E) of section 3501.01 of 924
the Revised Code for the holding of a primary election, ~~when~~ if a 925
special election on that date is designated by the general 926
assembly in the resolution adopting the proposed constitutional 927
amendment. 928

No special election shall be held on a day other than the day 929
of a general election, unless a law or charter provides otherwise, 930
regarding the submission of a question or issue to the voters of a 931
county, township, city, village, or school district. 932

(F)(1) Notwithstanding any provision of the Revised Code to 933
the contrary, any question or issue, except a candidacy, to be 934
voted upon at an election shall be certified, for placement upon 935
the ballot, to the board of elections not later than four p.m. of 936
the ninetieth day before the day of the election. 937

(2) Any question or issue that is certified for placement on 938
a ballot on or after ~~the effective date of this amendment~~ July 2, 939
2010, shall be certified not later than the ninetieth day before 940
the day of the applicable election, notwithstanding any deadlines 941
appearing in any section of the Revised Code governing the 942
placement of that question or issue on the ballot. 943

Sec. 3501.05. The secretary of state shall do all of the 944

following:	945
(A) Appoint all members of boards of elections;	946
(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.	947 948 949
(C) Prepare rules and instructions for the conduct of elections;	950 951
(D) Publish and furnish to the boards from time to time a sufficient number of indexed copies of all election laws then in force;	952 953 954
(E) Edit and issue all pamphlets concerning proposed laws or amendments required by law to be submitted to the voters;	955 956
(F) Prescribe the form of registration cards, blanks, and records;	957 958
(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;	959 960 961 962
(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;	963 964 965
(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;	966 967 968 969 970
(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;	971 972 973 974

(K) Receive all initiative and referendum petitions on state questions and issues and determine and certify to the sufficiency of those petitions;	975 976 977
(L) Require such reports from the several boards as are provided by law, or as the secretary of state considers necessary;	978 979
(M) Compel the observance by election officers in the several counties of the requirements of the election laws;	980 981
(N)(1) Except as otherwise provided in division (N)(2) of this section, investigate the administration of election laws, frauds, and irregularities in elections in any county, and report violations of election laws to the attorney general or prosecuting attorney, or both, for prosecution;	982 983 984 985 986
(2) On and after August 24, 1995, report a failure to comply with or a violation of a provision in sections 3517.08 to 3517.13, 3517.17, 3517.18, 3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised Code, whenever the secretary of state has or should have knowledge of a failure to comply with or a violation of a provision in one of those sections, by filing a complaint with the Ohio elections commission under section 3517.153 of the Revised Code;	987 988 989 990 991 992 993 994
(O) Make an annual report to the governor containing the results of elections, the cost of elections in the various counties, a tabulation of the votes in the several political subdivisions, and other information and recommendations relative to elections the secretary of state considers desirable;	995 996 997 998 999
(P) Prescribe and distribute to boards of elections a list of instructions indicating all legal steps necessary to petition successfully for local option elections under sections 4301.32 to 4301.41, 4303.29, 4305.14, and 4305.15 of the Revised Code;	1000 1001 1002 1003
(Q) Adopt rules pursuant to Chapter 119. of the Revised Code for the removal by boards of elections of ineligible voters from	1004 1005

the statewide voter registration database and, if applicable, from 1006
the poll list or signature pollbook used in each precinct, which 1007
rules shall provide for all of the following: 1008

(1) A process for the removal of voters who have changed 1009
residence, which shall be uniform, nondiscriminatory, and in 1010
compliance with the Voting Rights Act of 1965 and the National 1011
Voter Registration Act of 1993, including a program that uses the 1012
national change of address service provided by the United States 1013
postal system through its licensees; 1014

(2) A process for the removal of ineligible voters under 1015
section 3503.21 of the Revised Code; 1016

(3) A uniform system for marking or removing the name of a 1017
voter who is ineligible to vote from the statewide voter 1018
registration database and, if applicable, from the poll list or 1019
signature pollbook used in each precinct and noting the reason for 1020
that mark or removal. 1021

(R) Prescribe a general program for registering voters or 1022
updating voter registration information, such as name and 1023
residence changes, by boards of elections, designated agencies, 1024
~~offices of deputy registrars of motor vehicles,~~ public high 1025
schools and vocational schools, public libraries, and offices of 1026
county treasurers consistent with the requirements of section 1027
3503.09 of the Revised Code; 1028

(S) Prescribe a program of distribution of voter registration 1029
forms through boards of elections, designated agencies, ~~offices of~~ 1030
~~the registrar and deputy registrars of motor vehicles,~~ public high 1031
schools and vocational schools, public libraries, and offices of 1032
county treasurers; 1033

(T) To the extent feasible, provide copies, at no cost and 1034
upon request, of the voter registration form in post offices in 1035
this state; 1036

(U) Adopt rules pursuant to section 111.15 of the Revised Code for the purpose of implementing the program for registering voters through boards of elections, and 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 1068
the same day as the conference or teleconference call takes place. 1069

(Y) Publish a report on a web site of the office of the 1070
secretary of state not later than one month after the completion 1071
of the canvass of the election returns for each primary and 1072
general election, identifying, by county, the number of absent 1073
voter's ballots cast and the number of those ballots that were 1074
counted, and the number of provisional ballots cast and the number 1075
of those ballots that were counted, for that election. The 1076
secretary of state shall maintain the information on the web site 1077
in an archive format for each subsequent election. 1078

(Z) Conduct voter education outlining voter identification, 1079
absent voters ballot, provisional ballot, and other voting 1080
requirements; 1081

(AA) Establish a procedure by which a registered elector may 1082
make available to a board of elections a more recent signature to 1083
be used in the poll list or signature pollbook produced by the 1084
board of elections of the county in which the elector resides; 1085

(BB) Disseminate information, which may include all or part 1086
of the official explanations and arguments, by means of direct 1087
mail or other written publication, broadcast, or other means or 1088
combination of means, as directed by the Ohio ballot board under 1089
division (F) of section 3505.062 of the Revised Code, in order to 1090
inform the voters as fully as possible concerning each proposed 1091
constitutional amendment, proposed law, or referendum; 1092

(CC) Be the single state office responsible for the 1093
implementation of the "Uniformed and Overseas Citizens Absentee 1094
Voting Act," Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 1973ff, 1095
et seq., as amended, in this state. The secretary of state may 1096
delegate to the boards of elections responsibilities for the 1097
implementation of that act, including responsibilities arising 1098

from amendments to that act made by the "Military and Overseas
Voter Empowerment Act," Subtitle H of the "National Defense
Authorization Act for Fiscal Year 2010," Pub. L. No. 111-84, 123
Stat. 3190.

(DD) Adopt rules, under Chapter 119. of the Revised Code, to
do all of the following:

(1) Establish circumstances under which the office of the
secretary of state will assume official oversight or control of a
board of elections;

(2) Specify various levels of oversight or control that the
office of secretary of state may impose on a board of elections
under division (DD)(1) of this section; and

(3) Establish a mechanism, timeline, and benchmarks through
which a board of elections may transition out of official
oversight or control of the office of secretary of state.

(EE) Perform other duties required by law.

Whenever a primary election is held under section 3513.32 of
the Revised Code or a special election is held under section
3521.03 of the Revised Code to fill a vacancy in the office of
representative to congress, the secretary of state shall establish
a deadline, notwithstanding any other deadline required under the
Revised Code, by which any or all of the following shall occur:
the filing of a declaration of candidacy and petitions or a
statement of candidacy and nominating petition together with the
applicable filing fee; the filing of protests against the
candidacy of any person filing a declaration of candidacy or
nominating petition; the filing of a declaration of intent to be a
write-in candidate; the filing of campaign finance reports; the
preparation of, and the making of corrections or challenges to,
precinct voter registration lists; the receipt of applications for
absent voter's ballots or ~~armed-service~~ uniformed services or

overseas absent voter's ballots; the supplying of election 1130
materials to precincts by boards of elections; the holding of 1131
hearings by boards of elections to consider challenges to the 1132
right of a person to appear on a voter registration list; and the 1133
scheduling of programs to instruct or reinstruct election 1134
officers. 1135

In the performance of the secretary of state's duties as the 1136
chief election officer, the secretary of state may administer 1137
oaths, issue subpoenas, summon witnesses, compel the production of 1138
books, papers, records, and other evidence, and fix the time and 1139
place for hearing any matters relating to the administration and 1140
enforcement of the election laws. 1141

In any controversy involving or arising out of the adoption 1142
of registration or the appropriation of funds for registration, 1143
the secretary of state may, through the attorney general, bring an 1144
action in the name of the state in the court of common pleas of 1145
the county where the cause of action arose or in an adjoining 1146
county, to adjudicate the question. 1147

In any action involving the laws in Title XXXV of the Revised 1148
Code wherein the interpretation of those laws is in issue in such 1149
a manner that the result of the action will affect the lawful 1150
duties of the secretary of state or of any board of elections, the 1151
secretary of state may, on the secretary of state's motion, be 1152
made a party. 1153

The secretary of state may apply to any court that is hearing 1154
a case in which the secretary of state is a party, for a change of 1155
venue as a substantive right, and the change of venue shall be 1156
allowed, and the case removed to the court of common pleas of an 1157
adjoining county named in the application or, if there are cases 1158
pending in more than one jurisdiction that involve the same or 1159
similar issues, the court of common pleas of Franklin county. 1160

Public high schools and vocational schools, public libraries, 1161
and the office of a county treasurer shall implement voter 1162
registration programs as directed by the secretary of state 1163
pursuant to this section. 1164

Sec. 3501.051. (A) Notwithstanding any other section of the 1165
Revised Code, the secretary of state may authorize, in one or more 1166
precincts in one or more counties, a program allowing individuals 1167
under the age of eighteen to enter the polling place and vote in a 1168
simulated election held at the same time as a general election. 1169
Any individual working in or supervising at a simulated election 1170
may enter the polling place and remain within it during the entire 1171
period the polls are open. 1172

(B) A program established under division (A) of this section 1173
shall require all of the following: 1174

(1) That the duties imposed on ~~judges of precinct~~ election 1175
officials and peace officers under section 3501.33 of the Revised 1176
Code be performed by those ~~judges~~ officials and officers in regard 1177
to simulated elections and all activities related to simulated 1178
elections; 1179

(2) That volunteers provide the personnel necessary to 1180
conduct the simulated election, except that employees of the 1181
secretary of state, employees or members of boards of elections, 1182
and precinct election officials may aid in operating the program 1183
to the extent permitted by the secretary of state; 1184

(3) That individuals under the age of fourteen be accompanied 1185
to the simulated election by an individual eighteen years of age 1186
or over; 1187

(4) Any other requirements the secretary of state considers 1188
necessary for the orderly administration of the election process. 1189

Sec. 3501.053. (A) The secretary of state may issue 1190

instructions as to the proper method of conducting elections to 1191
members of the boards of elections by permanent or temporary 1192
directives. 1193

(1) The secretary of state shall establish a process to allow 1194
public review and public comment of proposed directives. Prior to 1195
issuing any permanent directive, the secretary of state shall 1196
provide reasonable notice of the issuance of the directive and 1197
allow a reasonable amount of time for public review and public 1198
comment of the proposed directive under this division. A permanent 1199
directive that is issued without the opportunity for public review 1200
and public comment under this division shall not be enforceable as 1201
provided in division (X) of section 3501.05 and divisions (E), 1202
(P), (U), and (AA) of section 3501.11 of the Revised Code. 1203

No permanent directive shall be issued during the period 1204
beginning ~~ninety~~ sixty days prior to the day of an election and 1205
ending on the fortieth day following the day of that election. 1206

(2) Temporary directives shall only be issued, and shall only 1207
have effect, during the period beginning ~~ninety~~ sixty days prior 1208
to the day of an election and ending on the fortieth day following 1209
the day of that election. Temporary directives shall not be 1210
subject to public review and public comment under division (A)(1) 1211
of this section. Each temporary directive shall include, in its 1212
heading, the designation of "TEMPORARY" and shall specify on its 1213
face the date of its expiration. 1214

A temporary directive shall not become a permanent directive 1215
unless the temporary directive is proposed as a permanent 1216
directive and subject to public review and public comment under 1217
division (A)(1) of this section. 1218

If the situation prompting the establishment of a temporary 1219
directive appears likely to recur, the secretary of state shall 1220
establish a permanent directive addressing the situation. 1221

(B) In addition to any other publication of directives and 1222
advisories issued by the secretary of state, the secretary of 1223
state shall publish those directives and advisories on a web site 1224
of the office of the secretary of state as soon as is practicable 1225
after they are issued, but not later than the close of business on 1226
the same day as a directive or advisory is issued. The secretary 1227
of state shall not remove from the web site any directives and 1228
advisories so posted. The secretary of state shall provide on that 1229
web site access to all directives and advisories currently in 1230
effect and maintain an archive of all directives and advisories 1231
previously published on that web site. 1232

Each directive that has expired shall be identified as being 1233
expired on the secretary of state's web site. Any forms, 1234
appendices, or additional information attached to an expired 1235
temporary directive shall be removed from all locations on the 1236
secretary of state's web site except for the archive of previously 1237
published directives. 1238

Sec. 3501.10. (A) The board of elections shall, as an expense 1239
of the board, provide suitable rooms for its offices and records 1240
and the necessary and proper furniture and supplies for those 1241
rooms. The board may lease such offices and rooms, necessary to 1242
its operation, for the length of time and upon the terms the board 1243
deems in the best interests of the public, provided that the term 1244
of any such lease shall not exceed fifteen years. 1245

Thirty days prior to entering into such a lease, the board 1246
shall notify the board of county commissioners in writing of its 1247
intent to enter into the lease. The notice shall specify the terms 1248
and conditions of the lease. Prior to the thirtieth day after 1249
receiving that notice and before any lease is entered into, the 1250
board of county commissioners may reject the proposed lease by a 1251
majority vote. After receiving written notification of the 1252

rejection by the board of county commissioners, the board of 1253
elections shall not enter into the lease that was rejected, but 1254
may immediately enter into additional lease negotiations, subject 1255
to the requirements of this section. 1256

The board of elections in any county may, by resolution, 1257
request that the board of county commissioners submit to the 1258
electors of the county, in accordance with section 133.18 of the 1259
Revised Code, the question of issuing bonds for the acquisition of 1260
real estate and the construction on it of a suitable building with 1261
necessary furniture and equipment for the proper administration of 1262
the duties of the board of elections. The resolution declaring the 1263
necessity for issuing such bonds shall relate only to the 1264
acquisition of real estate and to the construction, furnishing, 1265
and equipping of a building as provided in this division. 1266

(B) The board of elections in each county shall keep its 1267
offices, or one or more of its branch registration offices, open 1268
for the performance of its duties until nine p.m. on the last day 1269
of registration before a general or primary election. At all other 1270
times during each week, the board shall keep its offices and rooms 1271
open for a period of time that the board considers necessary for 1272
the performance of its duties. 1273

(C) The board of elections may maintain permanent or 1274
temporary branch offices at any place within the county, ~~provided~~ 1275
~~that, if the.~~ A board of elections ~~permits~~ ~~may permit~~ electors to 1276
vote at a branch office, electors shall not be permitted to vote 1277
at any other branch office or any other office one or more offices 1278
or branch offices of the board of elections. The board of 1279
elections of any county with a population, as determined by the 1280
most recent federal decennial census, larger than twice the mean 1281
population of a county in this state shall have at least two 1282
locations at which electors may cast absent voter's ballots in 1283
person before the day of an election conducted in an even-numbered 1284

year as provided in section 3509.01 of the Revised Code. The board 1285
of elections of such a county shall determine the locations for 1286
casting absent voter's ballots in person by majority vote. 1287

Any county that maintains more than one location at which 1288
electors may cast absent voter's ballots in person before the day 1289
of an election shall employ, at each such location, technology 1290
necessary to provide live updates to the statewide voter 1291
registration database to indicate which electors have cast ballots 1292
for that election. 1293

Sec. 3501.11. Each board of elections shall exercise by a 1294
majority vote all powers granted to the board by Title XXXV of the 1295
Revised Code, shall perform all the duties imposed by law, and 1296
shall do all of the following: 1297

(A) Establish, define, provide, rearrange, and combine 1298
election precincts; 1299

(B) Fix and provide the places for registration and for 1300
holding primaries and elections; 1301

(C) Provide for the purchase, preservation, and maintenance 1302
of booths, ballot boxes, books, maps, flags, blanks, cards of 1303
instructions, and other forms, papers, and equipment used in 1304
registration, nominations, and elections; 1305

(D) Appoint and remove its director, deputy director, and 1306
employees and all registrars, ~~judges~~ precinct election officials, 1307
and other officers of elections, fill vacancies, and designate the 1308
ward or district and precinct in which each shall serve; 1309

(E) Make and issue rules and instructions, not inconsistent 1310
with law or the rules, directives, or advisories issued by the 1311
secretary of state, as it considers necessary for the guidance of 1312
election officers and voters; 1313

(F) Advertise and contract for the printing of all ballots 1314

and other supplies used in registrations and elections; 1315

(G) Provide for the issuance of all notices, advertisements, 1316
and publications concerning elections, except as otherwise 1317
provided in division (G) of section 3501.17 and divisions (F) and 1318
(G) of section 3505.062 of the Revised Code; 1319

(H) Provide for the delivery of ballots, pollbooks, and other 1320
required papers and material to the polling places; 1321

(I) Cause the polling places to be suitably provided with 1322
voting machines, marking devices, automatic tabulating equipment, 1323
stalls, and other required supplies. In fulfilling this duty, each 1324
board of a county that uses voting machines, marking devices, or 1325
automatic tabulating equipment shall conduct a full vote of the 1326
board during a public session of the board on the allocation and 1327
distribution of voting machines, marking devices, and automatic 1328
tabulating equipment for each precinct in the county. 1329

(J) Investigate irregularities, nonperformance of duties, or 1330
violations of Title XXXV of the Revised Code by election officers 1331
and other persons; administer oaths, issue subpoenas, summon 1332
witnesses, and compel the production of books, papers, records, 1333
and other evidence in connection with any such investigation; and 1334
report the facts to the prosecuting attorney or the secretary of 1335
state; 1336

(K) Review, examine, and certify the sufficiency and validity 1337
of petitions and nomination papers, and, after certification, 1338
return to the secretary of state all petitions and nomination 1339
papers that the secretary of state forwarded to the board; 1340

(L) Receive the returns of elections, canvass the returns, 1341
make abstracts of them, and transmit those abstracts to the proper 1342
authorities; 1343

(M) Issue certificates of election on forms to be prescribed 1344
by the secretary of state; 1345

(N) Make an annual report to the secretary of state, on the form prescribed by the secretary of state, containing a statement of the number of voters registered, elections held, votes cast, appropriations received, expenditures made, and other data required by the secretary of state;	1346 1347 1348 1349 1350
(O) Prepare and submit to the proper appropriating officer a budget estimating the cost of elections for the ensuing fiscal year;	1351 1352 1353
(P) Perform other duties as prescribed by law or the rules, directives, or advisories of the secretary of state;	1354 1355
(Q) Investigate and determine the residence qualifications of electors;	1356 1357
(R) Administer oaths in matters pertaining to the administration of the election laws;	1358 1359
(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;	1360 1361 1362 1363 1364
(T) Establish and maintain a voter registration database of all qualified electors in the county who offer to register;	1365 1366
(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;	1367 1368 1369 1370 1371
(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;	1372 1373 1374
(W) Prepare and cause the following notice to be displayed in	1375

a prominent location in every polling place: 1376

"NOTICE 1377

Ohio law prohibits any person from voting or attempting to 1378
vote more than once at the same election. 1379

Violators are guilty of a felony of the fourth degree and 1380
shall be imprisoned and additionally may be fined in accordance 1381
with law." 1382

(X) In all cases of a tie vote or a disagreement in the 1383
board, if no decision can be arrived at, the director or 1384
chairperson shall submit the matter in controversy, not later than 1385
fourteen days after the tie vote or the disagreement, to the 1386
secretary of state, who shall summarily decide the question, and 1387
the secretary of state's decision shall be final. 1388

(Y) Assist each designated agency, ~~deputy registrar of motor~~ 1389
~~vehicles~~, public high school and vocational school, public 1390
library, and office of a county treasurer in the implementation of 1391
a program for registering voters at all voter registration 1392
locations as prescribed by the secretary of state. Under this 1393
program, each board of elections shall direct to the appropriate 1394
board of elections any voter registration applications for persons 1395
residing outside the county where the board is located within five 1396
days after receiving the applications. 1397

(Z) On any day on which an elector may vote in person at the 1398
office of the board or at another site designated by the board, 1399
consider the board or other designated site a polling place for 1400
that day. All requirements or prohibitions of law that apply to a 1401
polling place shall apply to the office of the board or other 1402
designated site on that day. 1403

(AA) Perform any duties with respect to voter registration 1404
and voting by uniformed services and overseas voters that are 1405
delegated to the board by law or by the rules, directives, or 1406

advisories of the secretary of state. 1407

Sec. 3501.13. (A) The director of the board of elections 1408
shall keep a full and true record of the proceedings of the board 1409
and of all moneys received and expended; file and preserve in the 1410
board's office all orders and records pertaining to the 1411
administration of registrations, primaries, and elections; receive 1412
and have the custody of all books, papers, and property belonging 1413
to the board; and perform other duties in connection with the 1414
office of director and the proper conduct of elections as the 1415
board determines. 1416

(B) Before entering upon the duties of the office, the 1417
director shall subscribe to an oath that the director will support 1418
the Constitution of the United States and the Ohio Constitution, 1419
perform all the duties of the office to the best of the director's 1420
ability, enforce the election laws, and preserve all records, 1421
documents, and other property pertaining to the conduct of 1422
elections placed in the director's custody. 1423

(C) The director may administer oaths to persons required by 1424
law to file certificates or other papers with the board, to ~~judges~~ 1425
~~of elections~~ precinct election officials, to witnesses who are 1426
called to testify before the board, and to voters filling out 1427
blanks at the board's offices. Except as otherwise provided by 1428
state or federal law, the records of the board and papers and 1429
books filed in its office are public records and open to 1430
inspection under such reasonable regulations as shall be 1431
established by the board. The following notice shall be posted in 1432
a prominent place at each board office: 1433

"Except as otherwise provided by state or federal law, 1434
records filed in this office of the board of elections are open to 1435
public inspection during normal office hours, pursuant to the 1436
following reasonable regulations: (the board shall here list its 1437

regulations). Whoever prohibits any person from inspecting the public records of this board is subject to the penalties of section 3599.161 of the Revised Code."

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

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 and the director or deputy director, upon warrants of the county auditor.

The board of elections shall not incur any obligation involving the expenditure of money unless there are moneys sufficient in the funds appropriated therefor to meet the obligation. If the board of elections requests a transfer of funds from one of its appropriation items to another, the board of county commissioners shall adopt a resolution providing for the transfer except as otherwise provided in section 5705.40 of the Revised Code. The expenses of the board of elections shall be apportioned among the county and the various subdivisions as provided in this section, and the amount chargeable to each subdivision shall be paid as provided in division (J) of this

section or withheld by the county auditor from the moneys payable 1469
thereto at the time of the next tax settlement. At the time of 1470
submitting budget estimates in each year, the board of elections 1471
shall submit to the taxing authority of each subdivision, upon the 1472
request of the subdivision, an estimate of the amount to be paid 1473
or withheld from the subdivision during the current or next fiscal 1474
year. 1475

A board of township trustees may, by resolution, request that 1476
the county auditor withhold expenses charged to the township from 1477
a specified township fund that is to be credited with revenue at a 1478
tax settlement. The resolution shall specify the tax levy ballot 1479
issue, the date of the election on the levy issue, and the 1480
township fund from which the expenses the board of elections 1481
incurs related to that ballot issue shall be withheld. 1482

(B) Except as otherwise provided in division (F) of this 1483
section, the compensation of the members of the board of elections 1484
and of the director, deputy director, and regular employees in the 1485
board's offices, other than compensation for overtime worked; the 1486
expenditures for the rental, furnishing, and equipping of the 1487
office of the board and for the necessary office supplies for the 1488
use of the board; the expenditures for the acquisition, repair, 1489
care, and custody of the polling places, booths, guardrails, and 1490
other equipment for polling places; the cost of tally sheets, 1491
maps, flags, ballot boxes, and all other permanent records and 1492
equipment; the cost of all elections held in and for the state and 1493
county; and all other expenses of the board which are not 1494
chargeable to a political subdivision in accordance with this 1495
section shall be paid in the same manner as other county expenses 1496
are paid. 1497

(C) The compensation of ~~judges of elections~~ precinct election 1498
officials and intermittent employees in the board's offices; the 1499
cost of renting, moving, heating, and lighting polling places and 1500

of placing and removing ballot boxes and other fixtures and 1501
equipment thereof, including voting machines, marking devices, and 1502
automatic tabulating equipment; the cost of printing and 1503
delivering ballots, cards of instructions, registration lists 1504
required under section 3503.23 of the Revised Code, and other 1505
election supplies, including the supplies required to comply with 1506
division (H) of section 3506.01 of the Revised Code; the cost of 1507
contractors engaged by the board to prepare, program, test, and 1508
operate voting machines, marking devices, and automatic tabulating 1509
equipment; and all other expenses of conducting primaries and 1510
elections in the odd-numbered years shall be charged to the 1511
subdivisions in and for which such primaries or elections are 1512
held. The charge for each primary or general election in 1513
odd-numbered years for each subdivision shall be determined in the 1514
following manner: first, the total cost of all chargeable items 1515
used in conducting such elections shall be ascertained; second, 1516
the total charge shall be divided by the number of precincts 1517
participating in such election, in order to fix the cost per 1518
precinct; third, the cost per precinct shall be prorated by the 1519
board of elections to the subdivisions conducting elections for 1520
the nomination or election of offices in such precinct; fourth, 1521
the total cost for each subdivision shall be determined by adding 1522
the charges prorated to it in each precinct within the 1523
subdivision. 1524

(D) The entire cost of special elections held on a day other 1525
than the day of a primary or general election, both in 1526
odd-numbered or in even-numbered years, shall be charged to the 1527
subdivision. Where a special election is held on the same day as a 1528
primary or general election in an even-numbered year, the 1529
subdivision submitting the special election shall be charged only 1530
for the cost of ballots and advertising. Where a special election 1531
is held on the same day as a primary or general election in an 1532
odd-numbered year, the subdivision submitting the special election 1533

shall be charged for the cost of ballots and advertising for such 1534
special election, in addition to the charges prorated to such 1535
subdivision for the election or nomination of candidates in each 1536
precinct within the subdivision, as set forth in the preceding 1537
paragraph. 1538

(E) Where a special election is held on the day specified by 1539
division (E) of section 3501.01 of the Revised Code for the 1540
holding of a primary election, for the purpose of submitting to 1541
the voters of the state constitutional amendments proposed by the 1542
general assembly, and a subdivision conducts a special election on 1543
the same day, the entire cost of the special election shall be 1544
divided proportionally between the state and the subdivision based 1545
upon a ratio determined by the number of issues placed on the 1546
ballot by each, except as otherwise provided in division (G) of 1547
this section. Such proportional division of cost shall be made 1548
only to the extent funds are available for such purpose from 1549
amounts appropriated by the general assembly to the secretary of 1550
state. If a primary election is also being conducted in the 1551
subdivision, the costs shall be apportioned as otherwise provided 1552
in this section. 1553

(F) When a precinct is open during a general, primary, or 1554
special election solely for the purpose of submitting to the 1555
voters a statewide ballot issue, the state shall bear the entire 1556
cost of the election in that precinct and shall reimburse the 1557
county for all expenses incurred in opening the precinct. 1558

(G)(1) The state shall bear the entire cost of advertising in 1559
newspapers statewide ballot issues, explanations of those issues, 1560
and arguments for or against those issues, as required by Section 1561
1g of Article II and Section 1 of Article XVI, Ohio Constitution, 1562
and any other section of law. Appropriations made to the 1563
controlling board shall be used to reimburse the secretary of 1564
state for all expenses the secretary of state incurs for such 1565

advertising under division (G) of section 3505.062 of the Revised Code. 1566
1567

(2) There is hereby created in the state treasury the 1568
statewide ballot advertising fund. The fund shall receive 1569
transfers approved by the controlling board, and shall be used by 1570
the secretary of state to pay the costs of advertising state 1571
ballot issues as required under division (G)(1) of this section. 1572
Any such transfers may be requested from and approved by the 1573
controlling board prior to placing the advertising, in order to 1574
facilitate timely provision of the required advertising. 1575

(H) The cost of renting, heating, and lighting registration 1576
places; the cost of the necessary books, forms, and supplies for 1577
the conduct of registration; and the cost of printing and posting 1578
precinct registration lists shall be charged to the subdivision in 1579
which such registration is held. 1580

(I) At the request of a majority of the members of the board 1581
of elections, the board of county commissioners may, by 1582
resolution, establish an elections revenue fund. Except as 1583
otherwise provided in this division, the purpose of the fund shall 1584
be to accumulate revenue withheld by or paid to the county under 1585
this section for the payment of any expense related to the duties 1586
of the board of elections specified in section 3501.11 of the 1587
Revised Code, upon approval of a majority of the members of the 1588
board of elections. The fund shall not accumulate any revenue 1589
withheld by or paid to the county under this section for the 1590
compensation of the members of the board of elections or of the 1591
director, deputy director, or other regular employees in the 1592
board's offices, other than compensation for overtime worked. 1593

Notwithstanding sections 5705.14, 5705.15, and 5705.16 of the 1594
Revised Code, the board of county commissioners may, by 1595
resolution, transfer money to the elections revenue fund from any 1596
other fund of the political subdivision from which such payments 1597

lawfully may be made. Following an affirmative vote of a majority 1598
of the members of the board of elections, the board of county 1599
commissioners may, by resolution, rescind an elections revenue 1600
fund established under this division. If an elections revenue fund 1601
is rescinded, money that has accumulated in the fund shall be 1602
transferred to the county general fund. 1603

(J)(1) Not less than fifteen business days before the 1604
deadline for submitting a question or issue for placement on the 1605
ballot at a special election, the board of elections shall prepare 1606
and file with the board of county commissioners and the office of 1607
the secretary of state the estimated cost, based on the factors 1608
enumerated in this section, for preparing for and conducting an 1609
election on one question or issue, one nomination for office, or 1610
one election to office in each precinct in the county at that 1611
special election and shall divide that cost by the number of 1612
registered voters in the county. 1613

(2) The board of elections shall provide to a political 1614
subdivision seeking to submit a question or issue, a nomination 1615
for office, or an election to office for placement on the ballot 1616
at a special election with the estimated cost for preparing for 1617
and conducting that election, which shall be calculated either by 1618
multiplying the number of registered voters in the political 1619
subdivision with the cost calculated under division (J)(1) of this 1620
section or by multiplying the cost per precinct with the number or 1621
precincts in the political subdivision. A political subdivision 1622
submitting a question or issue, a nomination for office, or an 1623
election to office for placement on the ballot at that special 1624
election shall pay to the county elections revenue fund sixty-five 1625
per cent of the estimated cost of the election not less than ten 1626
business days after the deadline for submitting a question or 1627
issue for placement on the ballot for that special election. 1628

(3) Not later than sixty days after the date of a special 1629

election, the board of elections shall provide to each political 1630
subdivision the true and accurate cost for the question or issue, 1631
nomination for office, or election to office that the subdivision 1632
submitted to the voters on the special election ballots. If the 1633
board of elections determines that a subdivision paid less for the 1634
cost of preparing and conducting a special election under division 1635
(J)(2) of this section than the actual cost calculated under this 1636
division, the subdivision shall remit to the county elections 1637
revenue fund the difference between the payment made under 1638
division (J)(2) of this section and the final cost calculated 1639
under this division within thirty days after being notified of the 1640
final cost. If the board of elections determines that a 1641
subdivision paid more for the cost of preparing and conducting a 1642
special election under division (J)(2) of this section than the 1643
actual cost calculated under this division, the board of elections 1644
promptly shall notify the board of county commissioners of that 1645
difference. The board of county commissioners shall remit from the 1646
county elections revenue fund to the political subdivision the 1647
difference between the payment made under division (J)(2) of this 1648
section and the final cost calculated under this division within 1649
thirty days after receiving that notification. 1650

(K) As used in this section: 1651

(1) "Political subdivision" and "subdivision" mean any board 1652
of county commissioners, board of township trustees, legislative 1653
authority of a municipal corporation, board of education, or any 1654
other board, commission, district, or authority that is empowered 1655
to levy taxes or permitted to receive the proceeds of a tax levy, 1656
regardless of whether the entity receives tax settlement moneys as 1657
described in division (A) of this section; 1658

(2) "Statewide ballot issue" means any ballot issue, whether 1659
proposed by the general assembly or by initiative or referendum, 1660
that is submitted to the voters throughout the state. 1661

Sec. 3501.18. (A) The board of elections may divide a 1662
political subdivision within its jurisdiction into precincts, 1663
establish, define, divide, rearrange, and combine the several 1664
election precincts within its jurisdiction, and change the 1665
location of the polling place for each precinct when it is 1666
necessary to maintain the requirements as to the number of voters 1667
in a precinct and to provide for the convenience of the voters and 1668
the proper conduct of elections. No change in the number of 1669
precincts or in precinct boundaries shall be made during the 1670
twenty-five days immediately preceding a primary or general 1671
election or between the first day of January and the day on which 1672
the members of county central committees are elected in the years 1673
in which those committees are elected. ~~Except as otherwise~~ 1674
~~provided in division (C) of this section, each~~ Each precinct shall 1675
contain a number of electors, not to exceed one thousand four 1676
hundred, that the board of elections determines to be a reasonable 1677
number after taking into consideration the type and amount of 1678
available equipment, prior voter turnout, the size and location of 1679
each selected polling place, available parking, availability of an 1680
adequate number of poll workers, and handicap accessibility and 1681
other accessibility to the polling place. 1682

If the board changes the boundaries of a precinct after the 1683
filing of a local option election petition pursuant to sections 1684
4301.32 to 4301.41, 4303.29, or 4305.14 of the Revised Code that 1685
calls for a local option election to be held in that precinct, the 1686
local option election shall be held in the area that constituted 1687
the precinct at the time the local option petition was filed, 1688
regardless of the change in the boundaries. 1689

If the board changes the boundaries of a precinct in order to 1690
meet the requirements of division (B)(1) of this section in a 1691
manner that causes a member of a county central committee to no 1692
longer qualify as a representative of an election precinct in the 1693

county, of a ward of a city in the county, or of a township in the 1694
county, the member shall continue to represent the precinct, ward, 1695
or township for the remainder of the member's term, regardless of 1696
the change in boundaries. 1697

In an emergency, the board may provide more than one polling 1698
place in a precinct. In order to provide for the convenience of 1699
the voters, the board may locate polling places for voting or 1700
registration outside the boundaries of precincts, provided that 1701
the nearest public school or public building shall be used if the 1702
board determines it to be available and suitable for use as a 1703
polling place. Except in an emergency, no change in the number or 1704
location of the polling places in a precinct shall be made during 1705
the twenty-five days immediately preceding a primary or general 1706
election. 1707

Electors who have failed to respond within thirty days to any 1708
confirmation notice shall not be counted in determining the size 1709
of any precinct under this section. 1710

(B)(1) Except as otherwise provided in division (B)(2) of 1711
this section, a board of elections shall determine all precinct 1712
boundaries using geographical units used by the United States 1713
department of commerce, bureau of the census, in reporting the 1714
decennial census of Ohio. 1715

(2) The board of elections may apply to the secretary of 1716
state for a waiver from the requirement of division (B)(1) of this 1717
section when it is not feasible to comply with that requirement 1718
because of unusual physical boundaries or residential development 1719
practices that would cause unusual hardship for voters. The board 1720
shall identify the affected precincts and census units, explain 1721
the reason for the waiver request, and include a map illustrating 1722
where the census units will be split because of the requested 1723
waiver. If the secretary of state approves the waiver and so 1724
notifies the board of elections in writing, the board may change a 1725

precinct boundary as necessary under this section, notwithstanding 1726
the requirement in division (B)(1) of this section. 1727

~~(C) The board of elections may apply to the secretary of 1728
state for a waiver from the requirement of division (A) of this 1729
section regarding the number of electors in a precinct when the 1730
use of geographical units used by the United States department of 1731
commerce, bureau of the census, will cause a precinct to contain 1732
more than one thousand four hundred electors. The board shall 1733
identify the affected precincts and census units, explain the 1734
reason for the waiver request, and include a map illustrating 1735
where census units will be split because of the requested waiver. 1736
If the secretary of state approves the waiver and so notifies the 1737
board of elections in writing, the board may change a precinct 1738
boundary as necessary to meet the requirements of division (B)(1) 1739
of this section. 1740~~

Sec. 3501.20. The Subject to the precinct population 1741
requirements established in division (A) of section 3501.18 of the 1742
Revised Code, the lands used for a state or national home for 1743
disabled soldiers shall constitute a separate election precinct, 1744
and, if necessary, may be divided and rearranged within such 1745
limits as other precincts are arranged and divided. 1746

Sec. 3501.22. (A) On (1) Except as otherwise provided in 1747
division (A)(2) of this section, on or before the fifteenth day of 1748
September in each year, the board of elections by a majority vote 1749
shall, after careful examination and investigation as to their 1750
qualifications, appoint for each election precinct ~~four~~ residents 1751
of the county in which the precinct is located, as ~~judges~~ precinct 1752
election officials. The number of precinct election officials 1753
appointed for each precinct shall be determined as follows: 1754

(a) For a general election in an even-numbered year, a 1755

minimum of six precinct election officials shall be appointed for 1756
any precinct with a population of one thousand or fewer electors; 1757

(b) For a general election in an even-numbered year, a 1758
minimum of eight precinct election officials shall be appointed 1759
for any precinct with a population of more than one thousand 1760
electors; 1761

(c) For all primary elections, special elections, and general 1762
elections in an odd-numbered year, a minimum of four precinct 1763
election officials shall be appointed for each precinct. Except as 1764
otherwise provided in division (C) of this section, all ~~judges of~~ 1765
precinct election officials shall be qualified electors. The 1766
~~judges~~ precinct election officials shall constitute the election 1767
officers of the precinct. Not more than one-half of the total 1768
number of ~~judges~~ precinct election officials shall be members of 1769
the same political party. The term of such precinct officers shall 1770
be for one year. The board may, at any time, designate any number 1771
of election officers, not more than one-half of whom shall be 1772
members of the same political party, to perform their duties at 1773
any precinct in any election. The board may appoint additional 1774
officials, equally divided between the two major political 1775
parties, when necessary to expedite voting. 1776

Vacancies for unexpired terms shall be filled by the board. 1777
When new precincts have been created, the board shall appoint 1778
~~judges~~ precinct election officials for those precincts for the 1779
unexpired term. Any ~~judge~~ precinct election official may be 1780
summarily removed from office at any time by the board for neglect 1781
of duty, malfeasance, or misconduct in office or for any other 1782
good and sufficient reason. 1783

Precinct election officials shall perform all of the duties 1784
provided by law for receiving the ballots and supplies, opening 1785
and closing the polls, and overseeing the casting of ballots 1786
during the time the polls are open, and any other duties required 1787

by section 3501.26 of the Revised Code. 1788

A board of elections may designate two precinct election 1789
officials as counting officials to count and tally the votes cast 1790
and certify the results of the election at each precinct, and 1791
perform other duties as provided by law. To expedite the counting 1792
of votes at each precinct, the board may appoint additional 1793
officials, not more than one-half of whom shall be members of the 1794
same political party. 1795

The board shall designate one of the precinct election 1796
officials ~~who is a member of the dominant political party~~ to serve 1797
as a ~~presiding judge, whose voting location manager. The voting~~ 1798
location manager shall be a member of the political party whose 1799
candidate received the highest number of votes for governor in the 1800
precincts whose polling places are located at the applicable 1801
voting location, when tallying the combined vote for governor for 1802
all such precincts. It is the duty ~~it is~~ of the voting location 1803
manager to deliver the returns of the election and all supplies to 1804
the office of the board. For these services, the ~~presiding judge~~ 1805
voting location manager shall receive additional compensation in 1806
an amount, consistent with section 3501.28 of the Revised Code, 1807
determined by the board of elections. 1808

The board shall issue to each precinct election official a 1809
certificate of appointment, which the official shall present to 1810
the ~~presiding judge~~ voting location manager at the time the polls 1811
are opened. 1812

(2) If the board of elections, by majority vote, opts to use 1813
multiple precinct polling locations in lieu of any or all 1814
individual precinct polling locations, the board may appoint 1815
precinct election officials for the multiple precinct polling 1816
locations as follows: 1817

(a) For the first precinct combined in a multiple precinct 1818

polling location, the board shall appoint the number of precinct
election officials required by division (A)(1) of this section,
not more than one-half of whom shall be members of the same
political party; 1819
1820
1821
1822

(b) For each additional precinct combined in a multiple
precinct polling location for a general election in an
even-numbered year, the board shall appoint at least four
additional precinct election officials in even-numbered
increments, not more than half of whom shall be members of the
same political party; 1823
1824
1825
1826
1827
1828

(c) For each additional precinct combined in a multiple
precinct polling location for a primary election, special
election, or a general election in an odd-numbered year, the board
shall appoint at least two additional precinct election officials
in even-numbered increments, not more than half of whom shall be
members of the same political party. 1829
1830
1831
1832
1833
1834

(d) The board shall designate one of the precinct election
officials appointed under division (A)(2)(a), (b), or (c) of this
section who is a member of the political party whose candidate for
governor received the highest number of votes in the most recent
general election for that office in the precincts combined in the
multiple precinct polling location as the single voting location
manager for the multiple precinct polling location. 1835
1836
1837
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1841

(B) If the board of elections determines that not enough
qualified electors in a precinct are available to serve as
precinct officers, it may appoint persons to serve as precinct
officers at a primary, special, or general election who are at
least seventeen years of age and are registered to vote in
accordance with section 3503.07 of the Revised Code. 1842
1843
1844
1845
1846
1847

(C)(1) A board of elections, in conjunction with the board of
education of a city, local, or exempted village school district, 1848
1849

the governing authority of a community school established under 1850
Chapter 3314. of the Revised Code, or the chief administrator of a 1851
nonpublic school may establish a program permitting certain high 1852
school students to apply and, if appointed by the board of 1853
elections, to serve as precinct officers at a primary, special, or 1854
general election. 1855

In addition to the requirements established by division 1856
(C)(2) of this section, a board of education, governing authority, 1857
or chief administrator that establishes a program under this 1858
division in conjunction with a board of elections may establish 1859
additional criteria that students shall meet to be eligible to 1860
participate in that program. 1861

(2)(a) To be eligible to participate in a program established 1862
under division (C)(1) of this section, a student shall be a United 1863
States citizen, a resident of the county, at least seventeen years 1864
of age, and enrolled in the senior year of high school. 1865

(b) Any student applying to participate in a program 1866
established under division (C)(1) of this section, as part of the 1867
student's application process, shall declare the student's 1868
political party affiliation with the board of elections. 1869

(3) No student appointed as a precinct officer pursuant to a 1870
program established under division (C)(1) of this section shall be 1871
designated as a ~~presiding judge~~ voting location manager. 1872

(4) Any student participating in a program established under 1873
division (C)(1) of this section shall be excused for that 1874
student's absence from school on the day of an election at which 1875
the student is serving as a precinct officer. 1876

~~(D)~~(5) In any precinct with six or more precinct officers, up 1877
to two students participating in a program established under 1878
division (C)(1) of this section who are under eighteen years of 1879
age may serve as precinct officers. Not more than one precinct 1880

officer in any given precinct with fewer than six precinct 1881
officers shall be under eighteen years of age. 1882

Any public or private institution of higher education 1883
operating in this state shall grant any student who serves as a 1884
precinct election official at any election in this state an 1885
excused absence from any class, coursework, exam, or other 1886
requirement scheduled on the day of that election. The institution 1887
of higher education shall provide a mechanism for any student who 1888
is excused from any class, coursework, exam, or other requirement 1889
to make up the missed work, exam, or other requirement. 1890

Sec. 3501.26. When the polls are closed after a primary, 1891
general, or special election, the receiving officials shall, in 1892
the presence of the counting officials and attending observers, 1893
proceed as follows: 1894

(A) Count the number of electors who voted, as shown on the 1895
poll books; 1896

(B) Count the unused ballots, without removing stubs if 1897
ballot stubs are being used; 1898

(C) Count the soiled and defaced ballots; 1899

(D) Insert the totals of divisions (A), (B), and (C) of this 1900
section on the report forms provided therefor in the poll books; 1901

(E) Count the voted ballots. If the number of voted ballots 1902
exceeds the number of voters whose names appear upon the poll 1903
books, the ~~presiding judge~~ voting location manager shall enter on 1904
the poll books an explanation of that discrepancy, and that 1905
explanation, if agreed to, shall be subscribed to by all of the 1906
~~judges~~ precinct election officials. Any ~~judge~~ precinct official 1907
having a different explanation shall enter it in the poll books 1908
and subscribe to it. 1909

(F) Put the unused ballots ~~with stubs attached,~~ and soiled 1910

and defaced ballots ~~with stubs attached~~, in the envelopes or 1911
containers provided therefor, and certify the number. If ballot 1912
stubs are being used, the receiving officials shall leave those 1913
stubs attached to the unused ballots and soiled and defaced 1914
ballots, as applicable, when those ballots are placed in the 1915
appropriate envelopes or containers. 1916

The receiving officials shall deliver to and place in the 1917
custody of the counting officials all the supplies provided for 1918
the conduct of that election and the ballots that are to be 1919
counted and tallied, and take a receipt for the same, which 1920
receipt shall appear in and be a part of the poll books of such 1921
precinct. Having performed their duties, the receiving officials 1922
shall immediately depart. 1923

Having receipted for the ballots, the counting officials 1924
shall proceed to count and tally the vote as cast in the manner 1925
prescribed by section 3505.27 of the Revised Code and certify the 1926
result of the election to the board of elections. 1927

Sec. 3501.27. (A) All ~~judges of~~ precinct election officials 1928
shall complete a program of instruction pursuant to division (B) 1929
of this section. No person who has been convicted of a felony or 1930
any violation of the election laws, who is unable to read and 1931
write the English language readily, or who is a candidate for an 1932
office to be voted for by the voters of the precinct in which the 1933
person is to serve shall serve as an election officer. A person 1934
when appointed as an election officer shall receive from the board 1935
of elections a certificate of appointment that may be revoked at 1936
any time by the board for good and sufficient reasons. The 1937
certificate shall be in the form the board prescribes and shall 1938
specify the precinct, ward, or district in and for which the 1939
person to whom it is issued is appointed to serve, the date of 1940
appointment, and the expiration of the person's term of service. 1941

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

The Subject to division (B)(2) of this section, the board shall train each new election officer before the new officer participates in the first election in that capacity. The board shall instruct election officials who have been trained previously only when the board or secretary of state considers that instruction necessary, but the board shall reinstruct such persons, other than ~~presiding judges voting location managers~~, at least once in every three years and shall reinstruct ~~presiding judges voting location managers~~ before the primary election in even-numbered years. The board shall schedule any program of instruction within sixty days prior to the election in which the officials to be trained will participate.

(2) In addition to the training required under division (B)(1) of this section, the secretary of state may adopt rules under Chapter 119. of the Revised Code that mandate additional training for election officials on a continuing basis in an effort to achieve election uniformity.

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

(D) The secretary of state shall establish a program for the

instruction of members of boards of elections and employees of 1974
boards in the rules, procedures, and law relating to elections. 1975
Each member and employee shall complete the training program 1976
within six months after the member's or employee's original 1977
appointment or employment, and thereafter each member and employee 1978
shall complete a training program to update their knowledge once 1979
every four years or more often as determined by the secretary of 1980
state. 1981

(E) The secretary of state shall reimburse each county for 1982
the cost of programs established pursuant to division (B) of this 1983
section, once the secretary of state has received an itemized 1984
statement of expenses for such instruction programs from the 1985
county. The itemized statement shall be in a form prescribed by 1986
the secretary of state. 1987

Sec. 3501.28. (A) As used in this section: 1988

(1) "Fair Labor Standards Act" or "Act" means the "Fair Labor 1989
Standards Act of 1938," 52 Stat. 1062, 29 U.S.C.A. 201, as 1990
amended. 1991

(2) "Full election day" means the period of time between the 1992
opening of the polls and the completion of the procedures 1993
contained in section 3501.26 of the Revised Code. 1994

(3) "Services" means services at each general, primary, or 1995
special election. 1996

~~(B) Beginning with calendar year 1998, each judge of an 1997
election in a county shall be paid for the judge's services at the 1998
same hourly rate, which shall be not less than the minimum hourly 1999
rate established by the Fair Labor Standards Act and not more than 2000
eighty five dollars per diem. 2001~~

~~(C) Beginning with calendar year 2004, each judge of an 2002
precinct election official in a county shall be paid for the 2003~~

~~judge's~~ official's services at the same hourly rate, which shall 2004
be not less than the minimum hourly rate established by the Fair 2005
Labor Standards Act and not more than ninety-five dollars per 2006
diem. 2007

~~(D)~~(C) The secretary of state shall establish, by rule 2008
adopted under section 111.15 of the Revised Code, the maximum 2009
amount of per diem compensation that may be paid to ~~judges of an~~ 2010
precinct election officials under this section each time the Fair 2011
Labor Standards Act is amended to increase the minimum hourly rate 2012
established by the act. Upon learning of such an increase, the 2013
secretary of state shall determine by what percentage the minimum 2014
hourly rate has been increased under the act and establish a new 2015
maximum amount of per diem compensation that ~~judges of an~~ precinct 2016
election officials may be paid under this section that is 2017
increased by the same percentage that the minimum hourly rate has 2018
been increased under the act. 2019

~~(E)~~(D)(1)(a) No board of elections shall increase the pay of 2020
a ~~judge of an~~ precinct election official under this section during 2021
a calendar year unless the board has given written notice of the 2022
proposed increase to the board of county commissioners not later 2023
than the first day of October of the preceding calendar year. 2024

(b) Except as otherwise provided in division ~~(E)~~(D)(2) of 2026
this section, a board of elections may increase the pay of a ~~judge~~ 2027
~~of an~~ precinct election official during a calendar year by up to, 2028
but not exceeding, nine per cent over the compensation paid to a 2029
~~judge of an~~ precinct election official in the county where the 2030
board is located during the previous calendar year, if the 2031
compensation so paid during the previous calendar year was 2032
eighty-five dollars or less per diem. 2033

(c) Except as otherwise provided in division ~~(E)~~(D)(2) of 2034
this section, a board of elections may increase the pay of a ~~judge~~ 2035

~~of an~~ precinct election official during a calendar year by up to, 2036
but not exceeding, four and one-half per cent over the 2037
compensation paid to a ~~judge of an~~ precinct election official in 2038
the county where the board is located during the previous calendar 2039
year, if the compensation so paid during the previous calendar 2040
year was more than eighty-five but less than ninety-five dollars 2041
per diem. 2042

(2) The board of county commissioners may review and comment 2043
upon a proposed increase and may enter into a written agreement 2044
with a board of elections to permit an increase in the 2045
compensation paid to ~~judges of an~~ precinct election officials for 2046
their services during a calendar year that is greater than the 2047
applicable percentage limitation described in division (E)(1)(b) 2048
or (c) of this section. 2049

~~(F)~~(E) No ~~judge of an~~ precinct election official who works 2050
less than the full election day shall be paid the maximum amount 2051
allowed under this section or the maximum amount as set by the 2052
board of elections, whichever is less. 2053

~~(G)~~(F)(1) Except as otherwise provided in divisions ~~(G)~~(F)(4) 2054
to (6) of this section, any employee of the state or of any 2055
political subdivision of the state may serve as a ~~judge of~~ 2056
~~elections~~ precinct election official on the day of an election 2057
without loss of the employee's regular compensation for that day 2058
as follows: 2059

(a) For employees of a county office, department, commission, 2060
board, or other entity, or of a court of common pleas, county 2061
court, or county-operated municipal court, as defined in section 2062
1901.03 of the Revised Code, the employee's appointing authority 2063
may permit leave with pay for this service in accordance with a 2064
resolution setting forth the terms and conditions for that leave 2065
passed by the board of county commissioners. 2066

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

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

(2) Any terms and conditions set forth by a board of county commissioners, legislative authority of a political subdivision, or head of a state agency under division (G)(1) of this section shall include a standard procedure for deciding which employees are permitted to receive leave with pay if multiple employees 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 apply to serve as a ~~judge of elections~~ precinct election official on the day of an election. This procedure shall be applied uniformly to all similarly situated employees.

(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~~ precinct election official under division (B) ~~or (C)~~ ~~or (D)~~ of this section.

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

(a) Election officials;

(b) Public school teachers.

(5) Nothing in division ~~(G)~~(F)(1) of this section supersedes

or negates any provision of a collective bargaining agreement in 2098
effect under Chapter 4117. of the Revised Code. 2099

(6) If a board of county commissioners, legislative authority 2100
of a political subdivision, or head of a state agency fails to set 2101
forth any terms and conditions under division ~~(G)~~(F)(1) of this 2102
section, an employee of an entity or court described in division 2103
~~(G)~~(F)(1)(a) of this section, of an entity of a political 2104
subdivision described in division ~~(G)~~(F)(1)(b) of this section, or 2105
of a state agency as defined in section 1.60 of the Revised Code 2106
may use personal leave, vacation leave, or compensatory time, or 2107
take unpaid leave, to serve as a ~~judge of elections~~ precinct
election official on the day of an election. 2108
2109

~~(H)~~(G) The board of elections may withhold the compensation 2110
of any precinct election official for failure to obey the 2111
instructions of the board or to comply with the law relating to 2112
the duties of ~~such a precinct judge~~ election official. Any payment 2113
a ~~judge of an precinct~~ election official is entitled to receive 2114
under section 3501.36 of the Revised Code is in addition to the 2115
compensation the ~~judge~~ official is entitled to receive under this 2116
section. 2117

Sec. 3501.29. (A) The board of elections shall provide for 2118
each precinct a polling place and provide adequate facilities at 2119
each polling place for conducting the election. The board shall 2120
provide a sufficient number of screened or curtained voting 2121
compartments to which electors may retire and conveniently mark 2122
their ballots, protected from the observation of others. Each 2123
voting compartment shall be provided at all times with writing 2124
implements, instructions how to vote, and other necessary 2125
conveniences for marking the ballot. The ~~presiding judge~~ voting
location manager shall ensure that the voting compartments at all 2126
times are adequately lighted and contain the necessary supplies. 2127
2128

The board shall utilize, in so far as practicable, rooms in public schools and other public buildings for polling places. Upon application of the board of elections, the authority which has the control of any building or grounds supported by taxation under the laws of this state, shall make available the necessary space therein for the purpose of holding elections and adequate space for the storage of voting machines, without charge for the use thereof. A reasonable sum may be paid for necessary janitorial service. When polling places are established in private buildings, the board may pay a reasonable rental therefor, and also the cost of liability insurance covering the premises when used for election purposes, or the board may purchase a single liability policy covering the board and the owners of the premises when used for election purposes. When removable buildings are supplied by the board, they shall be constructed under the contract let to the lowest and best bidder, and the board shall observe all ordinances and regulations then in force as to safety. The board shall remove all such buildings from streets and other public places within thirty days after an election, unless another election is to be held within ninety days.

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

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

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

(c) That the entrances of polling places are level or are provided with a nonskid ramp ~~of not over eight per cent gradient~~

that meets the requirements of the "Americans with Disabilities Act of 1990," 104 Stat. 327, 42 U.S.C. 12101; 2161
2162

(d) That doors are a minimum of thirty-two inches wide. 2163

(2) Notwithstanding division (B)(1)(a), (c), or (d) of this 2164
section, certain polling places may be specifically exempted by 2165
the secretary of state upon certification by a board of elections 2166
that a good faith, but unsuccessful, effort has been made to 2167
modify, or change the location of, such polling places. 2168

~~(C) At any polling place that is exempted from compliance by~~ 2169
~~the secretary of state, the~~ The board of elections shall permit 2170
any handicapped elector who travels to that elector's polling 2171
place, but who is unable to enter the polling place due to 2172
inaccessibility or the nature of the elector's disability or 2173
limitation, to vote, with the assistance of two polling place 2174
officials of major political parties, in the vehicle that conveyed 2175
that elector to the polling place, ~~or to receive and cast that~~ 2176
~~elector's ballot at the door of the polling place.~~ 2177

(D) The secretary of state shall: 2178

(1) Work with other state agencies to facilitate the 2179
distribution of information and technical assistance to boards of 2180
elections to meet the requirements of division (B) of this 2181
section; 2182

(2) Work with organizations that represent or provide 2183
services to handicapped, disabled, or elderly citizens to effect a 2184
wide dissemination of information about the availability of 2185
absentee voting, voting in the voter's vehicle or at the door of 2186
the polling place, or other election services to handicapped, 2187
disabled, or elderly citizens. 2188

(E) Before the day of an election, the director of the board 2189
of elections of each county shall sign a statement verifying that 2190
each polling place that will be used in that county at that 2191

election meets the requirements of division (B)(1)(b) of this 2192
section. The signed statement shall be sent to the secretary of 2193
state by ~~certified~~ mail or electronic mail. 2194

(F) As used in this section, "handicapped" means having lost 2195
the use of one or both legs, one or both arms, or any combination 2196
thereof, or being blind or so severely disabled as to be unable to 2197
move about without the aid of crutches or a wheelchair. 2198

Sec. 3501.30. (A) The board of elections shall provide for 2199
each polling place the necessary ballot boxes, official ballots, 2200
cards of instructions, registration forms, pollbooks or poll 2201
lists, tally sheets, forms on which to make summary statements, 2202
writing implements, paper, and all other supplies necessary for 2203
casting and counting the ballots and recording the results of the 2204
voting at the polling place. For a general election in an 2205
even-numbered year, for each one thousand electors in a precinct 2206
or multiple precinct polling location, the pollbooks shall be 2207
divided into at least three alphabetical sections. The pollbooks 2208
or poll lists shall have certificates appropriately printed on 2209
them for the signatures of all the precinct officials, by which 2210
they shall certify that, to the best of their knowledge and 2211
belief, the pollbooks or poll lists correctly show the names of 2212
all electors who voted in the polling place at the election 2213
indicated in the pollbooks or poll lists. 2214

All of the following shall be included among the supplies 2215
provided to each polling place: 2216

(1) A large map of each appropriate precinct, which shall be 2217
displayed prominently to assist persons who desire to register or 2218
vote on election day. Each map shall show all streets within the 2219
precinct and contain identifying symbols of the precinct in bold 2220
print. 2221

(2) Any materials, postings, or instructions required to 2222

comply with state or federal laws; 2223

(3) A flag of the United States approximately two and 2224
one-half feet in length along the top, which shall be displayed 2225
outside the entrance to the polling place during the time it is 2226
open for voting; 2227

(4) Two or more small flags of the United States 2228
approximately fifteen inches in length along the top, which shall 2229
be placed at a distance of one hundred feet from the polling place 2230
on the thoroughfares or walkways leading to the polling place, to 2231
mark the distance within which persons other than election 2232
officials, observers, police officers, and electors waiting to 2233
mark, marking, or casting their ballots shall not loiter, 2234
congregate, or engage in any kind of election campaigning. Where 2235
small flags cannot reasonably be placed one hundred feet from the 2236
polling place, the ~~presiding election judge~~ voting location 2237
manager shall place the flags as near to one hundred feet from the 2238
entrance to the polling place as is physically possible. Police 2239
officers and all election officials shall see that this 2240
prohibition against loitering and congregating is enforced. 2241

When the period of time during which the polling place is 2242
open for voting expires, all of the flags described in this 2243
division shall be taken into the polling place and shall be 2244
returned to the board together with all other election supplies 2245
required to be delivered to the board. 2246

(B) The board of elections shall follow the instructions and 2247
advisories of the secretary of state in the production and use of 2248
polling place supplies. 2249

Sec. 3501.301. A contract involving a cost in excess of ~~ten~~ 2250
twenty-five thousand dollars for printing and furnishing the 2251
supplies, other than the official ballots, required in section 2252
3501.30 of the Revised Code, shall not be let until the board of 2253

elections has caused notice to be published once in a newspaper of 2254
general circulation within the county or upon notice given by 2255
mail, addressed to the responsible suppliers within the state. The 2256
board of elections may require that each bid be accompanied by a 2257
bond, with at least two individual sureties, or a surety company, 2258
satisfactory to the board, in a sum double the amount of the bid, 2259
conditioned upon the faithful performance of the contract awarded 2260
and for the payment as damages by such bidder to the board of any 2261
excess of cost over the bid which it may be required to pay for 2262
such work by reason of the failure of the bidder to complete the 2263
contract. The contract shall be let to the lowest and best bidder. 2264

Sec. 3501.302. The secretary of state may enter into 2265
agreements for the bulk purchase of election supplies in order to 2266
reduce the costs for such purchases by individual boards of 2267
elections. A board of elections desiring to participate in such 2268
purchase agreements shall file with the secretary of state a 2269
written request for inclusion. A request for inclusion shall 2270
include an agreement to be bound by such terms and conditions as 2271
the secretary of state prescribes and to make direct payments to 2272
the vendor under each purchase agreement. 2273

A board of elections shall be permitted to view the terms and 2274
conditions of each such purchase agreement prior to committing to 2275
abide by those terms. The terms of each bulk purchase agreement 2276
entered into under this section shall provide a mechanism for a 2277
board of elections to opt out of participation. 2278

Sec. 3501.31. The board of elections shall mail to each 2279
precinct election official notice of the date, hours, and place of 2280
holding each election in the official's respective precinct at 2281
which it desires the official to serve. Each of such officials 2282
shall notify the board immediately upon receipt of such notice of 2283
any inability to serve. 2284

The election official designated as ~~presiding judge voting~~ 2285
location manager under section 3501.22 of the Revised Code shall 2286
call at the office of the board at such time before the day of the 2287
election, not earlier than the tenth day before the day of the 2288
election, as the board designates to obtain the ballots, 2289
pollbooks, registration forms and lists, and other material to be 2290
used in the official's polling place on election day. 2291

The board may also provide for the delivery of such materials 2292
to polling places in a municipal corporation by members of the 2293
police department of such municipal corporation; or the board may 2294
provide for the delivery of such materials to the ~~presiding judge~~ 2295
voting location manager not earlier than the tenth day before the 2296
election, in any manner it finds to be advisable. 2297

On election day the precinct election officials shall 2298
punctually attend the polling place one-half hour before the time 2299
fixed for opening the polls. Each of the precinct election 2300
officials shall thereupon make and subscribe to a statement which 2301
shall be as follows: 2302

"State of Ohio 2303
County of 2304

I do solemnly swear under the penalty of perjury that I will 2305
support the constitution of the United States of America and the 2306
constitution of the state of Ohio and its laws; that I have not 2307
been convicted of a felony or any violation of the election laws; 2308
that I will discharge to the best of my ability the duties of 2309
~~judge of~~ precinct election official in and for precinct 2310
..... in the (township) or 2311
(ward and city or village) in the county of 2312
....., in the election to be held on the 2313
day of,, as required by law and the rules 2314
and instructions of the board of elections of said county; and 2315

that I will endeavor to prevent fraud in such election, and will 2316
report immediately to said board any violations of the election 2317
laws which come to my attention, and will not disclose any 2318
information as to how any elector voted which is gained by me in 2319
the discharge of my official duties. 2320

..... 2321
..... 2322
..... 2323
..... 2324
..... 2325
..... 2326

(Signatures of precinct election officials)" 2327

If any of the other precinct election officials is absent at 2328
that time, the ~~presiding judge~~ voting location manager, with the 2329
concurrence of a majority of the precinct election officials 2330
present, shall appoint a qualified elector who is a member of the 2331
same political party as the political party of which such absent 2332
precinct election official is a member to fill the vacancy until 2333
the board appoints a person to fill such vacancy and the person so 2334
appointed reports for duty at the polling place. The ~~presiding~~ 2335
~~judge~~ voting location manager shall promptly notify the board of 2336
such vacancy by telephone or otherwise. The ~~presiding judge~~ voting 2337
location manager also shall assign the precinct election officials 2338
to their respective duties and shall have general charge of the 2339
polling place. 2340

Sec. 3501.32. ~~(A) Except as otherwise provided in division~~ 2341
~~(B) of this section, on~~ On the day of the election the polls shall 2342
be opened by proclamation by the ~~presiding judge~~ voting location 2343
manager, or in ~~his~~ the manager's absence by a ~~presiding judge~~ 2344
voting location manager chosen by the ~~judges~~ precinct election 2345

officials, at six-thirty a.m. and shall be closed by proclamation 2346
at seven-thirty p.m. unless there are voters waiting in line to 2347
cast their ballots, in which case the polls shall be kept open 2348
until such waiting voters have voted. 2349

~~(B) On the day of the election, any polling place located on 2350
an island not connected to the mainland by a highway or a bridge 2351
may close earlier than seven thirty p.m. if all registered voters 2352
in the precinct have voted. When a polling place closes under 2353
division (B) of this section the presiding judge shall immediately 2354
notify the board of elections of the closing. 2355~~

Sec. 3501.33. All ~~judges of~~ precinct election officials shall 2356
enforce peace and good order in and about the place of 2357
registration or election. They shall especially keep the place of 2358
access of the electors to the polling place open and unobstructed 2359
and prevent and stop any improper practices or attempts tending to 2360
obstruct, intimidate, or interfere with any elector in registering 2361
or voting. They shall protect observers against molestation and 2362
violence in the performance of their duties, and may eject from 2363
the polling place any observer for violation of any provision of 2364
Title XXXV of the Revised Code. They shall prevent riots, 2365
violence, tumult, or disorder. In the discharge of these duties, 2366
they may call upon the sheriff, police, or other peace officers to 2367
aid them in enforcing the law. They may order the arrest of any 2368
person violating Title XXXV of the Revised Code, but such an 2369
arrest shall not prevent the person from registering or voting if 2370
the person is entitled to do so. The sheriff, all constables, 2371
police officers, and other officers of the peace shall immediately 2372
obey and aid in the enforcement of any lawful order made by the 2373
precinct election officials in the enforcement of Title XXXV of 2374
the Revised Code. 2375

Sec. 3501.35. (A) During an election and the counting of the 2376

ballots, no person shall do any of the following: 2377

(1) Loiter, congregate, or engage in any kind of election 2378
campaigning within the area between the polling place and the 2379
small flags of the United States placed on the thoroughfares and 2380
walkways leading to the polling place, and if the line of electors 2381
waiting to vote extends beyond those small flags, within ten feet 2382
of any elector in that line; 2383

(2) In any manner hinder or delay an elector in reaching or 2384
leaving the place fixed for casting the elector's ballot; 2385

(3) Give, tender, or exhibit any ballot or ticket to any 2386
person other than the elector's own ballot to the ~~judge of~~ 2387
precinct election officials within the area between the polling 2388
place and the small flags of the United States placed on the 2389
thoroughfares and walkways leading to the polling place, and if 2390
the line of electors waiting to vote extends beyond those small 2391
flags, within ten feet of any elector in that line; 2392

(4) Exhibit any ticket or ballot which the elector intends to 2393
cast; 2394

(5) Solicit or in any manner attempt to influence any elector 2395
in casting the elector's vote. 2396

(B) Except as otherwise provided in division (C) of section 2397
3503.23 of the Revised Code, no person who is not an election 2398
official, employee, observer, or police officer shall be allowed 2399
to enter the polling place during the election, except for the 2400
purpose of voting or assisting another person to vote as provided 2401
in section 3505.24 of the Revised Code. 2402

(C) No more electors shall be allowed to approach the voting 2403
shelves at any time than there are voting shelves provided. 2404

(D) The ~~judges of~~ precinct election officials and the police 2405
officer shall strictly enforce the observance of this section. 2406

Sec. 3501.37. After each election, the ~~judges of elections~~ 2407
precinct election officials of each precinct, except when the 2408
board of elections assumes the duty, shall see that the movable 2409
booths and other equipment are returned for safekeeping to the 2410
fiscal officer of the township or to the clerk or auditor of the 2411
municipal corporation in which the precinct is situated. The 2412
fiscal officer, clerk, or auditor shall have booths and equipment 2413
on hand and in place at the polling places in each precinct before 2414
the time for opening the polls on election days, and for this 2415
service the board may allow the necessary expenses incurred. In 2416
cities, this duty shall devolve on the board. 2417

Sec. 3501.38. All declarations of candidacy, nominating 2418
petitions, or other petitions presented to or filed with the 2419
secretary of state or a board of elections or with any other 2420
public office for the purpose of becoming a candidate for any 2421
nomination or office or for the holding of an election on any 2422
issue shall, in addition to meeting the other specific 2423
requirements prescribed in the sections of the Revised Code 2424
relating to them, be governed by the following rules: 2425

(A) Only electors qualified to vote on the candidacy or issue 2426
which is the subject of the petition shall sign a petition. Each 2427
signer shall be a registered elector pursuant to section ~~3503.11~~ 2428
3503.01 of the Revised Code. The facts of qualification shall be 2429
determined as of the date when the petition is filed. 2430

(B) Signatures shall be affixed in ink. Each signer may also 2431
print the signer's name, so as to clearly identify the signer's 2432
signature. 2433

(C) Each signer shall place on the petition after the 2434
signer's name the date of signing and the location of the signer's 2435
voting residence, including the street and number if in a 2436

municipal corporation or the rural route number, post office 2437
address, or township if outside a municipal corporation. The 2438
voting address given on the petition shall be the address 2439
appearing in the registration records at the board of elections. 2440

(D) Except as otherwise provided in section 3501.382 of the 2441
Revised Code, no person shall write any name other than the 2442
person's own on any petition. Except as otherwise provided in 2443
section 3501.382 of the Revised Code, no person may authorize 2444
another to sign for the person. If a petition contains the 2445
signature of an elector two or more times, only the first 2446
signature shall be counted. 2447

(E)(1) On each petition paper, the circulator shall indicate 2448
the number of signatures contained on it, and shall sign a 2449
statement made under penalty of election falsification that the 2450
circulator witnessed the affixing of every signature, that all 2451
signers were to the best of the circulator's knowledge and belief 2452
qualified to sign, and that every signature is to the best of the 2453
circulator's knowledge and belief the signature of the person 2454
whose signature it purports to be or of an attorney in fact acting 2455
pursuant to section 3501.382 of the Revised Code. On the 2456
circulator's statement for a declaration of candidacy or 2457
nominating petition for a person seeking to become a statewide 2458
candidate or for a statewide initiative or a statewide referendum 2459
petition, the circulator shall identify the circulator's name, the 2460
address of the circulator's permanent residence, and the name and 2461
address of the person employing the circulator to circulate the 2462
petition, if any. 2463

(2) As used in division (E) of this section, "statewide 2464
candidate" means the joint candidates for the offices of governor 2465
and lieutenant governor or a candidate for the office of secretary 2466
of state, auditor of state, treasurer of state, or attorney 2467
general. 2468

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

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

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

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

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

(b) No petition presented to or filed with the secretary of state, a board of elections, or any other public office for the purpose of the holding of an election on any question or issue may be resubmitted after it is withdrawn from a public office. Nothing in this division prevents a question or issue petition from being withdrawn by the filing of a written notice of the withdrawal by a majority of the members of the petitioning committee with the same public office with which the petition was filed prior to the

sixtieth day before the election at which the question or issue is 2500
scheduled to appear on the ballot. 2501

(J) All declarations of candidacy, nominating petitions, or 2502
other petitions under this section shall be accompanied by the 2503
following statement in boldface capital letters: WHOEVER COMMITS 2504
ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. 2505

(K) All separate petition papers shall be filed at the same 2506
time, as one instrument. 2507

(L) If a board of elections distributes for use a petition 2508
form for a declaration of candidacy, nominating petition, or any 2509
type of question or issue petition that does not satisfy the 2510
requirements of law as of the date of that distribution, the board 2511
shall not invalidate the petition on the basis that the petition 2512
form does not satisfy the requirements of law, if the petition 2513
otherwise is valid. Division (L) of this section applies only if 2514
the candidate received the petition from the board within ninety 2515
days of when the petition is required to be filed. 2516

Sec. 3501.40. (A) Each board of elections shall create an 2517
election administration plan for each presidential primary 2518
election and each general election conducted in an even-numbered 2519
year. 2520

(B) The election administration plan shall include provisions 2521
for all of the following: 2522

(1) Precinct election official recruitment, training, and 2523
accountability; 2524

(2) Resource allocation, including plans to alleviate any 2525
line of waiting voters that is estimated to take one hour or 2526
longer on the day of an election; 2527

(3) Election day communication; 2528

(4) Materials; 2529

<u>(5) Election day contingencies;</u>	2530
<u>(6) Security;</u>	2531
<u>(7) Voter registration;</u>	2532
<u>(8) Absent voter's ballots;</u>	2533
<u>(9) A master calendar.</u>	2534
<u>In addition to the information required by divisions (B)(1)</u>	2535
<u>through (9) of this section, additional information may be</u>	2536
<u>included in the election administration plan at the discretion of</u>	2537
<u>the board or according to the instructions of the secretary of</u>	2538
<u>state.</u>	2539
<u>(C) A copy of the election administration plan shall be</u>	2540
<u>submitted to the secretary of state not later than sixty days</u>	2541
<u>before the day of any presidential primary election and not later</u>	2542
<u>than one hundred twenty days before the day of a general election</u>	2543
<u>in an even-numbered year. The plan shall be submitted in</u>	2544
<u>accordance with instructions issued by the secretary of state.</u>	2545
<u>(D) The election administration plan of each county shall be</u>	2546
<u>made publicly available on the web site of the secretary of state,</u>	2547
<u>with redactions to the plan only as authorized under state or</u>	2548
<u>federal law. The reason for each redaction shall be noted on the</u>	2549
<u>published copy of the plan.</u>	2550
<u>Sec. 3501.50. (A) There is hereby created the elections</u>	2551
<u>modernization task force, which shall investigate and receive</u>	2552
<u>information related to modernizing Ohio's elections process</u>	2553
<u>including, but not limited to, potential changes to voter</u>	2554
<u>registration, absent voting, in-person absent voting, provisional</u>	2555
<u>voting, voting technology, the statewide voter registration</u>	2556
<u>database, the use of voting centers in lieu of precincts, and any</u>	2557
<u>other area deemed appropriate by a majority of the members of the</u>	2558
<u>task force.</u>	2559

(B)(1) The task force shall be comprised of the following 2560
members: 2561

(a) Two members of the general assembly who are members of 2562
the same political party as the speaker of the house of 2563
representatives, to be appointed jointly by the speaker and the 2564
legislative leader in the senate of the same political party as 2565
the speaker; 2566

(b) Two members of the general assembly who are members of 2567
the same political party as the minority leader of the house of 2568
representatives, to be appointed jointly by the minority leader 2569
and the legislative leader in the senate of the same political 2570
party as the speaker; 2571

(c) The president and vice-president of the Ohio association 2572
of election officials, or their designees, who shall be members of 2573
different major political parties; 2574

(d) Two individuals who are members of different major 2575
political parties and who have a recognized expertise in election 2576
law, administration, or a similar field, who shall be appointed by 2577
the members of the task force identified under divisions (B)(1)(a) 2578
to (c) of this section. 2579

(e) The secretary of state, or the secretary of state's 2580
designee, who shall be a nonvoting member of the task force. 2581

(2) Initial appointments of the legislative members of the 2582
task force shall be made not later than ninety days after the 2583
effective date of this section. The legislative leaders appointing 2584
the general assembly members shall notify the Ohio association of 2585
election officials of the members of the general assembly who have 2586
been appointed to the task force. The Ohio association of election 2587
officials shall submit the names of their task force members to 2588
the legislative members not later than thirty days after the 2589
legislative members have been appointed. Not later than one 2590

hundred eighty days after the effective date of this section, 2591
those members shall meet and select the two expert members of the 2592
task force. 2593

Vacancies on the task force shall be filled in the same 2594
manner as the original appointment. 2595

(3) The task force shall be co-chaired by two members, one 2596
from each of the two largest political parties represented on the 2597
task force, selected by the members of the applicable political 2598
party. 2599

(C) The task force shall meet publicly not less than once per 2600
quarter, and shall report to the general assembly, the governor, 2601
and, during its existence, the constitutional modernization 2602
commission, not less than two times per year its findings on best 2603
practices for elections, proposed statutory changes, and 2604
recommended constitutional changes. The task force also shall make 2605
recommendations regarding the establishment of voting centers not 2606
later than March 1, 2015. 2607

(D) The task force shall continue in existence for a minimum 2608
of three years after the effective date of this section, or until, 2609
by a vote of three-quarters of its members, the task force votes 2610
to dissolve. 2611

Sec. 3501.91. (A) No person acting under color of law shall 2612
deny the right of any individual to vote in any election because 2613
of an error or omission on any record or paper relating to any 2614
application, registration, or other act requisite to voting, if 2615
the error or omission is not material in determining whether the 2616
individual is qualified to vote in that election. 2617

(B) Each of the following have a cause of action against each 2618
person who acted under color of law to deny an elector's right to 2619
vote in violation of division (A) of this section: 2620

<u>(1) An elector whose right to vote has been denied;</u>	2621
<u>(2) A candidate in that election, if the outcome of the candidate's race may have been affected by the alleged violation of division (A) of this section;</u>	2622 2623 2624
<u>(3) A political party with which a candidate in that election is affiliated, if the outcome of the candidate's race may have been affected by the alleged violation of division (A) of this section;</u>	2625 2626 2627 2628
<u>(4) The committee responsible for an initiative or referendum petition, if the outcome of the question or issue arising from that petition may have been affected by the alleged violation of division (A) of this section.</u>	2629 2630 2631 2632
<u>(C) In any civil action based on the cause of action established under division (B) of this section, the complainant may seek a declaratory judgment, an injunction, other appropriate equitable relief, or monetary damages. The court also shall award a prevailing complainant reasonable attorney's fees and court costs.</u>	2633 2634 2635 2636 2637 2638
<u>(D) Any action brought under this section shall not be rendered moot on the grounds that it did not impact a sufficient number of votes to alter the results of any particular election.</u>	2639 2640 2641
<u>(E) Notwithstanding any provision of this section to the contrary, a precinct election official shall be found personally liable under this section only if the actions of the precinct election official to deny an elector the right to vote under color of law were willful or wanton. If the conduct of the precinct election official was not willful or wanton, the applicable board of elections shall be liable for the actions of the precinct election official to deny the elector the right to vote under color of law.</u>	2642 2643 2644 2645 2646 2647 2648 2649 2650

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

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

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

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

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

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

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

(G)(1) 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, and likewise should the person enter the employment of the state, the place where such person resided at the time of the person's removal shall be considered to be the person's place of residence.

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

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

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

(H) 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.

(I) If a person does not have a fixed place of habitation, but has a shelter or other location at which the person has been a consistent or regular inhabitant and to which the person has the intention of returning, that shelter or other location shall be deemed the person's residence for the purpose of registering to vote.

~~Sec. 3503.06. (A) No person shall be entitled to vote at any election, or to sign or circulate any declaration of candidacy or any nominating, or recall 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.~~

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

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

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

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

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

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

~~(e) Except as otherwise provided in division (B)(2)(f) of this section, if a person removes from this state and continuously resides outside this state for a period of four years or more, the person shall be considered to have lost the person's residence in~~

~~this state, notwithstanding the fact that the person may entertain
an intention to return at some future period.~~ 2742
2743

~~(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.~~ 2744
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~~(g) If a person goes into another state and, while there,
exercises the right of a citizen by voting, the person shall be
considered to have lost the person's residence in this state.~~ 2751
2752
2753

~~(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.~~ 2754
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Sec. 3503.09. (A)(1) The secretary of state shall adopt rules 2759
for the electronic transmission by boards of elections, designated 2760
agencies, ~~offices of deputy registrars of motor vehicles,~~ public 2761
high schools and vocational schools, public libraries, and offices 2762
of county treasurers, where applicable, of name and residence 2763
changes for voter registration records in the statewide voter 2764
registration database. 2765

(2) The secretary of state shall adopt rules for the purpose 2766
of improving the speed of processing new voter registrations that 2767
permit information from a voter registration application received 2768
by a designated agency ~~or an office of deputy registrar of motor~~ 2769
~~vehicles~~ to be made available electronically, in addition to 2770
requiring the original voter registration application to be 2771
transmitted to the applicable board of elections under division 2772

(E)(2) of section 3503.10 or section 3503.11 of the Revised Code.	2773
(B) Rules adopted under division (A) of this section shall do all of the following:	2774 2775
(1) Prohibit any direct electronic connection between a designated agency, office of deputy registrar of motor vehicles, public high school or vocational school, public library, or office of a county treasurer and the statewide voter registration database;	2776 2777 2778 2779 2780
(2) Require any updated voter registration information to be verified by the secretary of state or a board of elections before the information is added to the statewide voter registration database for the purpose of modifying an existing voter registration;	2781 2782 2783 2784 2785
(3) Require each designated agency or office of deputy registrar of motor vehicles that transmits voter registration information electronically to transmit an identifier for data relating to each new voter registration that shall be used by the secretary of state or a board of elections to match the electronic data to the original voter registration application.	2786 2787 2788 2789 2790 2791
Sec. 3503.10. (A) Each designated agency shall designate one person within that agency to serve as coordinator for the voter registration program within the agency and its departments, divisions, and programs. The designated person shall be trained under a program designed by the secretary of state and shall be responsible for administering all aspects of the voter registration program for that agency as prescribed by the secretary of state. The designated person shall receive no additional compensation for performing such duties.	2792 2793 2794 2795 2796 2797 2798 2799 2800
(B)(1) Every designated agency, public high school and vocational school, public library, and office of a county	2801 2802

treasurer shall provide in each of its offices or locations voter 2803
registration applications and assistance in the registration of 2804
persons qualified to register to vote, in accordance with this 2805
chapter. 2806

(2) Each designated agency shall affirmatively offer the 2807
opportunity to register to vote, or to update the person's voter 2808
registration, to each eligible resident of this state who 2809
interacts with the agency in a manner detailed in this section or 2810
otherwise prescribed by rules adopted by the secretary of state. 2811

(C) Every designated agency shall distribute to its 2812
applicants, prior to or in conjunction with distributing a voter 2813
registration application, a form prescribed by the secretary of 2814
state that includes all of the following: 2815

(1) The question, "Do you want to register to vote or update 2816
your current voter registration?"--followed by boxes for the 2817
applicant to indicate whether the applicant would like to register 2818
or decline to register to vote, and the statement, highlighted in 2819
bold print, "If you do not check either box, you will be 2820
considered to have decided not to register to vote at this time."; 2821

(2) If the agency provides public assistance, the statement, 2822
"Applying to register or declining to register to vote will not 2823
affect the amount of assistance that you will be provided by this 2824
agency."; 2825

(3) The statement, "If you would like help in filling out the 2826
voter registration application form, we will help you. The 2827
decision whether to seek or accept help is yours. You may fill out 2828
the application form in private."; 2829

(4) The statement, "If you believe that someone has 2830
interfered with your right to register or to decline to register 2831
to vote, your right to privacy in deciding whether to register or 2832
in applying to register to vote, or your right to choose your own 2833

political party or other political preference, you may file a 2834
complaint with the prosecuting attorney of your county or with the 2835
secretary of state," with the address and telephone number for 2836
each such official's office. 2837

(D)(1) Each designated agency shall distribute a voter 2838
registration form prescribed by the secretary of state to each 2839
applicant with each application for service or assistance, and 2840
with each written application or form for registration, 2841
application, recertification, renewal, participation, information 2842
updates, or change of address. 2843

(2) If a designated agency permits an application for 2844
service, or the registration, application, recertification, 2845
renewal, participation, or updating of information pertaining to a 2846
certification or license issued by the state or a state government 2847
program to be accessed or completed online through the internet, 2848
the designated agency shall provide a link to the online voter 2849
registration system established by the secretary of state pursuant 2850
to section 3503.20 of the Revised Code, as part of the 2851
registration, application, recertification, renewal, 2852
participation, or updating system. 2853

(E) Each designated agency shall do all of the following: 2854

(1) Have employees trained to administer the voter 2855
registration program in order to provide to each applicant who 2856
wishes to register to vote and who accepts assistance, the same 2857
degree of assistance with regard to completion of the voter 2858
registration application as is provided by the agency with regard 2859
to the completion of its own form; 2860

(2) Accept completed voter registration applications, voter 2861
registration change of residence forms, and voter registration 2862
change of name forms, regardless of whether the application or 2863
form was distributed by the designated agency, for transmittal to 2864

the office of the board of elections in the county in which the 2865
agency is located. Each designated agency and the appropriate 2866
board of elections shall establish a method by which the voter 2867
registration applications and other voter registration forms are 2868
transmitted to that board of elections within five days after 2869
being accepted by the agency. 2870

(3) If the designated agency is one that is primarily engaged 2871
in providing services to persons with disabilities under a 2872
state-funded program, and that agency provides services to a 2873
person with disabilities at a person's home, provide the services 2874
described in divisions (E)(1) and (2) of this section at the 2875
person's home; 2876

(4) Keep as confidential, except as required by the secretary 2877
of state for record-keeping purposes, the identity of an agency 2878
through which a person registered to vote or updated the person's 2879
voter registration records, and information relating to a 2880
declination to register to vote made in connection with a voter 2881
registration application issued by a designated agency. 2882

(F) The secretary of state shall prepare and transmit written 2883
instructions on the implementation of the voter registration 2884
program within each designated agency, public high school and 2885
vocational school, public library, and office of a county 2886
treasurer. The instructions shall include directions as follows: 2887

(1) That each person designated to assist with voter 2888
registration maintain strict neutrality with respect to a person's 2889
political philosophies, a person's right to register or decline to 2890
register, and any other matter that may influence a person's 2891
decision to register or not register to vote; 2892

(2) That each person designated to assist with voter 2893
registration not seek to influence a person's decision to register 2894
or not register to vote, not display or demonstrate any political 2895

preference or party allegiance, and not make any statement to a 2896
person or take any action the purpose or effect of which is to 2897
lead a person to believe that a decision to register or not 2898
register has any bearing on the availability of services or 2899
benefits offered, on the grade in a particular class in school, or 2900
on credit for a particular class in school; 2901

(3) Regarding when and how to assist a person in completing 2902
the voter registration application, what to do with the completed 2903
voter registration application or voter registration update form, 2904
and when the application must be transmitted to the appropriate 2905
board of elections; 2906

(4) Regarding what records must be kept by the agency and 2907
where and when those records should be transmitted to satisfy 2908
reporting requirements imposed on the secretary of state under the 2909
National Voter Registration Act of 1993; 2910

(5) Regarding whom to contact to obtain answers to questions 2911
about voter registration forms and procedures. 2912

(G) If the voter registration activity is part of an in-class 2913
voter registration program in a public high school or vocational 2914
school, whether prescribed by the secretary of state or 2915
independent of the secretary of state, the board of education 2916
shall do all of the following: 2917

(1) Establish a schedule of school days and hours during 2918
these days when the person designated to assist with voter 2919
registration shall provide voter registration assistance; 2920

(2) Designate a person to assist with voter registration from 2921
the public high school's or vocational school's staff; 2922

(3) Make voter registration applications and materials 2923
available, as outlined in the voter registration program 2924
established by the secretary of state pursuant to section 3501.05 2925
of the Revised Code; 2926

(4) Distribute the statement, "applying to register or 2927
declining to register to vote will not affect or be a condition of 2928
your receiving a particular grade in or credit for a school course 2929
or class, participating in a curricular or extracurricular 2930
activity, receiving a benefit or privilege, or participating in a 2931
program or activity otherwise available to pupils enrolled in this 2932
school district's schools.;" 2933

(5) Establish a method by which the voter registration 2934
application and other voter registration forms are transmitted to 2935
the board of elections within five days after being accepted by 2936
the public high school or vocational school. 2937

(H) Any person employed by the designated agency, public high 2938
school or vocational school, public library, or office of a county 2939
treasurer may be designated to assist with voter registration 2940
pursuant to this section. The designated agency, public high 2941
school or vocational school, public library, or office of a county 2942
treasurer shall provide the designated person, and make available 2943
such space as may be necessary, without charge to the county or 2944
state. 2945

(I) The secretary of state shall prepare and cause to be 2946
displayed in a prominent location in each designated agency a 2947
notice that identifies the person designated to assist with voter 2948
registration, the nature of that person's duties, and where and 2949
when that person is available for assisting in the registration of 2950
voters. 2951

A designated agency may furnish additional supplies and 2952
services to disseminate information to increase public awareness 2953
of the existence of a person designated to assist with voter 2954
registration in every designated agency. 2955

(J) This section does not limit any authority a board of 2956
education, superintendent, or principal has to allow, sponsor, or 2957

promote voluntary election registration programs within a high 2958
school or vocational school, including programs in which pupils 2959
serve as persons designated to assist with voter registration, 2960
provided that no pupil is required to participate. 2961

(K) Each public library and office of the county treasurer 2962
shall establish a method by which voter registration forms are 2963
transmitted to the board of elections within five days after being 2964
accepted by the public library or office of the county treasurer. 2965

~~(L) The department of job and family services and its 2966
departments, divisions, and programs shall limit administration of 2967
the aspects of the voter registration program for the department 2968
to the requirements prescribed by the secretary of state and the 2969
requirements of this section and the National Voter Registration 2970
Act of 1993. 2971~~

Sec. 3503.14. (A) The secretary of state shall prescribe the 2972
form and content of the registration, change of residence, and 2973
change of name forms used in this state. The forms shall meet the 2974
requirements of the National Voter Registration Act of 1993 and 2975
shall include spaces for all of the following: 2976

(1) The voter's name; 2977

(2) The voter's address; 2978

(3) The current date; 2979

(4) The voter's date of birth; 2980

(5) The voter to provide one or more of the following: 2981

(a) The voter's driver's license number or state 2982
identification card number, if any; 2983

(b) The last four digits of the voter's social security 2984
number, if any; 2985

(c) A copy of a current and valid photo identification, a 2986

copy of a military identification, or a copy of a current utility 2987
bill, bank statement, government check, paycheck, or other 2988
government document, other than ~~a notice of an election mailed by~~ 2989
~~a board of elections under section 3501.19 of the Revised Code or~~ 2990
a notice of voter registration mailed by a board of elections 2991
under section 3503.19 of the Revised Code, that shows the voter's 2992
name and address. 2993

(6) The voter's signature; 2994

(7) The voter's telephone number, which may be provided at 2995
the applicant's discretion; 2996

(8) The voter's electronic mail address, which may be 2997
provided at the applicant's discretion. 2998

~~The registration form shall include a space on which the~~ 2999
~~person registering an applicant shall sign the person's name and~~ 3000
~~provide the person's address and a space on which the person~~ 3001
~~registering an applicant shall name the employer who is employing~~ 3002
~~that person to register the applicant.~~ 3003

Except for forms prescribed by the secretary of state under 3004
section 3503.11 of the Revised Code, the secretary of state shall 3005
permit boards of elections to produce forms that have subdivided 3006
spaces for each individual alphanumeric character of the 3007
information provided by the voter so as to accommodate the 3008
electronic reading and conversion of the voter's information to 3009
data and the subsequent electronic transfer of that data to the 3010
statewide voter registration database established under section 3011
3503.15 of the Revised Code. 3012

~~(B) None of the following persons who are registering an~~ 3013
~~applicant in the course of that official's or employee's normal~~ 3014
~~duties shall sign the person's name, provide the person's address,~~ 3015
~~or name the employer who is employing the person to register an~~ 3016
~~applicant on a form prepared under this section:~~ 3017

(1) An election official;	3018
(2) A county treasurer;	3019
(3) A deputy registrar of motor vehicles;	3020
(4) An employee of a designated agency;	3021
(5) An employee of a public high school;	3022
(6) An employee of a public vocational school;	3023
(7) An employee of a public library;	3024
(8) An employee of the office of a county treasurer;	3025
(9) An employee of the bureau of motor vehicles;	3026
(10) An employee of a deputy registrar of motor vehicles;	3027
(11) An employee of an election official.	3028
(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.	3029 3030 3031 3032 3033 3034 3035 3036 3037 3038 3039
(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.	3040 3041 3042 3043 3044 3045
(E) As used in this section, "registering an applicant"	3046

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

Sec. 3503.15. (A)(1) The secretary of state shall establish and maintain a statewide voter registration database that shall be continuously available to each board of elections and to other agencies as authorized by law.

(2)(a) Each state agency shall provide any information and data to the secretary of state that the secretary of state considers necessary in order to maintain the statewide voter registration database established pursuant to this section, except where prohibited by federal law or regulation. The secretary of state shall ensure that any information or data provided to the secretary of state that is confidential in the possession of the entity providing the data remains confidential while in the possession of the secretary of state.

(b) A registered elector who is providing change of address information at a designated agency may opt to have that change of address also serve as a change of address for voter registration purposes. The notice provided to a registered elector under this section notifying the elector that the elector may opt to have the elector's change of address also serve as a change of address for voter registration purposes shall include the following statement:

"If you choose to update your current voter registration address, you will receive a notification from the board of elections that your address has changed. If you are not currently registered to vote, updating your address using this form will not register you to vote. You should contact the Secretary of State or your local board of elections if you wish to register to vote."

A designated agency that receives a request to update the address of a registered voter shall forward the voter registration

address change to the secretary of state in the manner specified 3078
under division (A)(2)(a) of this section. 3079

(c) A board of elections shall contact a registered elector 3080
to verify the accuracy of the information in the statewide voter 3081
registration database regarding that elector if information 3082
provided under division (A)(2)(a) of this section identifies a 3083
discrepancy between the information regarding that elector that is 3084
maintained in the statewide voter registration database and 3085
maintained by a designated agency. In no circumstance shall such a 3086
discrepancy on its own be sufficient to permit the removal of a 3087
voter from the statewide voter registration database, unless 3088
required by federal law. 3089

(3) The secretary of state shall pursue any necessary 3090
agreements with designated agencies to facilitate the electronic 3091
updating of voter registration information to comply with the 3092
requirements of the National Voter Registration Act of 1993 and to 3093
improve the voter registration process in this state. Any 3094
agreement entered into under this division shall include a 3095
mechanism for monitoring the frequency and accuracy of the 3096
information being transmitted. The secretary of state shall verify 3097
that the information required to be transmitted pursuant to those 3098
agreements to facilitate the electronic updating of voter 3099
registration information is being accurately transmitted in 3100
accordance with those agreements. 3101

(B) The statewide voter registration database established 3102
under this section shall be the official list of registered voters 3103
for all elections conducted in this state. 3104

(C) The statewide voter registration database established 3105
under this section shall, at a minimum, include all of the 3106
following: 3107

(1) An electronic network that connects all board of 3108

elections offices with the office of the secretary of state and 3109
with the offices of all other boards of elections; 3110

(2) A computer program that harmonizes the records contained 3111
in the database with records maintained by each board of 3112
elections; 3113

(3) An interactive computer program that allows access to the 3114
records contained in the database by each board of elections and 3115
by any persons authorized by the secretary of state to add, 3116
delete, modify, or print database records, and to conduct updates 3117
of the database; 3118

(4) A search program capable of verifying registered voters 3119
and their registration information by name, driver's license 3120
number, state identification card number, birth date, social 3121
security number, or current address, or by conducting a wildcard 3122
search using at least three characters from any of those search 3123
fields; 3124

(5) Safeguards and components to ensure that the integrity, 3125
security, and confidentiality of the voter registration 3126
information is maintained. 3127

(D) The secretary of state shall adopt rules pursuant to 3128
Chapter 119. of the Revised Code doing all of the following: 3129

(1) Specifying the manner in which existing voter 3130
registration records maintained by boards of elections shall be 3131
converted to electronic files for inclusion in the statewide voter 3132
registration database; 3133

(2) Establishing a uniform method for entering voter 3134
registration records into the statewide voter registration 3135
database on an expedited basis, but not less than once per day, if 3136
new registration information is received; 3137

(3) Establishing a uniform method for purging canceled voter 3138

registration records from the statewide voter registration	3139
database in accordance with section 3503.21 of the Revised Code;	3140
(4) Specifying the persons authorized to add, delete, modify,	3141
or print records contained in the statewide voter registration	3142
database and to make updates of that database;	3143
(5) Establishing a process for annually auditing the	3144
information contained in the statewide voter registration	3145
database.	3146
(E) A board of elections promptly shall purge a voter's name	3147
and voter registration information from the statewide voter	3148
registration database in accordance with the rules adopted by the	3149
secretary of state under division (D)(3) of this section after the	3150
cancellation of a voter's registration under section 3503.21 of	3151
the Revised Code.	3152
(F) The secretary of state shall provide training in the	3153
operation of the statewide voter registration database to each	3154
board of elections and to any persons authorized by the secretary	3155
of state to add, delete, modify, or print database records, and to	3156
conduct updates of the database.	3157
(G)(1) The statewide voter registration database established	3158
under this section shall be made available on a web site of the	3159
office of the secretary of state as follows:	3160
(a) Except as otherwise provided in division (G)(1)(b) of	3161
this section, only the following information from the statewide	3162
voter registration database regarding a registered voter shall be	3163
made available on the web site:	3164
(i) The voter's name;	3165
(ii) The voter's address;	3166
(iii) The voter's precinct number;	3167
(iv) The voter's voting history. <u>Beginning not later than six</u>	3168

months after the effective date of this amendment, the secretary 3169
of state's web site shall allow searchable access to the statewide 3170
voter registration database using any combination of the following 3171
search terms: first name, last name, house number, street address, 3172
street name, city, county, or date of birth. None of the search 3173
terms shall be a required field to conduct a search of the 3174
statewide voter registration database, and the search engine shall 3175
allow wildcard search options for partial entries in each field. 3176
The search engine shall permit the return of multiple results, but 3177
may prevent the return of results exceeding one hundred. 3178

(b) During Beginning not later than six months after the 3179
effective date of this amendment, during the thirty days before 3180
the day of a primary or general election, the web site interface 3181
of the statewide voter registration database shall permit a voter 3182
any person to search for the a precinct or polling location at 3183
which that voter may cast a ballot by address or partial address, 3184
including the use of wildcard search options. 3185

(c) A registered elector whose residential and familial 3186
information is exempt from being a public record under division 3187
(A)(7) of section 149.43 of the Revised Code, or the employer of 3188
such a registered elector, may notify the secretary of state or 3189
the board of elections of the elector's county of residence that 3190
the elector's residential information is exempt from disclosure 3191
under that section. Upon receiving such a notice, the secretary of 3192
state or board of elections shall revise that person's information 3193
in the searchable web site access of the statewide voter 3194
registration database to permit a name search to show only the 3195
person's precinct voting location, but not the person's 3196
residential information. 3197

(2) The secretary of state shall establish, by rule adopted 3198
under Chapter 119. of the Revised Code, a process for boards of 3199
elections to notify the secretary of state of changes in the 3200

locations of precinct polling places for the purpose of updating 3201
the information made available on the secretary of state's web 3202
site under division (G)(1)(b) of this section. Those rules shall 3203
require a board of elections, during the thirty days before the 3204
day of a primary or general election, to notify the secretary of 3205
state within one business day of any change to the location of a 3206
precinct polling place within the county. 3207

(3) During the thirty days before the day of a primary or 3208
general election, not later than one business day after receiving 3209
a notification from a county pursuant to division (G)(2) of this 3210
section that the location of a precinct polling place has changed, 3211
the secretary of state shall update that information on the 3212
secretary of state's web site for the purpose of division 3213
(G)(1)(b) of this section. 3214

Sec. 3503.151. (A) Except as otherwise provided in divisions 3215
(B) and (C) of this section, a board of elections that is 3216
conducting a search of the statewide voter registration database 3217
to verify the registration status of a voter for the purpose of 3218
evaluating an absent voter's ballot application, an absent voter's 3219
ballot, or a provisional ballot shall use the following or a 3220
similar process: 3221

(1) Search using the exact first and last name of the voter, 3222
accompanied by the voter's date of birth; 3223

(2) If the applicable voter is not identified following the 3224
search conducted under division (A)(1) of this section, search 3225
using the last four digits of the voter's social security number; 3226

(3) If the applicable voter is not identified following the 3227
search conducted under division (A)(2) of this section, search 3228
using the first three characters of the first name and the first 3229
four characters of the last name, accompanied by the voter's date 3230
of birth, if available; 3231

(4) If the applicable voter is not identified following the search conducted under division (A)(3) of this section, search using the voter's driver's license number or state identification card number; 3232
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(5) If the applicable voter is not identified following the search conducted under division (A)(4) of this section, search using the first three characters of the first name and the first four characters of the last name, accompanied by the last four digits of the voter's social security number. 3236
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(B) If the search process specified under division (A) of this section returns multiple possible results, the board shall narrow the search terms as it considers appropriate in order to identify the specific voter at issue. 3241
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(C) The search process specified under division (A) of this section may be modified as required based on the technology of the board. If the search process is modified under this division, the search process to be used to verify the registration status of a voter shall be made publicly available by the board not later than sixty days prior to the next primary, special, or general election. 3245
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Sec. 3503.16. (A) Whenever a registered elector changes the place of residence of that registered elector from one precinct to another within a county or from one county to another, or has a change of name, that registered elector shall report the change by delivering a change of residence or change of name form, whichever is appropriate, as prescribed by the secretary of state under section 3503.14 of the Revised Code to the state or local office of a designated agency, a public high school or vocational school, a public library, the office of the county treasurer, the office of the secretary of state, ~~any office of the registrar or deputy registrar of motor vehicles,~~ or any office of a board of elections 3252
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in person or by a third person. Any voter registration, change of address, or change of name application, returned by mail, may be sent only to the secretary of state or the board of elections.

A registered elector also may update the registration of that registered elector by filing a change of residence or change of name form ~~on~~ at either of the following times and locations:

(1) On the day of a special, primary, or general election at the polling place in the precinct in which that registered elector resides or at the board of elections or at another site designated by the board;

(2) During the time at which registered electors may cast absent voter's ballots in person before an election, at any location at which the elector is eligible to cast an absent voter's ballot in person for that election.

(B)(1)(a) Any registered elector who moves within a precinct on or prior to the day of a general, primary, or special election and has not filed a notice of change of residence with the board of elections may vote in that election by going to that registered elector's assigned polling place on the day of the election or by going to the location at which the elector is eligible to cast absent voter's ballots in person for that election during the time absent voter's ballots may be cast in person prior to the day of that election, completing and signing a notice of change of residence, showing 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 name and current address of the elector, and casting a ballot. ~~If the elector provides either a driver's license or a~~

~~state identification card issued under section 4507.50 of the Revised Code that does not contain the elector's current residence address, the elector shall provide the last four digits of the elector's driver's license number or state identification card number, and the precinct election official shall mark the poll list or signature pollbook to indicate that the elector has provided a driver's license or state identification card number with a former address and record the last four digits of the elector's driver's license number or state identification card number.~~

(b) Any registered elector who changes the name of that registered elector and remains within a precinct on or prior to the day of a general, primary, or special election and has not filed a notice of change of name with the board of elections may vote in that election by going to that registered elector's assigned polling place on the day of the election or by going to the location at which the elector is eligible to cast absent voter's ballots in person for that election during the time absent voter's ballots may be cast in person prior to the day of that election, completing and signing a notice of a change of name, and casting a provisional ballot under section 3505.181 of the Revised Code. If the registered elector provides to the precinct election officials proof of a legal name change, such as a marriage license or court order that includes the elector's current and prior names, the elector may complete and sign a notice of change of name and cast a regular ballot.

(c) If the name offered by a registered elector who appears to vote differs from the elector's name as it appears in the poll list or pollbook, and the precinct election officials determine that the difference in the names is due to clerical error, the elector may complete and sign a notice of change of name for the purpose of correcting the clerical error in the voter registration

records and cast a regular ballot. 3327

(2) Any registered elector who moves from one precinct to 3328
another within a county or moves from one precinct to another and 3329
changes the name of that registered elector on or prior to the day 3330
of a general, primary, or special election and has not filed a 3331
notice of change of residence or change of name, whichever is 3332
appropriate, with the board of elections may vote in that election 3333
if that registered elector complies with division (G) of this 3334
section or does all of the following: 3335

(a) ~~Appears at any time during regular business hours on or~~ 3336
~~after the twenty eighth day prior to the election in which that~~ 3337
~~registered elector wishes to vote or, if the election is held on~~ 3338
~~the day of a presidential primary election, the twenty fifth day~~ 3339
~~prior to the election, through noon of the Saturday prior to the~~ 3340
time that absent voter's ballots may be cast in person for that 3341
election at the office of the board of elections, ~~appears at any~~ 3342
~~time during regular business hours on the Monday prior to the~~ 3343
~~election at the office of the board of elections or, if pursuant~~ 3344
to division (C) of section 3501.10 of the Revised Code, the board 3345
has designated another location at which registered electors may 3346
cast absent voter's ballots in person for that election, at that 3347
other location instead of the office of the board of elections, or 3348
appears on the day of the election at either of the following 3349
locations: 3350

(i) The polling place in the precinct in which that 3351
registered elector resides; 3352

(ii) The office of the board of elections or, if pursuant to 3353
division (C) of section 3501.10 of the Revised Code the board has 3354
designated another location in the county at which registered 3355
electors may vote, at that other location instead of the office of 3356
the board of elections. 3357

(b) Completes and signs, under penalty of election 3358
falsification, the written affirmation on the provisional ballot 3359
envelope, which shall serve as a notice of change of residence or 3360
change of name, whichever is appropriate, ~~and files it with~~ 3361
~~election officials at the polling place, at the office of the~~ 3362
~~board of elections, or, if pursuant to division (C) of section~~ 3363
~~3501.10 of the Revised Code the board has designated another~~ 3364
~~location in the county at which registered electors may vote, at~~ 3365
~~that other location instead of the office of the board of~~ 3366
~~elections, whichever is appropriate;~~ 3367

(c) Votes a provisional ballot under section 3505.181 of the 3368
Revised Code at the polling place, at the office of the board of 3369
elections, or, if pursuant to division (C) of section 3501.10 of 3370
the Revised Code the board has designated another location in the 3371
county at which registered electors may vote, at that other 3372
location instead of the office of the board of elections, 3373
whichever is appropriate, using the address to which that 3374
registered elector has moved or the name of that registered 3375
elector as changed, whichever is appropriate; 3376

(d) Completes and signs, under penalty of election 3377
falsification, a statement attesting that that registered elector 3378
moved or had a change of name, whichever is appropriate, on or 3379
prior to the day of the election, has voted a provisional ballot 3380
at the polling place in the precinct in which that registered 3381
elector resides, at the office of the board of elections, or, if 3382
pursuant to division (C) of section 3501.10 of the Revised Code 3383
the board has designated another location in the county at which 3384
registered electors may vote, at that other location instead of 3385
the office of the board of elections, whichever is appropriate, 3386
and will not vote or attempt to vote at any other location for 3387
that particular election. ~~The statement required under division~~ 3388
~~(B)(2)(d) of this section shall be included on the notice of~~ 3389

~~change of residence or change of name, whichever is appropriate, 3390
required under division (B)(2)(b) of this section. 3391~~

(C) Any registered elector who moves from one county to 3392
another county within the state on or prior to the day of a 3393
general, primary, or special election and has not registered to 3394
vote in the county to which that registered elector moved may vote 3395
in that election if that registered elector complies with division 3396
(G) of this section or does all of the following: 3397

(1) ~~Appears at any time during regular business hours on or 3398
after the twenty eighth day prior to the election in which that 3399
registered elector wishes to vote or, if the election is held on 3400
the day of a presidential primary election, the twenty fifth day 3401
prior to the election, through noon of the Saturday prior to the 3402
time that absent voter's ballots may be cast in person for that 3403
election at the office of the board of elections or, if pursuant 3404
to division (C) of section 3501.10 of the Revised Code the board 3405
has designated another location in the county at which registered 3406
electors may ~~vote~~ cast absent voter's ballots in person for that 3407
election, at that other location instead of the office of the 3408
board of elections, ~~appears during regular business hours on the 3409
Monday prior to the election at the office of the board of 3410~~
~~elections or, if pursuant to division (C) of section 3501.10 of 3411
the Revised Code the board has designated another location in the 3412
county at which registered electors may vote, at that other 3413
location instead of the office of the board of elections, or 3414
appears on the day of the election at the office of the board of 3415
elections or, if pursuant to division (C) of section 3501.10 of 3416
the Revised Code the board has designated another location in the 3417
county at which registered electors may vote, at that other 3418
location instead of the office of the board of elections; 3419~~~~

(2) Completes and signs, under penalty of election 3420
falsification, the written affirmation on the provisional ballot 3421

~~envelope, which shall serve as a notice of change of residence and 3422
files it with election officials at the board of elections or, if 3423
pursuant to division (C) of section 3501.10 of the Revised Code 3424
the board has designated another location in the county at which 3425
registered electors may vote, at that other location instead of 3426
the office of the board of elections; 3427~~

(3) Votes a provisional ballot under section 3505.181 of the 3428
Revised Code at the office of the board of elections or, if 3429
pursuant to division (C) of section 3501.10 of the Revised Code 3430
the board has designated another location in the county at which 3431
registered electors may vote, at that other location instead of 3432
the office of the board of elections, using the address to which 3433
that registered elector has moved; 3434

(4) Completes and signs, under penalty of election 3435
falsification, a statement attesting that that registered elector 3436
has moved from one county to another county within the state on or 3437
prior to the day of the election, has voted at the office of the 3438
board of elections or, if pursuant to division (C) of section 3439
3501.10 of the Revised Code the board has designated another 3440
location in the county at which registered electors may vote, at 3441
that other location instead of the office of the board of 3442
elections, and will not vote or attempt to vote at any other 3443
location for that particular election. ~~The statement required 3444
under division (C)(4) of this section shall be included on the 3445
notice of change of residence required under division (C)(2) of 3446
this section. 3447~~

(D) A person who votes by absent voter's ballots pursuant to 3448
division (G) of this section shall not make written application 3449
for the ballots pursuant to Chapter 3509. of the Revised Code. 3450
Ballots cast pursuant to division (G) of this section shall be set 3451
aside in a special envelope and counted during the official 3452
canvass of votes in the manner provided for in sections 3505.32 3453

and 3509.06 of the Revised Code insofar as that manner is 3454
applicable. The board shall examine the pollbooks to verify that 3455
no ballot was cast at the polls or by absent voter's ballots under 3456
Chapter 3509. or 3511. of the Revised Code by an elector who has 3457
voted by absent voter's ballots pursuant to division (G) of this 3458
section. Any ballot determined to be insufficient for any of the 3459
reasons stated above or stated in section 3509.07 of the Revised 3460
Code shall not be counted. 3461

Subject to division (C) of section 3501.10 of the Revised 3462
Code, a board of elections may lease or otherwise acquire a site 3463
different from the office of the board at which registered 3464
electors may vote pursuant to division (B) or (C) of this section. 3465

(E) Upon receiving a notice of change of residence or change 3466
of name ~~form~~, the board of elections shall immediately send the 3467
registrant an acknowledgment notice. If the change of residence or 3468
change of name ~~form~~ notice is valid, the board shall update the 3469
voter's registration as appropriate. If that ~~form~~ notice is 3470
incomplete, the board shall inform the registrant in the 3471
acknowledgment notice specified in this division of the 3472
information necessary to complete or update that registrant's 3473
registration. 3474

(F) Change of residence and change of name forms shall be 3475
available at each polling place, and when these forms are 3476
completed, noting changes of residence or name, as appropriate, 3477
they shall be filed with election officials at the polling place. 3478
Election officials shall return completed forms, together with the 3479
pollbooks and tally sheets, to the board of elections. 3480

The board of elections shall provide change of residence and 3481
change of name forms to the probate court and court of common 3482
pleas. The court shall provide the forms to any person eighteen 3483
years of age or older who has a change of name by order of the 3484
court or who applies for a marriage license. The court shall 3485

forward all completed forms to the board of elections within five 3486
days after receiving them. 3487

(G) A registered elector who otherwise would qualify to vote 3488
under division (B) or (C) of this section but is unable to appear 3489
at the office of the board of elections or, if pursuant to 3490
division (C) of section 3501.10 of the Revised Code the board has 3491
designated another location in the county at which registered 3492
electors may vote, at that other location, on account of personal 3493
illness, physical disability, or infirmity, may vote on the day of 3494
the election if that registered elector does all of the following: 3495

(1) Makes ~~a written~~ application in writing, by facsimile 3496
transmission, or by electronic mail that includes all of the 3497
information required under section 3509.03 of the Revised Code to 3498
the appropriate board for an absent voter's ballot ~~on or after the~~ 3499
~~twenty seventh day prior to the election in which the registered~~ 3500
~~elector wishes to vote through~~ during the time that absent voter's 3501
ballots may be cast in person for that election, but not later 3502
than noon of the Saturday prior to that election and requests that 3503
the absent voter's ballot be sent to the address to which the 3504
registered elector has moved if the registered elector has moved, 3505
or to the address of that registered elector who has not moved but 3506
has had a change of name; 3507

(2) Declares that the registered elector has moved or had a 3508
change of name, whichever is appropriate, and otherwise is 3509
qualified to vote under the circumstances described in division 3510
(B) or (C) of this section, whichever is appropriate, but that the 3511
registered elector is unable to appear at the board of elections 3512
because of personal illness, physical disability, or infirmity; 3513

(3) Completes and returns along with the completed absent 3514
voter's ballot a notice of change of residence indicating the 3515
address to which the registered elector has moved, or a notice of 3516
change of name, whichever is appropriate; 3517

(4) Completes and signs, under penalty of election 3518
falsification, a statement attesting that the registered elector 3519
has moved or had a change of name on or prior to the day before 3520
the election, has voted by absent voter's ballot because of 3521
personal illness, physical disability, or infirmity that prevented 3522
the registered elector from appearing at the board of elections, 3523
and will not vote or attempt to vote at any other location or by 3524
absent voter's ballot mailed to any other location or address for 3525
that particular election. 3526

(5) Any elector who applies for an absent voter's ballot 3527
under division (G)(1) of this section by facsimile transmission or 3528
electronic mail shall include a paper application for those 3529
ballots that includes the elector's signature in the return 3530
envelope with the elector's completed absent voter's ballots. 3531

Sec. 3503.18. (A)(1) The chief health officer of each 3532
political subdivision and the director of health shall file with 3533
the secretary of state and each board of elections, at least once 3534
each month, the names, social security numbers, dates of birth, 3535
dates of death, and residences of all persons, over eighteen years 3536
of age, who have died within such subdivision or within this state 3537
or another state, respectively, within such month. 3538

(2) The secretary of state and the director of health shall 3539
jointly establish a secure electronic system through which they 3540
shall exchange the information described in division (A)(1) of 3541
this section regarding the death of a registered elector. 3542

(B) At least once each month, each probate judge in this 3543
state shall file with the board of elections the names and 3544
residence addresses of all persons over eighteen years of age who 3545
have been adjudicated incompetent for the purpose of voting, as 3546
provided in section 5122.301 of the Revised Code. ~~At~~ 3547

(C) At least once each month the clerk of the court of common 3548

pleas shall file with the board the names and residence addresses 3549
of all persons who have been convicted during the previous month 3550
of crimes that would disfranchise such persons under existing laws 3551
of the state. Reports of conviction of crimes under the laws of 3552
the United States that would disfranchise an elector and that are 3553
provided to the secretary of state by any United States attorney 3554
shall be forwarded by the secretary of state to the appropriate 3555
board of elections. 3556

(D) Upon receiving a report required by this section, the 3557
secretary of state or board of elections shall promptly ~~cancel the~~ 3558
registration of send a notice to the registration address of each 3559
elector named in the report that the individual's voter 3560
registration will be canceled unless the information in the report 3561
is disputed within thirty days. If the information in the report 3562
is not disputed within thirty days after the notice is sent, the 3563
secretary of state or board of elections shall promptly cancel the 3564
registration of the elector. If the report contains a residence 3565
address of an elector in a county other than the county in which 3566
the board of elections is located, the director shall promptly 3567
send a copy of the report to the appropriate board of elections, 3568
which shall ~~cancel the registration~~ follow the process specified 3569
in this division. 3570

(E) If an individual whose registration has been canceled 3571
under this section appears to vote and casts a provisional ballot 3572
following that cancellation, the applicable board of elections 3573
shall investigate the cancellation and determine whether the 3574
cancellation was made in error. If the board determines that the 3575
cancellation was made in error, the elector's registration shall 3576
be reinstated and the provisional ballot cast following that 3577
cancellation shall be counted. 3578

Sec. 3503.19. (A) Persons qualified to register or to change 3579

their registration because of a change of address or change of 3580
name may register or change their registration in person at any 3581
state or local office of a designated agency, ~~at the office of the~~ 3582
~~registrar or any deputy registrar of motor vehicles,~~ at a public 3583
high school or vocational school, at a public library, at the 3584
office of a county treasurer, or at a branch office established by 3585
the board of elections, or in person, through another person, or 3586
by mail at the office of the secretary of state or at the office 3587
of a board of elections. A registered elector may also change the 3588
elector's registration on election day at any polling place where 3589
the elector is eligible to vote, in the manner provided under 3590
section 3503.16 of the Revised Code. 3591

Any state or local office of a designated agency, ~~the office~~ 3592
~~of the registrar or any deputy registrar of motor vehicles,~~ a 3593
public high school or vocational school, a public library, or the 3594
office of a county treasurer shall transmit any voter registration 3595
application or change of registration form that it receives to the 3596
board of elections of the county in which the state or local 3597
office is located, within five days after receiving the voter 3598
registration application or change of registration form. 3599

An otherwise valid voter registration application that is 3600
returned to the appropriate office other than by mail must be 3601
received by a state or local office of a designated agency, ~~the~~ 3602
~~office of the registrar or any deputy registrar of motor vehicles,~~ 3603
a public high school or vocational school, a public library, the 3604
office of a county treasurer, the office of the secretary of 3605
state, or the office of a board of elections no later than the 3606
thirtieth day preceding a primary, special, or general election 3607
for the person to qualify as an elector eligible to vote at that 3608
election. An otherwise valid registration application received 3609
after that day entitles the elector to vote at all subsequent 3610
elections. 3611

Any state or local office of a designated agency, ~~the office~~ 3612
~~of the registrar or any deputy registrar of motor vehicles,~~ a 3613
public high school or vocational school, a public library, or the 3614
office of a county treasurer shall date stamp a registration 3615
application or change of name or change of address form it 3616
receives using a date stamp that does not disclose the identity of 3617
the state or local office that receives the registration. 3618

Voter registration applications, if otherwise valid, that are 3619
returned by mail to the office of the secretary of state or to the 3620
office of a board of elections must be postmarked no later than 3621
the thirtieth day preceding a primary, special, or general 3622
election in order for the person to qualify as an elector eligible 3623
to vote at that election. If an otherwise valid voter registration 3624
application that is returned by mail does not bear a postmark or a 3625
legible postmark, the registration shall be valid for that 3626
election if received by the office of the secretary of state or 3627
the office of a board of elections no later than twenty-five days 3628
preceding any special, primary, or general election. 3629

(B)(1) Any person may apply in person, by telephone, by mail, 3630
or through another person for voter registration forms to the 3631
office of the secretary of state or the office of a board of 3632
elections. An individual who is eligible to vote as a uniformed 3633
services voter or an overseas voter in accordance with 42 U.S.C. 3634
1973ff-6 also may apply for voter registration forms by electronic 3635
means to the office of the secretary of state or to the board of 3636
elections of the county in which the person's voting residence is 3637
located pursuant to section 3503.191 of the Revised Code. 3638

(2)(a) An applicant may return the applicant's completed 3639
registration form in person or by mail to any state or local 3640
office of a designated agency, to a public high school or 3641
vocational school, to a public library, to the office of a county 3642
treasurer, to the office of the secretary of state, or to the 3643

office of a board of elections. An applicant who is eligible to 3644
vote as a uniformed services voter or an overseas voter in 3645
accordance with 42 U.S.C. 1973ff-6 also may return the applicant's 3646
completed voter registration form electronically to the office of 3647
the secretary of state or to the board of elections of the county 3648
in which the person's voting residence is located pursuant to 3649
section 3503.191 of the Revised Code. 3650

~~(b) Subject to division (B)(2)(c) of this section, an~~ 3651
An applicant may return the applicant's completed registration form 3652
through another person to any board of elections or the office of 3653
the secretary of state. 3654

~~(c) A person who receives compensation for registering a~~ 3655
~~voter shall return any registration form entrusted to that person~~ 3656
~~by an applicant to any board of elections or to the office of the~~ 3657
~~secretary of state.~~ 3658

~~(d)~~ If a board of elections or the office of the secretary of 3659
state receives a registration form under division (B)(2)(b) ~~or (c)~~ 3660
of this section before the thirtieth day before an election, the 3661
board or the office of the secretary of state, as applicable, 3662
shall forward the registration to the board of elections of the 3663
county in which the applicant is seeking to register to vote 3664
within ten days after receiving the application. If a board of 3665
elections or the office of the secretary of state receives a 3666
registration form under division (B)(2)(b) ~~or (c)~~ of this section 3667
on or after the thirtieth day before an election, the board or the 3668
office of the secretary of state, as applicable, shall forward the 3669
registration to the board of elections of the county in which the 3670
applicant is seeking to register to vote within thirty days after 3671
that election. 3672

(C)(1) A board of elections that receives a voter 3673
registration application and is satisfied as to the truth of the 3674
statements made in the registration form shall register the 3675

applicant not later than twenty business days after receiving the 3676
application, unless that application is received during the thirty 3677
days immediately preceding the day of an election. The board shall 3678
promptly notify the applicant in writing of each of the following: 3679

(a) The applicant's registration; 3680

(b) The precinct in which the applicant is to vote; 3681

(c) In bold type as follows: 3682

"Voters must bring identification to the polls in order to 3683
verify identity. Identification may include a current and valid 3684
photo identification, a military identification, or a copy of a 3685
current utility bill, bank statement, government check, paycheck, 3686
or other government document, other than this notification ~~or a~~ 3687
~~notification of an election mailed by a board of elections~~, that 3688
shows the voter's name and current address. Voters who do not 3689
provide one of these documents will still be able to vote by 3690
casting a provisional ballot. Voters who do not have any of the 3691
above forms of identification, including a social security number, 3692
will still be able to vote by signing an affirmation swearing to 3693
the voter's identity under penalty of election falsification and 3694
by casting a provisional ballot." 3695

The notification shall be by nonforwardable mail. If the mail 3696
is returned to the board, it shall investigate and cause the 3697
notification to be delivered to the correct address. 3698

(2) If, after investigating as required under division (C)(1) 3699
of this section, the board is unable to verify the voter's correct 3700
address, it shall cause the voter's name in the official 3701
registration list and in the poll list or signature pollbook to be 3702
marked to indicate that the voter's notification was returned to 3703
the board. 3704

At the first election at which a voter whose name has been so 3705
marked appears to vote, the voter shall be required to provide 3706

identification to the election officials and to vote by 3707
provisional ballot under section 3505.181 of the Revised Code. If 3708
the provisional ballot is counted pursuant to division (B)(3) of 3709
section 3505.183 of the Revised Code, the board shall correct that 3710
voter's registration, if needed, and shall remove the indication 3711
that the voter's notification was returned from that voter's name 3712
on the official registration list and on the poll list or 3713
signature pollbook. If the provisional ballot is not counted 3714
pursuant to division (B)(4)(a)(i), (v), or (vi) of section 3715
3505.183 of the Revised Code, the voter's registration shall be 3716
canceled. The board shall notify the voter by United States mail 3717
of the cancellation. 3718

(3) If a notice of the disposition of an otherwise valid 3719
registration application is sent by nonforwardable mail and is 3720
returned undelivered, the person shall be registered as provided 3721
in division (C)(2) of this section and sent a confirmation notice 3722
by forwardable mail. If the person fails to respond to the 3723
confirmation notice, update the person's registration, or vote by 3724
provisional ballot as provided in division (C)(2) of this section 3725
in any election during the period of two federal elections 3726
subsequent to the mailing of the confirmation notice, the person's 3727
registration shall be canceled. 3728

(4) If a voter registration application is received by the 3729
board of elections prior to the deadline for registering to vote 3730
before an election and that registration application is incomplete 3731
or in some way deficient, the board of elections may contact the 3732
applicant using whatever means is deemed appropriate by the board 3733
of elections in consideration of the timeframe needed to meet 3734
applicable deadlines and the effort needed to complete or cure the 3735
deficiency, to notify the applicant of the deficiency. Whenever 3736
possible, the board shall complete the application, or correct any 3737
deficiency, by confirming information with the applicant via 3738

telephone, facsimile transmission, electronic mail, or postal 3739
mail. 3740

If the applicant completes the application or cures the 3741
deficiency not later than ten days before the day of that 3742
election, all of the following shall apply: 3743

(a) The applicant shall be considered to have registered to 3744
vote in a timely manner for that election; 3745

(b) The board shall register the applicant to vote and send 3746
the notice required by division (C)(1) of this section to the 3747
applicant; 3748

(c) The applicant shall be eligible to vote in that election. 3749

Sec. 3503.20. (A) The secretary of state, by rule, shall 3750
establish a secure online process for voter registration. The 3751
rules shall provide for all of the following: 3752

(1) An applicant to submit a voter registration application 3753
to the secretary of state online through the internet; 3754

(2) The online applicant to be registered to vote, if all of 3755
the following apply: 3756

(a) The application contains all of the required information, 3757
including the last four digits of the applicant's social security 3758
number; 3759

(b) The applicant is qualified to register to vote; and 3760

(c) The applicant attests to the truth and accuracy of the 3761
information submitted in the online application under penalty of 3762
election falsification using the applicant's Ohio driver's license 3763
number or the applicant's Ohio identification card number as proof 3764
of the applicant's identity. 3765

(B) If an individual registers to vote or a registered 3766
elector updates the elector's name, address, or both under this 3767

section, the secretary of state shall obtain an electronic copy of 3768
the applicant's or elector's signature that is on file with the 3769
bureau of motor vehicles. That electronic signature shall be used 3770
as the applicant's or elector's signature on voter registration 3771
records, for all election and signature-matching purposes. 3772

(C) The secretary of state shall employ whatever security 3773
measures the secretary considers necessary to ensure the integrity 3774
and accuracy of voter registration information submitted 3775
electronically pursuant to this section. 3776

(D) The online voter registration application established 3777
under division (A) of this section shall include the following 3778
language: 3779

"By clicking the box below, I affirm all of the following 3780
under penalty of election falsification: 3781

(1) I am the person whose name and identifying information is 3782
provided on this form, and I desire to register to vote, or update 3783
my voter registration, in the State of Ohio. 3784

(2) All of the information I have provided on this form is 3785
true and correct as of the date I am submitting this form. 3786

(3) I authorize the Bureau of Motor Vehicles to transmit to 3787
the Ohio Secretary of State my signature that is on file with the 3788
Bureau of Motor Vehicles, and I understand and agree that the 3789
signature transmitted by the Bureau of Motor Vehicles will be used 3790
by the Secretary of State to validate this electronic voter 3791
registration application as if I had signed this form personally." 3792

In order to register to vote or update a voter registration 3793
under division (A) of this section, an applicant or elector shall 3794
be required to mark the box in the online voter registration 3795
application that appears in conjunction with the previous 3796
statement. 3797

(E) The online voter registration process established under 3798
division (A) of this section shall be in operation and available 3799
for use by individuals who wish to register to vote or update 3800
their voter registration information online not later than one 3801
year after the effective date of this section. 3802

Sec. 3503.21. (A) The registration of a registered elector 3803
shall be canceled upon the occurrence of any of the following: 3804

(1) The filing by a registered elector of a written request 3805
with a board of elections, on a form prescribed by the secretary 3806
of state and signed by the elector, that the registration be 3807
canceled. The filing of such a request does not prohibit an 3808
otherwise qualified elector from reregistering to vote at any 3809
time. 3810

(2) The conviction of the registered elector of a felony 3811
under the laws of this state, any other state, or the United 3812
States as provided in section 2961.01 of the Revised Code; 3813

(3) The adjudication of incompetency of the registered 3814
elector for the purpose of voting as provided in section 5122.301 3815
of the Revised Code; 3816

(4) The filing of a notice of the death of the registered 3817
elector as provided in section 3503.18 of the Revised Code; 3818

(5) The change of residence of the registered elector to a 3819
location outside the county of registration in accordance with 3820
division (B) of this section; 3821

(6) The failure of the registered elector, after having been 3822
mailed a confirmation notice, to do either of the following: 3823

(a) Respond to such a notice and vote at least once during a 3824
period of four consecutive years, which period shall include two 3825
general federal elections; 3826

(b) Update the elector's registration and vote at least once 3827

during a period of four consecutive years, which period shall 3828
include two general federal elections. 3829

(B)(1) The secretary of state shall prescribe procedures to 3830
identify and cancel the registration in a prior county of 3831
residence of any registrant who changes the registrant's voting 3832
residence to a location outside the registrant's current county of 3833
registration. Any procedures prescribed in this division shall be 3834
uniform and nondiscriminatory, and shall comply with the Voting 3835
Rights Act of 1965. The secretary of state may prescribe 3836
procedures under this division that include the use of the 3837
national change of address service provided by the United States 3838
postal system through its licensees. Any program so prescribed 3839
shall be completed not later than ninety days prior to the date of 3840
any primary or general election for federal office. 3841

(2) The registration of any elector identified as having 3842
changed the elector's voting residence to a location outside the 3843
elector's current county of registration shall not be canceled 3844
unless the registrant is sent a confirmation notice on a form 3845
prescribed by the secretary of state and the registrant fails to 3846
respond to the confirmation notice or otherwise update the 3847
registration and fails to vote in any election during the period 3848
of two federal elections subsequent to the mailing of the 3849
confirmation notice. 3850

(3) At the time an elector's voter registration is canceled 3851
under division (B)(2) of this section, following a period of two 3852
federal elections subsequent to the mailing of a confirmation 3853
notice, a notice that the elector's voter registration has been 3854
canceled shall be mailed to the elector's last known address. 3855

(C) The registration of a registered elector shall not be 3856
canceled except as provided in this section, division (Q) of 3857
section 3501.05 of the Revised Code, division (C)(2) of section 3858
3503.19 of the Revised Code, or division (C) of section 3503.24 of 3859

the Revised Code. 3860

(D) Boards of elections shall send their voter registration 3861
information to the secretary of state as required under section 3862
3503.15 of the Revised Code. In the first quarter of each 3863
odd-numbered year, the secretary of state shall send the 3864
information to the national change of address service described in 3865
division (B) of this section and request that service to provide 3866
the secretary of state with a list of any voters sent by the 3867
secretary of state who have moved within the last thirty-six 3868
months. The secretary of state shall transmit to each appropriate 3869
board of elections whatever lists the secretary of state receives 3870
from that service. The board shall send a notice to each person on 3871
the list transmitted by the secretary of state requesting 3872
confirmation of the person's change of address, together with a 3873
postage prepaid, preaddressed return envelope containing a form on 3874
which the voter may verify or correct the change of address 3875
information. 3876

(E) The registration of a registered elector described in 3877
division (A)(6) or (B)(2) of this section shall be canceled not 3878
later than one hundred twenty days after the date of the second 3879
general federal election in which the elector fails to vote or not 3880
later than one hundred twenty days after the expiration of the 3881
four-year period in which the elector fails to vote or respond to 3882
a confirmation notice, whichever is later. 3883

Sec. 3503.24. (A) Application for the correction of any 3884
precinct registration list or a challenge of the right to vote of 3885
any registered elector may be made by any qualified elector of the 3886
county at the office of the board of elections not later than 3887
twenty days prior to the election. The elector making the 3888
challenge shall have personal knowledge of the grounds for the 3889
challenge. The applications or challenges, with the reasons for 3890

the application or challenge, shall be filed with the board on a 3891
form prescribed by the secretary of state and shall be signed 3892
under penalty of election falsification. 3893

(B) On receiving an application or challenge filed under this 3894
section, the board of elections promptly shall review the board's 3895
records. If the board is able to determine that an application or 3896
challenge should be ~~granted or~~ denied solely on the basis of the 3897
records maintained by the board, the board immediately shall vote 3898
to ~~grant or~~ deny that application or challenge. 3899

If the board is not able to determine whether an application 3900
or challenge should be ~~granted or~~ denied solely on the basis of 3901
the records maintained by the board, the director shall promptly 3902
set a time and date for a hearing before the board. Except as 3903
otherwise provided in division (D) of this section, the hearing 3904
shall be held, and the application or challenge shall be decided, 3905
no later than ten days after the board receives the application or 3906
challenge. The director shall send written notice to any elector 3907
whose right to vote is challenged and to any person whose name is 3908
alleged to have been omitted from a registration list. The notice 3909
shall inform the person of the time and date of the hearing, and 3910
of the person's right to appear and testify, call witnesses, and 3911
be represented by counsel. The notice shall be sent by first class 3912
mail no later than three days before the day of any scheduled 3913
hearing. The director shall also provide the person who filed the 3914
application or challenge with such written notice of the date and 3915
time of the hearing. 3916

At the request of either party or any member of the board, 3917
the board shall issue subpoenas to witnesses to appear and testify 3918
before the board at a hearing held under this section. All 3919
witnesses shall testify under oath. The board shall reach a 3920
decision on all applications and challenges immediately after 3921
hearing. 3922

(C) If, by the affirmative vote of at least three members of the board, the board decides that any such person is not entitled to have the person's name on the registration list, the person's name shall be removed from the list and the person's registration forms canceled. If the board decides that the name of any such person should appear on the registration list, it shall be added to the list, and the person's registration forms placed in the proper registration files. All such corrections and additions shall be made on a copy of the precinct lists, which shall constitute the poll lists, to be furnished to the respective precincts with other election supplies on the day preceding the election, to be used by the election officials in receiving the signatures of voters and in checking against the registration forms.

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

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

(3) Any elector who is the subject of an application or challenge hearing that is postponed under division (D)(1) of this section shall be permitted to vote a provisional ballot under section 3505.181 of the Revised Code. The validity of a provisional ballot cast pursuant to this section shall be

determined in accordance with section 3505.183 of the Revised Code, except that no such provisional ballot shall be counted unless the hearing conducted under division (B) of this section after the day of the election results in the elector's inclusion in the official registration list.

(E) If the board of elections determines that a challenge is frivolous or not based upon the personal knowledge of the person making the challenge, the board may order the person making the challenge to pay both of the following:

(1) The administrative costs of the board incurred in investigating the challenge and conducting the hearing, if a hearing is required;

(2) Any costs incurred by the subject of the challenge in defending the person's right to vote.

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

(B) Notwithstanding division (A) of this section the board of elections shall maintain and make available for public inspection and copying at a reasonable cost all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of voter

registration lists, including the names and addresses of all 3986
registered electors sent confirmation notices and whether or not 3987
the elector responded to the confirmation notice. The board shall 3988
maintain all records described in this division for a period of 3989
two years. 3990

Sec. 3503.28. (A) The secretary of state shall develop an 3991
information brochure regarding voter registration. The brochure 3992
shall include, but is not limited to, all of the following 3993
information: 3994

(1) The applicable deadlines for registering to vote or for 3995
returning an applicant's completed registration form; 3996

~~(2) The applicable deadline for returning an applicant's 3997
completed registration form if the person returning the form is 3998
being compensated for registering voters; 3999~~

~~(3) The locations to which a person may return an applicant's 4000
completed registration form; 4001~~

~~(4) The location to which a person who is compensated for 4002
registering voters may return an applicant's completed 4003
registration form; 4004~~

~~(5) The registration and affirmation requirements applicable 4005
to persons who are compensated for registering voters under 4006
section 3503.29 of the Revised Code; 4007~~

~~(6)~~(3) A notice, which shall be written in bold type, stating 4008
as follows: 4009

"Voters must bring identification to the polls in order to 4010
verify identity. Identification may include a current and valid 4011
photo identification, a military identification, or a copy of a 4012
current utility bill, bank statement, government check, paycheck, 4013
or other government document, other than ~~a notice of an election~~ 4014
~~or~~ a voter registration notification sent by a board of elections, 4015

that shows the voter's name and current address. Voters who do not 4016
provide one of these documents will still be able to vote by 4017
casting a provisional ballot. Voters who do not have any of the 4018
above forms of identification, including a social security number, 4019
will still be able to vote by signing an affirmation swearing to 4020
the voter's identity under penalty of election falsification and 4021
by casting a provisional ballot." 4022

(B) Except as otherwise provided in division (D) of this 4023
section, a board of elections, designated agency, public high 4024
school, public vocational school, public library, or office of a 4025
county treasurer, ~~or deputy registrar of motor vehicles~~ shall 4026
distribute a copy of the brochure developed under division (A) of 4027
this section to any person who requests more than two voter 4028
registration forms at one time. 4029

(C)(1) The secretary of state shall provide the information 4030
required to be included in the brochure developed under division 4031
(A) of this section to any person who prints a voter registration 4032
form that is made available on a web site of the office of the 4033
secretary of state. 4034

(2) If a board of elections operates and maintains a web 4035
site, the board shall provide the information required to be 4036
included in the brochure developed under division (A) of this 4037
section to any person who prints a voter registration form that is 4038
made available on that web site. 4039

(D) A board of elections shall not be required to distribute 4040
a copy of a brochure under division (B) of this section to any of 4041
the following officials or employees who are requesting more than 4042
two voter registration forms at one time in the course of the 4043
official's or employee's normal duties: 4044

(1) An election official; 4045

(2) A county treasurer; 4046

- (3) ~~A deputy registrar of motor vehicles;~~ 4047
- ~~(4)~~ An employee of a designated agency; 4048
- ~~(5)~~(4) An employee of a public high school; 4049
- ~~(6)~~(5) An employee of a public vocational school; 4050
- ~~(7)~~(6) An employee of a public library; 4051
- ~~(8)~~(7) An employee of the office of a county treasurer; 4052
- ~~(9) An employee of the bureau of motor vehicles;~~ 4053
- ~~(10) An employee of a deputy registrar of motor vehicles;~~ 4054
- ~~(11)~~(8) An employee of an election official. 4055
- ~~(E) As used in this section, "registering voters" includes~~ 4056
~~any effort, for compensation, to provide voter registration forms~~ 4057
~~or to assist persons in completing or returning those forms.~~ 4058

Sec. 3505.03. On the office type ballot shall be printed the 4059
names of all candidates for election to offices, except judicial 4060
offices, who were nominated at the most recent primary election as 4061
candidates of a political party or who were nominated in 4062
accordance with section 3513.02 of the Revised Code, and the names 4063
of all candidates for election to offices who were nominated by 4064
nominating petitions, except candidates for judicial offices, for 4065
member of the state board of education, for member of a board of 4066
education, for municipal offices, and for township offices. 4067

The face of the ballot below the stub, if ballot stubs are 4068
being used, shall be substantially in the following form: 4069

"OFFICIAL OFFICE TYPE BALLOT 4070

(A) To vote for a candidate record your vote in the manner 4071
provided next to the name of such candidate. 4072

(B) If you tear, soil, deface, or erroneously mark this 4073
ballot, return it to the precinct election officers or, if you 4074

cannot return it, notify the precinct election officers, and 4075
obtain another ballot." 4076

The order in which the offices shall be listed on the ballot 4077
shall be prescribed by, and certified to each board of elections 4078
by, the secretary of state; provided that for state, district, and 4079
county offices the order from top to bottom shall be as follows: 4080
governor and lieutenant governor, attorney general, auditor of 4081
state, secretary of state, treasurer of state, United States 4082
senator, representative to congress, state senator, state 4083
representative, county commissioner, county auditor, prosecuting 4084
attorney, clerk of the court of common pleas, sheriff, county 4085
recorder, county treasurer, county engineer, and coroner. The 4086
offices of governor and lieutenant governor shall be printed on 4087
the ballot in a manner that requires a voter to cast one vote 4088
jointly for the candidates who have been nominated by the same 4089
political party or petition. 4090

The names of all candidates for an office shall be arranged 4091
in a group under the title of that office, and, except for 4092
absentee ballots or when the number of candidates for a particular 4093
office is the same as the number of candidates to be elected for 4094
that office, shall be rotated from one precinct to another. On 4095
absentee ballots, the names of all candidates for an office shall 4096
be arranged in a group under the title of that office and shall be 4097
so alternated that each name shall appear, insofar as may be 4098
reasonably possible, substantially an equal number of times at the 4099
beginning, at the end, and in each intermediate place, if any, of 4100
the group in which such name belongs, unless the number of 4101
candidates for a particular office is the same as the number of 4102
candidates to be elected for that office. 4103

The method of printing the ballots to meet the rotation 4104
requirement of this section shall be as follows: the least common 4105
multiple of the number of names in each of the several groups of 4106

candidates shall be used, and the number of changes made in the 4107
printer's forms in printing the ballots shall correspond with that 4108
multiple. The board of elections shall number all precincts in 4109
regular serial sequence. In the first precinct, the names of the 4110
candidates in each group shall be listed in alphabetical order. In 4111
each succeeding precinct, the name in each group that is listed 4112
first in the preceding precinct shall be listed last, and the name 4113
of each candidate shall be moved up one place. In each precinct 4114
using paper ballots, the printed ballots shall then be assembled 4115
in tablets. 4116

Under the name of each candidate nominated at a primary 4117
election and each candidate certified by a party committee to fill 4118
a vacancy under section 3513.31 of the Revised Code shall be 4119
printed, in less prominent type face than that in which the 4120
candidate's name is printed, the name of the political party by 4121
which the candidate was nominated or certified. Under the name of 4122
each candidate appearing on the ballot who filed a nominating 4123
petition and requested a ballot designation as a nonparty 4124
candidate under section 3513.257 of the Revised Code shall be 4125
printed, in less prominent type face than that in which the 4126
candidate's name is printed, the designation of "nonparty 4127
candidate." Under the name of each candidate appearing on the 4128
ballot who filed a nominating petition and requested a ballot 4129
designation as an other-party candidate under section 3513.257 of 4130
the Revised Code shall be printed, in less prominent type face 4131
than that in which the candidate's name is printed, the 4132
designation of "other-party candidate." No designation shall 4133
appear under the name of a candidate appearing on the ballot who 4134
filed a nominating petition and requested that no ballot 4135
designation appear under the candidate's name under section 4136
3513.257 of the Revised Code, or who filed a nominating petition 4137
and failed to request a ballot designation either as a nonparty 4138
candidate or as an other-party candidate under that section. 4139

Except as provided in this section, no words, designations, 4140
or emblems descriptive of a candidate or the candidate's political 4141
affiliation, or indicative of the method by which the candidate 4142
was nominated or certified, shall be printed under or after a 4143
candidate's name that is printed on the ballot. 4144

Sec. 3505.04. On the nonpartisan ballot shall be printed the 4145
names of all nonpartisan candidates for election to judicial 4146
office, office of member of the state board of education, office 4147
of member of a board of education, municipal or township offices 4148
for municipal corporations and townships in which primary 4149
elections are not held for nomination of candidates by political 4150
parties, and municipal offices of municipal corporations having 4151
charters which provide for separate ballots for elections for such 4152
municipal offices. 4153

Such ballots shall have printed across the top, and below the 4154
stubs, if ballot stubs are being used, "Official Nonpartisan 4155
Ballot." 4156

The order in which the offices are listed on the ballot shall 4157
be prescribed by, and certified to each board of elections by, the 4158
secretary of state; provided that the office of member of the 4159
state board of education shall be listed first on the ballot, then 4160
state, district, and county judicial offices shall be listed on 4161
the ballot in such order, followed by municipal and township 4162
offices, and by offices of member of a board of education, in the 4163
order stated. 4164

Within the rectangular space within which the title of each 4165
judicial office is printed on the ballot and immediately below 4166
such title shall be printed the date of the commencement of the 4167
term of the office, if a full term, as follows: "Full term 4168
commencing(Date).....," or the date of the end of the 4169
term of the office, if an unexpired term, as follows: "Unexpired 4170

term ending(Date)....." 4171

The secretary of state shall prescribe the information and 4172
directions to the voter to be printed on the ballot within the 4173
rectangular space in which the title of office of member of the 4174
state board of education appears. 4175

Within the rectangular space within which the title of each 4176
office for member of a board of education is printed on the ballot 4177
shall be printed "For Member of Board of Education," and the 4178
number to be elected, directions to the voter as to voting for 4179
one, two, or more, and, if the office to be voted for is member of 4180
a board of education of a city school district, words shall be 4181
printed in said space on the ballot to indicate whether candidates 4182
are to be elected from subdistricts or at large. 4183

The names of all nonpartisan candidates for an office shall 4184
be arranged in a group under the title of that office, and shall 4185
be rotated and printed on the ballot as provided in section 4186
3505.03 of the Revised Code. 4187

No name or designation of any political party nor any words, 4188
designations, or emblems descriptive of a candidate or ~~his~~ the 4189
candidate's political affiliation, or indicative of the method by 4190
which such candidate was nominated or certified, shall be printed 4191
under or after any nonpartisan candidate's name which is printed 4192
on the ballot. 4193

Sec. 3505.05. At any time prior to the seventieth day before 4194
the day of an election at which a question or issue, other than a 4195
statewide question or issue, is certified to appear on the ballot, 4196
the political subdivision, taxing authority, or other entity that 4197
placed the issue on the ballot may remove that issue from the 4198
ballot using the same process that the entity used to originally 4199
certify the issue for placement on the ballot. 4200

Upon receipt of a notification that a question or issue has 4201
been withdrawn, the board of elections shall remove that question 4202
or issue from the ballot. 4203

Sec. 3505.06. (A) On the questions and issues ballot shall be 4204
printed all questions and issues to be submitted at any one 4205
election together with the percentage of affirmative votes 4206
necessary for passage as required by law. Such ballot shall have 4207
printed across the top thereof, and below the stubs, if ballot 4208
stubs are being used, "Official Questions and Issues Ballot." 4209

(B)(1) Questions and issues shall be grouped together on the 4210
ballot from top to bottom as provided in division (B)(1) of this 4211
section, except as otherwise provided in division (B)(2) of this 4212
section. State questions and issues shall always appear as the top 4213
group of questions and issues. In calendar year 1997, the 4214
following questions and issues shall be grouped together on the 4215
ballot, in the following order from top to bottom, after the state 4216
questions and issues: 4217

- (a) County questions and issues; 4218
- (b) Municipal questions and issues; 4219
- (c) Township questions and issues; 4220
- (d) School or other district questions and issues. 4221

In each succeeding calendar year after 1997, each group of 4222
questions and issues described in division (B)(1)(a) to (d) of 4223
this section shall be moved down one place on the ballot except 4224
that the group that was last on the ballot during the immediately 4225
preceding calendar year shall appear at the top of the ballot 4226
after the state questions and issues. The rotation shall be 4227
performed only once each calendar year, beginning with the first 4228
election held during the calendar year. The rotation of groups of 4229
questions and issues shall be performed during each calendar year 4230

as required by division (B)(1) of this section, even if no 4231
questions and issues from any one or more such groups appear on 4232
the ballot at any particular election held during that calendar 4233
year. 4234

(2) Questions and issues shall be grouped together on the 4235
ballot, from top to bottom, in the following order when it is not 4236
practicable to group them together as required by division (B)(1) 4237
of this section because of the type of voting machines used by the 4238
board of elections: state questions and issues, county questions 4239
and issues, municipal questions and issues, township questions and 4240
issues, and school or other district questions and issues. The 4241
particular order in which each of a group of state questions or 4242
issues is placed on the ballot shall be determined by, and 4243
certified to each board of elections by, the secretary of state. 4244

(3) Failure of the board of elections to rotate questions and 4245
issues as required by division (B)(1) of this section does not 4246
affect the validity of the election at which the failure occurred, 4247
and is not grounds for contesting an election under section 4248
3515.08 of the Revised Code. 4249

(C) The particular order in which each of a group of county, 4250
municipal, township, or school district questions or issues is 4251
placed on the ballot shall be determined by the board providing 4252
the ballots. 4253

(D) The printed matter pertaining to each question or issue 4254
on the ballot shall be enclosed at the top and bottom thereof by a 4255
heavy horizontal line across the width of the ballot. Immediately 4256
below such top line shall be printed a brief title descriptive of 4257
the question or issue below it, such as "Proposed Constitutional 4258
Amendment," "Proposed Bond Issue," "Proposed Annexation of 4259
Territory," "Proposed Increase in Tax Rate," or such other brief 4260
title as will be descriptive of the question or issue to which it 4261
pertains, together with a brief statement of the percentage of 4262

affirmative votes necessary for passage, such as "A sixty-five per 4263
cent affirmative vote is necessary for passage," "A majority vote 4264
is necessary for passage," or such other brief statement as will 4265
be descriptive of the percentage of affirmative votes required. 4266

(E) The questions and issues ballot need not contain the full 4267
text of the proposal to be voted upon. A condensed text that will 4268
properly describe the question, issue, or an amendment proposed by 4269
other than the general assembly shall be used as prepared and 4270
certified by the secretary of state for state-wide questions or 4271
issues or by the board for local questions or issues. If other 4272
than a full text is used, the full text of the proposed question, 4273
issue, or amendment together with the percentage of affirmative 4274
votes necessary for passage as required by law shall be posted in 4275
each polling place in some spot that is easily accessible to the 4276
voters. 4277

(F) Each question and issue appearing on the questions and 4278
issues ballot may be consecutively numbered. The question or issue 4279
determined to appear at the top of the ballot may be designated on 4280
the face thereof by the Arabic numeral "1" and all questions and 4281
issues placed below on the ballot shall be consecutively numbered. 4282
Such numeral shall be placed below the heavy top horizontal line 4283
enclosing such question or issue and to the left of the brief 4284
title thereof. 4285

Sec. 3505.08. (A) Ballots shall be provided by the board of 4286
elections for all general and special elections. The ballots shall 4287
be printed with black ink on No. 2 white book paper fifty pounds 4288
in weight per ream assuming such ream to consist of five hundred 4289
sheets of such paper twenty-five by thirty-eight inches in size. 4290
~~Each~~ 4291

If a board of elections opts to use ballots that include 4292
ballot stubs, each ballot shall have attached at the top two 4293

stubs, each of the width of the ballot and not less than one-half 4294
inch in length, except that, if the board of elections has an 4295
alternate method to account for the ballots that the secretary of 4296
state has authorized, each ballot may have only one stub that 4297
shall be the width of the ballot and not less than one-half inch 4298
in length. In the case of ballots with two stubs, the stubs shall 4299
be separated from the ballot and from each other by perforated 4300
lines. The top stub shall be known as Stub B and shall have 4301
printed on its face "Stub B." The other stub shall be known as 4302
Stub A and shall have printed on its face "Stub A." Each stub 4303
shall also have printed on its face "Consecutive Number 4304
....." If ballot stubs are used, each 4305

~~Each~~ ballot of each kind of ballot provided for use in each 4306
precinct shall be numbered consecutively beginning with number 1 4307
by printing such number upon both of the stubs attached to the 4308
ballot. ~~On~~ 4309

On ballots bearing the names of candidates, each candidate's 4310
name shall be printed in twelve point boldface upper case type in 4311
an enclosed rectangular space, and an enclosed blank rectangular 4312
space shall be provided at the left of the candidate's name. The 4313
name of the political party of a candidate nominated at a primary 4314
election or certified by a party committee shall be printed in ten 4315
point lightface upper and lower case type and shall be separated 4316
by a two point blank space. The name of each candidate shall be 4317
indented one space within the enclosed rectangular space, and the 4318
name of the political party shall be indented two spaces within 4319
the enclosed rectangular space. 4320

The title of each office on the ballots shall be printed in 4321
twelve point boldface upper and lower case type in a separate 4322
enclosed rectangular space. A four point rule shall separate the 4323
name of a candidate or a group of candidates for the same office 4324
from the title of the office next appearing below on the ballot; a 4325

two point rule shall separate the title of the office from the 4326
names of candidates; and a one point rule shall separate names of 4327
candidates. Headings shall be printed in display Roman type. When 4328
the names of several candidates are grouped together as candidates 4329
for the same office, there shall be printed on the ballots 4330
immediately below the title of the office and within the separate 4331
rectangular space in which the title is printed "Vote for not more 4332
than, " in six point boldface upper and lower case filling 4333
the blank space with that number which will indicate the number of 4334
persons who may be lawfully elected to the office. 4335

Columns on ballots shall be separated from each other by a 4336
heavy vertical border or solid line at least one-eighth of an inch 4337
wide, and a similar vertical border or line shall enclose the left 4338
and right side of ballots. Ballots shall be trimmed along the 4339
sides close to such lines. 4340

The ballots provided for by this section shall be comprised 4341
of four kinds of ballots designated as follows: office type 4342
ballot; nonpartisan ballot; questions and issues ballot; and 4343
presidential ballot. 4344

On the back of each office type ballot shall be printed 4345
"Official Office Type Ballot;" on the back of each nonpartisan 4346
ballot shall be printed "Official Nonpartisan Ballot;" on the back 4347
of each questions and issues ballot shall be printed "Official 4348
Questions and Issues Ballot;" and on the back of each presidential 4349
ballot shall be printed "Official Presidential Ballot." On the 4350
back of every ballot also shall be printed the date of the 4351
election at which the ballot is used and the facsimile signatures 4352
of the members of the board of the county in which the ballot is 4353
used. For the purpose of identifying the kind of ballot, the back 4354
of every ballot may be numbered in the order the board shall 4355
determine. The numbers shall be printed in not less than 4356
thirty-six point type above the words "Official Office Type 4357

Ballot," "Official Nonpartisan Ballot," "Official Questions and 4358
Issues Ballot," or "Official Presidential Ballot," as the case may 4359
be. Ballot boxes bearing corresponding numbers shall be furnished 4360
for each precinct in which the above-described numbered ballots 4361
are used. 4362

On the back of every ballot used, there shall be a solid 4363
black line printed opposite the blank rectangular space that is 4364
used to mark the choice of the voter. This line shall be printed 4365
wide enough so that the mark in the blank rectangular space will 4366
not be visible from the back side of the ballot. 4367

Sample ballots may be printed by the board of elections for 4368
all general elections. The ballots shall be printed on colored 4369
paper, and "Sample Ballot" shall be plainly printed in boldface 4370
type on the face of each ballot. In counties of less than one 4371
hundred thousand population, the board may print not more than 4372
five hundred sample ballots; in all other counties, it may print 4373
not more than one thousand sample ballots. The sample ballots 4374
shall not be distributed by a political party or a candidate, nor 4375
shall a political party or candidate cause their title or name to 4376
be imprinted on sample ballots. 4377

(B) Notwithstanding division (A) of this section, in 4378
approving the form of an official ballot, the secretary of state 4379
may authorize the use of fonts, type face settings, and ballot 4380
formats other than those prescribed in that division. 4381

Sec. 3505.10. (A) On the presidential ballot, below the 4382
stubs, if ballot stubs are being used, at the top of the face of 4383
the ballot shall be printed "Official Presidential Ballot" 4384
centered between the side edges of the ballot. Below "Official 4385
Presidential Ballot" shall be printed a heavy line centered 4386
between the side edges of the ballot. Below the line shall be 4387
printed "Instruction to Voters" centered between the side edges of 4388

the ballot, and below those words shall be printed the following 4389
instructions: 4390

"(1) To vote for the candidates for president and 4391
vice-president whose names are printed below, record your vote in 4392
the manner provided next to the names of such candidates. That 4393
recording of the vote will be counted as a vote for each of the 4394
candidates for presidential elector whose names have been 4395
certified to the secretary of state and who are members of the 4396
same political party as the nominees for president and 4397
vice-president. A recording of the vote for independent candidates 4398
for president and vice-president shall be counted as a vote for 4399
the presidential electors filed by such candidates with the 4400
secretary of state. 4401

(2) To vote for candidates for president and vice-president 4402
in the blank space below, record your vote in the manner provided 4403
and write the names of your choice for president and 4404
vice-president under the respective headings provided for those 4405
offices. Such write-in will be counted as a vote for the 4406
candidates' presidential electors whose names have been properly 4407
certified to the secretary of state. 4408

(3) If you tear, soil, deface, or erroneously mark this 4409
ballot, return it to the precinct election officers or, if you 4410
cannot return it, notify the precinct election officers, and 4411
obtain another ballot." 4412

(B) Below those instructions to the voter shall be printed a 4413
single vertical column of enclosed rectangular spaces equal in 4414
number to the number of presidential candidates plus one 4415
additional space for write-in candidates. Each of those 4416
rectangular spaces shall be enclosed by a heavy line along each of 4417
its four sides, and such spaces shall be separated from each other 4418
by one-half inch of open space. 4419

In each of those enclosed rectangular spaces, except the 4420
space provided for write-in candidates, shall be printed the names 4421
of the candidates for president and vice-president certified to 4422
the secretary of state or nominated in one of the following 4423
manners: 4424

(1) Nominated by the national convention of a political party 4425
to which delegates and alternates were elected in this state at 4426
the next preceding primary election. A political party certifying 4427
candidates so nominated shall certify the names of those 4428
candidates to the secretary of state on or before the ninetieth 4429
day before the day of the general election. 4430

(2) Nominated by nominating petition in accordance with 4431
section 3513.257 of the Revised Code. Such a petition shall be 4432
filed on or before the ninetieth day before the day of the general 4433
election to provide sufficient time to verify the sufficiency and 4434
accuracy of signatures on it. 4435

(3) Certified to the secretary of state for placement on the 4436
presidential ballot by authorized officials of an intermediate or 4437
minor political party that has held a state or national convention 4438
for the purpose of choosing those candidates or that may, without 4439
a convention, certify those candidates in accordance with the 4440
procedure authorized by its party rules. The officials shall 4441
certify the names of those candidates to the secretary of state on 4442
or before the ninetieth day before the day of the general 4443
election. The certification shall be accompanied by a designation 4444
of a sufficient number of presidential electors to satisfy the 4445
requirements of law. 4446

The names of candidates for electors of president and 4447
vice-president shall not be placed on the ballot, but shall be 4448
certified to the secretary of state as required by sections 4449
3513.11 and 3513.257 of the Revised Code. A vote for any 4450
candidates for president and vice-president shall be a vote for 4451

the electors of those candidates whose names have been certified 4452
to the secretary of state. 4453

(C) The arrangement of the printing in each of the enclosed 4454
rectangular spaces shall be substantially as follows: Near the top 4455
and centered within the rectangular space shall be printed "For 4456
President" in ten-point boldface upper and lower case type. Below 4457
"For President" shall be printed the name of the candidate for 4458
president in twelve-point boldface upper case type. Below the name 4459
of the candidate for president shall be printed the name of the 4460
political party by which that candidate for president was 4461
nominated in eight-point lightface upper and lower case type. 4462
Below the name of such political party shall be printed "For 4463
Vice-President" in ten-point boldface upper and lower case type. 4464
Below "For Vice-President" shall be printed the name of the 4465
candidate for vice-president in twelve-point boldface upper case 4466
type. Below the name of the candidate for vice-president shall be 4467
printed the name of the political party by which that candidate 4468
for vice-president was nominated in eight-point lightface upper 4469
and lower case type. No political identification or name of any 4470
political party shall be printed below the names of presidential 4471
and vice-presidential candidates nominated by petition. 4472

The rectangular spaces on the ballot described in this 4473
section shall be rotated and printed as provided in section 4474
3505.03 of the Revised Code. 4475

Sec. 3505.11. (A) The ballots, with the stubs attached if 4476
ballot stubs are being used, shall be bound into tablets for each 4477
precinct, which tablets shall contain at least one per cent more 4478
ballots than the total registration in the precinct, except as 4479
otherwise provided in division (B) of this section. Upon the 4480
covers of the tablets shall be written, printed, or stamped the 4481
designation of the precinct for which the ballots have been 4482

prepared. All official ballots shall be printed uniformly upon the 4483
same kind and quality of paper and shall be of the same shape, 4484
size, and type. 4485

Electors who have failed to respond within thirty days to any 4486
confirmation notice shall not be counted in determining the number 4487
of ballots to be printed under this section. 4488

(B)(1) A board of elections may choose to provide ballots on 4489
demand. If a board so chooses, the board shall have prepared for 4490
each precinct at least five per cent more ballots for an election 4491
than the number specified below for that kind of election: 4492

(a) For a primary election or a special election held on the 4493
day of a primary election, the total number of electors in that 4494
precinct who voted in the primary election held four years 4495
previously or, if no primary election was held four years 4496
previously, the total number of electors in that precinct who 4497
voted in a similarly situated primary, as determined by the board; 4498

(b) For a general election or a special election held on the 4499
day of a general election, the total number of electors in that 4500
precinct who voted in the general election held four years 4501
previously; 4502

(c) For a special election held at any time other than on the 4503
day of a primary or general election, the total number of electors 4504
in that precinct who voted in the most recent primary or general 4505
election, whichever of those elections occurred in the precinct 4506
most recently. 4507

(2) If, after the board complies with the requirements of 4508
division (B)(1) of this section, the election officials of a 4509
precinct determine that the precinct will not have enough ballots 4510
to enable all the qualified electors in the precinct who wish to 4511
vote at a particular election to do so, the officials shall 4512
request that the board provide additional ballots, and the board 4513

shall provide enough additional ballots, to that precinct in a 4514
timely manner so that all qualified electors in that precinct who 4515
wish to vote at that election may do so. 4516

Sec. 3505.13. A contract for the printing of ballots 4517
involving a cost in excess of ~~ten~~ twenty-five thousand dollars 4518
shall not be let until after five days' notice published once in a 4519
newspaper of general circulation published in the county or upon 4520
notice given by mail by the board of elections, addressed to ~~the~~ 4521
responsible printing offices ~~within the state~~. Except as otherwise 4522
provided in this section, each bid for such printing must be 4523
accompanied by a bond with at least two sureties, or a surety 4524
company, satisfactory to the board, in a sum double the amount of 4525
the bid, conditioned upon the faithful performance of the contract 4526
for such printing as is awarded and for the payment as damages by 4527
such bidder to the board of any excess of cost over the bid which 4528
it may be obliged to pay for such work by reason of the failure of 4529
the bidder to complete the contract. No bid unaccompanied by such 4530
bond shall be considered by the board. The board may, however, 4531
waive the requirement that each bid be accompanied by a bond if 4532
the cost of the contract is ~~ten~~ twenty-five thousand dollars or 4533
less. ~~The~~ Except as otherwise provided in this section, the 4534
contract shall be let to the lowest responsible bidder ~~in the~~ 4535
~~state. All ballots~~ A preference shall be given to ballots printed 4536
within the state, unless ballots printed within the state are not 4537
available at competitive prices or the ballots will not be 4538
reasonably available as required for the timing of ballot 4539
preparation and voting. In such case, an out-of-state printer may 4540
be used. 4541

Sec. 3505.16. Before the opening of the polls, the package of 4542
supplies and the ballot boxes shall be opened in the presence of 4543
the precinct officials. The ballot boxes, the package of ballots, 4544

registration forms, and other supplies shall at all times be in 4545
full sight of the observers, and no ballot box or unused ballots 4546
during the balloting or counting shall be removed or screened from 4547
their full sight until the counting has been closed and the final 4548
returns completed and the certificate signed by the ~~judges~~ 4549
precinct election officials. 4550

Sec. 3505.17. If by accident or casualty the ballots or other 4551
required papers, lists, or supplies are lost or destroyed, or in 4552
case none are delivered at the polling place, or if during the 4553
time the polls are open additional ballots or supplies are 4554
required, the board of elections, upon requisition by telephone or 4555
in writing and signed by a majority of the precinct election 4556
~~judges~~ officials of the precinct stating why such additional 4557
supplies are needed, shall supply them as speedily as possible. 4558

Sec. 3505.18. (A)(1) When an elector appears in a polling 4559
place to vote, the elector shall announce to the precinct election 4560
officials the elector's full name and current address and provide 4561
proof of the elector's identity in the form of a current and valid 4562
photo identification, a military identification, or a copy of a 4563
current utility bill, bank statement, government check, paycheck, 4564
or other government document, other than ~~a notice of an election~~ 4565
~~mailed by a board of elections under section 3501.19 of the~~ 4566
~~Revised Code~~ or a notice of voter registration mailed by a board 4567
of elections under section 3503.19 of the Revised Code, that shows 4568
the name and current address of the elector. ~~If the elector~~ 4569
~~provides either a driver's license or a state identification card~~ 4570
~~issued under section 4507.50 of the Revised Code that does not~~ 4571
~~contain the elector's current residence address, the elector shall~~ 4572
~~provide the last four digits of the elector's driver's license~~ 4573
~~number or state identification card number, and the precinct~~ 4574
~~election official shall mark the poll list or signature pollbook~~ 4575

~~to indicate that the elector has provided a driver's license or
state identification card number with a former address and record
the last four digits of the elector's driver's license number or
state identification card number.~~

(2) If an elector ~~has but~~ does not have or is unable to
provide to the precinct election officials any of the forms of
identification required under division (A)(1) of this section, but
has a social security number, the elector may provide the last
four digits of 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~~ does not have or 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~~ but has an Ohio driver's license number or a state
identification card number, the elector may provide the elector's
driver's license number or state identification card number. Upon
providing the driver's license number or state identification card
number, the elector may cast a provisional ballot under section
3505.181 of the Revised Code the envelope of which ballot shall
include that driver's license number or state identification card
number.

(4) If an elector does not have or is unable to provide any
of the forms of identification required under division (A)(1) of
this section and does not have or cannot provide the last four
digits of the elector's social security number ~~because the elector~~
~~does not have a social security number~~ and does not have or cannot
provide the elector's driver's license number or state

identification card number, the elector may execute an affirmation 4608
under penalty of election falsification that the elector cannot 4609
provide the identification required ~~under that division or the~~ 4610
~~last four digits of the elector's social security number~~ for those 4611
reasons but that the elector is eligible to vote. Upon signing the 4612
affirmation, the elector may cast a provisional ballot under 4613
section 3505.181 of the Revised Code. The secretary of state shall 4614
prescribe the form of the affirmation, which shall include spaces 4615
for all of the following: 4616

(a) The elector's name; 4617

(b) The elector's address; 4618

(c) The current date; 4619

(d) The elector's date of birth; 4620

(e) The elector's signature. 4621

(5) If an elector does not have or is unable to provide any 4622
of the forms of identification required under division (A)(1) of 4623
this section and does not have or cannot provide a driver's 4624
license number, state identification card number, or the last four 4625
digits of the elector's social security number ~~because the elector~~ 4626
~~does not have a social security number~~, and if the elector 4627
declines to execute an affirmation under division (A)(4) of this 4628
section, the elector may cast a provisional ballot under section 4629
3505.181 of the Revised Code, the envelope of which ballot shall 4630
include the elector's name. 4631

~~(6) If an elector has but declines to provide to the precinct~~ 4632
~~election officials any of the forms of identification required~~ 4633
~~under division (A)(1) of this section or the elector has a social~~ 4634
~~security number but declines to provide to the precinct election~~ 4635
~~officials the last four digits of the elector's social security~~ 4636
~~number, the elector may cast a provisional ballot under section~~ 4637
~~3505.181 of the Revised Code.~~ 4638

(B) After the elector has announced the elector's full name 4639
and current address and provided any of the forms of 4640
identification required under division (A)(1) of this section, the 4641
elector shall write the elector's name and address at the proper 4642
place in the poll list or signature pollbook provided for the 4643
purpose, except that if, for any reason, an elector is unable to 4644
write the elector's name and current address in the poll list or 4645
signature pollbook, the elector may make the elector's mark at the 4646
place intended for the elector's name, and a precinct election 4647
official shall write the name of the elector at the proper place 4648
on the poll list or signature pollbook following the elector's 4649
mark. The making of such a mark shall be attested by the precinct 4650
election official, who shall evidence the same by signing the 4651
precinct election official's name on the poll list or signature 4652
pollbook as a witness to the mark. Alternatively, if applicable, 4653
an attorney in fact acting pursuant to section 3501.382 of the 4654
Revised Code may sign the elector's signature in the poll list or 4655
signature pollbook in accordance with that section. 4656

The elector's signature in the poll list or signature 4657
pollbook then shall be compared with the elector's signature on 4658
the elector's registration form or a digitized signature list as 4659
provided for in section 3503.13 of the Revised Code, and if, in 4660
the opinion of a majority of the precinct election officials, the 4661
signatures are the signatures of the same person, the election 4662
officials shall enter the date of the election on the registration 4663
form or shall record the date by other means prescribed by the 4664
secretary of state. The validity of an attorney in fact's 4665
signature on behalf of an elector shall be determined in 4666
accordance with section 3501.382 of the Revised Code. 4667

If the right of the elector to vote is not then challenged, 4668
or, if being challenged, the elector establishes the elector's 4669
right to vote, the elector shall be allowed to proceed to use the 4670

voting machine. If voting machines are not being used in that 4671
precinct, the ~~judge~~ precinct election official in charge of 4672
ballots shall then hand the proper ballots to the elector. If the 4673
board of elections of that county opts to use ballots that include 4674
ballot stubs, the precinct election official in charge of the 4675
ballots shall then detach the next ballots to be issued to the 4676
elector from Stub B attached to each ballot, leaving Stub A 4677
attached to each ballot, hand the ballots to the elector, and call 4678
the elector's name and the stub number on each of the ballots. ~~The~~ 4679
~~judge~~ If ballot stubs are being used, the precinct election 4680
official shall enter the stub numbers opposite the signature of 4681
the elector in the pollbook. ~~The~~ After receiving the ballots, the 4682
elector shall then retire to one of the voting compartments to 4683
mark the elector's ballots. No mark shall be made on any ballot 4684
which would in any way enable any person to identify the person 4685
who voted the ballot. 4686

Sec. 3505.181. (A) All of the following individuals shall be 4687
permitted to cast a provisional ballot at an election: 4688

(1) An individual who declares that the individual is a 4689
registered voter in the jurisdiction in which the individual 4690
desires to vote and that the individual is eligible to vote in an 4691
election, but the name of the individual does not appear on the 4692
official list of eligible voters for the polling place or an 4693
election official asserts that the individual is not eligible to 4694
vote; 4695

(2) An individual who has a social security number and 4696
provides to the election officials the last four digits of the 4697
individual's social security number as permitted by division 4698
(A)(2) of section 3505.18 of the Revised Code; 4699

(3) An individual who has ~~but is unable to provide a driver's~~ 4700
license number or state identification card number and provides 4701

~~that number to the election officials any of the forms of~~ 4702
~~identification required under division (A)(1) of section 3505.18~~ 4703
~~of the Revised Code and who has a social security number but is~~ 4704
~~unable to provide the last four digits of the individual's social~~ 4705
~~security number as permitted under division (A)(2)(3) of that~~ 4706
~~section 3505.18 of the Revised Code;~~ 4707

(4) An individual who does not have any of the forms of 4708
identification required under division (A)(1) of section 3505.18 4709
of the Revised Code, who does not have or cannot provide the last 4710
four digits of the individual's social security number ~~under~~ 4711
~~division (A)(2) of that section because the individual does not~~ 4712
~~have a social security, driver's license number, or state~~ 4713
identification card number, and who has executed an affirmation as 4714
permitted under division (A)(4) of that section; 4715

(5) An individual whose name in the poll list or signature 4716
pollbook has been marked under section 3509.09 or 3511.13 of the 4717
Revised Code as having requested an absent voter's ballot or an 4718
armed service absent voter's ballot for that election and who 4719
appears to vote at the polling place; 4720

(6) An individual whose notification of registration has been 4721
returned undelivered to the board of elections and whose name in 4722
the official registration list and in the poll list or signature 4723
pollbook has been marked under division (C)(2) of section 3503.19 4724
of the Revised Code; 4725

(7) An individual who is challenged under section 3505.20 of 4726
the Revised Code and the election officials determine that the 4727
person is ineligible to vote or are unable to determine the 4728
person's eligibility to vote; 4729

(8) An individual whose application or challenge hearing has 4730
been postponed until after the day of the election under division 4731
(D)(1) of section 3503.24 of the Revised Code; 4732

(9) An individual who changes the individual's name and 4733
remains within the precinct without providing proof of that name 4734
change under division (B)(1)(b) of section 3503.16 of the Revised 4735
Code, moves from one precinct to another within a county, moves 4736
from one precinct to another and changes the individual's name, or 4737
moves from one county to another within the state, and completes 4738
and signs the required forms and statements under division (B) or 4739
(C) of section 3503.16 of the Revised Code; 4740

(10) An individual whose signature, in the opinion of the 4741
precinct officers under section 3505.22 of the Revised Code, is 4742
not that of the person who signed that name in the registration 4743
forms; 4744

(11) An individual who is challenged under section 3513.20 of 4745
the Revised Code who refuses to make the statement required under 4746
that section or who a majority of the precinct officials find 4747
lacks any of the qualifications to make the individual a qualified 4748
elector; 4749

(12) An individual who does not have or is unable to provide 4750
any of the forms of identification required under division (A)(1) 4751
of section 3505.18 of the Revised Code, who does not have or 4752
cannot provide a driver's license number, state identification 4753
card number, or the last four digits of the individual's social 4754
security number under ~~division~~ divisions (A)(2) or (3) of that 4755
section ~~because the person does not have a social security number,~~ 4756
and who declines to execute an affirmation as permitted under 4757
division (A)(4) of that section; 4758

(13) An individual who ~~has but declines to provide to the~~ 4759
~~precinct election officials any of the forms of identification~~ 4760
~~required under division (A)(1) of section 3501.18 of the Revised~~ 4761
~~Code or who has a social security number but declines to provide~~ 4762
~~to the precinct election officials the last four digits of the~~ 4763
~~individual's social security number~~ is casting a ballot after the 4764

time for the closing of the polls under section 3501.32 of the 4765
Revised Code pursuant to a court order extending the time for the 4766
closing of the polls. 4767

(B) An individual who is eligible to cast a provisional 4768
ballot under division (A) of this section shall be permitted to 4769
cast a provisional ballot as follows: 4770

(1) An election official at the polling place shall notify 4771
the individual that the individual may cast a provisional ballot 4772
in that election. 4773

(2) The individual shall be permitted to cast a provisional 4774
ballot at that polling place upon the execution of a written 4775
affirmation by the individual before an election official at the 4776
polling place ~~stating that the individual is both of the~~ 4777
~~following:~~ 4778

~~(a) A registered voter in the jurisdiction in which the~~ 4779
~~individual desires to vote;~~ 4780

~~(b) Eligible to vote in that election that meets the~~ 4781
requirements of section 3505.182 of the Revised Code. 4782

(3) An election official at the polling place shall transmit 4783
the ballot cast by the individual, and the voter information 4784
contained in the written affirmation executed by the individual 4785
under division (B)(2) of this section, ~~or the individual's name if~~ 4786
~~the individual declines to execute such an affirmation~~ to an 4787
appropriate local election official for verification under 4788
division (B)(4) of this section. If the individual refuses to 4789
execute an affirmation under division (B)(2) of this section, the 4790
election official shall note on the provisional ballot affirmation 4791
that the individual refused to execute the affirmation, but the 4792
election official shall not otherwise complete any portion of the 4793
affirmation required to be completed by the provisional voter, 4794
including the section stating the name of the provisional voter. 4795

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

(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~~ Except as otherwise provided in section 3505.184 of the Revised Code, 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, 4828
or a copy of a current utility bill, bank statement, government 4829
check, paycheck, or other government document, other than a ~~notice~~ 4830
~~of an election mailed by a board of elections under section~~ 4831
~~3501.19 of the Revised Code or a notice of voter registration~~ 4832
mailed by a board of elections under section 3503.19 of the 4833
Revised Code, that shows the individual's name and current 4834
address, or provides the last four digits of the individual's 4835
social security number, or provides the individual's driver's 4836
license number or state identification card number, or executes an 4837
affirmation that the elector does not have or cannot provide any 4838
of those forms of identification ~~or the last four digits of the~~ 4839
~~individual's social security number because the individual does~~ 4840
~~not have a social security number, or declines to execute such an~~ 4841
~~affirmation,~~ the appropriate local election official shall record 4842
the type of identification provided, ~~the social security number~~ 4843
~~information,~~ or the fact that the affirmation was executed, ~~or the~~ 4844
~~fact that the individual declined to execute such an affirmation~~ 4845
and include that information with the transmission of the ballot 4846
~~or and~~ voter ~~or address~~ information under division (B)(3) of this 4847
section. ~~If the individual declines to execute such an~~ 4848
~~affirmation, the appropriate local election official shall record~~ 4849
~~the individual's name and include that information with the~~ 4850
~~transmission of the ballot under division (B)(3) of this section.~~ 4851

(7) If an individual casts a provisional ballot pursuant to 4852
division (A)~~(3)~~, (7), (8), or (12), ~~or (13)~~ of this section, the 4853
election official shall indicate, on the provisional ballot 4854
verification statement required under section 3505.182 of the 4855
Revised Code, that the individual is required to provide 4856
additional information to the board of elections or that an 4857
application or challenge hearing has been postponed with respect 4858
to the individual, such that additional information is required 4859
for the board of elections to determine the eligibility of the 4860

individual who cast the provisional ballot. 4861

(8) During the ten days after the day of an election, an 4862
individual who casts a provisional ballot pursuant to division 4863
(A)~~(3)~~, (7), or (12), ~~or (13)~~ of this section shall ~~appear at the~~ 4864
~~office of the board of elections and~~ provide to the board any 4865
additional information necessary to determine the eligibility of 4866
the individual who cast the provisional ballot. 4867

(a) For a provisional ballot cast pursuant to division 4868
(A)~~(3)~~, (12), ~~or (13)~~ of this section to be eligible to be 4869
counted, the individual who cast that ballot, within ten days 4870
after the day of the election, shall do any of the following: 4871

(i) Provide to the board of elections proof of the 4872
individual's identity in the form of a current and valid photo 4873
identification, a military identification, or a copy of a current 4874
utility bill, bank statement, government check, paycheck, or other 4875
government document, ~~other than a notice of an election mailed by~~ 4876
~~a board of elections under section 3501.19 of the Revised Code or~~ 4877
a notice of voter registration mailed by a board of elections 4878
under section 3503.19 of the Revised Code, that shows the 4879
individual's name and current address; 4880

(ii) Provide to the board of elections the individual's 4881
driver's license number, state identification card number, or the 4882
last four digits of the individual's social security number; 4883

(iii) ~~In the case of a provisional ballot executed pursuant~~ 4884
~~to division (A)(12) of this section, execute~~ Execute an 4885
affirmation as permitted under division (A)(4) of section 3505.18 4886
of the Revised Code. 4887

(b) For a provisional ballot cast pursuant to division (A)(7) 4888
of this section to be eligible to be counted, the individual who 4889
cast that ballot, within ten days after the day of that election, 4890
shall provide to the board of elections any identification or 4891

other documentation required to be provided by the applicable 4892
challenge questions asked of that individual under section 3505.20 4893
of the Revised Code. The individual may provide the information 4894
via telephone, facsimile transmission, electronic mail, or postal 4895
mail. 4896

(9) If an individual casts a provisional ballot pursuant to 4897
division (A)(13) of this section, the election official shall 4898
indicate, on the provisional ballot verification statement 4899
required under section 3505.182 of the Revised Code, both of the 4900
following: 4901

(a) That the ballot was cast after the time for the closing 4902
of the polls pursuant to a court order extending the time for the 4903
closing of the polls; and 4904

(b) Whether the individual would have been eligible to cast a 4905
regular ballot, if the ballot were cast prior to the time for the 4906
closing of the polls. 4907

(C)(1) If an individual declares that the individual is 4908
eligible to vote in a jurisdiction other than the jurisdiction in 4909
which the individual desires to vote, or if, upon review of the 4910
precinct voting location guide using the residential street 4911
address provided by the individual, an election official at the 4912
polling place at which the individual desires to vote determines 4913
that the individual is not eligible to vote in that jurisdiction, 4914
the election official shall direct the individual to the polling 4915
place for the jurisdiction in which the individual appears to be 4916
eligible to vote, explain that the individual may cast a 4917
provisional ballot at the current location but the ballot will not 4918
be counted if it is cast in the wrong precinct, and provide the 4919
telephone number of the board of elections in case the individual 4920
has additional questions. 4921

(2) If the individual refuses to travel to the polling place 4922

for the correct jurisdiction or to the office of the board of 4923
elections to cast a ballot, or if the precinct election official 4924
fails to direct the voter to the polling place for the correct 4925
jurisdiction, the individual shall be permitted to vote a 4926
provisional ballot at that jurisdiction in accordance with 4927
division (B) of this section. ~~If any of the following apply, the~~ 4928
~~provisional ballot cast by that individual shall not be opened or~~ 4929
~~counted.~~ 4930

~~(a) The individual is not properly registered in that~~ 4931
~~jurisdiction.~~ 4932

~~(b) The individual is not eligible to vote in that election~~ 4933
~~in that jurisdiction.~~ 4934

~~(c) The individual's eligibility to vote in that jurisdiction~~ 4935
~~in that election cannot be established upon examination of the~~ 4936
~~records on file with the board of elections.~~ 4937

(D) The appropriate local election official shall cause 4938
voting information to be publicly posted at each polling place on 4939
the day of each election. 4940

(E) The board of elections shall consider the provisional 4941
ballot affirmation of an individual who casts a provisional ballot 4942
under division (A)(9) of this section to also serve as a notice of 4943
change of name, change of residence, or both, or as a voter 4944
registration form, as applicable, for that individual. If the 4945
affirmation is lacking any required information for the individual 4946
to register in a new county or to update the person's voter 4947
registration, the board shall contact the individual not later 4948
than sixty days before the day of the next election to complete 4949
the updating of the individual's voter registration. 4950

The board of elections may contact the individual using 4951
whatever means is deemed appropriate by the board in consideration 4952
of the timeframe needed to meet applicable deadlines and the 4953

effort needed to update the individual's voter registration. 4954
Whenever possible, the board shall update the individual's voter 4955
registration by confirming information with the individual via 4956
telephone, facsimile transmission, electronic mail, or postal 4957
mail. 4958

(F) As used in this section and sections 3505.182 and 4959
3505.183 of the Revised Code: 4960

(1) "Jurisdiction" means the precinct in which a person is a 4961
legally qualified elector. 4962

(2) "Precinct voting location guide" means either of the 4963
following: 4964

(a) An electronic or paper record that lists the correct 4965
jurisdiction and polling place for either each specific 4966
residential street address in the county or the range of 4967
residential street addresses located in each neighborhood block in 4968
the county; 4969

(b) Any other method that a board of elections creates that 4970
allows a precinct election official or any elector who is at a 4971
polling place in that county to determine the correct jurisdiction 4972
and polling place of any qualified elector who resides in the 4973
county. 4974

(3) "Voting information" means all of the following: 4975

(a) A sample version of the ballot that will be used for that 4976
election; 4977

(b) Information regarding the date of the election and the 4978
hours during which polling places will be open; 4979

(c) Instructions on how to vote, including how to cast a vote 4980
and how to cast a provisional ballot; 4981

(d) Instructions for mail-in registrants and first-time 4982
voters under applicable federal and state laws; 4983

(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;

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

Sec. 3505.182. Each individual who casts a provisional ballot 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~~ may 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.

.....	5014
(Signature of Voter)	5015
.....	5016
(Voter's date of birth)	5017
The last four digits of the voter's social security number	5018
.....	5019
(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)	5020
WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY	5021
OF THE FIFTH DEGREE.	5022
Additional Information For Determining Ballot Validity	5023
(May be completed at voter's discretion)	5024
Voter's current address:	5025
Voter's former address if	5026
photo identification does not contain voter's current address:	

<u>Voter's former name, if applicable:</u>	.....	5027
Voter's driver's license number or, if not provided above, the <u>The last four digits of voter's social security number</u>		5028
(Please circle number type):	.....	5029
<u>If last four digits of social security number are not provided, voter's driver's license number or state identification card number (Please circle number type):</u>	.....	5030
	<u>(Optional but recommended)</u>	5031
<u>Voter's date of birth:</u>	.....	5032
<u>Voter's telephone number:</u>	.....	5033
<u>Voter's electronic mail address:</u>	.....	5034
(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 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.)		5035
Reason for voting provisional ballot (Check one):		5036
..... Requested, but did not receive, absent voter's ballot		5037
..... Other		5038

Verification Statement	5039
(To be completed by election official)	5040
The Provisional Ballot Affirmation printed above was	5041
subscribed and affirmed before me this day of	5042
..... (Month), (Year).	5043
(If applicable, the election official must check the	5044
following true statement concerning additional information needed	5045
to determine the eligibility of the provisional voter.)	5046
..... The provisional voter is required to provide	5047
additional information to the board of elections <u>to resolve an</u>	5048
<u>election-day challenge</u> .	5049
<u>..... The provisional voter is required to provide</u>	5050
<u>identification information to the board of elections or execute an</u>	5051
<u>identification affirmation</u> .	5052
..... An application or challenge hearing regarding this	5053
voter has been postponed until after the election.	5054
(The election official must check the following true	5055
statement concerning identification provided by the provisional	5056
voter, if any.)	5057
..... The provisional voter provided a current and valid	5058
photo identification.	5059
..... The provisional voter provided a current valid photo	5060
identification, other than a driver's license or a state	5061
identification card, with the voter's former address instead of	5062
current address and has provided the election official both the	5063
current and former addresses.	5064
..... The provisional voter provided a military	5065
identification or a copy of a current utility bill, bank	5066
statement, government check, paycheck, or other government	5067
document, other than a notice of an election mailed by a board of	5068

~~elections under section 3501.19 of the Revised Code or a notice of~~ 5069
~~voter registration mailed by a board of elections under section~~ 5070
~~3503.19 of the Revised Code, with the voter's name and current~~ 5071
~~address.~~ 5072

..... The provisional voter provided the last four digits of 5073
the voter's social security number. 5074

..... The provisional voter ~~is not able to provide a current~~ 5075
~~and valid photo identification, a military identification, or a~~ 5076
~~copy of a current utility bill, bank statement, government check,~~ 5077
~~paycheck, or other government document, other than a notice of an~~ 5078
~~election mailed by a board of elections under section 3501.19 of~~ 5079
~~the Revised Code or a notice of voter registration mailed by a~~ 5080
~~board of elections under section 3503.19 of the Revised Code, with~~ 5081
~~the voter's name and current address but does have one of these~~ 5082
~~forms of identification. The provisional voter must provide one of~~ 5083
~~the foregoing items of identification to the board of elections~~ 5084
~~within ten days after the election.~~ 5085

~~..... The provisional voter is not able to provide a current~~ 5086
~~and valid photo identification, a military identification, or a~~ 5087
~~copy of a current utility bill, bank statement, government check,~~ 5088
~~paycheck, or other government document, other than a notice of an~~ 5089
~~election mailed by a board of elections under section 3501.19 of~~ 5090
~~the Revised Code or a notice of voter registration mailed by a~~ 5091
~~board of elections under section 3503.19 of the Revised Code, with~~ 5092
~~the voter's name and current address but does have one of these~~ 5093
~~forms of identification. Additionally, the provisional voter does~~ 5094
~~have a social security number but is not able to provide the last~~ 5095
~~four digits of the voter's social security number before voting.~~ 5096
~~The provisional voter must provide one of the foregoing items of~~ 5097
~~identification or the last four digits of the voter's social~~ 5098
~~security number to the board of elections within ten days after~~ 5099
~~the election provided the voter's driver's license number or state~~ 5100

identification card number. 5101

..... The provisional voter does not have a ~~current and valid~~ 5102
~~photo identification, a military identification, a copy of a~~ 5103
~~current utility bill, bank statement, government check, paycheck,~~ 5104
~~or other government document with the voter's name and current~~ 5105
~~address, or a social security number~~ or cannot provide any of the 5106
previously described types of identification, but has executed an 5107
affirmation. The provisional voter may provide additional 5108
identification information to the board of elections within ten 5109
days after the election to assist in the verification of the 5110
voter's ballot. 5111

..... The provisional voter does not have a ~~current and valid~~ 5112
~~photo identification, a military identification, a copy of a~~ 5113
~~current utility bill, bank statement, government check, paycheck,~~ 5114
~~or other government document with the voter's name and current~~ 5115
~~address, or a social security number,~~ or cannot provide any of the 5116
previously described types of identification and has declined to 5117
execute an affirmation. The provisional voter must provide one of 5118
the previously described types of identification, or execute an 5119
affirmation, to the board of elections within ten days after the 5120
election. 5121

..... The provisional voter ~~declined to provide a current and~~ 5122
~~valid photo identification, a military identification, a copy of a~~ 5123
~~current utility bill, bank statement, government check, paycheck,~~ 5124
~~or other government document with the voter's name and current~~ 5125
~~address, or the last four digits of the voter's social security~~ 5126
~~number but does have one of these forms of identification or a~~ 5127
~~social security number. The provisional voter must provide one of~~ 5128
~~the foregoing items of identification or the last four digits of~~ 5129
~~the voter's social security number to the board of elections~~ 5130
~~within ten days after the election.~~ 5131

(The election official must complete the following concerning 5132

<u>the voter's correct precinct polling location):</u>	5133
<u>Is the voter listed at the correct address in the pollbook?</u>	5134
<u>Yes..... No.....</u>	5135
<u>If no, find the voter's address in the precinct voting</u>	5136
<u>location guide and record the name or number of the voter's</u>	5137
<u>correct precinct:</u>	5138
<u>Write down the voter's correct polling location:</u>	5139
<u>.....</u>	5140
<u>If the voter's correct precinct or polling location is</u>	5141
<u>different from where you are now, instruct the voter to go to the</u>	5142
<u>correct precinct and polling location. If you have already issued</u>	5143
<u>a provisional ballot to the voter or begun writing on this</u>	5144
<u>envelope, mark both the ballot and envelope as void and process</u>	5145
<u>according to your local instructions.</u>	5146
<u>Did the voter refuse to go to the correct precinct and</u>	5147
<u>polling location? Yes..... No.....</u>	5148
<u>Did you instruct the voter that casting a ballot in the wrong</u>	5149
<u>precinct would result in all of the votes on the ballot being</u>	5150
<u>rejected? Yes..... No.....</u>	5151
<u>(If applicable, the election official must check the</u>	5152
<u>following true statements regarding a ballot cast after the time</u>	5153
<u>for the closing of the polls.)</u>	5154
<u>..... The provisional voter is voting after the time for the</u>	5155
<u>closing of the polls pursuant to a court order extending the time</u>	5156
<u>for the closing of the polls.</u>	5157
<u>..... The provisional voter would have been eligible to cast</u>	5158
<u>a regular ballot, if the provisional voter cast that ballot prior</u>	5159
<u>to the time for the closing of the polls.</u>	5160
<u>..... The provisional voter would not have been eligible to</u>	5161
<u>cast a regular ballot, if the provisional voter cast that ballot</u>	5162

prior to the time for the closing of the polls. 5163

(If applicable, the election official must check the 5164
following statement.) 5165

..... The provisional voter refused to complete the voter's 5166
portion of this statement. 5167

I hereby declare, under penalty of election falsification, 5168
that the above statements are true and correct to the best of my 5169
knowledge and belief. 5170

..... 5171
(Signature of Election Official)" 5172

In addition to any information required to be included on the 5173
written affirmation, an individual casting a provisional ballot 5174
may provide additional information to the election official to 5175
assist the board of elections in determining the individual's 5176
eligibility to vote in that election, including the date and 5177
location at which the individual registered to vote, if known. 5178

~~If the individual declines to execute the affirmation, an~~ 5179
~~appropriate local election official shall comply with division~~ 5180
~~(B)(6) of section 3505.181 of the Revised Code.~~ 5181

Sec. 3505.183. (A)(1) When the ballot boxes are delivered to 5182
the board of elections from the precincts, the board shall 5183
separate the provisional ballot envelopes from the rest of the 5184
ballots. Teams of employees of the board consisting of one member 5185
of each major political party shall place the sealed provisional 5186
ballot envelopes in a secure location within the office of the 5187
board. The sealed provisional ballot envelopes shall remain in 5188
that secure location until the validity of those ballots is 5189
determined under division (B) of this section. While the 5190
provisional ballot is stored in that secure location, and prior to 5191
the counting of the provisional ballots, if the board receives 5192

information regarding the validity of a specific provisional 5193
ballot under division (B) of this section, the board may note, on 5194
the sealed provisional ballot envelope for that ballot, whether 5195
the ballot is valid and entitled to be counted. 5196

(2) While the provisional ballots are stored in that 5197
location, the board shall contact any individual whose provisional 5198
ballot affirmation indicates that the person is required to 5199
provide additional information to the board of elections for the 5200
ballot to be eligible to be counted. The board of elections may 5201
contact the individual using whatever means is deemed appropriate 5202
by the board in consideration of the timeframe needed to meet 5203
applicable deadlines. Whenever possible, the board shall obtain 5204
the required information from the individual via telephone, 5205
facsimile transmission, electronic mail, or postal mail. 5206

(B)(1) To determine whether a provisional ballot is valid and 5207
entitled to be counted, the board shall examine its records and 5208
determine whether the individual who cast the provisional ballot 5209
is registered and eligible to vote in the applicable election. The 5210
board shall examine the information contained in the written 5211
affirmation executed by the individual who cast the provisional 5212
ballot under division (B)(2) of section 3505.181 of the Revised 5213
Code. ~~If the individual declines to execute such an affirmation,~~ 5214
~~the individual's name, written by either the individual or the~~ 5215
~~election official at the direction of the individual, shall be~~ 5216
~~included in a written affirmation in order for the provisional~~ 5217
~~ballot to be eligible to be counted; otherwise, the following~~ 5218
~~information shall be included in the written affirmation in order~~ 5219
~~for the provisional ballot to be eligible to be counted:~~ 5220

~~(a) The individual's name and signature;~~ 5221

~~(b) A statement that the individual is a registered voter in 5222~~
~~the jurisdiction in which the provisional ballot is being voted;~~ 5223

~~(c) A statement that the individual is eligible to vote in the election in which the provisional ballot is being voted.~~ 5224
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~~(2) In addition to the information required to be included in an affirmation under division (B)(1) of this section, in determining whether a provisional ballot is valid and entitled to be counted, the board also shall examine any additional information for determining ballot validity provided by the provisional voter on the affirmation, provided by the provisional voter to an election official under section 3505.182 of the Revised Code, or provided to the board of elections during the ten days after the day of the election under division (B)(8) of section 3505.181 of the Revised Code, to assist the board in determining the individual's eligibility to vote.~~ 5226
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~~(3) 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 ~~determines that all of the following apply~~ is able to determine the identity of the elector who cast the ballot, the ballot shall be presumed to be valid and eligible for counting, unless, by a vote of at least three members of the board of elections, the board determines that the ballot is not eligible to be counted in accordance with division (B)(4) of this section. If the ballot is eligible to be counted, the provisional ballot envelope shall be opened, and the ballot shall be placed in a ballot box to be counted.~~ 5237
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~~(a) The individual named on the affirmation is properly registered to vote.~~ 5250
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~~(b) The individual named on the affirmation is eligible to cast a ballot in the precinct and for the election in which the individual cast the provisional ballot.~~ 5252
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~~(c) The individual provided all of the information required under division (B)(1) of this section in the affirmation that the individual executed at the time the individual cast the provisional ballot.~~

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

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

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

(4)(a) 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, at least three members of the board determines determine that any of the following applies, the provisional ballot envelope shall not be opened, and the ballot shall not be counted:

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

~~(ii)(b)~~ (b) The individual named on the affirmation is not eligible to cast a ballot in the precinct ~~or for the election~~ in which the individual cast the provisional ballot, the individual was directed to the correct precinct or polling location, and the

individual refused to travel to the correct precinct or polling location to cast a ballot, as documented by the precinct election official on the statement accompanying the provisional ballot. 5286
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~~(iii) The individual did not provide all of the information required under division (B)(1) of this section in the affirmation that the individual executed at the time the individual cast the provisional ballot.~~ 5289
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~~(iv)(c) The individual has already cast a ballot for the election in which the individual cast the provisional ballot.~~ 5293
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~~(v)(d) If applicable, the individual did not provide any additional information required under division (B)(8) of section 3505.181 of the Revised Code within ten days after the day of the election.~~ 5295
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~~(vi)(e) If applicable, the hearing conducted under division (B) of section 3503.24 of the Revised Code after the day of the election did not result in the individual's inclusion in the official registration list.~~ 5299
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~~(vii)(f) The individual failed 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, 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, with the voter's name and current address, or the last four digits of the individual's social security number, or the individual's driver's license number or state identification card number, or to execute an affirmation under division (A) of section 3505.18 or division (B) of section 3505.181 of the Revised Code.~~ 5303
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~~(viii)(g) The last four digits of the elector's social security number or the elector's driver's license number or state~~ 5315
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identification number are different from the last four digits of 5317
the elector's social security number or the elector's driver's 5318
license number or state identification number contained in the 5319
statewide voter registration database. 5320

~~(b) If, in examining a provisional ballot affirmation and 5321
additional information under divisions (B)(1) and (2) of this 5322
section and comparing the information required under division 5323
(B)(1) of this section with the elector's information in the 5324
statewide voter registration database, the board is unable to 5325
determine either of the following, the provisional ballot envelope 5326
shall not be opened, and the ballot shall not be counted:~~ 5327

~~(i) Whether the individual named on the affirmation is 5328
qualified or properly registered to vote;~~ 5329

~~(ii) Whether the individual named on the affirmation is 5330
eligible to cast a ballot in the precinct or for the election in 5331
which the individual cast the provisional ballot.~~ 5332

(h) The individual who cast the provisional ballot cannot be 5333
identified. 5334

(i) The individual who cast the provisional ballot is not 5335
eligible to cast a ballot for the election in which the individual 5336
cast the provisional ballot. 5337

(C) In evaluating a provisional ballot affirmation and 5338
additional information under divisions (B)(1) and (2) of this 5339
section to determine whether the provisional ballot is eligible to 5340
be counted, all of the following shall apply: 5341

(1) The last four digits of the individual's social security 5342
number, if provided, shall be sufficient for the purpose of 5343
identifying the provisional voter; 5344

(2) The individual's driver's license number or state 5345
identification card number, if provided, shall be sufficient for 5346

the purpose of identifying the provisional voter; 5347

(3) A provisional ballot affirmation that does not include 5348
the individual's name, or that has the individual's name in an 5349
incorrect location, shall not be rejected if the board determines 5350
the identity of the individual based on the individual's signature 5351
or other means; 5352

(4) A provisional ballot affirmation that contains the 5353
individual's signature in an incorrect location shall not be 5354
rejected if the individual's signature would have been sufficient 5355
if placed in the correct location on the affirmation; 5356

(5) A provisional ballot shall not be rejected on the ground 5357
that any portion of the affirmation required to be completed by a 5358
precinct election official is incomplete; 5359

(6) If there is a tie vote amongst the members of the board 5360
of elections in determining whether a particular provisional 5361
ballot is eligible to be counted under division (B)(3) of this 5362
section, that ballot shall be counted. 5363

(D)(1) For each provisional ballot rejected under division 5364
(B)(4) of this section, the board shall record the name of the 5365
provisional voter who cast the ballot, if that name can be 5366
determined, the identification number of the provisional ballot 5367
envelope, the names of the election officials who determined the 5368
validity of that ballot, the date and time that the determination 5369
was made, and the reason that the ballot was not counted. 5370

(2) Provisional ballots that are rejected under division 5371
(B)(4) of this section shall not be counted but shall be preserved 5372
in their provisional ballot envelopes unopened until the time 5373
provided by section 3505.31 of the Revised Code for the 5374
destruction of all other ballots used at the election for which 5375
ballots were provided, at which time they shall be destroyed. 5376

~~(D)~~(E) Provisional ballots that the board determines are 5377

eligible to be counted under division (B)(3) of this section shall 5378
be counted in the same manner as provided for other ballots under 5379
section 3505.27 of the Revised Code. No provisional ballots shall 5380
be counted in a particular county until the board determines the 5381
eligibility to be counted of all provisional ballots cast in that 5382
county under division (B) of this section for that election. 5383
Observers, as provided in section 3505.21 of the Revised Code, may 5384
be present at all times that the board is determining the 5385
eligibility of provisional ballots to be counted and counting 5386
those provisional ballots determined to be eligible. No person 5387
shall recklessly disclose the count or any portion of the count of 5388
provisional ballots in such a manner as to jeopardize the secrecy 5389
of any individual ballot. 5390

~~(E)~~(F) Notwithstanding any provision of the Revised Code to 5391
the contrary, if an individual casts a provisional ballot in a 5392
precinct polling location other than the individual's correct 5393
precinct polling location, both of the following shall apply: 5394

(1) The provisional ballot shall be counted if the individual 5395
was otherwise eligible to vote in that election and the 5396
provisional ballot cast by that individual contained identical 5397
candidate choices, questions, and issues to the ballot that the 5398
individual would have been eligible to cast if the individual had 5399
voted in the correct precinct polling location; 5400

(2) The provisional ballot shall be remade by the election 5401
officials for all of the candidate choices, questions, and issues 5402
for which the individual made a ballot selection that coincide 5403
with the candidate choices, questions, and issues for which the 5404
individual would have been eligible to cast a ballot if the 5405
individual had voted in the correct precinct polling location, if 5406
the statement on the provisional ballot affirmation that is 5407
required to be completed by the precinct election officials does 5408
not reveal whether or not the individual was properly directed to 5409

the correct precinct and polling location. 5410

(G)(1) Except as otherwise provided in division ~~(E)~~(G)(2) of 5411
this section, nothing in this section shall prevent a board of 5412
elections from examining provisional ballot affirmations and 5413
additional information under divisions (B)(1) and (2) of this 5414
section to determine the eligibility of provisional ballots to be 5415
counted during the ten days after the day of an election. 5416

(2) A board of elections shall not examine the provisional 5417
ballot affirmation and additional information under divisions 5418
(B)(1) and (2) of this section of any provisional ballot for which 5419
an election official has indicated under division (B)(7) of 5420
section 3505.181 of the Revised Code that additional information 5421
is required for the board of elections to determine the 5422
eligibility of the individual who cast that provisional ballot 5423
until the individual provides any information required under 5424
division (B)(8) of section 3505.181 of the Revised Code, until any 5425
hearing required to be conducted under section 3503.24 of the 5426
Revised Code with regard to the provisional voter is held, or 5427
until the eleventh day after the day of the election, whichever is 5428
earlier. 5429

Sec. 3505.184. Not later than five days after the day of an 5430
election, each board of elections shall compile a list of the 5431
names and, if available, voter registration addresses, of each 5432
individual who cast a provisional ballot in that county at that 5433
election. The list shall identify each individual whose 5434
provisional ballot affirmation indicates is required to provide 5435
additional information for the individual's provisional ballot to 5436
be eligible to be counted. The list shall be a public record, and 5437
the board of elections shall either make the list available on its 5438
web site or provide a copy of the list to a requestor within 5439
twenty-four hours after a request for the list is received. 5440

Sec. 3505.20. Any person offering to vote may be challenged 5441
at the polling place by any ~~judge of elections~~ precinct election 5442
official. If the board of elections has ruled on the question 5443
presented by a challenge prior to election day, its finding and 5444
decision shall be final, and the ~~presiding judge~~ voting location 5445
manager shall be notified in writing. If the board has not ruled, 5446
the question shall be determined as set forth in this section. If 5447
any person is so challenged as unqualified to vote, the ~~presiding~~ 5448
~~judge~~ voting location manager shall tender the person the 5449
following oath: "You do swear or affirm under penalty of election 5450
falsification that you will fully and truly answer all of the 5451
following questions put to you concerning your qualifications as 5452
an elector at this election." 5453

(A) If the person is challenged as unqualified on the ground 5454
that the person is not a citizen, the ~~judges~~ precinct election 5455
officials shall put the following questions: 5456

~~(1) Are you a citizen of the United States?~~ 5457

~~(2) Are you a native or naturalized citizen?~~ 5458

~~(3) Where were you born?~~ 5459

~~(4) What official documentation do you possess to prove your~~ 5460
~~citizenship? Please provide that documentation.~~ 5461

~~If the person offering to vote claims to be a naturalized~~ 5462
~~citizen of the United States, the person shall, before the vote is~~ 5463
~~received, produce for inspection of the judges a certificate of~~ 5464
~~naturalization and declare under oath that the person is the~~ 5465
~~identical person named in the certificate. If the person states~~ 5466
~~under oath that, by reason of the naturalization of the person's~~ 5467
~~parents or one of them, the person has become a citizen of the~~ 5468
~~United States, and when or where the person's parents were~~ 5469
~~naturalized, the certificate of naturalization need not be~~ 5470

~~produced. If the person is unable to provide a certificate of 5471
naturalization on the day of the election, the judges shall 5472
provide to the person, and the person may vote, a provisional 5473
ballot under section 3505.181 of the Revised Code. The provisional 5474
ballot shall not be counted unless it is properly completed and 5475
the board of elections determines that the voter is properly 5476
registered and eligible to vote in the election. 5477~~

(B) If the person is challenged as unqualified on the ground 5478
that the person has not resided in this state for thirty days 5479
immediately preceding the election, the ~~judges~~ precinct election
officials shall put the following questions: 5480
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(1) Have you resided in this state for thirty days 5482
immediately preceding this election? If so, where have you 5483
resided? 5484

(2) Did you properly register to vote? 5485

(3) Can you provide some form of identification containing 5486
your current mailing address in this precinct? Please provide that 5487
identification. 5488

(4) Have you voted or attempted to vote at any other location 5489
in this or in any other state at this election? 5490

(5) Have you applied for an absent voter's ballot in any 5491
state for this election? 5492

If the ~~judges~~ precinct election officials are unable to 5493
verify the person's eligibility to cast a ballot in the election, 5494
the ~~judges~~ precinct election officials shall provide to the 5495
person, and the person may vote, a provisional ballot under 5496
section 3505.181 of the Revised Code. ~~The provisional ballot shall 5497
not be counted unless it is properly completed and the board of 5498
elections determines that the voter is properly registered and 5499
eligible to vote in the election. 5500~~

(C) If the person is challenged as unqualified on the ground 5501
that the person is not a resident of the precinct where the person 5502
offers to vote, the ~~judges~~ precinct election officials shall put 5503
the following questions: 5504

(1) Do you reside in this precinct? 5505

(2) When did you move into this precinct? 5506

(3) When you came into this precinct, did you come for a 5507
temporary purpose merely or for the purpose of making it your 5508
home? 5509

(4) What is your current mailing address? 5510

(5) Do you have some official identification containing your 5511
current address in this precinct? Please provide that 5512
identification. 5513

(6) Have you voted or attempted to vote at any other location 5514
in this or in any other state at this election? 5515

(7) Have you applied for any absent voter's ballot in any 5516
state for this election? 5517

The ~~judges~~ precinct election officials shall direct an 5518
individual who is not in the appropriate polling place to the 5519
appropriate polling place. If the individual refuses to go to the 5520
appropriate polling place, or if the ~~judges~~ precinct election 5521
officials are unable to verify the person's eligibility to cast a 5522
ballot in the election, the ~~judges~~ precinct election officials 5523
shall provide to the person, and the person may vote, a 5524
provisional ballot under section 3505.181 of the Revised Code. ~~The~~ 5525
~~provisional ballot shall not be counted unless it is properly~~ 5526
~~completed and the board of elections determines that the voter is~~ 5527
~~properly registered and eligible to vote in the election.~~ 5528

(D) If the person is challenged as unqualified on the ground 5529
that the person is not of legal voting age, the ~~judges~~ precinct 5530

election officials shall put the following questions: 5531

(1) Are you eighteen years of age or more? 5532

(2) What is your date of birth? 5533

(3) Do you have some official identification verifying your 5534
age? Please provide that identification. 5535

If the ~~judges~~ precinct election officials are unable to 5536
verify the person's age and eligibility to cast a ballot in the 5537
election, the ~~judges~~ precinct election officials shall provide to 5538
the person, and the person may vote, a provisional ballot under 5539
section 3505.181 of the Revised Code. ~~The provisional ballot shall~~ 5540
~~not be counted unless it is properly completed and the board of~~ 5541
~~elections determines that the voter is properly registered and~~ 5542
~~eligible to vote in the election.~~ 5543

~~The presiding judge shall put such other questions to the~~ 5544
~~person challenged as are necessary to determine the person's~~ 5545
~~qualifications as an elector at the election.~~ If a person 5546
challenged refuses to answer fully any question put to the person, 5547
is unable to answer the questions as they were answered on the 5548
registration form by the person under whose name the person offers 5549
to vote, or refuses to sign the person's name or make the person's 5550
mark, or if for any other reason a majority of the ~~judges~~ precinct 5551
election officials believes the person is not entitled to vote, 5552
the ~~judges~~ precinct election officials shall provide to the 5553
person, and the person may vote, a provisional ballot under 5554
section 3505.181 of the Revised Code. ~~The provisional ballot shall~~ 5555
~~not be counted unless it is properly completed and the board of~~ 5556
~~elections determines that the voter is properly registered and~~ 5557
~~eligible to vote in the election.~~ 5558

A qualified citizen who has certified the citizen's intention 5559
to vote for president and vice-president as provided by Chapter 5560
3504. of the Revised Code shall be eligible to receive only the 5561

ballot containing presidential and vice-presidential candidates. 5562

However, prior to the nineteenth day before the day of an 5563
election and in accordance with section 3503.24 of the Revised 5564
Code, any person qualified to vote may challenge the right of any 5565
other person to be registered as a voter, or the right to cast an 5566
absent voter's ballot, or to make application for such ballot. 5567
Such challenge shall be made in accordance with section 3503.24 of 5568
the Revised Code, and the board of elections of the county in 5569
which the voting residence of the challenged voter is situated 5570
shall make a final determination relative to the legality of such 5571
registration or application. 5572

Sec. 3505.21. At any primary, special, or general election, 5573
any political party supporting candidates to be voted upon at such 5574
election and any group of five or more candidates may appoint to 5575
the board of elections or to any of the precincts in the county or 5576
city one person, a qualified elector, who shall serve as observer 5577
for such party or such candidates during the casting and counting 5578
of the ballots; provided that separate observers may be appointed 5579
to serve during the casting and during the counting of the 5580
ballots. No candidate, no uniformed peace officer as defined by 5581
section 2935.01 of the Revised Code, no uniformed state highway 5582
patrol trooper, no uniformed member of any fire department, no 5583
uniformed member of the armed services, no uniformed member of the 5584
organized militia, no person wearing any other uniform, and no 5585
person carrying a firearm or other deadly weapon shall serve as an 5586
observer, nor shall any candidate be represented by more than one 5587
observer at any one precinct except that a candidate who is a 5588
member of a party controlling committee, as defined in section 5589
3517.03 of the Revised Code, may serve as an observer. Any 5590
political party or group of candidates appointing observers shall 5591
notify the board of elections of the names and addresses of its 5592
appointees and the precincts at which they shall serve. 5593

Notification shall take place not less than eleven days before the 5594
election on forms prescribed by the secretary of state and may be 5595
amended by filing an amendment with the board of elections at any 5596
time until four p.m. of the day before the election. The observer 5597
serving on behalf of a political party shall be appointed in 5598
writing by the chairperson and secretary of the respective 5599
controlling party committee. Observers serving for any five or 5600
more candidates shall have their certificates signed by those 5601
candidates. Observers appointed to a precinct may file their 5602
certificates of appointment with the ~~presiding judge~~ voting 5603
location manager of the precinct at the meeting on the evening 5604
prior to the election, or with the ~~presiding judge~~ voting location 5605
manager of the precinct on the day of the election. Upon the 5606
filing of a certificate, the person named as observer in the 5607
certificate shall be permitted to be in and about the polling 5608
place for the precinct during the casting of the ballots and shall 5609
be permitted to watch every proceeding of the ~~judges of elections~~ 5610
precinct election officials from the time of the opening until the 5611
closing of the polls. The observer also may inspect the counting 5612
of all ballots in the polling place or board of elections from the 5613
time of the closing of the polls until the counting is completed 5614
and the final returns are certified and signed. Observers 5615
appointed to the board of elections under this section may observe 5616
at the board of elections and may observe at any precinct in the 5617
county. The ~~judges of elections~~ precinct election officials shall 5618
protect such observers in all of the rights and privileges granted 5619
to them by Title XXXV of the Revised Code. 5620

No persons other than the ~~judges of elections~~ precinct 5621
election officials, the observers, a police officer, other persons 5622
who are detailed to any precinct on request of the board of 5623
elections, or the secretary of state or the secretary of state's 5624
legal representative shall be admitted to the polling place, or 5625
any room in which a board of elections is counting ballots, after 5626

the closing of the polls until the counting, certifying, and 5627
signing of the final returns of each election have been completed. 5628

Not later than four p.m. of the twentieth day prior to an 5629
election at which questions are to be submitted to a vote of the 5630
people, any committee that in good faith advocates or opposes a 5631
measure may file a petition with the board of any county asking 5632
that the petitioners be recognized as the committee entitled to 5633
appoint observers to the count at the election. If more than one 5634
committee alleging themselves to advocate or oppose the same 5635
measure file such a petition, the board shall decide and announce 5636
by registered mail to each committee not less than twelve days 5637
immediately preceding the election which committee is recognized 5638
as being entitled to appoint observers. The decision shall not be 5639
final, but any aggrieved party may institute mandamus proceedings 5640
in the court of common pleas of the county in which the board has 5641
jurisdiction to compel the ~~judges of elections~~ precinct election 5642
officials to accept the appointees of such aggrieved party. Any 5643
such recognized committee may appoint an observer to the count in 5644
each precinct. Committees appointing observers shall notify the 5645
board of elections of the names and addresses of its appointees 5646
and the precincts at which they shall serve. Notification shall 5647
take place not less than eleven days before the election on forms 5648
prescribed by the secretary of state and may be amended by filing 5649
an amendment with the board of elections at any time until four 5650
p.m. on the day before the election. A person so appointed shall 5651
file the person's certificate of appointment with the ~~presiding~~ 5652
~~judge~~ voting location manager in the precinct in which the person 5653
has been appointed to serve. Observers shall file their 5654
certificates before the polls are closed. In no case shall more 5655
than six observers be appointed for any one election in any one 5656
precinct. If more than three questions are to be voted on, the 5657
committees which have appointed observers may agree upon not to 5658
exceed six observers, and the ~~judges of elections~~ precinct 5659

election officials shall appoint such observers. If such 5660
committees fail to agree, the ~~judges of elections~~ precinct 5661
election officials shall appoint six observers from the appointees 5662
so certified, in such manner that each side of the several 5663
questions shall be represented. 5664

No person shall serve as an observer at any precinct unless 5665
the board of elections of the county in which such observer is to 5666
serve has first been notified of the name, address, and precinct 5667
at which such observer is to serve. Notification to the board of 5668
elections shall be given by the political party, group of 5669
candidates, or committee appointing such observer as prescribed in 5670
this section. No such observers shall receive any compensation 5671
from the county, municipal corporation, or township, and they 5672
shall take the following oath, to be administered by one of the 5673
~~judges of elections~~ precinct election officials: 5674

"You do solemnly swear that you will faithfully and 5675
impartially discharge the duties as an official observer, assigned 5676
by law; that you will not cause any delay to persons offering to 5677
vote; and that you will not disclose or communicate to any person 5678
how any elector has voted at such election." 5679

Sec. 3505.23. ~~No~~ After a voter shall be allowed to occupy has 5680
occupied a voting compartment or ~~use~~ has used a voting machine 5681
more than ~~five~~ ten minutes ~~when all the voting compartments or~~ 5682
~~machines are in use and voters are waiting to occupy them. Except,~~ 5683
and in five minute intervals thereafter, the precinct election 5684
officials shall inquire whether the voter requires assistance in 5685
marking the voter's ballots. 5686

Except as otherwise provided ~~by~~ in this section and section 5687
3505.24 of the Revised Code, no voter shall occupy a voting 5688
compartment or machine with another person or speak to anyone, nor 5689
shall anyone speak to the voter, while the voter is in a voting 5690

compartment or machine. 5691

In precincts that do not use voting machines the following 5692
procedure shall be followed: 5693

If a voter tears, soils, defaces, or erroneously marks a 5694
ballot the voter may return it to the precinct election officials 5695
and a second ballot shall be issued to the voter. Before returning 5696
a torn, soiled, defaced, or erroneously marked ballot, the voter 5697
shall fold it so as to conceal any marks the voter made upon it, 5698
~~but. If the ballot includes a ballot stub,~~ the voter shall not 5699
remove Stub A therefrom. If the voter tears, soils, defaces, or 5700
erroneously marks such second ballot, the voter may return it to 5701
the precinct election officials, and a third ballot shall be 5702
issued to the voter. In no case shall more than three ballots be 5703
issued to a voter. Upon receiving a returned torn, soiled, 5704
defaced, or erroneously marked ballot the precinct election 5705
officials shall ~~detach Stub A therefrom,~~ write "Defaced" on the 5706
back of such ballot, and place ~~the stub and~~ the ballot in the 5707
appropriate container. If ballot stubs are being used, the 5708
precinct election officials shall detach Stub A from the returned 5709
torn, soiled, defaced, or erroneously marked ballot and place the 5710
stub and the ballot in the separate containers provided therefor. 5711

No elector shall leave the polling place until the elector 5712
returns to the precinct election officials every ballot issued to 5713
the elector, with Stub A on each ballot attached thereto if 5714
applicable, regardless of whether the elector has or has not 5715
placed any marks upon the ballot. 5716

Before leaving the voting compartment, the voter shall fold 5717
each ballot marked by the voter so that no part of the face of the 5718
ballot is visible, and so that the printing thereon indicating the 5719
kind of ballot it is and the facsimile signatures of the members 5720
of the board of elections are visible. The voter shall then leave 5721
the voting compartment, deliver the voter's ballots, and state the 5722

voter's name to the ~~judge~~ precinct election official having charge 5723
of the ballot boxes, who shall announce the name of the voter and 5724
shall, in the presence of the voter, deposit each such ballot in 5725
the proper ballot box. If ballot stubs are being used, the 5726
precinct election official having charge of the ballot boxes shall 5727
announce the name of the voter, detach Stub A from each ballot, 5728
and announce the number on the stubs. The ~~judges~~ precinct election 5729
officials in charge of the poll lists or poll books shall check to 5730
ascertain whether the number so announced is the number on Stub B 5731
of the ballots issued to such voter, and if no discrepancy appears 5732
to exist, the ~~judge~~ precinct election official in charge of the 5733
ballot boxes shall, in the presence of the voter, deposit each 5734
such ballot in the proper ballot box and shall place Stub A from 5735
each ballot in the container provided therefor. ~~The~~ However, no 5736
ballot shall be rejected on the grounds that Stub A has not been 5737
returned with the marked ballot. If the voter returns the ballot 5738
without Stub A attached, the precinct election official in charge 5739
of the poll lists or pollbooks shall note in the poll lists or 5740
pollbooks that Stub A was not returned with the ballot. The 5741
precinct election official in charge of the ballot boxes then 5742
shall, in the presence of the voter, deposit each such ballot in 5743
the proper ballot box. After the voter's ballots and, if 5744
applicable, ballot stubs are placed in the ballot box or 5745
container, as appropriate, the voter shall then immediately leave 5746
the polling place. 5747

~~No ballot delivered by a voter to the judge in charge of the~~ 5748
~~ballot boxes with Stub A detached therefrom, and only~~ Only ballots 5749
provided in accordance with Title XXXV of the Revised Code, shall 5750
be voted or deposited in the ballot boxes. 5751

In marking a presidential ballot, the voter shall record the 5752
vote in the manner provided on the ballot next to the names of the 5753
candidates for the offices of president and vice-president. Such 5754

ballot shall be considered and counted as a vote for each of the 5755
candidates for election as presidential elector whose names were 5756
certified to the secretary of state by the political party of such 5757
nominees for president and vice-president. 5758

In marking an office type ballot or nonpartisan ballot, the 5759
voter shall record the vote in the manner provided on the ballot 5760
next to the name of each candidate for whom the voter desires to 5761
vote. 5762

In marking a primary election ballot, the voter shall record 5763
the vote in the manner provided on the ballot next to the name of 5764
each candidate for whom the voter desires to vote. If the voter 5765
desires to vote for the nomination of a person whose name is not 5766
printed on the primary election ballot, the voter may do so by 5767
writing such person's name on the ballot in the proper place 5768
provided for such purpose. 5769

In marking a questions and issues ballot, the voter shall 5770
record the vote in the manner provided on the ballot at the left 5771
or at the right of "YES" or "NO" or other words of similar import 5772
which are printed on the ballot to enable the voter to indicate 5773
how the voter votes in connection with each question or issue upon 5774
which the voter desires to vote. 5775

In marking any ballot on which a blank space has been 5776
provided wherein an elector may write in the name of a person for 5777
whom the elector desires to vote, the elector shall write such 5778
person's name in such blank space and on no other place on the 5779
ballot. Unless specific provision is made by statute, no blank 5780
space shall be provided on a ballot for write-in votes, and any 5781
names written on a ballot other than in a blank space provided 5782
therefor shall not be counted or recorded. 5783

Sec. 3505.24. Any elector who declares to the ~~presiding judge~~ 5784
~~of elections~~ voting location manager that the elector is unable to 5785

mark the elector's ballot by reason of blindness, disability, or 5786
illiteracy may be accompanied in the voting booth and aided by any 5787
person of the elector's choice, other than the elector's employer, 5788
an agent of the elector's employer, or an officer or agent of the 5789
elector's union, if any. The elector also may request and receive 5790
assistance in the marking of the elector's ballot from two 5791
election officials of different political parties. Any person 5792
providing assistance in the marking of an elector's ballot under 5793
this section shall thereafter provide no information in regard to 5794
the marking of that ballot. 5795

Any ~~judge~~ precinct election official may require a 5796
declaration of inability to be made by the elector under oath 5797
before the ~~judge~~ official. Assistance shall not be rendered for 5798
causes other than those specified in this section, and no 5799
candidate whose name appears on the ballot shall assist any person 5800
in marking that person's ballot. 5801

Sec. 3505.26. At the time for closing the polls, the 5802
~~presiding judge~~ voting location manager shall by proclamation 5803
announce that the polls are closed. 5804

The ~~judges~~ precinct election officials shall then in the 5805
presence of observers proceed as follows: 5806

(A) Count the number of electors who voted, as shown on the 5807
pollbooks; 5808

(B) Count the unused ballots, without removing stubs if 5809
ballot stubs are being used; 5810

(C) Count the soiled and defaced ballots; 5811

(D) Insert the totals of (A), (B), and (C) on the report 5812
forms provided therefor in the pollbook; 5813

(E) Count the voted ballots. If the number of voted ballots 5814
exceeds the number of voters whose names appear upon the 5815

pollbooks, the ~~presiding judge~~ voting location manager shall enter 5816
on the pollbooks an explanation of that discrepancy, and that 5817
explanation, if agreed to, shall be subscribed to by all of the 5818
~~judges~~ precinct election officials. Any ~~judge~~ precinct official 5819
having a different explanation shall enter it in the pollbooks and 5820
subscribe to it. 5821

(F) Put the unused ballots ~~with stubs attached~~, and soiled 5822
and defaced ballots ~~with stubs attached~~, in the envelopes or 5823
containers provided therefor, certify the number, and then proceed 5824
to count and tally the votes in the manner prescribed by section 5825
3505.27 of the Revised Code and certify the result of the election 5826
to the board of elections. If ballot stubs are being used, the 5827
precinct election officials shall leave those stubs attached to 5828
the unused ballots and soiled and defaced ballots, as applicable, 5829
when those ballots are placed in the appropriate envelopes or 5830
containers. 5831

Sec. 3505.27. Unless otherwise ordered by the secretary of 5832
state or the board of elections, the counting and tallying of 5833
ballots shall be conducted according to procedures prescribed by 5834
the board of elections that assure an accurate count of all votes 5835
cast and that include all of the following: 5836

(A) The counting and tallying of ballots at the appropriate 5837
office, as designated by the board, in the full view of members of 5838
the board and observers; 5839

(B) The recording on a worksheet or other appropriate 5840
document of the number of votes cast for each candidate and the 5841
number of votes cast for and against each question or issue; 5842

(C) The periodic reporting to the public and the office of 5843
the secretary of state of the number of votes cast for each 5844
candidate and the number of votes cast for and against each 5845
question or issue as tallied at the time of the report; 5846

(D) An examination and verification by the appropriate 5847
authority, as designated by the board, of the votes so tallied and 5848
recorded in the pollbook under section 3505.26 of the Revised 5849
Code. 5850

The board shall prescribe additional procedures as necessary 5851
to assure an accurate count of all votes cast. These procedures 5852
shall be followed until all of the ballots that are required to be 5853
counted on the day of the election after the close of the polls 5854
have been counted. 5855

All work sheets that are prepared at the polling locations 5856
shall be preserved and placed inside the pollbook and returned to 5857
the board. 5858

If there is any disagreement as to how a ballot should be 5859
counted, it shall be submitted to the members of the board for a 5860
decision on whether or to what extent the ballot should be 5861
counted. ~~If three of the members do not agree as to how any part~~ 5862
~~of the ballot shall be counted, only that part of the ballot on~~ 5863
~~which three of the members do agree shall be counted. A notation~~ 5864
~~shall be made upon the ballot indicating what part has not been~~ 5865
~~counted, and the ballot shall be placed in an envelope marked~~ 5866
~~"Disputed Ballots." there is a tie vote amongst the members of the~~ 5867
~~board of elections in determining whether a particular ballot, or~~ 5868
~~portion of a ballot, is eligible to be counted, that ballot, or~~ 5869
~~portion thereof, shall be counted as a valid vote.~~ 5870

Sec. 3505.29. From the time the ballot box is opened and the 5871
count of ballots begun until the ballots are counted and 5872
certificates of votes cast are made out, signed, certified and 5873
given to the ~~presiding judge~~ voting location manager for delivery 5874
to the headquarters of the board of elections, the ~~judges~~ precinct 5875
election officials in each precinct shall not separate, nor shall 5876
a ~~judge~~ precinct election official leave the polling place except 5877

from unavoidable necessity. In cases of illness or unavoidable 5878
necessity, the board may substitute another qualified person for 5879
any precinct official so incapacitated. 5880

Sec. 3505.30. When the results of the ballots have been 5881
ascertained, such results shall be embodied in a summary statement 5882
to be prepared by the ~~judges~~ precinct election officials in 5883
duplicate, on forms provided by the board of elections. One copy 5884
shall be certified by the ~~judges~~ precinct election officials and 5885
posted on the front of the polling place, and one copy, similarly 5886
certified, shall be transmitted without delay to the board in a 5887
sealed envelope along with the other returns of the election. The 5888
board shall, immediately upon receipt of such summary statements, 5889
compile and prepare an unofficial count and upon its completion 5890
shall transmit prepaid, immediately by telephone, facsimile 5891
machine, or other telecommunications device, the results of such 5892
unofficial count to the secretary of state, or to the board of the 5893
most populous county of the district which is authorized to 5894
canvass the returns. Such count, in no event, shall be made later 5895
than twelve noon on the day following the election. ~~The board~~ 5896
~~shall also, at the same time, certify the results thereof to the~~ 5897
~~secretary of state by certified mail.~~ The board shall remain in 5898
session from the time of the opening of the polls, continuously, 5899
until the results of the election are received from every precinct 5900
in the county and such results are communicated to the secretary 5901
of state. 5902

Sec. 3505.31. When the results of the voting in a polling 5903
place on the day of an election have been determined and entered 5904
upon the proper forms and the certifications of those results have 5905
been signed by the precinct officials, those officials, before 5906
leaving the polling place, shall place all ballots that they have 5907
counted in containers provided for that purpose by the board of 5908

elections, and shall seal each container in a manner that it 5909
cannot be opened without breaking the seal or the material of 5910
which the container is made. They shall also seal the pollbook, 5911
poll list or signature pollbook, and tally sheet in a manner that 5912
the data contained in these items cannot be seen without breaking 5913
the seals. On the outside of these items shall be a plain 5914
indication that they are to be filed with the board. The ~~presiding~~ 5915
~~judge voting location manager~~ and an ~~employee or appointee of the~~ 5916
~~board of elections who has taken an oath to uphold the laws and~~ 5917
~~constitution of this state, including an oath that the person will~~ 5918
~~promptly and securely perform the duties required under this~~ 5919
~~section and~~ another precinct election official who is a member of 5920
a different political party than the ~~presiding judge voting~~ 5921
location manager, shall then deliver to the board the containers 5922
of ballots and the sealed pollbook, poll list, and tally sheet, 5923
together with all other election reports, materials, and supplies 5924
required to be delivered to the board. 5925

The board shall carefully preserve all ballots prepared and 5926
provided by it for use in an election, whether used or unused, for 5927
sixty days after the day of the election, except that, if an 5928
election includes the nomination or election of candidates for any 5929
of the offices of president, vice-president, presidential elector, 5930
member of the senate of the congress of the United States, or 5931
member of the house of representatives of the congress of the 5932
United States, the board shall carefully preserve all ballots 5933
prepared and provided by it for use in that election, whether used 5934
or unused, for twenty-two months after the day of the election. If 5935
an election is held within that sixty-day period, the board shall 5936
have authority to transfer those ballots to other containers to 5937
preserve them until the sixty-day period has expired. After that 5938
sixty-day period, the ballots shall be disposed of by the board in 5939
a manner that the board orders, or where voting machines have been 5940
used the counters may be turned back to zero; provided that the 5941

secretary of state, within that sixty-day period, may order the board to preserve the ballots or any part of the ballots for a longer period of time, in which event the board shall preserve those ballots for that longer period of time.

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

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

Pollbooks and poll lists or signature pollbooks of a party primary election delivered to the board from polling places shall be carefully preserved by it for two years after the day of

election in which they were used, and shall then be disposed of by 5974
the board in a manner that the board orders. 5975

Pollbooks, poll lists or signature pollbooks, tally sheets, 5976
summary statements, and other records and returns of an election 5977
delivered to it from polling places shall be carefully preserved 5978
by the board for two years after the day of the election in which 5979
they were used, and shall then be disposed of by the board in a 5980
manner that the board orders. 5981

Sec. 3506.021. (A) A board of elections may adopt the use of 5982
any electronic pollbook that has been certified for use in this 5983
state in accordance with section 3506.05 of the Revised Code, 5984
instead of using poll lists or signature pollbooks. A board of 5985
elections that opts to use electronic pollbooks shall notify the 5986
secretary of state of that decision. 5987

(B) The secretary of state shall provide each board of 5988
elections that adopts the use of electronic pollbooks under 5989
division (A) of this section with rules, instructions, directives, 5990
and advisories regarding the examination, testing, and use of 5991
electronic pollbooks, including rules regarding the sealing of the 5992
information in those pollbooks as required under section 3505.31 5993
of the Revised Code. 5994

(C) Notwithstanding any provision of section 3501.30 of the 5995
Revised Code to the contrary, a precinct polling location that 5996
uses electronic pollbooks shall have at least two electronic 5997
pollbook interfaces, regardless of the number of electors who 5998
reside in that precinct. For a multiple precinct polling location, 5999
the number of pollbook interfaces shall increase by at least one 6000
for each additional precinct combined in the multiple precinct 6001
polling location. 6002

(D) As used in this section, "electronic pollbook" has the 6003
same meaning as in section 3506.05 of the Revised Code. 6004

Sec. 3506.05. (A) As used in this section, ~~except:~~ 6005

(1) "Electronic pollbook" means an electronic list of 6006
registered voters for a particular precinct or polling location 6007
that may be transported to a polling location. 6008

(2) ~~Except~~ when used as part of the phrase "tabulating 6009
equipment" or "automatic tabulating equipment," 6010

~~(1) "Equipment"~~ "equipment" means a voting machine, marking 6011
device, automatic tabulating equipment, ~~or~~ software, or an 6012
electronic pollbook. 6013

~~(2)~~(3) "Vendor" means the person that owns, manufactures, 6014
distributes, or has the legal right to control the use of 6015
equipment, or the person's agent. 6016

(B) No voting machine, marking device, automatic tabulating 6017
equipment, or software for the purpose of casting or tabulating 6018
votes or for communications among systems involved in the 6019
tabulation, storage, or casting of votes, and no electronic 6020
pollbook, shall be purchased, leased, put in use, or continued to 6021
be used, except for experimental use as provided in division (B) 6022
of section 3506.04 of the Revised Code, unless it, a manual of 6023
procedures governing its use, and training materials, service, and 6024
other support arrangements have been certified by the secretary of 6025
state and unless the board of elections of each county where the 6026
equipment will be used has assured that a demonstration of the use 6027
of the equipment has been made available to all interested 6028
electors. The secretary of state shall appoint a board of voting 6029
machine examiners to examine and approve equipment and its related 6030
manuals and support arrangements. The board shall consist of four 6031
members, who shall be appointed as follows: 6032

(1) Two members appointed by the secretary of state. 6033

(2) One member appointed by either the speaker of the house 6034

of representatives or the minority leader of the house of 6035
representatives, whichever is a member of the opposite political 6036
party from the one to which the secretary of state belongs. 6037

(3) One member appointed by either the president of the 6038
senate or the minority leader of the senate, whichever is a member 6039
of the opposite political party from the one to which the 6040
secretary of state belongs. 6041

In all cases of a tie vote or a disagreement in the board, if 6042
no decision can be arrived at, the board shall submit the matter 6043
in controversy to the secretary of state, who shall summarily 6044
decide the question, and the secretary of state's decision shall 6045
be final. Each member of the board shall be a competent and 6046
experienced election officer or a person who is knowledgeable 6047
about the operation of voting equipment and shall serve during the 6048
secretary of state's term. Any vacancy on the board shall be 6049
filled in the same manner as the original appointment. The 6050
secretary of state shall provide staffing assistance to the board, 6051
at the board's request. 6052

For the member's service, each member of the board shall 6053
receive three hundred dollars per day for each combination of 6054
marking device, tabulating equipment, ~~and~~ voting machine, or 6055
electronic pollbook examined and reported, but in no event shall a 6056
member receive more than six hundred dollars to examine and report 6057
on any one marking device, item of tabulating equipment, ~~or~~ voting 6058
machine, or electronic pollbook. Each member of the board shall be 6059
reimbursed for expenses the member incurs during an examination or 6060
during the performance of any related duties that may be required 6061
by the secretary of state. Reimbursement of these expenses shall 6062
be made in accordance with, and shall not exceed, the rates 6063
provided for under section 126.31 of the Revised Code. 6064

Neither the secretary of state nor the board, nor any public 6065
officer who participates in the authorization, examination, 6066

testing, or purchase of equipment, shall have any pecuniary 6067
interest in the equipment or any affiliation with the vendor. 6068

(C)(1) A vendor who desires to have the secretary of state 6069
certify equipment shall first submit the equipment, all current 6070
related procedural manuals, and a current description of all 6071
related support arrangements to the board of voting machine 6072
examiners for examination, testing, and approval. The submission 6073
shall be accompanied by a fee of two thousand four hundred dollars 6074
and a detailed explanation of the construction and method of 6075
operation of the equipment, a full statement of its advantages, 6076
and a list of the patents and copyrights used in operations 6077
essential to the processes of vote recording and tabulating, vote 6078
storage, system security, pollbook storage and security, and other 6079
crucial operations of the equipment as may be determined by the 6080
board. An additional fee, in an amount to be set by rules 6081
promulgated by the board, may be imposed to pay for the costs of 6082
alternative testing or testing by persons other than board 6083
members, record-keeping, and other extraordinary costs incurred in 6084
the examination process. Moneys not used shall be returned to the 6085
person or entity submitting the equipment for examination. 6086

(2) Fees collected by the secretary of state under this 6087
section shall be deposited into the state treasury to the credit 6088
of the board of voting machine examiners fund, which is hereby 6089
created. All moneys credited to this fund shall be used solely for 6090
the purpose of paying for the services and expenses of each member 6091
of the board or for other expenses incurred relating to the 6092
examination, testing, reporting, or certification of ~~voting~~ 6093
~~machine devices~~ equipment, the performance of any related duties 6094
as required by the secretary of state, or the reimbursement of any 6095
person submitting an examination fee as provided in this chapter. 6096

(D) Within sixty days after the submission of the equipment 6097
and payment of the fee, or as soon thereafter as is reasonably 6098

practicable, but in any event within not more than ninety days 6099
after the submission and payment, the board of voting machine 6100
examiners shall examine the equipment and file with the secretary 6101
of state a written report on the equipment with its 6102
recommendations and, if applicable, its determination or condition 6103
of approval regarding whether the equipment, manual, and other 6104
related materials or arrangements meet the criteria set forth in 6105
sections 3506.07 and 3506.10 of the Revised Code and can be safely 6106
used by the voters at elections under the conditions prescribed in 6107
Title XXXV of the Revised Code, or a written statement of reasons 6108
for which testing requires a longer period. The board may grant 6109
temporary approval for the purpose of allowing experimental use of 6110
equipment. If the board finds that the equipment meets ~~the~~ any 6111
applicable criteria set forth in sections 3506.06, 3506.07, and 6112
3506.10 of the Revised Code, can be used safely and, if 6113
applicable, can be depended upon to record and count accurately 6114
and continuously the votes of electors, and has the capacity to be 6115
warranted, maintained, and serviced, it shall approve the 6116
equipment and recommend that the secretary of state certify the 6117
equipment. The secretary of state shall notify all boards of 6118
elections of any such certification. Equipment of the same model 6119
and make, if it ~~provides for recording of voter intent, system~~ 6120
~~security, voter privacy, retention of vote, and communication of~~ 6121
~~voting records~~ operates in an identical manner, may then be 6122
adopted for use at elections. 6123

(E) The vendor shall notify the secretary of state, who shall 6124
then notify the board of voting machine examiners, of any 6125
enhancement and any significant adjustment to the hardware or 6126
software that could result in a patent or copyright change or that 6127
significantly alters the methods of recording voter intent, system 6128
security, voter privacy, retention of the vote, communication of 6129
~~voting~~ records, and connections between the system and other 6130
systems. The vendor shall provide the secretary of state with an 6131

updated operations manual for the equipment, and the secretary of 6132
state shall forward the manual to the board. Upon receiving such a 6133
notification and manual, the board may require the vendor to 6134
submit the equipment to an examination and test in order for the 6135
equipment to remain certified. The board or the secretary of state 6136
shall periodically examine, test, and inspect certified equipment 6137
to determine continued compliance with the requirements of this 6138
chapter and the initial certification. Any examination, test, or 6139
inspection conducted for the purpose of continuing certification 6140
of any equipment in which a significant problem has been uncovered 6141
or in which a record of continuing problems exists shall be 6142
performed pursuant to divisions (C) and (D) of this section, in 6143
the same manner as the examination, test, or inspection is 6144
performed for initial approval and certification. 6145

(F) If, at any time after the certification of equipment, the 6146
board of voting machine examiners or the secretary of state is 6147
notified by a board of elections of any significant problem with 6148
the equipment or determines that the equipment fails to meet the 6149
requirements necessary for approval or continued compliance with 6150
the requirements of this chapter, or if the board of voting 6151
machine examiners determines that there are significant 6152
enhancements or adjustments to the hardware or software, or if 6153
notice of such enhancements or adjustments has not been given as 6154
required by division (E) of this section, the secretary of state 6155
shall notify the users and vendors of that equipment that 6156
certification of the equipment may be withdrawn. 6157

(G)(1) The notice given by the secretary of state under 6158
division (F) of this section shall be in writing and shall specify 6159
both of the following: 6160

(a) The reasons why the certification may be withdrawn; 6161

(b) The date on which certification will be withdrawn unless 6162
the vendor takes satisfactory corrective measures or explains why 6163

there are no problems with the equipment or why the enhancements 6164
or adjustments to the equipment are not significant. 6165

(2) A vendor who receives a notice under division (F) of this 6166
section shall, within thirty days after receiving it, submit to 6167
the board of voting machine examiners in writing a description of 6168
the corrective measures taken and the date on which they were 6169
taken, or the explanation required under division (G)(1)(b) of 6170
this section. 6171

(3) Not later than fifteen days after receiving a written 6172
description or explanation under division (G)(2) of this section 6173
from a vendor, the board shall determine whether the corrective 6174
measures taken or the explanation is satisfactory to allow 6175
continued certification of the equipment, and the secretary of 6176
state shall send the vendor a written notice of the board's 6177
determination, specifying the reasons for it. If the board has 6178
determined that the measures taken or the explanation given is 6179
unsatisfactory, the notice shall include the effective date of 6180
withdrawal of the certification. This date may be different from 6181
the date originally specified in division (G)(1)(b) of this 6182
section. 6183

(4) A vendor who receives a notice under division (G)(3) of 6184
this section indicating a decision to withdraw certification may, 6185
within thirty days after receiving it, request in writing that the 6186
board hold a hearing to reconsider its decision. Any interested 6187
party shall be given the opportunity to submit testimony or 6188
documentation in support of or in opposition to the board's 6189
recommendation to withdraw certification. Failure of the vendor to 6190
take appropriate steps as described in division (G)(1)(b) or to 6191
comply with division (G)(2) of this section results in a waiver of 6192
the vendor's rights under division (G)(4) of this section. 6193

(H)(1) The secretary of state, in consultation with the board 6194
of voting machine examiners, shall establish, by rule, guidelines 6195

for the approval, certification, and continued certification of 6196
the voting machines, marking devices, ~~and~~ tabulating equipment, 6197
and electronic pollbooks to be used under Title XXXV of the 6198
Revised Code. The guidelines shall establish procedures requiring 6199
vendors or computer software developers to place in escrow with an 6200
independent escrow agent approved by the secretary of state a copy 6201
of all source code and related documentation, together with 6202
periodic updates as they become known or available. The secretary 6203
of state shall require that the documentation include a system 6204
configuration and that the source code include all relevant 6205
program statements in low- or high-level languages. As used in 6206
this division, "source code" does not include variable codes 6207
created for specific elections. 6208

(2) Nothing in any rule adopted under division (H) of this 6209
section shall be construed to limit the ability of the secretary 6210
of state to follow or adopt, or to preclude the secretary of state 6211
from following or adopting, any guidelines proposed by the federal 6212
election commission, any entity authorized by the federal election 6213
commission to propose guidelines, the election assistance 6214
commission, or any entity authorized by the election assistance 6215
commission to propose guidelines. 6216

(3)(a) Before the initial certification of any direct 6217
recording electronic voting machine with a voter verified paper 6218
audit trail, and as a condition for the continued certification 6219
and use of those machines, the secretary of state shall establish, 6220
by rule, standards for the certification of those machines. Those 6221
standards shall include, but are not limited to, all of the 6222
following: 6223

(i) A definition of a voter verified paper audit trail as a 6224
paper record of the voter's choices that is verified by the voter 6225
prior to the casting of the voter's ballot and that is securely 6226
retained by the board of elections; 6227

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

(iii) A prohibition against the production by any direct recording electronic voting machine of anything that legally could be removed by the voter from the polling place, such as a receipt or voter confirmation;

(iv) A requirement that paper used in producing a voter verified paper audit trail be sturdy, clean, and resistant to degradation;

(v) A requirement that the voter verified paper audit trail shall be capable of being optically scanned for the purpose of conducting a recount or other audit of the voting machine and shall be readable in a manner that makes the voter's ballot choices obvious to the voter without the use of computer or electronic codes;

(vi) A requirement, for office-type ballots, that the voter verified paper audit trail include the name of each candidate selected by the voter;

(vii) A requirement, for questions and issues ballots, that the voter verified paper audit trail include the title of the question or issue, the name of the entity that placed the question or issue on the ballot, and the voter's ballot selection on that question or issue, but not the entire text of the question or issue.

(b) The secretary of state, by rule adopted under Chapter 119. of the Revised Code, may waive the requirement under division (H)(3)(a)(v) of this section, if the secretary of state determines that the requirement is cost prohibitive.

(4)(a) Except as otherwise provided in division (H)(4)(c) of this section, any voting machine, marking device, or automatic

tabulating equipment initially certified or acquired on or after 6259
December 1, 2008, shall have the most recent federal certification 6260
number issued by the election assistance commission. 6261

(b) Any voting machine, marking device, or automatic 6262
tabulating equipment certified for use in this state on September 6263
12, 2008, shall meet, as a condition of continued certification 6264
and use, the voting system standards adopted by the federal 6265
election commission in 2002. 6266

(c) A county that acquires additional voting machines, 6267
marking devices, or automatic tabulating equipment on or after 6268
December 1, 2008, shall not be considered to have acquired those 6269
machines, devices, or equipment on or after December 1, 2008, for 6270
the purpose of division (H)(4)(a) of this section if all of the 6271
following apply: 6272

(i) The voting machines, marking devices, or automatic 6273
tabulating equipment acquired are the same as the machines, 6274
devices, or equipment currently used in that county. 6275

(ii) The acquisition of the voting machines, marking devices, 6276
or automatic tabulating equipment does not replace or change the 6277
primary voting system used in that county. 6278

(iii) The acquisition of the voting machines, marking 6279
devices, or automatic tabulating equipment is for the purpose of 6280
replacing inoperable machines, devices, or equipment or for the 6281
purpose providing additional machines, devices, or equipment 6282
required to meet the allocation requirements established pursuant 6283
to division (I) of section 3501.11 of the Revised Code. 6284

Sec. 3506.08. When a marking device designed for use with 6285
printed ballot cards has been approved by the secretary of state 6286
pursuant to section 3506.05 of the Revised Code, the secretary of 6287
state shall for each election prescribe specifications for the 6288

printing of such ballot cards that will present to voters the same 6289
information with respect to candidates, offices, questions, and 6290
issues obtainable from paper ballots for the same election 6291
prepared pursuant to Chapter 3505. of the Revised Code. 6292

~~Each~~ If a board of elections opts to use ballots that include 6293
ballot stubs, each ballot card shall have attached two stubs, each 6294
of the width of the ballot and each at least one-half inch in 6295
length, except that, if the board of elections has an alternate 6296
method to account for the ballots that the secretary of state has 6297
authorized, each ballot card may have only one stub that shall be 6298
the width of the ballot and not less than one-half inch in length. 6299
In the case of ballot cards with two stubs, the stubs shall be 6300
separated from the ballot card and from each other by perforated 6301
lines. One stub shall be known as Stub A and shall have printed on 6302
its face "Stub A" and "Consecutive Number" The other stub 6303
shall be known as Stub B and shall have printed on its face "Stub 6304
B" and "Consecutive Number" and the instructions to the 6305
voter which shall be printed in upper and lower case ten point 6306
type. ~~Each~~ If ballot stubs are used, each ballot card of each kind 6307
of ballot provided for use in each precinct shall be numbered 6308
consecutively by printing such number upon both of the stubs 6309
attached thereto. ~~The~~ 6310

The board of elections may order the ballot type, part, 6311
rotation series, and the precinct designation printed and 6312
pre-punched at the top of each ballot card. This information shall 6313
be separated from the remaining portion of the ballot card. 6314

The secretary of state shall further prescribe the 6315
supplementary means, whether paper ballots, ballot envelopes, or 6316
other, by which a voter may write in the names of candidates whose 6317
names do not appear on the ballot. 6318

Sec. 3506.09. Where a marking device designed for use with 6319

electronic data processing cards has been approved by the 6320
secretary of state pursuant to section 3506.05 of the Revised 6321
Code, the secretary of state shall for each election prescribe for 6322
use with such marking device ballot labels that will present to 6323
voters the same information with respect to candidates, offices, 6324
questions, and issues obtainable from paper ballots for the same 6325
election prepared pursuant to Chapter 3505. of the Revised Code. 6326

~~Each~~ If a board of elections opts to use ballots that include 6327
ballot stubs, each ballot card shall have attached two stubs, each 6328
of the width of the ballot and each at least one-half inch in 6329
length, except that, if the board of elections has an alternate 6330
method to account for the ballots that the secretary of state has 6331
authorized, each ballot card may have only one stub that shall be 6332
the width of the ballot and not less than one-half inch in length. 6333
In the case of ballot cards with two stubs, the stubs shall be 6334
separated from the ballot card and from each other by perforated 6335
lines. One stub shall be known as Stub A and shall have printed on 6336
its face "Stub A" and "Consecutive Number" The other stub 6337
shall be known as Stub B and shall have printed on its face "Stub 6338
B" and "Consecutive Number" and the instructions to the 6339
voter which shall be printed in upper and lower case ten point 6340
type. ~~Each~~ If ballot stubs are used, each ballot card of each kind 6341
of ballot provided for use in each precinct shall be numbered 6342
consecutively by printing such number upon both of the stubs 6343
attached thereto. ~~The~~ 6344

The board of elections may order the ballot type, part, 6345
rotation series, and the precinct designation printed and 6346
pre-punched at the top of each ballot card. This information shall 6347
be separated from the remaining portion of the ballot card. 6348

The secretary of state shall further prescribe the 6349
supplementary means, whether paper ballots, ballot envelopes, or 6350
other, by which a voter may write in the names of candidates whose 6351

names do not appear on the ballot. 6352

Sec. 3506.12. In counties where marking devices, automatic 6353
tabulating equipment, voting machines, or any combination of these 6354
are in use or are to be used, the board of elections: 6355

(A) ~~May combine, or rearrange, and enlarge precincts, subject~~ 6356
~~to the precinct population requirements established in division~~ 6357
~~(A) of section 3501.18 of the Revised Code;~~ but the board shall 6358
arrange for a sufficient number of these devices to accommodate 6359
the number of electors in each precinct as determined by the 6360
number of votes cast in that precinct at the most recent election 6361
for the office of governor, taking into consideration the size and 6362
location of each selected polling place, available parking, 6363
handicap accessibility and other accessibility to the polling 6364
place, and the number of candidates and issues to be voted on. 6365
Notwithstanding section 3501.22 of the Revised Code, the board may 6366
appoint more than four precinct officers to each precinct if this 6367
is made necessary by the number of voting machines to be used in 6368
that precinct. 6369

(B) Except as otherwise provided in this division, shall 6370
establish one or more counting stations to receive voted ballots 6371
and other precinct election supplies after the polling precincts 6372
are closed. Those stations shall be under the supervision and 6373
direction of the board of elections. Processing and counting of 6374
voted ballots, and the preparation of summary sheets, shall be 6375
done in the presence of observers approved by the board. A 6376
certified copy of the summary sheet for the precinct shall be 6377
posted at each counting station immediately after completion of 6378
the summary sheet. 6379

~~In counties where punch card ballots are used, one or more~~ 6380
~~counting stations, located at the board of elections, shall be~~ 6381
~~established, at which location all punch card ballots shall be~~ 6382

~~counted.~~ 6383

~~As used in this division, "punch card ballot" has the same~~ 6384
~~meaning as in section 3506.16 of the Revised Code.~~ 6385

Sec. 3506.15. The secretary of state shall provide each board 6386
of elections with rules, instructions, directives, and advisories 6387
regarding the examination, testing, and use of the voting machine 6388
and tabulating equipment, the assignment of duties of booth 6389
officials, the procedure for casting a vote on the machine, and 6390
how the vote shall be tallied and reported to the board, and with 6391
other rules, instructions, directives, and advisories the 6392
secretary of state finds necessary to ensure the adequate care and 6393
custody of voting equipment, and the accurate registering, 6394
counting, and canvassing of the votes as required by this chapter. 6395
The boards of elections shall be charged with the responsibility 6396
of providing for the adequate instruction of voters and election 6397
officials in the proper use of the voting machine and marking 6398
devices. ~~The boards' instructions shall include, in counties where~~ 6399
~~punch card ballots are used, instructions that each voter shall~~ 6400
~~examine the voter's marked ballot card and remove any chads that~~ 6401
~~remain partially attached to it before returning it to election~~ 6402
~~officials.~~ 6403

The secretary of state's rules, instructions, directives, and 6404
advisories provided under this section shall comply, insofar as 6405
practicable, with this chapter. The provisions of Title XXXV of 6406
the Revised Code, not inconsistent with the provisions relating to 6407
voting machines, apply in any county using a voting machine. 6408

~~As used in this section, "chad" and "punch card ballot" have~~ 6409
~~the same meanings as in section 3506.16 of the Revised Code.~~ 6410

Sec. 3506.17. When a direct recording electronic voting 6411
machine is used, and the elector leaves the polling location after 6412

making ballot selections but prior to casting the ballot, both of 6413
the following shall apply: 6414

(A) If only a single step of the voting process remains for 6415
the ballot to be cast, a bipartisan pair of precinct election 6416
officials shall cast the elector's ballot, leaving in place the 6417
elector's ballot selections. 6418

(B) If more than a single step of the voting process remains 6419
for the ballot to be cast, a bipartisan pair of precinct election 6420
officials shall cancel the ballot. 6421

Sec. 3506.21. (A) As used in this section, "optical scan 6422
ballot" means a ballot that is marked by using a specified writing 6423
instrument to fill in a designated position to record a voter's 6424
candidate, question, or issue choice and that can be scanned and 6425
electronically read in order to tabulate the vote. 6426

(B)(1) In addition to marks that can be scanned and 6427
electronically read by automatic tabulating equipment, any of the 6428
following marks, if a majority of those marks are made in a 6429
consistent manner throughout an optical scan ballot, shall be 6430
counted as a valid vote: 6431

(a) A candidate, question, or issue choice that has been 6432
circled by the voter; 6433

(b) An oval beside the candidate, question, or issue choice 6434
that has been circled by the voter; 6435

(c) An oval beside the candidate, question, or issue choice 6436
that has been marked by the voter with an "x," a check mark, or 6437
other recognizable mark; 6438

(d) A candidate, question, or issue choice that has been 6439
marked with a writing instrument that cannot be recognized by 6440
automatic tabulating equipment. 6441

(2) Marks made on an optical scan ballot in accordance with 6442
division (B)(1) of this section shall be counted as valid votes 6443
only if that optical scan ballot contains no marks that can be 6444
scanned and electronically read by automatic tabulating equipment. 6445

(3) ~~If~~ Subject to division (E) of this section, if automatic 6446
tabulating equipment detects that more marks were made on an 6447
optical scan ballot for a particular office, question, or issue 6448
than the number of selections that a voter is allowed by law to 6449
make for that office, question, or issue, the voter's ballot shall 6450
be invalidated for that office, question, or issue. The ballot 6451
shall not be invalidated for any other office, question, or issue 6452
for which the automatic tabulating equipment detects a vote to 6453
have been cast, in accordance with the law. 6454

(C) The secretary of state may adopt rules under Chapter 119. 6455
of the Revised Code to authorize additional types of optical scan 6456
ballots and to specify the types of marks on those ballots that 6457
shall be counted as a valid vote to ensure consistency in the 6458
counting of ballots throughout the state. 6459

(D)(1) A board of elections of a county that uses optical 6460
scan ballots and automatic tabulating equipment as the primary 6461
voting system for the county shall not tabulate the unofficial 6462
results of optical scan ballots voted on election day at a central 6463
location. 6464

(2) A board of elections that provides for the tabulation at 6465
each precinct of voted ballots, and then, at a central location, 6466
combines those precinct ballot totals with ballot totals from 6467
other precincts, including optical scan ballots voted by absent 6468
voters, shall not be considered to be tabulating the unofficial 6469
results of optical scan ballots at a central location for the 6470
purpose of division (D)(1) of this section. 6471

(E) If a voter has marked a ballot for a particular candidate 6472

and also has written in the same candidate's name as a write-in candidate for the same office, the ballot shall not be invalidated with respect to that office. The ballot shall be separated from the remainder of the ballots and preserved so that the ballot can be remade and tabulated for the official canvass of the election returns and for any subsequent recount or postelection audit.

The election officials shall remake any such ballot by properly marking a replacement ballot with a vote for the named candidate. Ballots remade under this division shall be tabulated in the same manner as other ballots for the official canvass of the election returns and for any subsequent recount or postelection audit. The original ballot shall be marked as having been remade and shall be retained separately by the board of elections.

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

(B) The rotation of names of candidates and questions and issues shall be substantially complied with on absent voter's ballots, within the limitation of time allotted. Those ballots shall be designated as "Absent Voter's Ballots." Except as otherwise provided in division (D) of this section, those ballots shall be printed and ready for use as follows:

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

(2) For all ~~other~~ voters, other than overseas voters and absent uniformed services voters, who are applying to vote absent voter's ballots other than in person, ballots shall be printed and ready for use on the thirty-fifth day before the day of the election.

(3)(a) For all voters who are applying to vote absent voter's ballots in person, ballots shall be printed and ready for use beginning on the thirty-fifth day before the day of the election and shall continue to be available for use through two p.m. on the day before the day of the election, according to the following minimum standards:

(i) During the first three weeks of in-person absent voting, ballots shall be available from eight a.m. through five p.m. Monday through Friday, except that ballots shall be available until nine p.m. on the last day of voter registration for that election;

(ii) Beginning on the third Monday before the day of the election, ballots shall be available from eight a.m. through seven p.m. Monday through Friday, from eight a.m. through five p.m. on Saturday, and from twelve p.m. through eight p.m. on Sunday;

(iii) Beginning on the second Monday before the day of the election, ballots shall be available from eight a.m. through nine p.m. Monday through Friday, from eight a.m. through eight p.m. on Saturday, and from twelve p.m. through eight p.m. on Sunday; 6535
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(iv) On the last Monday before the day of the election, ballots shall be available from eight a.m. through two p.m. 6539
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(b) A board of elections may alter the hours that absent voter's ballots are available for use in person under division (B)(3)(a) of this section based on the individual facts and needs of the electors in the applicable county by a vote of not less than three members of the board. If a board alters the hours specified in that division, all of the following shall apply: 6541
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(i) Ballots shall be available until nine p.m. on the last day of voter registration for that election; 6547
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(ii) Ballots shall be available for a minimum of thirty hours each week on weekdays throughout the thirty-five-day period, with at least ten of those hours occurring after five p.m.; 6549
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(iii) Ballots shall be available for a minimum of eight hours on a Saturday and a minimum of four hours on a Sunday within the last two weekends before the day of the election; 6552
6553
6554

(iv) Ballots shall be available from at least eight a.m. through two p.m. on the day before the day of the election. 6555
6556

(c) If, at the time of the close of in-person absent voting on a particular day, there are voters waiting in line to cast their ballots, the in-person absent voting location shall be kept open until such waiting voters have cast their absent voter's ballots. 6557
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(C) Absent voter's ballots provided for use at a general or primary election, or special election to be held on the day specified by division (E) of section 3501.01 of the Revised Code 6562
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6564

for the holding of a primary election, designated by the general assembly for the purpose of submitting constitutional amendments proposed by the general assembly to the voters of the state, shall include only those questions, issues, and candidacies that have been lawfully ordered submitted to the electors voting at that election.

(D)(1) If the laws governing the holding of a special election on a day other than the day on which a primary or general election is held make it impossible for absent voter's ballots to be printed and ready for use by the deadlines established in division (B) of this section, absent voter's ballots for those special elections shall be ready for use as many days before the day of the election as reasonably possible under the laws governing the holding of that special election.

(2) If, in accordance with Section 2 of Article XVII, Ohio Constitution, an election is required to be held to fill a vacancy that occurs after absent voter's ballots have been printed and distributed under division (B) of this section, the board of elections shall print and distribute a supplemental ballot for that election to each absent voter who has requested a ballot for that election as many days before the election as reasonably possible.

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

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

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 6596
application need not be in any particular form but shall contain 6597
all of the following: 6598

(A) The elector's name; 6599

(B) The elector's signature; 6600

(C) The address at which the elector is registered to vote; 6601

(D) The elector's date of birth; 6602

(E) One of the following: 6603

(1) The elector's driver's license number or state 6604
identification card number; 6605

(2) The last four digits of the elector's social security 6606
number; 6607

(3) A copy of the elector's current and valid photo 6608
identification, a copy of a military identification, or a copy of 6609
a current utility bill, bank statement, government check, 6610
paycheck, or other government document, other than ~~a notice of an~~ 6611
~~election mailed by a board of elections under section 3501.19 of~~ 6612
~~the Revised Code~~ or a notice of voter registration mailed by a 6613
board of elections under section 3503.19 of the Revised Code, that 6614
shows the name and address of the elector. 6615

(F) A statement identifying the election for which absent 6616
voter's ballots are requested; 6617

(G) A statement that the person requesting the ballots is a 6618
qualified elector; 6619

(H) If the request is for primary election ballots, the 6620
elector's party affiliation; 6621

(I) If the elector desires ballots to be mailed to the 6622
elector, the address to which those ballots shall be mailed. 6623

Each application for absent voter's ballots shall be 6624

delivered to the director not earlier than the first day of 6625
January of the year of the elections for which the absent voter's 6626
ballots are requested or not earlier than ninety days before the 6627
day of the election at which the ballots are to be voted, 6628
whichever is earlier, and not later than twelve noon of the third 6629
day before the day of the election at which the ballots are to be 6630
voted, or not later than ~~six p.m. on the the last Friday before~~ 6631
~~the day of~~ the end of the time for casting absent voter's ballots 6632
in person prior to the election at which the ballots are to be 6633
voted if the application is delivered in person to the office of 6634
the board. 6635

Sec. 3509.031. The secretary of state shall mail an 6636
application for absent voter's ballots to each person who is 6637
registered to vote in this state not earlier than the twentieth 6638
day of September and not later than the first day of October of 6639
any year in which a statewide general election will be held. Not 6640
later than twenty days before the day of that election, the 6641
secretary of state shall mail an application for absent voter's 6642
ballots to each person who registered to vote or updated the 6643
person's voter registration after the initial mailing. 6644

Sec. 3509.032. (A) The secretary of state, by rule, shall 6645
establish a secure online process for applying to vote by absent 6646
voter's ballots. The rules shall provide for all of the following: 6647

(1) An elector to submit an application to vote by absent 6648
voter's ballots online through the internet; 6649

(2) The elector to be sent proper absent voter's ballots for 6650
the applicable election, if all of the following apply: 6651

(a) The application contains all of the required information; 6652

(b) The elector is registered to vote and eligible to vote in 6653
the election for which the elector is seeking absent voter's 6654

ballots; 6655

(c) The elector attests to the truth and accuracy of the 6656
information submitted in the online application under penalty of 6657
election falsification using the elector's Ohio driver's license 6658
number, the elector's Ohio identification card number, or the last 6659
four digits of the elector's social security number as proof of 6660
the elector's identity. 6661

(B) If an elector applies to vote by absent voter's ballots 6662
under this section, the secretary of state shall obtain an 6663
electronic copy of the elector's signature that is on file with 6664
the statewide voter registration database. That electronic 6665
signature shall be used as the elector's signature on the absent 6666
voter's ballot application, for the purpose of matching the 6667
signature with the elector's signature on the elector's voter 6668
registration record. 6669

(C) The secretary of state shall employ whatever security 6670
measures the secretary considers necessary to ensure the integrity 6671
and accuracy of information submitted electronically pursuant to 6672
this section. 6673

(D) The online absent voter's ballot application established 6674
under division (A) of this section shall include the following 6675
language: 6676

"By clicking the box below, I affirm all of the following 6677
under penalty of election falsification: 6678

(1) I am the person whose name and identifying information is 6679
provided on this form, and I wish to receive an absent voter's 6680
ballot for the specified election. 6681

(2) All of the information I have provided on this form is 6682
true and correct as of the date I am submitting this form. 6683

(3) I authorize the Ohio Secretary of State to use my 6684

signature that is on file with the statewide voter registration 6685
database to validate this electronic absent voter's ballot 6686
application as if I had signed this form personally." 6687

In order to apply for absent voter's ballots under division 6688
(A) of this section, an elector shall be required to mark the box 6689
in the online absent voter's ballot application that appears in 6690
conjunction with the previous statement. 6691

(E) The online absent voter's ballot application process 6692
established under division (A) of this section shall be in 6693
operation and available for use by individuals who wish to apply 6694
to vote by absent voter's ballots not later than one year after 6695
the effective date of this section. 6696

Sec. 3509.04. (A) If a director of a board of elections 6697
receives an application for absent voter's ballots that does not 6698
contain all of the required information, the director promptly 6699
shall notify the applicant of the additional information required 6700
to be provided by the applicant to complete that application. The 6701
board of elections may contact the applicant using whatever means 6702
is deemed appropriate by the board in consideration of the 6703
timeframe needed to meet applicable deadlines and the effort 6704
needed to complete the application, to notify the applicant of the 6705
deficiency. Whenever possible, the board shall complete the 6706
application by confirming information with the applicant via 6707
telephone, facsimile transmission, electronic mail, or postal 6708
mail. 6709

(B) Upon receipt by the director of elections of an 6710
application for absent voter's ballots that contains all of the 6711
required information, as provided by section 3509.03 and division 6712
(G) of section 3503.16 of the Revised Code, the director, if the 6713
director finds that the applicant is a qualified elector, shall 6714
deliver to the applicant in person or mail directly to the 6715

applicant by special delivery mail, air mail, or regular mail, 6716
postage prepaid, proper absent voter's ballots. The director shall 6717
deliver or mail with the ballots an unsealed identification 6718
envelope upon the face of which shall be printed a form 6719
substantially as follows: 6720

"Identification Envelope Statement of Voter 6721

I,(Name of voter), declare under 6722
penalty of election falsification that the within ballot or 6723
ballots contained no voting marks of any kind when I received 6724
them, and I caused the ballot or ballots to be marked, enclosed in 6725
the identification envelope, and sealed in that envelope. 6726

My voting residence in Ohio is 6727

..... 6728

(Street and Number, if any, or Rural Route and Number) 6729

of (City, Village, or Township) 6730

Ohio, which is in Ward Precinct 6731

in that city, village, or township. 6732

The primary election ballots, if any, within this envelope 6733

are primary election ballots of the Party. 6734

Ballots contained within this envelope are to be voted at the 6735

..... (general, special, or primary) election to be held on 6736

the day of, 6737

My date of birth is (Month and Day), 6738

..... (Year). 6739

(Voter must provide one of the following:) 6740

My driver's license number is (Driver's 6741

license number). 6742

My state identification card number is (State 6743

identification card number). 6744

The last four digits of my Social Security Number are 6745

..... (Last four digits of Social Security Number). 6746

..... In lieu of providing a driver's license number, state 6747
identification card number, or the last four digits of my Social 6748
Security Number, I am enclosing a copy of one of the following in 6749
the return envelope in which this identification envelope will be 6750
mailed: a current and valid photo identification, a military 6751
identification, or a current utility bill, bank statement, 6752
government check, paycheck, or other government document, other 6753
~~than a notice of an election mailed by a board of elections under~~ 6754
~~section 3501.19 of the Revised Code or~~ a notice of voter 6755
registration mailed by a board of elections, that shows my name 6756
and address. 6757

I hereby declare, under penalty of election falsification, 6758
that the statements above are true, as I verily believe. 6759

..... 6760

(Signature of Voter) 6761

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 6762
THE FIFTH DEGREE." 6763

The director shall mail with the ballots and the unsealed 6764
identification envelope an unsealed return envelope upon the face 6765
of which shall be printed the official title and post-office 6766
address of the director. In the upper left corner on the face of 6767
the return envelope, several blank lines shall be printed upon 6768
which the voter may write the voter's name and return address. The 6769
return envelope shall be of such size that the identification 6770
envelope can be conveniently placed within it for returning the 6771
identification envelope to the director. 6772

Sec. 3509.05. (A) When an elector receives an absent voter's 6773
ballot pursuant to the elector's application or request, the 6774
elector shall, before placing any marks on the ballot, note 6775
whether there are any voting marks on it. If there are any voting 6776

marks, the ballot shall be returned immediately to the board of 6777
elections; otherwise, the elector shall cause the ballot to be 6778
marked, folded in a manner that the stub on it, if ballot stubs 6779
are being used, and the indorsements and facsimile signatures of 6780
the members of the board of elections on the back of it are 6781
visible, and placed and sealed within the identification envelope 6782
received from the director of elections for that purpose. Then, 6783
the elector shall cause the statement of voter on the outside of 6784
the identification envelope to be completed and signed, under 6785
penalty of election falsification. 6786

If the elector does not provide the elector's driver's 6787
license number, state identification card number, or the last four 6788
digits of the elector's social security number on the statement of 6789
voter on the identification envelope, the elector also shall 6790
include in the return envelope with the identification envelope a 6791
copy of the elector's current valid photo identification, a copy 6792
of a military identification, or a copy of a current utility bill, 6793
bank statement, government check, paycheck, or other government 6794
document, ~~other than a notice of an election mailed by a board of~~ 6795
~~elections under section 3501.19 of the Revised Code or a notice of~~ 6796
voter registration mailed by a board of elections under section 6797
3503.19 of the Revised Code, that shows the name and address of 6798
the elector. 6799

The elector shall mail the identification envelope to the 6800
director from whom it was received in the return envelope, postage 6801
prepaid, or the elector may personally deliver it to the director, 6802
or the spouse of the elector, the father, mother, father-in-law, 6803
mother-in-law, grandfather, grandmother, brother, or sister of the 6804
whole or half blood, or the son, daughter, adopting parent, 6805
adopted child, stepparent, stepchild, uncle, aunt, nephew, or 6806
niece of the elector may deliver it to the director. The return 6807
envelope shall be transmitted to the director in no other manner, 6808

except as provided in section 3509.08 of the Revised Code. 6809

When absent voter's ballots are delivered to an elector at 6810
the office of the board, the elector may retire to a voting 6811
compartment provided by the board and there mark the ballots. 6812
Thereupon, the elector shall fold them, place them in the 6813
identification envelope provided, seal the envelope, fill in and 6814
sign the statement on the envelope under penalty of election 6815
falsification, and deliver the envelope to the director of the 6816
board. 6817

Except as otherwise provided in division (B) of this section, 6818
all other envelopes containing marked absent voter's ballots shall 6819
be delivered to the director not later than the close of the polls 6820
on the day of an election. Absent voter's ballots delivered to the 6821
director later than the times specified shall not be counted, but 6822
shall be kept by the board in the sealed identification envelopes 6823
in which they are delivered to the director, until the time 6824
provided by section 3505.31 of the Revised Code for the 6825
destruction of all other ballots used at the election for which 6826
ballots were provided, at which time they shall be destroyed. 6827

(B)(1) Except as otherwise provided in division (B)(2) of 6828
this section, any return envelope that is postmarked prior to the 6829
day of the election shall be delivered to the director prior to 6830
the eleventh day after the election. Ballots delivered in 6831
envelopes postmarked prior to the day of the election that are 6832
received after the close of the polls on election day through the 6833
tenth day thereafter shall be counted on the eleventh day at the 6834
board of elections in the manner provided in divisions (C) and (D) 6835
of section 3509.06 of the Revised Code. Any such ballots that are 6836
received by the director later than the tenth day following the 6837
election shall not be counted, but shall be kept by the board in 6838
the sealed identification envelopes as provided in division (A) of 6839
this section. 6840

(2) Division (B)(1) of this section shall not apply to any mail that is postmarked using a postage evidencing system, including a postage meter, as defined in 39 C.F.R. 501.1.

(C) Upon receipt of any return envelope prior to the eleventh day after the day of any election, the board of elections shall open it but shall not open the identification envelope contained in it. If, upon so opening the return envelope, the board finds ballots in it that are not enclosed in and properly sealed in the identification envelope, the board shall not look at the markings upon the ballots and shall promptly place them in the identification envelope and promptly seal it. If, upon so opening the return envelope, the board finds that ballots are enclosed in the identification envelope but that it is not properly sealed, the board shall not look at the markings upon the ballots and shall promptly seal the identification envelope.

Sec. 3509.06. (A) The board of elections shall determine whether absent voter's ballots shall be counted in each precinct, at the office of the board, or at some other location designated by the board, and shall proceed accordingly under division (B) or (C) of this section.

(B) When the board of elections determines that absent voter's ballots shall be counted in each precinct, the director shall deliver to the ~~presiding judge~~ voting location manager of each precinct on election day identification envelopes purporting to contain absent voter's ballots of electors whose voting residence appears from the statement of voter on the outside of each of those envelopes, to be located in ~~such presiding judge's~~ that manager's precinct, and which were received by the director not later than the close of the polls on election day. The director shall deliver to ~~such presiding judge~~ the voting location manager a list containing the name and voting residence of each

person whose voting residence is in such precinct to whom absent voter's ballots were mailed. 6872
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(C) When the board of elections determines that absent voter's ballots shall be counted at the office of the board of elections or at another location designated by the board, special election ~~judges~~ officials shall be appointed by the board for that purpose having the same authority as is exercised by precinct ~~judges~~ election officials. The votes so cast shall be added to the vote totals by the board, and the absent voter's ballots shall be preserved separately by the board, in the same manner and for the same length of time as provided by section 3505.31 of the Revised Code. 6874
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(D) Each of the identification envelopes purporting to contain absent voter's ballots delivered to the ~~presiding judge~~ voting location manager of the precinct or the special ~~judge~~ election official appointed by the board of elections shall be handled as follows: The election officials shall ~~compare the signature of the elector on the outside of the identification envelope with the signature of that elector on the elector's registration form and verify~~ attempt to determine the identity of the absent voter. If the election officials are able to determine the identity of the elector who cast the ballot, the ballot shall be presumed to be valid and eligible for counting unless, by a vote of at least three members of the board of elections, the board determines that the absent voter's ballot is not eligible to be counted under section 3509.07 of the Revised Code. Any of the precinct officials may challenge the right of the elector named on the identification envelope to vote the absent voter's ballots upon the ground that the signature on the envelope is not the same as the signature on the registration form, or upon any other of the grounds upon which the right of persons to vote may be lawfully challenged. If no such challenge is made, or if such a 6884
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challenge is made and not sustained, the ~~presiding judge voting~~ 6904
location manager shall open the envelope without defacing the 6905
statement of voter and without mutilating the ballots in it, and 6906
shall remove the ballots contained in it and proceed to count 6907
them. If the challenge is made and sustained, or if the precinct 6908
election officials are unable to resolve the challenge, the sealed 6909
envelope shall be delivered to the board of elections, so that the 6910
board of elections may vote to resolve the challenge in accordance 6911
with section 3509.07 of the Revised Code. 6912

The name of each person voting who is entitled to vote only 6913
an absent voter's presidential ballot shall be entered in a 6914
pollbook or poll list or signature pollbook followed by the words 6915
"Absentee Presidential Ballot." The name of each person voting an 6916
absent voter's ballot, other than such persons entitled to vote 6917
only a presidential ballot, shall be entered in the pollbook or 6918
poll list or signature pollbook and the person's registration card 6919
marked to indicate that the person has voted. 6920

The date of such election shall also be entered on the 6921
elector's registration form. If any such challenge is made and 6922
sustained, the identification envelope of such elector shall not 6923
be opened, shall be endorsed "Not Counted" with the reasons the 6924
ballots were not counted, and shall be delivered to the board. 6925

(E) Special election ~~judges~~ officials, employees or members 6926
of the board of elections, or observers shall not disclose the 6927
count or any portion of the count of absent voter's ballots prior 6928
to the time of the closing of the polling places. No person shall 6929
recklessly disclose the count or any portion of the count of 6930
absent voter's ballots in such a manner as to jeopardize the 6931
secrecy of any individual ballot. 6932

(F) Observers may be appointed under section 3505.21 of the 6933
Revised Code to witness the examination and opening of 6934
identification envelopes and the counting of absent voters' 6935

ballots under this section. 6936

Sec. 3509.07. If election officials (A) Subject to division 6937
(B) of this section, if at least three members of the board of 6938
elections find that the statement accompanying an absent voter's 6939
ballot or absent voter's presidential ballot is insufficient, that 6940
the signatures do not correspond with the person's registration 6941
signature, that the applicant is not a qualified elector in the 6942
precinct, that the ballot envelope contains more than one ballot 6943
of any one kind, or any voted ballot that the elector is not 6944
entitled to vote, ~~that Stub A is detached from the absent voter's~~ 6945
~~ballot or absent voter's presidential ballot,~~ or that the elector 6946
has not included with the elector's ballot any identification 6947
required under section 3509.05 or 3511.09 of the Revised Code, the 6948
board of elections may contact the absent voter using whatever 6949
means is deemed appropriate by the board in consideration of the 6950
timeframe needed to meet applicable deadlines and the effort 6951
needed to complete the identification envelope or cure the 6952
deficiency, to notify the voter of the deficiency. Whenever 6953
possible, the board shall complete the identification statement, 6954
or cure the deficiency, by confirming information with the voter 6955
via telephone, facsimile transmission, electronic mail, or postal 6956
mail. If any deficiency is not cured before the eleventh day after 6957
the election, the vote shall not be accepted or counted. ~~The~~ If 6958
ballot stubs are being used, no absent voter's ballot or absent 6959
voter's presidential ballot shall be rejected on the grounds that 6960
Stub A is detached from or has not been returned with the marked 6961
ballot. 6962

The vote of any absent voter may be challenged for cause in 6963
the same manner as other votes are challenged, and the election 6964
officials shall determine the legality of that ballot. Every 6965
ballot not counted shall be endorsed on its back "Not Counted" 6966
with the reasons the ballot was not counted, and shall be enclosed 6967

and returned to or retained by the board of elections along with 6968
the contested ballots. 6969

(B) Notwithstanding any provision of the Revised Code to the 6970
contrary, if an elector receives an absent voter's ballot for an 6971
incorrect precinct from the election officials and the elector 6972
marks and returns that ballot, all of the following shall apply: 6973

(1) The absent voter's ballot shall be counted if the elector 6974
was otherwise eligible to vote in that election and the absent 6975
voter's ballot cast by that elector contained identical candidate 6976
choices, questions, and issues to the ballot that the elector was 6977
eligible to vote. 6978

(2) The absent voter's ballot shall be remade by the election 6979
officials for all of the candidate choices, questions, and issues 6980
for which the elector made a ballot selection that coincide with 6981
the candidate choices, questions, and issues for which the elector 6982
was eligible to vote. 6983

Sec. 3509.08. (A) Any qualified elector, who, on account of 6984
the elector's own personal illness, physical disability, or 6985
infirmity, or on account of the elector's confinement in a jail or 6986
workhouse under sentence for a misdemeanor or awaiting trial on a 6987
felony or misdemeanor, will be unable to travel from the elector's 6988
home or place of confinement to the voting booth in the elector's 6989
precinct on the day of any general, special, or primary election 6990
may make application in writing, by facsimile transmission, or by 6991
electronic mail for an absent voter's ballot to the director of 6992
the board of elections of the elector's county. The application 6993
shall include all of the information required under section 6994
3509.03 of the Revised Code and shall state the nature of the 6995
elector's illness, physical disability, or infirmity, or the fact 6996
that the elector is confined in a jail or workhouse and the 6997
elector's resultant inability to travel to the election booth in 6998

the elector's precinct on election day. The application shall not
be valid if it is delivered to the director before the ninetieth
day or after twelve noon of the third day before the day of the
election at which the ballot is to be voted.

The absent voter's ballot may be mailed directly to the
applicant at the applicant's voting residence or place of
confinement as stated in the applicant's application, or the board
may designate two board employees belonging to the two major
political parties for the purpose of delivering the ballot to the
disabled or confined elector and returning it to the board, unless
the applicant is confined to a public or private institution
within the county, in which case the board shall designate two
board employees belonging to the two major political parties for
the purpose of delivering the ballot to the disabled or confined
elector and returning it to the board. In all other instances, the
ballot shall be returned to the office of the board in the manner
prescribed in section 3509.05 of the Revised Code.

Any disabled or confined elector who declares to the two
board employees belonging to the two major political parties that
the elector is unable to mark the elector's ballot by reason of
physical infirmity that is apparent to the employees to be
sufficient to incapacitate the voter from marking the elector's
ballot properly, may receive, upon request, the assistance of the
employees in marking the elector's ballot, and they shall
thereafter give no information in regard to this matter. Such
assistance shall not be rendered for any other cause.

When two board employees belonging to the two major political
parties deliver a ballot to a disabled or confined elector, each
of the employees shall be present when the ballot is delivered,
when assistance is given, and when the ballot is returned to the
office of the board, and shall subscribe to the declaration on the
identification envelope.

The secretary of state shall prescribe the form of 7031
application for absent voter's ballots under this division. 7032

This chapter applies to disabled and confined absent voter's 7033
ballots except as otherwise provided in this section. 7034

(B)(1) Any qualified elector who is unable to travel to the 7035
voting booth in the elector's precinct on the day of any general, 7036
special, or primary election may apply to the director of the 7037
board of elections of the county where the elector is a qualified 7038
elector to vote in the election by absent voter's ballot if either 7039
of the following apply: 7040

(a) The elector is confined in a hospital as a result of an 7041
accident or unforeseeable medical emergency occurring before the 7042
election; 7043

(b) The elector's minor child is confined in a hospital as a 7044
result of an accident or unforeseeable medical emergency occurring 7045
before the election. 7046

(2) The application authorized under division (B)(1) of this 7047
section ~~shall~~ may be made in writing, by facsimile transmission, 7048
or by electronic mail and shall include all of the information 7049
required under section 3509.03 of the Revised Code, and shall be 7050
delivered to the director not later than three p.m. on the day of 7051
the election. The application shall indicate the hospital where 7052
the applicant or the applicant's child is confined, the date of 7053
the applicant's or the applicant's child's admission to the 7054
hospital, and the offices for which the applicant is qualified to 7055
vote. The applicant may also request that a member of the 7056
applicant's family, as listed in section 3509.05 of the Revised 7057
Code, deliver the absent voter's ballot to the applicant. The 7058
director, after establishing to the director's satisfaction the 7059
validity of the circumstances claimed by the applicant, shall 7060
supply an absent voter's ballot to be delivered to the applicant. 7061

When the applicant or the applicant's child is in a hospital in 7062
the county where the applicant is a qualified elector and no 7063
request is made for a member of the family to deliver the ballot, 7064
the director shall arrange for the delivery of an absent voter's 7065
ballot to the applicant, and for its return to the office of the 7066
board, by two board employees belonging to the two major political 7067
parties according to the procedures prescribed in division (A) of 7068
this section. When the applicant or the applicant's child is in a 7069
hospital outside the county where the applicant is a qualified 7070
elector and no request is made for a member of the family to 7071
deliver the ballot, the director shall arrange for the delivery of 7072
an absent voter's ballot to the applicant by mail, and the ballot 7073
shall be returned to the office of the board in the manner 7074
prescribed in section 3509.05 of the Revised Code. 7075

(3) Any qualified elector who is eligible to vote under 7076
division (B) or (C) of section 3503.16 of the Revised Code but is 7077
unable to do so because of the circumstances described in division 7078
(B)(2) of this section may vote in accordance with division (B)(1) 7079
of this section if that qualified elector states in the 7080
application for absent voter's ballots that that qualified elector 7081
moved or had a change of name under the circumstances described in 7082
division (B) or (C) of section 3503.16 of the Revised Code and if 7083
that qualified elector complies with ~~divisions~~ division (G)~~(1) to~~ 7084
~~(4)~~ of section 3503.16 of the Revised Code. 7085

(C) Any qualified elector described in division (A) or (B)(1) 7086
of this section who needs no assistance to vote or to return 7087
absent voter's ballots to the board of elections may apply for 7088
absent voter's ballots under section 3509.03 of the Revised Code 7089
instead of applying for them under this section. 7090

(D) Any elector who applies for an absent voter's ballot 7091
under division (A) or (B) of this section by facsimile 7092
transmission or electronic mail shall include a paper application 7093

for those ballots that includes the elector's signature in the 7094
return envelope with the elector's completed absent voter's 7095
ballots or, if the elector votes with the assistance of two board 7096
employees, the elector may deliver the paper application for those 7097
ballots to the board employees who assist the elector. 7098

Sec. 3511.012. Notwithstanding any provision of the Revised 7099
Code to the contrary, any registered Ohio voter who is dispatched 7100
as part of a military, civilian, or corporate response to a 7101
federal- or state-declared disaster at any time during the 7102
thirty-five days prior to the day of an election shall be eligible 7103
to vote under this chapter in the same manner as a uniformed 7104
services voter or overseas voter. 7105

Sec. 3511.02. Notwithstanding any section of the Revised Code 7106
to the contrary, whenever any person applies for registration as a 7107
voter on a form adopted in accordance with federal regulations 7108
relating to the "Uniformed and Overseas Citizens Absentee Voting 7109
Act," 100 Stat. 924, 42 U.S.C.A. 1973ff (1986), this application 7110
shall be sufficient for voter registration and as a request for an 7111
absent voter's ballot. Uniformed services or overseas absent 7112
voter's ballots may be obtained by any person meeting the 7113
requirements of section 3511.011 of the Revised Code by applying 7114
electronically to the secretary of state or to the board of 7115
elections of the county in which the person's voting residence is 7116
located in accordance with section 3511.021 of the Revised Code or 7117
by applying to the director of the board of elections of the 7118
county in which the person's voting residence is located, in one 7119
of the following ways: 7120

(A) That person may make written application for those 7121
ballots. The person may personally deliver the application to the 7122
director or may mail it, send it by facsimile machine, send it by 7123
electronic mail, send it through internet delivery if such 7124

delivery is offered by the board of elections or the secretary of 7125
state, or otherwise send it to the director. The application need 7126
not be in any particular form but shall contain all of the 7127
following information: 7128

(1) The elector's name; 7129

(2) The elector's signature; 7130

(3) The address at which the elector is registered to vote; 7131

(4) The elector's date of birth; 7132

(5) One of the following: 7133

(a) The elector's driver's license number or state 7134
identification card number; 7135

(b) The last four digits of the elector's social security 7136
number; 7137

(c) A copy of the elector's current and valid photo 7138
identification, a copy of a military identification, or a copy of 7139
a current utility bill, bank statement, government check, 7140
paycheck, or other government document, other than ~~a notice of an~~ 7141
~~election mailed by a board of elections under section 3501.19 of~~ 7142
~~the Revised Code or~~ a notice of voter registration mailed by a 7143
board of elections under section 3503.19 of the Revised Code, that 7144
shows the name and address of the elector. 7145

(6) A statement identifying the election for which absent 7146
voter's ballots are requested; 7147

(7) A statement that the person requesting the ballots is a 7148
qualified elector; 7149

(8) A statement that the elector is an absent uniformed 7150
services voter or overseas voter as defined in 42 U.S.C. 1973ff-6; 7151

(9) A statement of the elector's length of residence in the 7152
state immediately preceding the commencement of service, 7153

immediately preceding the date of leaving to be with or near the 7154
service member, or immediately preceding leaving the United 7155
States, or a statement that the elector's parent or legal guardian 7156
resided in this state long enough to establish residency for 7157
voting purposes immediately preceding leaving the United States, 7158
whichever is applicable; 7159

(10) If the request is for primary election ballots, the 7160
elector's party affiliation; 7161

(11) If the elector desires ballots to be mailed to the 7162
elector, the address to which those ballots shall be mailed; 7163

(12) If the elector desires ballots to be sent to the elector 7164
by facsimile machine, the telephone number to which they shall be 7165
so sent; 7166

(13) If the elector desires ballots to be sent to the elector 7167
by electronic mail or, if offered by the board of elections or the 7168
secretary of state, through internet delivery, the elector's 7169
electronic mail address or other internet contact information. 7170

(B) A voter or any relative of a voter listed in division (C) 7171
of this section may use a single federal post card application to 7172
apply for uniformed services or overseas absent voter's ballots 7173
for use at the primary and general elections in a given year and 7174
any special election to be held on the day in that year specified 7175
by division (E) of section 3501.01 of the Revised Code for the 7176
holding of a primary election, designated by the general assembly 7177
for the purpose of submitting constitutional amendments proposed 7178
by the general assembly to the voters of the state. A single 7179
federal postcard application shall be processed by the board of 7180
elections pursuant to section 3511.04 of the Revised Code the same 7181
as if the voter had applied separately for uniformed services or 7182
overseas absent voter's ballots for each election. 7183

(C) Application to have uniformed services or overseas absent 7184

voter's ballots mailed or sent by facsimile machine to such a 7185
person may be made by the spouse, father, mother, father-in-law, 7186
mother-in-law, grandfather, grandmother, brother or sister of the 7187
whole blood or half blood, son, daughter, adopting parent, adopted 7188
child, stepparent, stepchild, daughter-in-law, son-in-law, uncle, 7189
aunt, nephew, or niece of such a person. The application shall be 7190
in writing upon a blank form furnished only by the director or on 7191
a single federal post card as provided in division (B) of this 7192
section. The form of the application shall be prescribed by the 7193
secretary of state. The director shall furnish that blank form to 7194
any of the relatives specified in this division desiring to make 7195
the application, only upon the request of such a relative made in 7196
person at the office of the board or upon the written request of 7197
such a relative mailed to the office of the board. The 7198
application, subscribed and sworn to by the applicant, shall 7199
contain all of the following: 7200

(1) The full name of the elector for whom ballots are 7201
requested; 7202

(2) A statement that the elector is an absent uniformed 7203
services voter or overseas voter as defined in 42 U.S.C. 1973ff-6; 7204

(3) The address at which the elector is registered to vote; 7205

(4) A statement identifying the elector's length of residence 7206
in the state immediately preceding the commencement of service, 7207
immediately preceding the date of leaving to be with or near a 7208
service member, or immediately preceding leaving the United 7209
States, or a statement that the elector's parent or legal guardian 7210
resided in this state long enough to establish residency for 7211
voting purposes immediately preceding leaving the United States, 7212
as the case may be; 7213

(5) The elector's date of birth; 7214

(6) One of the following: 7215

(a) The elector's driver's license number <u>or state</u>	7216
<u>identification card number;</u>	7217
(b) The last four digits of the elector's social security	7218
number;	7219
(c) A copy of the elector's current and valid photo	7220
identification, a copy of a military identification, or a copy of	7221
a current utility bill, bank statement, government check,	7222
paycheck, or other government document, other than a notice of an	7223
election mailed by a board of elections under section 3501.19 of	7224
the Revised Code or a notice of voter registration mailed by a	7225
board of elections under section 3503.19 of the Revised Code, that	7226
shows the name and address of the elector.	7227
(7) A statement identifying the election for which absent	7228
voter's ballots are requested;	7229
(8) A statement that the person requesting the ballots is a	7230
qualified elector;	7231
(9) If the request is for primary election ballots, the	7232
elector's party affiliation;	7233
(10) A statement that the applicant bears a relationship to	7234
the elector as specified in division (C) of this section;	7235
(11) The address to which ballots shall be mailed, the	7236
telephone number to which ballots shall be sent by facsimile	7237
machine, the electronic mail address to which ballots shall be	7238
sent by electronic mail, or, if internet delivery is offered by	7239
the board of elections or the secretary of state, the internet	7240
contact information to which ballots shall be sent through	7241
internet delivery;	7242
(12) The signature and address of the person making the	7243
application.	7244
Each application for uniformed services or overseas absent	7245

voter's ballots shall be delivered to the director not earlier 7246
than the first day of January of the year of the elections for 7247
which the uniformed services or overseas absent voter's ballots 7248
are requested or not earlier than ninety days before the day of 7249
the election at which the ballots are to be voted, whichever is 7250
earlier, and not later than twelve noon of the third day preceding 7251
the day of the election, or not later than ~~six p.m. on the last~~ 7252
~~Friday before the day of~~ the end of the time for casting absent 7253
voter's ballots in person prior to the election at which those 7254
ballots are to be voted if the application is delivered in person 7255
to the office of the board. 7256

(D) If the voter for whom the application is made is entitled 7257
to vote for presidential and vice-presidential electors only, the 7258
applicant shall submit to the director in addition to the 7259
requirements of divisions (A), (B), and (C) of this section, a 7260
statement to the effect that the voter is qualified to vote for 7261
presidential and vice-presidential electors and for no other 7262
offices. 7263

Sec. 3511.021. (A)(1) The secretary of state shall establish 7264
procedures that allow any person who is eligible to vote as a 7265
uniformed services voter or an overseas voter in accordance with 7266
42 U.S.C. 1973ff-6 to apply by electronic means to the office of 7267
the secretary of state or to the board of elections of the county 7268
in which the person's voting residence is located for a uniformed 7269
services or overseas absent voter's ballot. 7270

(2) The procedures shall allow such a person who requests a 7271
uniformed services or overseas absent voter's ballot application 7272
to express a preference for the manner in which the person will 7273
receive the requested application, whether by mail, facsimile 7274
transmission, electronic mail, or, if offered by the board of 7275
elections or the secretary of state, through internet delivery. If 7276

the person completes and timely returns the application and the 7277
applicant is eligible to receive a ballot, the procedures shall 7278
allow the applicant to express a preference for the manner in 7279
which the person will receive the requested blank, unvoted 7280
ballots, whether by mail, facsimile transmission, electronic mail, 7281
or, if offered by the board of elections or the secretary of 7282
state, through internet delivery. The requested items shall be 7283
transmitted by the board of elections of the county in which the 7284
person's voting residence is located by the preferred method. If 7285
the requestor does not express a preferred method, the requested 7286
items shall be delivered via standard mail. 7287

(3) To the extent practicable, the procedures shall protect 7288
the security and integrity of the ballot request and delivery 7289
process, and protect the privacy of the identity and personal data 7290
of the person when such applications and ballots are requested, 7291
processed, and sent. 7292

(4) ~~No~~ Except as otherwise provided in division (C) of this 7293
section, no person shall return by electronic means to the 7294
secretary of state, a board of elections, or any other entity a 7295
completed or voted uniformed services or overseas absent voter's 7296
ballot. If a ballot is so returned, the ballot shall not be 7297
accepted, processed, or counted. 7298

(B)(1) The secretary of state, in coordination with the 7299
boards of elections, shall establish a free access system by which 7300
an absent uniformed services voter or overseas voter may determine 7301
the following: 7302

(a) Whether that person's request for a uniformed services or 7303
overseas absent voter's ballot was received and processed; 7304

(b) If the person's request was received and processed, when 7305
the uniformed services or overseas absent voter's ballot was sent; 7306

(c) Whether any uniformed services or overseas absent voter's 7307

ballot returned by that person has been received by election officials; 7308
7309

(d) Whether the board of elections found any error on the identification envelope containing the person's returned uniformed services or overseas absent voter's ballot and, if so, how the person may correct any error within ten days after the day of an election; and 7310
7311
7312
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7314

(e) Whether the person's uniformed services or overseas absent voter's ballot was counted. 7315
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(2) The appropriate state or local election official shall establish and maintain reasonable procedures necessary to protect the security, confidentiality, and integrity of personal information that is confidential under state or federal law that is collected, stored, or otherwise used by the free access system established under division (B) of this section. Access to information about the votes cast on an individual ballot shall be restricted to the person who cast the ballot. To the extent practicable, the procedures shall protect the security and integrity of the process and protect the privacy of the identity and personal data of the person. 7317
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(C) The secretary of state may establish, by rule adopted under Chapter 119. of the Revised Code, a mechanism to accept completed uniformed services or overseas absent voter's ballots through electronic means, including, but not limited to, facsimile transmission and electronic mail. If the secretary of state adopts rules under this division to permit the electronic acceptance of those ballots, the rules shall include, at a minimum, requirements to protect the security and anonymity of the ballot. 7328
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If the secretary of state adopts rules under this division to permit the electronic acceptance of those ballots, any uniformed services or overseas voter may return the voter's completed absent 7336
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voter's ballots using the mechanism specified under those rules. 7339
Such ballots shall be accepted and counted in the same manner as 7340
ballots returned by mail. 7341

Sec. 3511.04. (A) If a director of a board of elections 7342
receives an application for uniformed services or overseas absent 7343
voter's ballots that does not contain all of the required 7344
information, the director promptly shall notify the applicant of 7345
the additional information required to be provided by the 7346
applicant to complete that application. The board of elections may 7347
contact the applicant using whatever means is deemed appropriate 7348
by the board in consideration of the timeframe needed to meet 7349
applicable deadlines and the effort needed to complete the 7350
application, to notify the applicant of the deficiency. Whenever 7351
possible, the board shall complete the application by confirming 7352
information with the applicant via telephone, facsimile 7353
transmission, electronic mail, or postal mail. 7354

(B) Not later than the forty-fifth day before the day of each 7355
general or primary election, and at the earliest possible time 7356
before the day of a special election held on a day other than the 7357
day on which a general or primary election is held, the director 7358
of the board of elections shall mail, send by facsimile machine, 7359
send by electronic mail, send through internet delivery if such 7360
delivery is offered by the board of elections or the secretary of 7361
state, or otherwise send uniformed services or overseas absent 7362
voter's ballots then ready for use as provided for in section 7363
3511.03 of the Revised Code and for which the director has 7364
received valid applications prior to that time. Thereafter, and 7365
until twelve noon of the third day preceding the day of election, 7366
the director shall promptly, upon receipt of valid applications 7367
for them, mail, send by facsimile machine, send by electronic 7368
mail, send through internet delivery if such delivery is offered 7369
by the board of elections or the secretary of state, or otherwise 7370

send to the proper persons all uniformed services or overseas 7371
absent voter's ballots then ready for use. 7372

If, after the seventieth day before the day of a general or 7373
primary election, any other question, issue, or candidacy is 7374
lawfully ordered submitted to the electors voting at the general 7375
or primary election, the board shall promptly provide a separate 7376
official issue, special election, or other election ballot for 7377
submitting the question, issue, or candidacy to those electors, 7378
and the director shall promptly mail, send by facsimile machine, 7379
send by electronic mail, send through internet delivery if such 7380
delivery is offered by the board of elections or the secretary of 7381
state, or otherwise send each such separate ballot to each person 7382
to whom the director has previously mailed or sent other uniformed 7383
services or overseas absent voter's ballots. 7384

In mailing uniformed services or overseas absent voter's 7385
ballots, the director shall use the fastest mail service 7386
available, but the director shall not mail them by certified mail. 7387

Sec. 3511.05. (A) The director of the board of elections 7388
shall place uniformed services or overseas absent voter's ballots 7389
sent by mail in an unsealed identification envelope, gummed ready 7390
for sealing. The director shall include with uniformed services or 7391
overseas absent voter's ballots sent electronically, including by 7392
facsimile machine, an instruction sheet for preparing a gummed 7393
envelope in which the ballots shall be returned. The envelope for 7394
returning ballots sent by either means shall have printed or 7395
written on its face a form substantially as follows: 7396

"Identification Envelope Statement of Voter 7397

I,(Name of voter), declare under 7398
penalty of election falsification that the within ballot or 7399
ballots contained no voting marks of any kind when I received 7400
them, and I caused the ballot or ballots to be marked, enclosed in 7401

the identification envelope, and sealed in that envelope.	7402
My voting residence in Ohio is	7403
.....	7404
(Street and Number, if any, or Rural Route and Number)	7405
of (City, Village, or Township)	7406
Ohio, which is in Ward Precinct	7407
in that city, village, or township.	7408
The primary election ballots, if any, within this envelope	7409
are primary election ballots of the Party.	7410
Ballots contained within this envelope are to be voted at the	7411
..... (general, special, or primary) election to be held on	7412
the day of,	7413
My date of birth is (Month and Day),	7414
..... (Year).	7415
(Voter must provide one of the following:)	7416
My driver's license number is (Driver's	7417
license number).	7418
<u>My state identification card number is (State</u>	7419
<u>identification card number).</u>	7420
The last four digits of my Social Security Number are	7421
..... (Last four digits of Social Security Number).	7422
..... In lieu of providing a driver's license number, <u>state</u>	7423
<u>identification card number</u> , or the last four digits of my Social	7424
Security Number, I am enclosing a copy of one of the following in	7425
the return envelope in which this identification envelope will be	7426
mailed: a current and valid photo identification, a military	7427
identification, or a current utility bill, bank statement,	7428
government check, paycheck, or other government document, other	7429
than a notice of an election mailed by a board of elections under	7430
section 3501.19 of the Revised Code or a notice of voter	7431

registration mailed by a board of elections, that shows my name 7432
and address. 7433

I hereby declare, under penalty of election falsification, 7434
that the statements above are true, as I verily believe. 7435

..... 7436

(Signature of Voter) 7437

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 7438
THE FIFTH DEGREE." 7439

(B) The director shall also mail with the ballots and the 7440
unsealed identification envelope sent by mail an unsealed return 7441
envelope, gummed, ready for sealing, for use by the voter in 7442
returning the voter's marked ballots to the director. The director 7443
shall send with the ballots and the instruction sheet for 7444
preparing a gummed envelope sent electronically, including by 7445
facsimile machine, an instruction sheet for preparing a second 7446
gummed envelope as described in this division, for use by the 7447
voter in returning that voter's marked ballots to the director. 7448
The return envelope shall have two parallel lines, each one 7449
quarter of an inch in width, printed across its face paralleling 7450
the top, with an intervening space of one quarter of an inch 7451
between such lines. The top line shall be one and one-quarter 7452
inches from the top of the envelope. Between the parallel lines 7453
shall be printed: "OFFICIAL ELECTION UNIFORMED SERVICES OR 7454
OVERSEAS ABSENT VOTER'S BALLOTS -- VIA AIR MAIL." Three blank 7455
lines shall be printed in the upper left corner on the face of the 7456
envelope for the use by the voter in placing the voter's complete 7457
military, naval, or mailing address on these lines, and beneath 7458
these lines there shall be printed a box beside the words "check 7459
if out-of-country." The voter shall check this box if the voter 7460
will be outside the United States on the day of the election. The 7461
official title and the post-office address of the director to whom 7462
the envelope shall be returned shall be printed on the face of 7463

such envelope in the lower right portion below the bottom parallel line. 7464
7465

(C) On the back of each identification envelope and each return envelope shall be printed the following: 7466
7467

"Instructions to voter: 7468

If the flap on this envelope is so firmly stuck to the back of the envelope when received by you as to require forcible opening in order to use it, open the envelope in the manner least injurious to it, and, after marking your ballots and enclosing same in the envelope for mailing them to the director of the board of elections, reclose the envelope in the most practicable way, by sealing or otherwise, and sign the blank form printed below. 7469
7470
7471
7472
7473
7474
7475

The flap on this envelope was firmly stuck to the back of the envelope when received, and required forced opening before sealing and mailing. 7476
7477
7478

..... 7479
(Signature of voter)" 7480

(D) Division (C) of this section does not apply when absent voter's ballots are sent electronically, including by facsimile machine. 7481
7482
7483

Sec. 3511.09. Upon receiving uniformed services or overseas absent voter's ballots, the elector shall cause the questions on the face of the identification envelope to be answered, and, by writing the elector's usual signature in the proper place on the identification envelope, the elector shall declare under penalty of election falsification that the answers to those questions are true and correct to the best of the elector's knowledge and belief. Then, the elector shall note whether there are any voting marks on the ballot. If there are any voting marks, the ballot shall be returned immediately to the board of elections; 7484
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otherwise, the elector shall cause the ballot to be marked, folded 7494
separately so as to conceal the markings on it, deposited in the 7495
identification envelope, and securely sealed in the identification 7496
envelope. The elector then shall cause the identification envelope 7497
to be placed within the return envelope, sealed in the return 7498
envelope, and mailed to the director of the board of elections to 7499
whom it is addressed. The ballot shall be submitted for mailing 7500
not later than 12:01 a.m. at the place where the voter completes 7501
the ballot, on the date of the election. If the elector does not 7502
provide the elector's driver's license number, state 7503
identification card number, or the last four digits of the 7504
elector's social security number on the statement of voter on the 7505
identification envelope, the elector also shall include in the 7506
return envelope with the identification envelope a copy of the 7507
elector's current valid photo identification, a copy of a military 7508
identification, or a copy of a current utility bill, bank 7509
statement, government check, paycheck, or other government 7510
document, other than ~~a notice of an election mailed by a board of~~ 7511
~~elections under section 3501.19 of the Revised Code~~ or a notice of 7512
voter registration mailed by a board of elections under section 7513
3503.19 of the Revised Code, that shows the name and address of 7514
the elector. Each elector who will be outside the United States on 7515
the day of the election shall check the box on the return envelope 7516
indicating this fact and shall mail the return envelope to the 7517
director prior to the close of the polls on election day. 7518

Every uniformed services or overseas absent voter's ballot 7519
identification envelope shall be accompanied by the following 7520
statement in boldface capital letters: WHOEVER COMMITS ELECTION 7521
FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. 7522

Sec. 3511.11. (A) Upon receipt of any return envelope bearing 7523
the designation "Official Election Uniformed Services or Overseas 7524
Absent Voter's Ballot" prior to the eleventh day after the day of 7525

any election, the director of the board of elections shall open it 7526
but shall not open the identification envelope contained in it. 7527
If, upon so opening the return envelope, the director finds 7528
ballots in it that are not enclosed in and properly sealed in the 7529
identification envelope, the director shall not look at the 7530
markings upon the ballots and shall promptly place them in the 7531
identification envelope and promptly seal it. If, upon so opening 7532
the return envelope, the director finds that ballots are enclosed 7533
in the identification envelope but that it is not properly sealed, 7534
the director shall not look at the markings upon the ballots and 7535
shall promptly seal the identification envelope. 7536

(B) Uniformed services or overseas absent voter's ballots 7537
delivered to the director not later than the close of the polls on 7538
election day shall be counted in the manner provided in section 7539
3509.06 of the Revised Code. 7540

(C) A return envelope is not required to be postmarked in 7541
order for a uniformed services or overseas absent voter's ballot 7542
contained in it to be valid. Except as otherwise provided in this 7543
division, whether or not the return envelope containing the ballot 7544
is postmarked, contains a late postmark, or contains an illegible 7545
postmark, a uniformed services or overseas absent voter's ballot 7546
that is received after the close of the polls on election day 7547
through the tenth day after the election day shall be counted on 7548
the eleventh day after the election day at the office of the board 7549
of elections in the manner provided in divisions (C) and (D) of 7550
section 3509.06 and section 3509.07 of the Revised Code, if the 7551
voter signed the identification envelope by the time specified in 7552
section 3511.09 of the Revised Code. However, if a return envelope 7553
containing a uniformed services or overseas absent voter's ballot 7554
is so received and so indicates, but the identification envelope 7555
in it is signed after the close of the polls on election day, the 7556
uniformed services or overseas absent voter's ballot shall not be 7557

counted. 7558

(D) The following types of uniformed services or overseas
absent voter's ballots shall not be counted: 7559
7560

(1) Uniformed services or overseas absent voter's ballots 7561
contained in return envelopes that bear the designation "Official 7562
Election Uniformed Services or Overseas Absent Voter's Ballots," 7563
that are received by the director after the close of the polls on 7564
the day of the election, and that contain an identification 7565
envelope that is signed after the time specified in section 7566
3511.09 of the Revised Code; 7567

(2) Uniformed services or overseas absent voter's ballots 7568
contained in return envelopes that bear that designation and that 7569
are received after the tenth day following the election. 7570

The uncounted ballots shall be preserved in their 7571
identification envelopes unopened until the time provided by 7572
section 3505.31 of the Revised Code for the destruction of all 7573
other ballots used at the election for which ballots were 7574
provided, at which time they shall be destroyed. 7575

Sec. 3511.14. (A) A board of elections shall accept and 7576
process federal write-in absentee ballots for all federal, state, 7577
and local elections for office and for all ballot questions and 7578
issues conducted in any year as required under "The Uniformed and 7579
Overseas Citizens Absentee Voting Act," Pub. L. No. 99-410, 100 7580
Stat. 924, 42 U.S.C. 1973ff, et seq., as amended. 7581

(B) A uniformed services or overseas voter may use the 7582
declaration accompanying a federal write-in absentee ballot to 7583
apply to register to vote simultaneously with the submission of 7584
the federal write-in absentee ballot, if the declaration is 7585
received not later than thirty days before the day of the 7586
election. If the declaration is received after that date, the 7587

declaration shall be considered an application to register to vote 7588
for all subsequent elections. 7589

Sec. 3513.05. (A) Each person desiring to become a candidate 7590
for a party nomination or for election to an office or position to 7591
be voted for at a primary election, except persons desiring to 7592
become joint candidates for the offices of governor and lieutenant 7593
governor and except as otherwise provided in section 3513.051 of 7594
the Revised Code, shall, not later than four p.m. of the ninetieth 7595
day before the day of the primary election, file a declaration of 7596
candidacy and petition and pay the fees required under divisions 7597
(A) and (B) of section 3513.10 of the Revised Code. The 7598
declaration of candidacy and all separate petition papers shall be 7599
filed at the same time as one instrument. When the offices are to 7600
be voted for at a primary election, persons desiring to become 7601
joint candidates for the offices of governor and lieutenant 7602
governor shall, not later than four p.m. of the ninetieth day 7603
before the day of the primary election, comply with section 7604
3513.04 of the Revised Code. The prospective joint candidates' 7605
declaration of candidacy and all separate petition papers of 7606
candidacies shall be filed at the same time as one instrument. The 7607
secretary of state or a board of elections shall not accept for 7608
filing a declaration of candidacy and petition of a person seeking 7609
to become a candidate if that person, for the same election, has 7610
already filed a declaration of candidacy or a declaration of 7611
intent to be a write-in candidate, or has become a candidate by 7612
the filling of a vacancy under section 3513.30 of the Revised Code 7613
for any federal, state, or county office, if the declaration of 7614
candidacy is for a state or county office, or for any municipal or 7615
township office, if the declaration of candidacy is for a 7616
municipal or township office. 7617

(B)(1) If the declaration of candidacy declares a candidacy 7618
which is to be submitted to electors throughout the entire state, 7619

the petition, including a petition for joint candidates for the 7620
offices of governor and lieutenant governor, shall be signed by at 7621
least one thousand qualified electors who are members of the same 7622
political party as the candidate or joint candidates, and the 7623
declaration of candidacy and petition shall be filed with the 7624
secretary of state; provided that the secretary of state shall not 7625
accept or file any such petition appearing on its face to contain 7626
signatures of more than three thousand electors. 7627

(2) Except as otherwise provided in this ~~paragraph~~ division, 7628
if the declaration of candidacy is of one that is to be submitted 7629
only to electors within a district, political subdivision, or 7630
portion thereof, the petition shall be signed by not less than 7631
fifty qualified electors who are members of the same political 7632
party as the political party of which the candidate is a member. 7633
If the declaration of candidacy is for party nomination as a 7634
candidate for member of the legislative authority of a municipal 7635
corporation elected by ward, the petition shall be signed by not 7636
less than twenty-five qualified electors who are members of the 7637
political party of which the candidate is a member. 7638

(3) No such petition, except the petition for a candidacy 7639
that is to be submitted to electors throughout the entire state, 7640
shall be accepted for filing if it appears to contain on its face 7641
signatures of more than three times the minimum number of 7642
signatures. When a petition of a candidate has been accepted for 7643
filing by a board of elections, the petition shall not be deemed 7644
invalid if, upon verification of signatures contained in the 7645
petition, the board of elections finds the number of signatures 7646
accepted exceeds three times the minimum number of signatures 7647
required. A board of elections may discontinue verifying 7648
signatures on petitions when the number of verified signatures 7649
equals the minimum required number of qualified signatures. 7650

(4) If the declaration of candidacy declares a candidacy for 7651

party nomination or for election as a candidate of an intermediate 7652
or minor party, the minimum number of signatures on such petition 7653
is one-half the minimum number provided in this section, except 7654
that, when the candidacy is one for election as a member of the 7655
state central committee or the county central committee of a 7656
political party, the minimum number shall be the same for an 7657
intermediate or minor party as for a major party. 7658

(5) If a declaration of candidacy is one for election as a 7659
member of the state central committee or the county central 7660
committee of a political party, the petition shall be signed by 7661
five qualified electors of the district, county, ward, township, 7662
or precinct within which electors may vote for such candidate. The 7663
electors signing such petition shall be members of the same 7664
political party as the political party of which the candidate is a 7665
member. 7666

(C) For purposes of signing or circulating a petition of 7667
candidacy for party nomination or election, an elector is 7668
considered to be a member of a political party if the elector 7669
voted in that party's primary election within the preceding two 7670
calendar years, or if the elector did not vote in any other 7671
party's primary election within the preceding two calendar years. 7672
This division does not prohibit a person who holds an elective 7673
office for which candidates are nominated at a party primary 7674
election from doing any of the following: 7675

(1) If the person voted as a member of a different political 7676
party at any primary election within the current year and the 7677
immediately preceding two calendar years, being a candidate for 7678
nomination at a party primary held during the times specified in 7679
division (C)(2) of section 3513.191 of the Revised Code provided 7680
that the person complies with the requirements of that section; 7681

(2) Circulating the person's own petition of candidacy for 7682
party nomination in the primary election. 7683

(D) If the declaration of candidacy is of one that is to be 7684
submitted only to electors within a county, or within a district 7685
or subdivision or part thereof smaller than a county, the petition 7686
shall be filed with the board of elections of the county. If the 7687
declaration of candidacy is of one that is to be submitted only to 7688
electors of a district or subdivision or part thereof that is 7689
situated in more than one county, the petition shall be filed with 7690
the board of elections of the county within which the major 7691
portion of the population thereof, as ascertained by the next 7692
preceding federal census, is located. 7693

(E) A petition shall consist of separate petition papers, 7694
each of which shall contain signatures of electors of only one 7695
county. Petitions or separate petition papers containing 7696
signatures of electors of more than one county shall not thereby 7697
be declared invalid. In case petitions or separate petition papers 7698
containing signatures of electors of more than one county are 7699
filed, the board shall determine the county from which the 7700
majority of signatures came, and only signatures from such county 7701
shall be counted. Signatures from any other county shall be 7702
invalid. 7703

Each separate petition paper shall be circulated by one 7704
person only, who shall be the candidate or a joint candidate or a 7705
member of the same political party as the candidate or joint 7706
candidates, and each separate petition paper shall be governed by 7707
the rules set forth in section 3501.38 of the Revised Code. 7708

(F) The secretary of state shall promptly transmit to each 7709
board such separate petition papers of each petition accompanying 7710
a declaration of candidacy filed with the secretary of state as 7711
purport to contain signatures of electors of the county of such 7712
board. The board of the most populous county of a district shall 7713
promptly transmit to each board within such district such separate 7714
petition papers of each petition accompanying a declaration of 7715

candidacy filed with it as purport to contain signatures of 7716
electors of the county of each such board. The board of a county 7717
within which the major portion of the population of a subdivision, 7718
situated in more than one county, is located, shall promptly 7719
transmit to the board of each other county within which a portion 7720
of such subdivision is located such separate petition papers of 7721
each petition accompanying a declaration of candidacy filed with 7722
it as purport to contain signatures of electors of the portion of 7723
such subdivision in the county of each such board. 7724

All petition papers so transmitted to a board and all 7725
petitions accompanying declarations of candidacy filed with a 7726
board shall, under proper regulations, be open to public 7727
inspection until four p.m. of the eightieth day before the day of 7728
the next primary election. Each board shall, not later than the 7729
seventy-eighth day before the day of that primary election, 7730
examine and determine the validity or invalidity of the signatures 7731
on the petition papers so transmitted to or filed with it and 7732
shall return to the secretary of state all petition papers 7733
transmitted to it by the secretary of state, together with its 7734
certification of its determination as to the validity or 7735
invalidity of signatures thereon, and shall return to each other 7736
board all petition papers transmitted to it by such board, 7737
together with its certification of its determination as to the 7738
validity or invalidity of the signatures thereon. All other 7739
matters affecting the validity or invalidity of such petition 7740
papers shall be determined by the secretary of state or the board 7741
with whom such petition papers were filed. 7742

(G) Protests against the candidacy of any person filing a 7743
declaration of candidacy for party nomination or for election to 7744
an office or position, as provided in this section, may be filed 7745
by any qualified elector who is a member of the same political 7746
party as the candidate and who is eligible to vote at the primary 7747

election for the candidate whose declaration of candidacy the 7748
elector objects to, or by the controlling committee of that 7749
political party. The protest shall be in writing, and shall be 7750
filed not later than four p.m. of the seventy-fourth day before 7751
the day of the primary election. The protest shall be filed with 7752
the election officials with whom the declaration of candidacy and 7753
petition was filed. Upon the filing of the protest, the election 7754
officials with whom it is filed shall promptly fix the time for 7755
hearing it, and shall forthwith mail notice of the filing of the 7756
protest and the time fixed for hearing to the person whose 7757
candidacy is so protested. They shall also forthwith mail notice 7758
of the time fixed for such hearing to the person who filed the 7759
protest. At the time fixed, such election officials shall hear the 7760
protest and determine the validity or invalidity of the 7761
declaration of candidacy and petition. If they find that such 7762
candidate is not an elector of the state, district, county, or 7763
political subdivision in which the candidate seeks a party 7764
nomination or election to an office or position, or has not fully 7765
complied with this chapter, the candidate's declaration of 7766
candidacy and petition shall be determined to be invalid and shall 7767
be rejected; otherwise, it shall be determined to be valid. That 7768
determination shall be final. 7769

A protest against the candidacy of any persons filing a 7770
declaration of candidacy for joint party nomination to the offices 7771
of governor and lieutenant governor shall be filed, heard, and 7772
determined in the same manner as a protest against the candidacy 7773
of any person filing a declaration of candidacy singly. 7774

(H)(1) The secretary of state shall, on the seventieth day 7775
before the day of a primary election, certify to each board in the 7776
state the forms of the official ballots to be used at the primary 7777
election, together with the names of the candidates to be printed 7778
on the ballots whose nomination or election is to be determined by 7779

electors throughout the entire state and who filed valid 7780
declarations of candidacy and petitions. 7781

(2) The board of the most populous county in a district 7782
comprised of more than one county but less than all of the 7783
counties of the state shall, on the seventieth day before the day 7784
of a primary election, certify to the board of each county in the 7785
district the names of the candidates to be printed on the official 7786
ballots to be used at the primary election, whose nomination or 7787
election is to be determined only by electors within the district 7788
and who filed valid declarations of candidacy and petitions. 7789

(3) The board of a county within which the major portion of 7790
the population of a subdivision smaller than the county and 7791
situated in more than one county is located shall, on the 7792
seventieth day before the day of a primary election, certify to 7793
the board of each county in which a portion of that subdivision is 7794
located the names of the candidates to be printed on the official 7795
ballots to be used at the primary election, whose nomination or 7796
election is to be determined only by electors within that 7797
subdivision and who filed valid declarations of candidacy and 7798
petitions. 7799

Sec. 3513.13. Separate primary election ballots shall be 7800
provided by the board of elections for each political party having 7801
candidates for nomination or election in a primary election. 7802
Section 3505.08 of the Revised Code governing the kind of paper, 7803
the kind of ink, and the size and style of type to be used in the 7804
printing of ballots for general elections shall apply in the 7805
printing of ballots for primary elections. 7806

Primary election ballots shall have printed on the back 7807
thereof "Official (name of party) primary 7808
ballot," the date of the election, and the facsimile signatures of 7809
the members of the board. 7810

~~Such~~ If the board of elections of that county opts to use 7811
ballots that include ballot stubs, primary election ballots shall 7812
have stubs attached at the top thereof in the same manner as 7813
~~required~~ on ballots for general elections. 7814

On the back of every ballot used there shall be a solid black 7815
line printed opposite the blank rectangular space that is used to 7816
mark the choice of the voter. This line shall be printed wide 7817
enough so that the mark in the blank rectangular space will not be 7818
visible from the back side of the ballot. 7819

Such ballots shall have printed at the top thereof and below 7820
the stubs, if ballot stubs are being used, "Official 7821
(name of party) primary ballot" and instructions to 7822
the voter to the effect that to vote for a candidate the voter 7823
shall record the vote in the manner provided on the ballot next to 7824
the name of such candidate, except as provided in section 3513.151 7825
of the Revised Code, and that if he a voter who tears, soils, 7826
defaces, or erroneously marks the ballot ~~he~~ may return it to the 7827
precinct election officers and obtain another ballot. 7828

Except as provided in section 3513.151 of the Revised Code, 7829
primary election ballots shall contain the names of all persons 7830
whose declarations of candidacy and petitions have been determined 7831
to be valid. The name of each candidate for nomination for, or 7832
election to, an office or position shall be printed in an enclosed 7833
rectangular space at the left of which an enclosed blank 7834
rectangular space shall be provided. The names of candidates shall 7835
be printed on the ballot immediately below the title of the office 7836
or position for nomination or election to which the candidate 7837
seeks nomination or election. The order in which offices and 7838
positions shall be listed on the ballot shall be prescribed by and 7839
shall be certified to each board by the secretary of state, and 7840
shall be the same, to the extent the secretary of state deems 7841
practicable, as is provided for the listing of offices on general 7842

election ballots. 7843

Sec. 3513.131. In the event two or more persons with 7844
identical surnames run for the same office in a primary election 7845
on the same ballot, the names of the candidates shall be 7846
differentiated on the ballot by varying combinations of first and 7847
middle names and initials. Within twenty-four hours after the 7848
final date for filing declarations of candidacy or petitions for 7849
candidacy, the director of the board of elections for local, 7850
municipal, county, general, or special elections, or the director 7851
of the board of elections of the most populous county for 7852
district, general, or special elections, or the secretary of state 7853
for state-wide general and special elections shall notify the 7854
persons with identical given names and surnames that the names of 7855
such persons will be differentiated on the ballot. If one of the 7856
candidates is an incumbent who is a candidate to succeed ~~himself~~ 7857
self for the office ~~he~~ the incumbent occupies, ~~he~~ the incumbent 7858
shall have first choice of the name by which ~~he~~ the incumbent is 7859
designated on the ballot. If an incumbent does not make a choice 7860
within two days after notification or if none of the candidates is 7861
an incumbent, the board of elections within three days after 7862
notification shall designate the names by which the candidates are 7863
identified on the ballot. In case of a district candidate the 7864
board of elections in the most populous county shall make the 7865
determination. In case of state-wide candidates, or in the case 7866
any board of elections fails to make a designation within three 7867
days after notification, the secretary of state shall immediately 7868
make the determination. 7869

"Notification" as required by this section shall be by the 7870
director of the board of elections or secretary of state by 7871
~~special delivery or telegram~~ certified mail at the candidate's 7872
address listed in ~~his~~ the candidate's declaration or petition of 7873
candidacy. 7874

Sec. 3513.14. Except in elections for which the board of 7875
elections has received no valid declarations of intent to be a 7876
write-in candidate under section 3513.041 of the Revised Code, 7877
immediately below the title of each office for which nominations 7878
are to be made and the names of candidates for such nomination 7879
printed thereunder, there shall be provided on each primary 7880
election ballot as many blank spaces as, but not more than, the 7881
number of nominations to be made for such office, in which the 7882
voter may write the names of persons for whose nomination ~~he~~ the 7883
voter desires to vote, provided that inasmuch as candidates for 7884
the office of delegate and alternate to the national and state 7885
conventions, member of the state central committee, and member of 7886
the county central committee are elected at the primary election 7887
no blank space shall be left on the ballot after the names of the 7888
candidates for such office, and no vote shall be counted for any 7889
person whose name has been written in on said ballot for any of 7890
such offices. If no person files and qualifies as a candidate for 7891
the office of member of the state central committee or member of 7892
the county central committee such office shall not appear on the 7893
ballot. 7894

The face of the ballot, below the stub if ballot stubs are 7895
being used, shall be substantially in the following form: 7896

OFFICIAL(name of party)..... 7897

PRIMARY BALLOT 7898

(A) To vote for a candidate record your vote in the manner 7899
provided next to the name of such candidate. 7900

(B) If you tear, soil, deface, or erroneously mark this 7901
ballot return it to the election officials and obtain another. 7902

7903

Sec. 3513.19. ~~(A) It is the duty of any judge of elections~~ 7904

precinct election official, whenever any ~~judge of elections~~ such 7905
official doubts that a person attempting to vote at a primary 7906
election is legally entitled to vote at that election, to 7907
challenge the right of that person to vote. The right of a person 7908
to vote at a primary election may be challenged upon the following 7909
grounds: 7910

~~(1)(A)~~ That the person whose right to vote is challenged is 7911
not a legally qualified elector; 7912

~~(2)(B)~~ That the person has received or has been promised some 7913
valuable reward or consideration for the person's vote; 7914

~~(3)~~ That the person is not affiliated with or is not a member 7915
of the political party whose ballot the person desires to vote. 7916
Such party affiliation shall be determined by examining the 7917
elector's voting record for the current year and the immediately 7918
preceding two calendar years as shown on the voter's registration 7919
card, using the standards of affiliation specified in the seventh 7920
paragraph of section 3513.05 of the Revised Code. Division (A)(3) 7921
of this section and the seventh paragraph of section 3513.05 of 7922
the Revised Code do not prohibit a person who holds an elective 7923
office for which candidates are nominated at a party primary 7924
election from doing any of the following: 7925

~~(a)~~ If the person voted as a member of a different political 7926
party at any primary election within the current year and the 7927
immediately preceding two calendar years, being a candidate for 7928
nomination at a party primary held during the times specified in 7929
division (C)(2) of section 3513.191 of the Revised Code provided 7930
that the person complies with the requirements of that section; 7931

~~(b)~~ Circulating the person's own petition of candidacy for 7932
party nomination in the primary election. 7933

~~(B)~~ When the right of a person to vote is challenged upon the 7934
ground set forth in division (A)(3) of this section, membership in 7935

~~or political affiliation with a political party shall be 7936
determined by the person's statement, made under penalty of 7937
election falsification, that the person desires to be affiliated 7938
with and supports the principles of the political party whose 7939
primary ballot the person desires to vote. 7940~~

Sec. 3513.21. At the close of the polls in a primary 7941
election, the ~~judges of~~ precinct election officials shall proceed 7942
without delay to canvass the vote, sign and seal it, and make 7943
returns thereof to the board of elections forthwith on the forms 7944
to be provided by the board. The provisions of Title XXXV of the 7945
Revised Code relating to the accounting for and return of all 7946
ballots at general elections apply to primary ballots. 7947

If there is any disagreement as to how a ballot should be 7948
counted it shall be submitted to all of the ~~judges~~ precinct 7949
election officials. If three of the ~~judges~~ precinct election 7950
officials do not agree as to how any part of the ballot shall be 7951
counted, that part of such ballot which three of the ~~judges~~ 7952
precinct officials do agree shall be counted and a notation made 7953
upon the ballot indicating what part has not been counted, and 7954
shall be placed in an envelope provided for that purpose, marked 7955
"Disputed Ballots" and returned to the board. 7956

The board shall, on the day when the vote is canvassed, open 7957
such sealed envelopes, determine what ballots and for whom they 7958
should be counted, and proceed to count and tally the votes on 7959
such ballots. If there is a tie vote amongst the members of the 7960
board of elections in determining whether a particular ballot, or 7961
portion of a ballot, is eligible to be counted, that ballot, or 7962
portion thereof, shall be counted as a valid vote. 7963

Sec. 3513.31. (A) If a person nominated in a primary election 7964
as a candidate for election at the next general election, whose 7965

candidacy is to be submitted to the electors of the entire state, 7966
withdraws as that candidate or is disqualified as that candidate 7967
under section 3513.052 of the Revised Code, the vacancy in the 7968
party nomination so created may be filled by the state central 7969
committee of the major political party that made the nomination at 7970
the primary election, if the committee's chairperson and secretary 7971
certify the name of the person selected to fill the vacancy by the 7972
time specified in this division, at a meeting called for that 7973
purpose. The meeting shall be called by the chairperson of that 7974
committee, who shall give each member of the committee at least 7975
two days' notice of the time, place, and purpose of the meeting. 7976
If a majority of the members of the committee are present at the 7977
meeting, a majority of those present may select a person to fill 7978
the vacancy. The chairperson and secretary of the meeting shall 7979
certify in writing and under oath to the secretary of state, not 7980
later than the eighty-sixth day before the day of the general 7981
election, the name of the person selected to fill the vacancy. The 7982
certification must be accompanied by the written acceptance of the 7983
nomination by the person whose name is certified. A vacancy that 7984
may be filled by an intermediate or minor political party shall be 7985
filled in accordance with the party's rules by authorized 7986
officials of the party. Certification must be made as in the 7987
manner provided for a major political party. 7988

(B) If a person nominated in a primary election as a party 7990
candidate for election at the next general election, whose 7991
candidacy is to be submitted to the electors of a district 7992
comprised of more than one county but less than all of the 7993
counties of the state, withdraws as that candidate or is 7994
disqualified as that candidate under section 3513.052 of the 7995
Revised Code, the vacancy in the party nomination so created may 7996
be filled by a district committee of the major political party 7997
that made the nomination at the primary election, if the 7998

committee's chairperson and secretary certify the name of the 7999
person selected to fill the vacancy by the time specified in this 8000
division, at a meeting called for that purpose. The district 8001
committee shall consist of the chairperson and secretary of the 8002
county central committee of such political party in each county in 8003
the district. The district committee shall be called by the 8004
chairperson of the county central committee of such political 8005
party of the most populous county in the district, who shall give 8006
each member of the district committee at least two days' notice of 8007
the time, place, and purpose of the meeting. If a majority of the 8008
members of the district committee are present at the district 8009
committee meeting, a majority of those present may select a person 8010
to fill the vacancy. The chairperson and secretary of the meeting 8011
shall certify in writing and under oath to the board of elections 8012
of the most populous county in the district, not later than four 8013
p.m. of the eighty-sixth day before the day of the general 8014
election, the name of the person selected to fill the vacancy. The 8015
certification must be accompanied by the written acceptance of the 8016
nomination by the person whose name is certified. A vacancy that 8017
may be filled by an intermediate or minor political party shall be 8018
filled in accordance with the party's rules by authorized 8019
officials of the party. Certification must be made as in the 8020
manner provided for a major political party. 8021

(C) If a person nominated in a primary election as a party 8022
candidate for election at the next general election, whose 8023
candidacy is to be submitted to the electors of a county, 8024
withdraws as that candidate or is disqualified as that candidate 8025
under section 3513.052 of the Revised Code, the vacancy in the 8026
party nomination so created may be filled by the county central 8027
committee of the major political party that made the nomination at 8028
the primary election, or by the county executive committee if so 8029
authorized, if the committee's chairperson and secretary certify 8030
the name of the person selected to fill the vacancy by the time 8031

specified in this division, at a meeting called for that purpose. 8032
The meeting shall be called by the chairperson of that committee, 8033
who shall give each member of the committee at least two days' 8034
notice of the time, place, and purpose of the meeting. If a 8035
majority of the members of the committee are present at the 8036
meeting, a majority of those present may select a person to fill 8037
the vacancy. The chairperson and secretary of the meeting shall 8038
certify in writing and under oath to the board of that county, not 8039
later than four p.m. of the eighty-sixth day before the day of the 8040
general election, the name of the person selected to fill the 8041
vacancy. The certification must be accompanied by the written 8042
acceptance of the nomination by the person whose name is 8043
certified. A vacancy that may be filled by an intermediate or 8044
minor political party shall be filled in accordance with the 8045
party's rules by authorized officials of the party. Certification 8046
must be made as in the manner provided for a major political 8047
party. 8048

(D) If a person nominated in a primary election as a party 8049
candidate for election at the next general election, whose 8050
candidacy is to be submitted to the electors of a district within 8051
a county, withdraws as that candidate or is disqualified as that 8052
candidate under section 3513.052 of the Revised Code, the vacancy 8053
in the party nomination so created may be filled by a district 8054
committee consisting of those members of the county central 8055
committee or, if so authorized, those members of the county 8056
executive committee in that county of the major political party 8057
that made the nomination at the primary election who represent the 8058
precincts or the wards and townships within the district, if the 8059
committee's chairperson and secretary certify the name of the 8060
person selected to fill the vacancy by the time specified in this 8061
division, at a meeting called for that purpose. The district 8062
committee meeting shall be called by the chairperson of the county 8063
central committee or executive committee, as appropriate, who 8064

shall give each member of the district committee at least two 8065
days' notice of the time, place, and purpose of the meeting. If a 8066
majority of the members of the district committee are present at 8067
the district committee meeting, a majority of those present may 8068
select a person to fill the vacancy. The chairperson and secretary 8069
of the district committee meeting shall certify in writing and 8070
under oath to the board of the county, not later than four p.m. of 8071
the eighty-sixth day before the day of the general election, the 8072
name of the person selected to fill the vacancy. The certification 8073
must be accompanied by the written acceptance of the nomination by 8074
the person whose name is certified. A vacancy that may be filled 8075
by an intermediate or minor political party shall be filled in 8076
accordance with the party's rules by authorized officials of the 8077
party. Certification must be made as in the manner provided for a 8078
major political party. 8079

(E) If a person nominated in a primary election as a party 8080
candidate for election at the next general election, whose 8081
candidacy is to be submitted to the electors of a subdivision 8082
within a county, withdraws as that candidate or is disqualified as 8083
that candidate under section 3513.052 of the Revised Code, the 8084
vacancy in the party nomination so created may be filled by a 8085
subdivision committee consisting of those members of the county 8086
central committee or, if so authorized, those members of the 8087
county executive committee in that county of the major political 8088
party that made the nomination at that primary election who 8089
represent the precincts or the wards and townships within that 8090
subdivision, if the committee's chairperson and secretary certify 8091
the name of the person selected to fill the vacancy by the time 8092
specified in this division, at a meeting called for that purpose. 8093

The subdivision committee meeting shall be called by the 8094
chairperson of the county central committee or executive 8095
committee, as appropriate, who shall give each member of the 8096

subdivision committee at least two days' notice of the time, 8097
place, and purpose of the meeting. If a majority of the members of 8098
the subdivision committee are present at the subdivision committee 8099
meeting, a majority of those present may select a person to fill 8100
the vacancy. The chairperson and secretary of the subdivision 8101
committee meeting shall certify in writing and under oath to the 8102
board of the county, not later than four p.m. of the eighty-sixth 8103
day before the day of the general election, the name of the person 8104
selected to fill the vacancy. The certification must be 8105
accompanied by the written acceptance of the nomination by the 8106
person whose name is certified. A vacancy that may be filled by an 8107
intermediate or minor political party shall be filled in 8108
accordance with the party's rules by authorized officials of the 8109
party. Certification must be made in the manner provided for a 8110
major political party. 8111

(F) If a person nominated by petition as an independent or 8112
nonpartisan candidate for election at the next general election 8113
withdraws as that candidate or is disqualified as that candidate 8114
under section 3513.052 of the Revised Code, the vacancy so created 8115
may be filled by a majority of the committee of five, as 8116
designated on the candidate's nominating petition, if a member of 8117
that committee certifies in writing and under oath to the election 8118
officials with whom the candidate filed the candidate's nominating 8119
petition, not later than the eighty-sixth day before the day of 8120
the general election, the name of the person selected to fill the 8121
vacancy. The certification shall be accompanied by the written 8122
acceptance of the nomination by the person whose name is certified 8123
and shall be made in the manner provided for a major political 8124
party. 8125

(G) If a person nominated in a primary election as a party 8126
candidate for election at the next general election dies, the 8127
vacancy so created may be filled by the same committee in the same 8128

manner as provided in this section for the filling of similar 8129
vacancies created by withdrawals or disqualifications under 8130
section 3513.052 of the Revised Code, except that the 8131
certification, when filling a vacancy created by death, may not be 8132
filed with the secretary of state, or with a board of the most 8133
populous county of a district, or with the board of a county in 8134
which the major portion of the population of a subdivision is 8135
located, later than four p.m. of the tenth day before the day of 8136
such general election, or with any other board later than four 8137
p.m. of the fifth day before the day of such general election. 8138

(H) If a person nominated by petition as an independent or 8139
nonpartisan candidate for election at the next general election 8140
dies prior to the tenth day before the day of that general 8141
election, the vacancy so created may be filled by a majority of 8142
the committee of five designated in the nominating petition to 8143
represent the candidate named in it. To fill the vacancy a member 8144
of the committee shall, not later than four p.m. of the fifth day 8145
before the day of the general election, file with the election 8146
officials with whom the petition nominating the person was filed, 8147
a certificate signed and sworn to under oath by a majority of the 8148
members, designating the person they select to fill the vacancy. 8149
The certification must be accompanied by the written acceptance of 8150
the nomination by the person whose name is so certified. 8151

(I) If a person holding an elective office dies or resigns 8152
subsequent to the one hundred fifteenth day before the day of a 8153
primary election and prior to the eighty-sixth day before the day 8154
of the next general election, and if, under the laws of this 8155
state, a person may be elected at that general election to fill 8156
the unexpired term of the person who has died or resigned, the 8157
appropriate committee of each political party, acting as in the 8158
case of a vacancy in a party nomination, as provided in divisions 8159
(A) to (D) of this section, may select a person as the party 8160

candidate for election for such unexpired term at that general 8161
election, and certify the person's name to the appropriate 8162
election official not later than four p.m. on the eighty-sixth day 8163
before the day of that general election, or on the tenth day 8164
following the day on which the vacancy occurs, whichever is later. 8165
When the vacancy occurs on or subsequent to the eighty-sixth day 8166
and six or more days prior to the ~~fifty-sixth~~ fortieth day before 8167
the general election, the appropriate committee may select a 8168
person as the party candidate and certify the person's name, as 8169
provided in the preceding sentence, not later than four p.m. on 8170
the ~~fiftieth~~ tenth day following the day on which the vacancy 8171
occurs. When the vacancy occurs fewer than six days before the 8172
fortieth day before the general election, the deadline for filing 8173
shall be four p.m. on the thirty-sixth day before the general 8174
election. Thereupon the name shall be printed as the party 8175
candidate under proper titles and in the proper place on the 8176
proper ballots for use at the election. If a person has been 8177
nominated in a primary election, the authorized committee of that 8178
political party shall not select and certify a person as the party 8179
candidate. 8180

(J) Each person desiring to become an independent candidate 8181
to fill the unexpired term shall file a statement of candidacy and 8182
nominating petition, as provided in section 3513.261 of the 8183
Revised Code, with the appropriate election official not later 8184
than four p.m. on the tenth day following the day on which the 8185
vacancy occurs, provided that when the vacancy occurs fewer than 8186
six days before the fifty-sixth day before the general election, 8187
the deadline for filing shall be four p.m. on the fiftieth day 8188
before the general election. The nominating petition shall contain 8189
at least seven hundred fifty signatures and no more than one 8190
thousand five hundred signatures of qualified electors of the 8191
district, political subdivision, or portion of a political 8192
subdivision in which the office is to be voted upon, or the amount 8193

provided for in section 3513.257 of the Revised Code, whichever is 8194
less. 8195

(K) When a person nominated as a candidate by a political 8196
party in a primary election or by nominating petition for an 8197
elective office for which candidates are nominated at a party 8198
primary election withdraws, dies, or is disqualified under section 8199
3513.052 of the Revised Code prior to the general election, the 8200
appropriate committee of any other major political party or 8201
committee of five that has not nominated a candidate for that 8202
office, or whose nominee as a candidate for that office has 8203
withdrawn, died, or been disqualified without the vacancy so 8204
created having been filled, may, acting as in the case of a 8205
vacancy in a party nomination or nomination by petition as 8206
provided in divisions (A) to (F) of this section, whichever is 8207
appropriate, select a person as a candidate of that party or of 8208
that committee of five for election to the office. 8209

Sec. 3515.04. At the time and place fixed for making a 8210
recount, the board of elections, in the presence of all observers 8211
who may be in attendance, shall open the sealed containers 8212
containing the ballots to be recounted, and shall recount them. ~~If~~ 8213
~~a county used punch card ballots and if a chad is attached to a~~ 8214
~~punch card ballot by three or four corners, the voter shall be~~ 8215
~~deemed by the board not to have recorded a candidate, question, or~~ 8216
~~issue choice at the particular position on the ballot, and a vote~~ 8217
~~shall not be counted at that particular position on the ballot in~~ 8218
~~the recount.~~ Ballots shall be handled only by the members of the 8219
board or by the director or other employees of the board. 8220
Observers shall be permitted to see the ballots, but they shall 8221
not be permitted to touch them, and the board shall not permit the 8222
counting or tabulation of votes shown on the ballots for any 8223
nomination, or for election to any office or position, or upon any 8224
question or issue, other than the votes shown on such ballots for 8225

the nomination, election, question, or issue concerning which a 8226
recount of ballots was applied for. 8227

At any time before the ballots from all of the precincts 8228
listed in an application for the recount or involved in a recount 8229
pursuant to section 3515.011 of the Revised Code have been 8230
recounted, the applicant or declared losing candidate or nominee 8231
or each of the declared losing candidates or nominees entitled to 8232
file a request prior to the commencement of a recount, as provided 8233
in section 3515.03 of the Revised Code, may file with the board a 8234
written request to stop the recount and not recount the ballots 8235
from the precincts so listed that have not been recounted prior to 8236
the time of the request. If, upon the request, the board finds 8237
that results of the votes in the precincts recounted, if 8238
substituted for the results of the votes in those precincts as 8239
shown in the abstract of the votes in those precincts, would not 8240
cause the applicant, if a person for whom votes were cast for 8241
nomination or election, to be declared nominated or elected or if 8242
an election upon a question or issue would not cause a result 8243
contrary to the result as declared prior to such recount, it shall 8244
grant the request and shall not recount the ballots of the 8245
precincts listed in the application for recount that have not been 8246
recounted prior to that time. If the board finds otherwise, it 8247
shall deny the request and shall continue to recount ballots until 8248
the ballots from all of the precincts listed in the application 8249
for recount have been recounted; provided that, if the request is 8250
denied, it may be renewed from time to time. Upon any such 8251
renewal, the board shall consider and act upon the request in the 8252
same manner as provided in this section in connection with an 8253
original request. 8254

~~As used in this section, "chad" and "punch card ballot" have 8255
the same meanings as in section 3506.16 of the Revised Code. 8256~~

~~Sec. 3515.08. (A) Except as otherwise provided in this 8257
division, the The nomination or election of any person to any 8258
public office or party position or the approval or rejection of 8259
any issue or question, submitted to the voters, may be contested 8260
by qualified electors of the state or a political subdivision. ~~The 8261
nomination or election of any person to any federal office, 8262
including the office of elector for president and vice president 8263
and the office of member of congress, shall not be subject to a 8264
contest of election conducted under this chapter. Contests of the 8265
nomination or election of any person to any federal office shall 8266
be conducted in accordance with the applicable provisions of 8267
federal law. 8268~~~~

(B) In the case of an office to be filled or an issue to be 8269
determined by the voters of the entire state, or for judicial 8270
offices higher than that of court of common pleas, or for an 8271
office to be filled or an issue to be determined by the voters of 8272
a district larger than a county, a contest shall be heard and 8273
determined by the chief justice of the supreme court or a justice 8274
of the supreme court assigned for that purpose by the chief 8275
justice; except that, in a contest for the office of chief justice 8276
of the supreme court, the contest shall be heard by a justice of 8277
the supreme court designated by the governor. 8278

(C) In the case of all other offices or issues, except 8279
judicial offices, contests shall be heard and determined by a 8280
judge of the court of common pleas of the county in which the 8281
contest arose. In the case of a contest for a judicial office 8282
within a county, the contest shall be heard by the court of 8283
appeals of the district in which that county is located. If any 8284
contestant alleges prejudice on the part of the judges of the 8285
court of appeals or the court of common pleas assigned to hear a 8286
contest, the chief justice of the supreme court, upon application 8287
of any such contestant and for good cause shown, may assign judges 8288

from another court to hear the contest. 8289

Sec. 3517.01. (A)(1) A political party within the meaning of 8290
Title XXXV of the Revised Code is any group of voters that, at the 8291
most recent regular state election, polled for its candidate for 8292
governor in the state or nominees for presidential electors at 8293
least five per cent of the entire vote cast for that office or 8294
that filed with the secretary of state, subsequent to any election 8295
in which it received less than five per cent of that vote, a 8296
petition signed by qualified electors equal in number to at least 8297
one per cent of the total vote for governor or nominees for 8298
presidential electors at the most recent election, declaring their 8299
intention of organizing a political party, the name of which shall 8300
be stated in the declaration, and of participating in the 8301
succeeding primary election, held in even-numbered years, that 8302
occurs more than ~~one hundred twenty~~ ninety days after the date of 8303
filing. No such group of electors shall assume a name or 8304
designation that is similar, in the opinion of the secretary of 8305
state, to that of an existing political party as to confuse or 8306
mislead the voters at an election. If any political party fails to 8307
cast five per cent of the total vote cast at an election for the 8308
office of governor or president, it shall cease to be a political 8309
party. 8310

(2) A campaign committee shall be legally liable for any 8311
debts, contracts, or expenditures incurred or executed in its 8312
name. 8313

(B) Notwithstanding the definitions found in section 3501.01 8314
of the Revised Code, as used in this section and sections 3517.08 8315
to 3517.14, 3517.99, and 3517.992 of the Revised Code: 8316

(1) "Campaign committee" means a candidate or a combination 8317
of two or more persons authorized by a candidate under section 8318
3517.081 of the Revised Code to receive contributions and make 8319

expenditures. 8320

(2) "Campaign treasurer" means an individual appointed by a 8321
candidate under section 3517.081 of the Revised Code. 8322

(3) "Candidate" has the same meaning as in division (H) of 8323
section 3501.01 of the Revised Code and also includes any person 8324
who, at any time before or after an election, receives 8325
contributions or makes expenditures or other use of contributions, 8326
has given consent for another to receive contributions or make 8327
expenditures or other use of contributions, or appoints a campaign 8328
treasurer, for the purpose of bringing about the person's 8329
nomination or election to public office. When two persons jointly 8330
seek the offices of governor and lieutenant governor, "candidate" 8331
means the pair of candidates jointly. "Candidate" does not include 8332
candidates for election to the offices of member of a county or 8333
state central committee, presidential elector, and delegate to a 8334
national convention or conference of a political party. 8335

(4) "Continuing association" means an association, other than 8336
a campaign committee, political party, legislative campaign fund, 8337
political contributing entity, or labor organization, that is 8338
intended to be a permanent organization that has a primary purpose 8339
other than supporting or opposing specific candidates, political 8340
parties, or ballot issues, and that functions on a regular basis 8341
throughout the year. "Continuing association" includes 8342
organizations that are determined to be not organized for profit 8343
under subsection 501 and that are described in subsection 8344
501(c)(3), 501(c)(4), or 501(c)(6) of the Internal Revenue Code. 8345

(5) "Contribution" means a loan, gift, deposit, forgiveness 8346
of indebtedness, donation, advance, payment, or transfer of funds 8347
or anything of value, including a transfer of funds from an inter 8348
vivos or testamentary trust or decedent's estate, and the payment 8349
by any person other than the person to whom the services are 8350
rendered for the personal services of another person, which 8351

contribution is made, received, or used for the purpose of 8352
influencing the results of an election. Any loan, gift, deposit, 8353
forgiveness of indebtedness, donation, advance, payment, or 8354
transfer of funds or of anything of value, including a transfer of 8355
funds from an inter vivos or testamentary trust or decedent's 8356
estate, and the payment by any campaign committee, political 8357
action committee, legislative campaign fund, political party, 8358
political contributing entity, or person other than the person to 8359
whom the services are rendered for the personal services of 8360
another person, that is made, received, or used by a state or 8361
county political party, other than moneys a state or county 8362
political party receives from the Ohio political party fund 8363
pursuant to section 3517.17 of the Revised Code and the moneys a 8364
state or county political party may receive under sections 8365
3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be 8366
considered to be a "contribution" for the purpose of section 8367
3517.10 of the Revised Code and shall be included on a statement 8368
of contributions filed under that section. 8369

"Contribution" does not include any of the following: 8370

(a) Services provided without compensation by individuals 8371
volunteering a portion or all of their time on behalf of a person; 8372

(b) Ordinary home hospitality; 8373

(c) The personal expenses of a volunteer paid for by that 8374
volunteer campaign worker; 8375

(d) Any gift given to a state or county political party 8376
pursuant to section 3517.101 of the Revised Code. As used in 8377
division (B)(5)(d) of this section, "political party" means only a 8378
major political party; 8379

(e) Any contribution as defined in section 3517.1011 of the 8380
Revised Code that is made, received, or used to pay the direct 8381
costs of producing or airing an electioneering communication; 8382

(f) Any gift given to a state or county political party for 8383
the party's restricted fund under division (A)(2) of section 8384
3517.1012 of the Revised Code; 8385

(g) Any gift given to a state political party for deposit in 8386
a Levin account pursuant to section 3517.1013 of the Revised Code. 8387
As used in this division, "Levin account" has the same meaning as 8388
in that section. 8389

(h) Any donation given to a transition fund under section 8390
3517.1014 of the Revised Code. 8391

(6) "Expenditure" means the disbursement or use of a 8392
contribution for the purpose of influencing the results of an 8393
election or of making a charitable donation under division (G) of 8394
section 3517.08 of the Revised Code. Any disbursement or use of a 8395
contribution by a state or county political party is an 8396
expenditure and shall be considered either to be made for the 8397
purpose of influencing the results of an election or to be made as 8398
a charitable donation under division (G) of section 3517.08 of the 8399
Revised Code and shall be reported on a statement of expenditures 8400
filed under section 3517.10 of the Revised Code. During the thirty 8401
days preceding a primary or general election, any disbursement to 8402
pay the direct costs of producing or airing a broadcast, cable, or 8403
satellite communication that refers to a clearly identified 8404
candidate shall be considered to be made for the purpose of 8405
influencing the results of that election and shall be reported as 8406
an expenditure or as an independent expenditure under section 8407
3517.10 or 3517.105 of the Revised Code, as applicable, except 8408
that the information required to be reported regarding 8409
contributors for those expenditures or independent expenditures 8410
shall be the same as the information required to be reported under 8411
divisions (D)(1) and (2) of section 3517.1011 of the Revised Code. 8412

As used in this division, "broadcast, cable, or satellite 8413
communication" and "refers to a clearly identified candidate" have 8414

the same meanings as in section 3517.1011 of the Revised Code. 8415

(7) "Personal expenses" includes, but is not limited to, 8416
ordinary expenses for accommodations, clothing, food, personal 8417
motor vehicle or airplane, and home telephone. 8418

(8) "Political action committee" means a combination of two 8419
or more persons, the primary or major purpose of which is to 8420
support or oppose any candidate, political party, or issue, or to 8421
influence the result of any election through express advocacy, and 8422
that is not a political party, a campaign committee, a political 8423
contributing entity, or a legislative campaign fund. "Political 8424
action committee" does not include either of the following: 8425

(a) A continuing association that makes disbursements for the 8426
direct costs of producing or airing electioneering communications 8427
and that does not engage in express advocacy; 8428

(b) A political club that is formed primarily for social 8429
purposes and that consists of one hundred members or less, has 8430
officers and periodic meetings, has less than two thousand five 8431
hundred dollars in its treasury at all times, and makes an 8432
aggregate total contribution of one thousand dollars or less per 8433
calendar year. 8434

(9) "Public office" means any state, county, municipal, 8435
township, or district office, except an office of a political 8436
party, that is filled by an election and the offices of United 8437
States senator and representative. 8438

(10) "Anything of value" has the same meaning as in section 8439
1.03 of the Revised Code. 8440

(11) "Beneficiary of a campaign fund" means a candidate, a 8441
public official or employee for whose benefit a campaign fund 8442
exists, and any other person who has ever been a candidate or 8443
public official or employee and for whose benefit a campaign fund 8444
exists. 8445

(12) "Campaign fund" means money or other property, including 8446
contributions. 8447

(13) "Public official or employee" has the same meaning as in 8448
section 102.01 of the Revised Code. 8449

(14) "Caucus" means all of the members of the house of 8450
representatives or all of the members of the senate of the general 8451
assembly who are members of the same political party. 8452

(15) "Legislative campaign fund" means a fund that is 8453
established as an auxiliary of a state political party and 8454
associated with one of the houses of the general assembly. 8455

(16) "In-kind contribution" means anything of value other 8456
than money that is used to influence the results of an election or 8457
is transferred to or used in support of or in opposition to a 8458
candidate, campaign committee, legislative campaign fund, 8459
political party, political action committee, or political 8460
contributing entity and that is made with the consent of, in 8461
coordination, cooperation, or consultation with, or at the request 8462
or suggestion of the benefited candidate, committee, fund, party, 8463
or entity. The financing of the dissemination, distribution, or 8464
republication, in whole or part, of any broadcast or of any 8465
written, graphic, or other form of campaign materials prepared by 8466
the candidate, the candidate's campaign committee, or their 8467
authorized agents is an in-kind contribution to the candidate and 8468
an expenditure by the candidate. 8469

(17) "Independent expenditure" means an expenditure by a 8470
person advocating the election or defeat of an identified 8471
candidate or candidates, that is not made with the consent of, in 8472
coordination, cooperation, or consultation with, or at the request 8473
or suggestion of any candidate or candidates or of the campaign 8474
committee or agent of the candidate or candidates. As used in 8475
division (B)(17) of this section: 8476

(a) "Person" means an individual, partnership, unincorporated business organization or association, political action committee, political contributing entity, separate segregated fund, association, or other organization or group of persons, but not a labor organization or a corporation unless the labor organization or corporation is a political contributing entity.

(b) "Advocating" means any communication containing a message advocating election or defeat.

(c) "Identified candidate" means that the name of the candidate appears, a photograph or drawing of the candidate appears, or the identity of the candidate is otherwise apparent by unambiguous reference.

(d) "Made in coordination, cooperation, or consultation with, or at the request or suggestion of, any candidate or the campaign committee or agent of the candidate" means made pursuant to any arrangement, coordination, or direction by the candidate, the candidate's campaign committee, or the candidate's agent prior to the publication, distribution, display, or broadcast of the communication. An expenditure is presumed to be so made when it is any of the following:

(i) Based on information about the candidate's plans, projects, or needs provided to the person making the expenditure by the candidate, or by the candidate's campaign committee or agent, with a view toward having an expenditure made;

(ii) Made by or through any person who is, or has been, authorized to raise or expend funds, who is, or has been, an officer of the candidate's campaign committee, or who is, or has been, receiving any form of compensation or reimbursement from the candidate or the candidate's campaign committee or agent;

(iii) Except as otherwise provided in division (D) of section 3517.105 of the Revised Code, made by a political party in support

of a candidate, unless the expenditure is made by a political 8508
party to conduct voter registration or voter education efforts. 8509

(e) "Agent" means any person who has actual oral or written 8510
authority, either express or implied, to make or to authorize the 8511
making of expenditures on behalf of a candidate, or means any 8512
person who has been placed in a position with the candidate's 8513
campaign committee or organization such that it would reasonably 8514
appear that in the ordinary course of campaign-related activities 8515
the person may authorize expenditures. 8516

(18) "Labor organization" means a labor union; an employee 8517
organization; a federation of labor unions, groups, locals, or 8518
other employee organizations; an auxiliary of a labor union, 8519
employee organization, or federation of labor unions, groups, 8520
locals, or other employee organizations; or any other bona fide 8521
organization in which employees participate and that exists for 8522
the purpose, in whole or in part, of dealing with employers 8523
concerning grievances, labor disputes, wages, hours, and other 8524
terms and conditions of employment. 8525

(19) "Separate segregated fund" means a separate segregated 8526
fund established pursuant to the Federal Election Campaign Act. 8527

(20) "Federal Election Campaign Act" means the "Federal 8528
Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et 8529
seq., as amended. 8530

(21) "Restricted fund" means the fund a state or county 8531
political party must establish under division (A)(1) of section 8532
3517.1012 of the Revised Code. 8533

(22) "Electioneering communication" has the same meaning as 8534
in section 3517.1011 of the Revised Code. 8535

(23) "Express advocacy" means a communication that contains 8536
express words advocating the nomination, election, or defeat of a 8537
candidate or that contains express words advocating the adoption 8538

or defeat of a question or issue, as determined by a final 8539
judgment of a court of competent jurisdiction. 8540

(24) "Political committee" has the same meaning as in section 8541
3517.1011 of the Revised Code. 8542

(25) "Political contributing entity" means any entity, 8543
including a corporation or labor organization, that may lawfully 8544
make contributions and expenditures and that is not an individual 8545
or a political action committee, continuing association, campaign 8546
committee, political party, legislative campaign fund, designated 8547
state campaign committee, or state candidate fund. For purposes of 8548
this division, "lawfully" means not prohibited by any section of 8549
the Revised Code, or authorized by a final judgment of a court of 8550
competent jurisdiction. 8551

Sec. 3517.012. When a petition meeting the requirements of 8552
section 3517.01 of the Revised Code declaring the intention to 8553
organize a political party is filed with the secretary of state, 8554
the new party comes into legal existence on the date of filing and 8555
is entitled to hold a primary election as set out in section 8556
3513.01 of the Revised Code, at the primary election, held in 8557
even-numbered years that occurs more than ~~one hundred twenty~~ 8558
ninety days after the date of filing. 8559

Sec. 3517.014. Those provisions of section ~~3513.19~~ 3513.05 of 8560
the Revised Code relating to the determination of membership in or 8561
political affiliation with a party do not apply to persons 8562
desiring to become candidates for party nomination of a newly 8563
formed political party meeting the requirements of sections 8564
3517.011 and 3517.012 of the Revised Code at the first primary 8565
held by that party in the even-numbered year occurring subsequent 8566
to the formation of that party. 8567

Sec. 3517.015. Qualified electors who signed declarations of 8568

candidacy of persons desiring to become candidates for party 8569
nomination of a newly formed political party meeting the 8570
requirements of sections 3517.011 and 3517.012 of the Revised Code 8571
at the first primary election held by that party in the 8572
even-numbered year subsequent to the party formation ~~are not~~ 8573
~~subject to section 3513.19 of the Revised Code and~~ shall, for the 8574
purpose of signing said declarations of candidacy, be deemed 8575
members of the newly formed political party regardless of prior 8576
political affiliations. 8577

Sec. 3517.106. (A) As used in this section: 8578

(1) "Statewide office" means any of the offices of governor, 8579
lieutenant governor, secretary of state, auditor of state, 8580
treasurer of state, attorney general, chief justice of the supreme 8581
court, and justice of the supreme court. 8582

(2) "Addendum to a statement" includes an amendment or other 8583
correction to that statement. 8584

(B)(1) The secretary of state shall store on computer the 8585
information contained in statements of contributions and 8586
expenditures and monthly statements required to be filed under 8587
section 3517.10 of the Revised Code and in statements of 8588
independent expenditures required to be filed under section 8589
3517.105 of the Revised Code by any of the following: 8590

(a) The campaign committees of candidates for statewide 8591
office; 8592

(b) The political action committees and political 8593
contributing entities described in division (A)(1) of section 8594
3517.11 of the Revised Code; 8595

(c) Legislative campaign funds; 8596

(d) State political parties; 8597

(e) Individuals, partnerships, corporations, labor 8598

organizations, or other entities that make independent 8599
expenditures in support of or opposition to a statewide candidate 8600
or a statewide ballot issue or question; 8601

(f) The campaign committees of candidates for the office of 8602
member of the general assembly; 8603

(g) County political parties, with respect to their state 8604
candidate funds. 8605

(2) The secretary of state shall store on computer the 8606
information contained in disclosure of electioneering 8607
communications statements required to be filed under section 8608
3517.1011 of the Revised Code. 8609

(3) The secretary of state shall store on computer the 8610
information contained in deposit and disbursement statements 8611
required to be filed with the office of the secretary of state 8612
under section 3517.1012 of the Revised Code. 8613

(4) The secretary of state shall store on computer the gift 8614
and disbursement information contained in statements required to 8615
be filed with the office of the secretary of state under section 8616
3517.1013 of the Revised Code. 8617

(5) The secretary of state shall store on computer the 8618
information contained in donation and disbursement statements 8619
required to be filed with the office of the secretary of state 8620
under section 3517.1014 of the Revised Code. 8621

(C)(1) The secretary of state shall make available to the 8622
campaign committees, political action committees, political 8623
contributing entities, legislative campaign funds, political 8624
parties, individuals, partnerships, corporations, labor 8625
organizations, treasurers of transition funds, and other entities 8626
described in division (B) of this section, and to members of the 8627
news media and other interested persons, for a reasonable fee, 8628
computer programs that are compatible with the secretary of 8629

state's method of storing the information contained in the 8630
statements. 8631

(2) The secretary of state shall make the information 8632
required to be stored under division (B) of this section available 8633
on computer at the secretary of state's office so that, to the 8634
maximum extent feasible, individuals may obtain at the secretary 8635
of state's office any part or all of that information for any 8636
given year, subject to the limitation expressed in division (D) of 8637
this section. 8638

(D) The secretary of state shall keep the information stored 8639
on computer under division (B) of this section for at least six 8640
years. 8641

(E)(1) Subject to division (L) of this section and subject to 8642
the secretary of state having implemented, tested, and verified 8643
the successful operation of any system the secretary of state 8644
prescribes pursuant to division (H)(1) of this section and 8645
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 8646
Code for the filing of campaign finance statements by electronic 8647
means of transmission, the campaign committee of each candidate 8648
for statewide office may file the statements prescribed by section 8649
3517.10 of the Revised Code by electronic means of transmission 8650
or, if the total amount of the contributions received or the total 8651
amount of the expenditures made by the campaign committee for the 8652
applicable reporting period as specified in division (A) of 8653
section 3517.10 of the Revised Code exceeds ten thousand dollars, 8654
shall file those statements by electronic means of transmission. 8655

Except as otherwise provided in this division, within five 8656
business days after a statement filed by a campaign committee of a 8657
candidate for statewide office is received by the secretary of 8658
state by electronic or other means of transmission, the secretary 8659
of state shall make available online to the public through the 8660
internet, as provided in division (I) of this section, the 8661

contribution and expenditure information in that statement. The 8662
secretary of state shall not make available online to the public 8663
through the internet any contribution or expenditure information 8664
contained in a statement for any candidate until the secretary of 8665
state is able to make available online to the public through the 8666
internet the contribution and expenditure information for all 8667
candidates for a particular office, or until the applicable filing 8668
deadline for that statement has passed, whichever is sooner. As 8669
soon as the secretary of state has available all of the 8670
contribution and expenditure information for all candidates for a 8671
particular office, or as soon as the applicable filing deadline 8672
for a statement has passed, whichever is sooner, the secretary of 8673
state shall simultaneously make available online to the public 8674
through the internet the information for all candidates for that 8675
office. 8676

If a statement filed by electronic means of transmission is 8677
found to be incomplete or inaccurate after the examination of the 8678
statement for completeness and accuracy pursuant to division 8679
(B)(3)(a) of section 3517.11 of the Revised Code, the campaign 8680
committee shall file by electronic means of transmission any 8681
addendum to the statement that provides the information necessary 8682
to complete or correct the statement or, if required by the 8683
secretary of state under that division, an amended statement. 8684

Within five business days after the secretary of state 8685
receives from a campaign committee of a candidate for statewide 8686
office an addendum to the statement or an amended statement by 8687
electronic or other means of transmission under this division or 8688
division (B)(3)(a) of section 3517.11 of the Revised Code, the 8689
secretary of state shall make the contribution and expenditure 8690
information in the addendum or amended statement available online 8691
to the public through the internet as provided in division (I) of 8692
this section. 8693

(2) Subject to the secretary of state having implemented, 8694
tested, and verified the successful operation of any system the 8695
secretary of state prescribes pursuant to division (H)(1) of this 8696
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 8697
the Revised Code for the filing of campaign finance statements by 8698
electronic means of transmission, a political action committee and 8699
a political contributing entity described in division (B)(1)(b) of 8700
this section, a legislative campaign fund, and a state political 8701
party may file the statements prescribed by section 3517.10 of the 8702
Revised Code by electronic means of transmission or, if the total 8703
amount of the contributions received or the total amount of the 8704
expenditures made by the political action committee, political 8705
contributing entity, legislative campaign fund, or state political 8706
party for the applicable reporting period as specified in division 8707
(A) of section 3517.10 of the Revised Code exceeds ten thousand 8708
dollars, shall file those statements by electronic means of 8709
transmission. 8710

Within five business days after a statement filed by a 8711
political action committee or a political contributing entity 8712
described in division (B)(1)(b) of this section, a legislative 8713
campaign fund, or a state political party is received by the 8714
secretary of state by electronic or other means of transmission, 8715
the secretary of state shall make available online to the public 8716
through the internet, as provided in division (I) of this section, 8717
the contribution and expenditure information in that statement. 8718

If a statement filed by electronic means of transmission is 8719
found to be incomplete or inaccurate after the examination of the 8720
statement for completeness and accuracy pursuant to division 8721
(B)(3)(a) of section 3517.11 of the Revised Code, the political 8722
action committee, political contributing entity, legislative 8723
campaign fund, or state political party shall file by electronic 8724
means of transmission any addendum to the statement that provides 8725

the information necessary to complete or correct the statement or, 8726
if required by the secretary of state under that division, an 8727
amended statement. 8728

Within five business days after the secretary of state 8729
receives from a political action committee or a political 8730
contributing entity described in division (B)(1)(b) of this 8731
section, a legislative campaign fund, or a state political party 8732
an addendum to the statement or an amended statement by electronic 8733
or other means of transmission under this division or division 8734
(B)(3)(a) of section 3517.11 of the Revised Code, the secretary of 8735
state shall make the contribution and expenditure information in 8736
the addendum or amended statement available online to the public 8737
through the internet as provided in division (I) of this section. 8738

(3) Subject to the secretary of state having implemented, 8739
tested, and verified the successful operation of any system the 8740
secretary of state prescribes pursuant to division (H)(1) of this 8741
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 8742
the Revised Code for the filing of campaign finance statements by 8743
electronic means of transmission, a county political party shall 8744
file the statements prescribed by section 3517.10 of the Revised 8745
Code with respect to its state candidate fund by electronic means 8746
of transmission to the office of the secretary of state. 8747

Within five business days after a statement filed by a county 8748
political party with respect to its state candidate fund is 8749
received by the secretary of state by electronic means of 8750
transmission, the secretary of state shall make available online 8751
to the public through the internet, as provided in division (I) of 8752
this section, the contribution and expenditure information in that 8753
statement. 8754

If a statement is found to be incomplete or inaccurate after 8755
the examination of the statement for completeness and accuracy 8756
pursuant to division (B)(3)(a) of section 3517.11 of the Revised 8757

Code, a county political party shall file by electronic means of 8758
transmission any addendum to the statement that provides the 8759
information necessary to complete or correct the statement or, if 8760
required by the secretary of state under that division, an amended 8761
statement. 8762

Within five business days after the secretary of state 8763
receives from a county political party an addendum to the 8764
statement or an amended statement by electronic means of 8765
transmission under this division or division (B)(3)(a) of section 8766
3517.11 of the Revised Code, the secretary of state shall make the 8767
contribution and expenditure information in the addendum or 8768
amended statement available online to the public through the 8769
internet as provided in division (I) of this section. 8770

(F)(1) Subject to division (L) of this section and subject to 8771
the secretary of state having implemented, tested, and verified 8772
the successful operation of any system the secretary of state 8773
prescribes pursuant to division (H)(1) of this section and 8774
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 8775
Code for the filing of campaign finance statements by electronic 8776
means of transmission, a campaign committee of a candidate for the 8777
office of member of the general assembly or a campaign committee 8778
of a candidate for the office of judge of a court of appeals may 8779
file the statements prescribed by section 3517.10 of the Revised 8780
Code in accordance with division (A)(2) of section 3517.11 of the 8781
Revised Code or by electronic means of transmission to the office 8782
of the secretary of state or, if the total amount of the 8783
contributions received by the campaign committee for the 8784
applicable reporting period as specified in division (A) of 8785
section 3517.10 of the Revised Code exceeds ten thousand dollars, 8786
shall file those statements by electronic means of transmission to 8787
the office of the secretary of state. 8788

Except as otherwise provided in this division, within five 8789

business days after a statement filed by a campaign committee of a candidate for the office of member of the general assembly or a campaign committee of a candidate for the office of judge of a court of appeals is received by the secretary of state by electronic or other means of transmission, the secretary of state shall make available online to the public through the internet, as provided in division (I) of this section, the contribution and expenditure information in that statement. The secretary of state shall not make available online to the public through the internet any contribution or expenditure information contained in a statement for any candidate until the secretary of state is able to make available online to the public through the internet the contribution and expenditure information for all candidates for a particular office, or until the applicable filing deadline for that statement has passed, whichever is sooner. As soon as the secretary of state has available all of the contribution and expenditure information for all candidates for a particular office, or as soon as the applicable filing deadline for a statement has passed, whichever is sooner, the secretary of state shall simultaneously make available online to the public through the internet the information for all candidates for that office.

If a statement filed by electronic means of transmission is found to be incomplete or inaccurate after the examination of the statement for completeness and accuracy pursuant to division (B)(3)(a) of section 3517.11 of the Revised Code, the campaign committee shall file by electronic means of transmission to the office of the secretary of state any addendum to the statement that provides the information necessary to complete or correct the statement or, if required by the secretary of state under that division, an amended statement.

Within five business days after the secretary of state receives from a campaign committee of a candidate for the office

of member of the general assembly or a campaign committee of a 8822
candidate for the office of judge of a court of appeals an 8823
addendum to the statement or an amended statement by electronic or 8824
other means of transmission under this division or division 8825
(B)(3)(a) of section 3517.11 of the Revised Code, the secretary of 8826
state shall make the contribution and expenditure information in 8827
the addendum or amended statement available online to the public 8828
through the internet as provided in division (I) of this section. 8829

(2) If a statement, addendum, or amended statement is not 8830
filed by electronic means of transmission to the office of the 8831
secretary of state but is filed by printed version only under 8832
division (A)(2) of section 3517.11 of the Revised Code with the 8833
appropriate board of elections, the campaign committee of a 8834
candidate for the office of member of the general assembly or a 8835
campaign committee of a candidate for the office of judge of a 8836
court of appeals shall file two copies of the printed version of 8837
the statement, addendum, or amended statement with the board of 8838
elections. The board of elections shall send one of those copies 8839
by ~~certified~~ mail or electronic mail to the secretary of state 8840
before the close of business on the day the board of elections 8841
receives the statement, addendum, or amended statement. 8842

(G) Subject to the secretary of state having implemented, 8843
tested, and verified the successful operation of any system the 8844
secretary of state prescribes pursuant to division (H)(1) of this 8845
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 8846
the Revised Code for the filing of campaign finance statements by 8847
electronic means of transmission, any individual, partnership, or 8848
other entity that makes independent expenditures in support of or 8849
opposition to a statewide candidate or a statewide ballot issue or 8850
question as provided in division (B)(2)(b) or (C)(2)(b) of section 8851
3517.105 of the Revised Code may file the statement specified in 8852
that division by electronic means of transmission or, if the total 8853

amount of independent expenditures made during the reporting 8854
period under that division exceeds ten thousand dollars, shall 8855
file the statement specified in that division by electronic means 8856
of transmission. 8857

Within five business days after a statement filed by an 8858
individual, partnership, or other entity is received by the 8859
secretary of state by electronic or other means of transmission, 8860
the secretary of state shall make available online to the public 8861
through the internet, as provided in division (I) of this section, 8862
the expenditure information in that statement. 8863

If a statement filed by electronic means of transmission is 8864
found to be incomplete or inaccurate after the examination of the 8865
statement for completeness and accuracy pursuant to division 8866
(B)(3)(a) of section 3517.11 of the Revised Code, the individual, 8867
partnership, or other entity shall file by electronic means of 8868
transmission any addendum to the statement that provides the 8869
information necessary to complete or correct the statement or, if 8870
required by the secretary of state under that division, an amended 8871
statement. 8872

Within five business days after the secretary of state 8873
receives from an individual, partnership, or other entity 8874
described in division (B)(2)(b) or (C)(2)(b) of section 3517.105 8875
of the Revised Code an addendum to the statement or an amended 8876
statement by electronic or other means of transmission under this 8877
division or division (B)(3)(a) of section 3517.11 of the Revised 8878
Code, the secretary of state shall make the expenditure 8879
information in the addendum or amended statement available online 8880
to the public through the internet as provided in division (I) of 8881
this section. 8882

(H)(1) The secretary of state, by rule adopted pursuant to 8883
section 3517.23 of the Revised Code, shall prescribe one or more 8884
techniques by which a person who executes and transmits by 8885

electronic means a statement of contributions and expenditures, a 8886
statement of independent expenditures, a disclosure of 8887
electioneering communications statement, a deposit and 8888
disbursement statement, a gift and disbursement statement, or a 8889
donation and disbursement statement, an addendum to any of those 8890
statements, an amended statement of contributions and 8891
expenditures, an amended statement of independent expenditures, an 8892
amended disclosure of electioneering communications statement, an 8893
amended deposit and disbursement statement, an amended gift and 8894
disbursement statement, or an amended donation and disbursement 8895
statement, under this section or section 3517.10, 3517.105, 8896
3517.1011, 3517.1012, 3517.1013, or 3517.1014 of the Revised Code 8897
shall electronically sign the statement, addendum, or amended 8898
statement. Any technique prescribed by the secretary of state 8899
pursuant to this division shall create an electronic signature 8900
that satisfies all of the following: 8901

(a) It is unique to the signer. 8902

(b) It objectively identifies the signer. 8903

(c) It involves the use of a signature device or other means 8904
or method that is under the sole control of the signer and that 8905
cannot be readily duplicated or compromised. 8906

(d) It is created and linked to the electronic record to 8907
which it relates in a manner that, if the record or signature is 8908
intentionally or unintentionally changed after signing, the 8909
electronic signature is invalidated. 8910

(2) An electronic signature prescribed by the secretary of 8911
state under division (H)(1) of this section shall be attached to 8912
or associated with the statement of contributions and 8913
expenditures, the statement of independent expenditures, the 8914
disclosure of electioneering communications statement, the deposit 8915
and disbursement statement, the gift and disbursement statement, 8916

or the donation and disbursement statement, the addendum to any of 8917
those statements, the amended statement of contributions and 8918
expenditures, the amended statement of independent expenditures, 8919
the amended disclosure of electioneering communications statement, 8920
the amended deposit and disbursement statement, the amended gift 8921
and disbursement statement, or the amended donation and 8922
disbursement statement that is executed and transmitted by 8923
electronic means by the person to whom the electronic signature is 8924
attributed. The electronic signature that is attached to or 8925
associated with the statement, addendum, or amended statement 8926
under this division shall be binding on all persons and for all 8927
purposes under the campaign finance reporting law as if the 8928
signature had been handwritten in ink on a printed form. 8929

(I) The secretary of state shall make the contribution and 8930
expenditure, the contribution and disbursement, the deposit and 8931
disbursement, the gift and disbursement, or the donation and 8932
disbursement information in all statements, all addenda to the 8933
statements, and all amended statements that are filed with the 8934
secretary of state by electronic or other means of transmission 8935
under this section or section 3517.10, 3517.105, 3517.1011, 8936
3517.1012, 3517.1013, 3517.1014, or 3517.11 of the Revised Code 8937
available online to the public by any means that are searchable, 8938
viewable, and accessible through the internet. 8939

(J)(1) As used in this division, "library" means a library 8940
that is open to the public and that is one of the following: 8941

(a) A library that is maintained and regulated under section 8942
715.13 of the Revised Code; 8943

(b) A library that is created, maintained, and regulated 8944
under Chapter 3375. of the Revised Code. 8945

(2) The secretary of state shall notify all libraries of the 8946
location on the internet at which the contribution and 8947

expenditure, contribution and disbursement, deposit and 8948
disbursement, gift and disbursement, or donation and disbursement 8949
information in campaign finance statements required to be made 8950
available online to the public through the internet pursuant to 8951
division (I) of this section may be accessed. 8952

If that location is part of the world wide web and if the 8953
secretary of state has notified a library of that world wide web 8954
location as required by this division, the library shall include a 8955
link to that world wide web location on each internet-connected 8956
computer it maintains that is accessible to the public. 8957

(3) If the system the secretary of state prescribes for the 8958
filing of campaign finance statements by electronic means of 8959
transmission pursuant to division (H)(1) of this section and 8960
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 8961
Code includes filing those statements through the internet via the 8962
world wide web, the secretary of state shall notify all libraries 8963
of the world wide web location at which those statements may be 8964
filed. 8965

If those statements may be filed through the internet via the 8966
world wide web and if the secretary of state has notified a 8967
library of that world wide web location as required by this 8968
division, the library shall include a link to that world wide web 8969
location on each internet-connected computer it maintains that is 8970
accessible to the public. 8971

(K) It is an affirmative defense to a complaint or charge 8972
brought against any campaign committee, political action 8973
committee, political contributing entity, legislative campaign 8974
fund, or political party, any individual, partnership, or other 8975
entity, any person making disbursements to pay the direct costs of 8976
producing or airing electioneering communications, or any 8977
treasurer of a transition fund, for the failure to file by 8978
electronic means of transmission a campaign finance statement as 8979

required by this section or section 3517.10, 3517.105, 3517.1011, 8980
3517.1012, 3517.1013, or 3517.1014 of the Revised Code that all of 8981
the following apply to the campaign committee, political action 8982
committee, political contributing entity, legislative campaign 8983
fund, or political party, the individual, partnership, or other 8984
entity, the person making disbursements to pay the direct costs of 8985
producing or airing electioneering communications, or the 8986
treasurer of a transition fund that failed to so file: 8987

(1) The campaign committee, political action committee, 8988
political contributing entity, legislative campaign fund, or 8989
political party, the individual, partnership, or other entity, the 8990
person making disbursements to pay the direct costs of producing 8991
or airing electioneering communications, or the treasurer of a 8992
transition fund attempted to file by electronic means of 8993
transmission the required statement prior to the deadline set 8994
forth in the applicable section. 8995

(2) The campaign committee, political action committee, 8996
political contributing entity, legislative campaign fund, or 8997
political party, the individual, partnership, or other entity, the 8998
person making disbursements to pay the direct costs of producing 8999
or airing electioneering communications, or the treasurer of a 9000
transition fund was unable to file by electronic means of 9001
transmission due to an expected or unexpected shutdown of the 9002
whole or part of the electronic campaign finance statement-filing 9003
system, such as for maintenance or because of hardware, software, 9004
or network connection failure. 9005

(3) The campaign committee, political action committee, 9006
political contributing entity, legislative campaign fund, or 9007
political party, the individual, partnership, or other entity, the 9008
person making disbursements to pay the direct costs of producing 9009
or airing electioneering communications, or the treasurer of a 9010
transition fund filed by electronic means of transmission the 9011

required statement within a reasonable period of time after being 9012
unable to so file it under the circumstance described in division 9013
(K)(2) of this section. 9014

(L)(1) The secretary of state shall adopt rules pursuant to 9015
Chapter 119. of the Revised Code to permit a campaign committee of 9016
a candidate for statewide office that makes expenditures of less 9017
than twenty-five thousand dollars during the filing period or a 9018
campaign committee for the office of member of the general 9019
assembly or the office of judge of a court of appeals that would 9020
otherwise be required to file campaign finance statements by 9021
electronic means of transmission under division (E) or (F) of this 9022
section to file those statements by paper with the office of the 9023
secretary of state. Those rules shall provide for all of the 9024
following: 9025

(a) An eligible campaign committee that wishes to file a 9026
campaign finance statement by paper instead of by electronic means 9027
of transmission shall file the statement on paper with the office 9028
of the secretary of state not sooner than twenty-four hours after 9029
the end of the filing period set forth in section 3517.10 of the 9030
Revised Code that is covered by the applicable statement. 9031

(b) The statement shall be accompanied by a fee, the amount 9032
of which the secretary of state shall determine by rule. The 9033
amount of the fee established under this division shall not exceed 9034
the data entry and data verification costs the secretary of state 9035
will incur to convert the information on the statement to an 9036
electronic format as required under division (I) of this section. 9037

(c) The secretary of state shall arrange for the information 9038
in campaign finance statements filed pursuant to division (L) of 9039
this section to be made available online to the public through the 9040
internet in the same manner, and at the same times, as information 9041
is made available under divisions (E), (F), and (I) of this 9042
section for candidates whose campaign committees file those 9043

statements by electronic means of transmission. 9044

(d) The candidate of an eligible campaign committee that 9045
intends to file a campaign finance statement pursuant to division 9046
(L) of this section shall file a notice indicating that the 9047
candidate's campaign committee intends to so file and stating that 9048
filing the statement by electronic means of transmission would 9049
constitute a hardship for the candidate or for the eligible 9050
campaign committee. 9051

(e) An eligible campaign committee that files a campaign 9052
finance statement on paper pursuant to division (L) of this 9053
section shall review the contribution and information made 9054
available online by the secretary of state with respect to that 9055
paper filing and shall notify the secretary of state of any errors 9056
with respect to that filing that appear in the data made available 9057
on that web site. 9058

(f) If an eligible campaign committee whose candidate has 9059
filed a notice in accordance with rules adopted under division 9060
(L)(1)(d) of this section subsequently fails to file that 9061
statement on paper by the applicable deadline established in rules 9062
adopted under division (L)(1)(a) of this section, penalties for 9063
the late filing of the campaign finance statement shall apply to 9064
that campaign committee for each day after that paper filing 9065
deadline, as if the campaign committee had filed the statement 9066
after the applicable deadline set forth in division (A) of section 9067
3517.10 of the Revised Code. 9068

(2) The process for permitting campaign committees that would 9069
otherwise be required to file campaign finance statements by 9070
electronic means of transmission to file those statements on paper 9071
with the office of the secretary of state that is required to be 9072
developed under division (L)(1) of this section shall be in effect 9073
and available for use by eligible campaign committees for all 9074
campaign finance statements that are required to be filed on or 9075

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. 3517.11. (A)(1) Campaign committees of candidates for statewide office or the state board of education, political action committees or political contributing entities that make contributions to campaign committees of candidates that are required to file the statements prescribed by section 3517.10 of the Revised Code with the secretary of state, political action committees or political contributing entities that make contributions to campaign committees of candidates for member of the general assembly, political action committees or political contributing entities that make contributions to state and national political parties and to legislative campaign funds, political action committees or political contributing entities that receive contributions or make expenditures in connection with a statewide ballot issue, political action committees or political contributing entities that make contributions to other political action committees or political contributing entities, political parties, and campaign committees, except as set forth in division (A)(3) of this section, legislative campaign funds, and state and

national political parties shall file the statements prescribed by 9108
section 3517.10 of the Revised Code with the secretary of state. 9109

(2)(a) Except as otherwise provided in division (F) of 9110
section 3517.106 of the Revised Code, campaign committees of 9111
candidates for all other offices shall file the statements 9112
prescribed by section 3517.10 of the Revised Code with the board 9113
of elections where their candidates are required to file their 9114
petitions or other papers for nomination or election. 9115

(b) A campaign committee of a candidate for office of member 9116
of the general assembly or a campaign committee of a candidate for 9117
the office of judge of a court of appeals shall file two copies of 9118
the printed version of any statement, addendum, or amended 9119
statement if the committee does not file pursuant to division 9120
(F)(1) or (L) of section 3517.106 of the Revised Code but files by 9121
printed version only with the appropriate board of elections. The 9122
board of elections shall send one of those copies by ~~certified~~ 9123
mail or electronic mail to the secretary of state before the close 9124
of business on the day the board of elections receives the 9125
statement, addendum, or amended statement. 9126

(3) Political action committees or political contributing 9127
entities that only contribute to a county political party, 9128
contribute to campaign committees of candidates whose nomination 9129
or election is to be submitted only to electors within a county, 9130
subdivision, or district, excluding candidates for member of the 9131
general assembly, and receive contributions or make expenditures 9132
in connection with ballot questions or issues to be submitted only 9133
to electors within a county, subdivision, or district shall file 9134
the statements prescribed by section 3517.10 of the Revised Code 9135
with the board of elections in that county or in the county 9136
contained in whole or part within the subdivision or district 9137
having a population greater than that of any other county 9138
contained in whole or part within that subdivision or district, as 9139

the case may be. 9140

(4) Except as otherwise provided in division (E)(3) of 9141
section 3517.106 of the Revised Code with respect to state 9142
candidate funds, county political parties shall file the 9143
statements prescribed by section 3517.10 of the Revised Code with 9144
the board of elections of their respective counties. 9145

(B)(1) The official with whom petitions and other papers for 9146
nomination or election to public office are filed shall furnish 9147
each candidate at the time of that filing a copy of sections 9148
3517.01, 3517.08 to 3517.11, 3517.13 to 3517.993, 3599.03, and 9149
3599.031 of the Revised Code and any other materials that the 9150
secretary of state may require. Each candidate receiving the 9151
materials shall acknowledge their receipt in writing. 9152

(2) On or before the tenth day before the dates on which 9153
statements are required to be filed by section 3517.10 of the 9154
Revised Code, every candidate subject to the provisions of this 9155
section and sections 3517.10 and 3517.106 of the Revised Code 9156
shall be notified of the requirements and applicable penalties of 9157
those sections. The secretary of state, by certified mail, return 9158
receipt requested, shall notify all candidates required to file 9159
those statements with the secretary of state's office. The board 9160
of elections of every county shall notify by first class mail any 9161
candidate who has personally appeared at the office of the board 9162
on or before the tenth day before the statements are required to 9163
be filed and signed a form, to be provided by the secretary of 9164
state, attesting that the candidate has been notified of the 9165
candidate's obligations under the campaign finance law. The board 9166
shall forward the completed form to the secretary of state. The 9167
board shall use certified mail, return receipt requested, to 9168
notify all other candidates required to file those statements with 9169
it. 9170

(3)(a) Any statement required to be filed under sections 9171

3517.081 to 3517.17 of the Revised Code that is found to be 9172
incomplete or inaccurate by the officer to whom it is submitted 9173
shall be accepted on a conditional basis, and the person who filed 9174
it shall be notified by certified mail as to the incomplete or 9175
inaccurate nature of the statement. The secretary of state may 9176
examine statements filed for candidates for the office of member 9177
of the general assembly and candidates for the office of judge of 9178
a court of appeals for completeness and accuracy. The secretary of 9179
state shall examine for completeness and accuracy statements that 9180
campaign committees of candidates for the office of member of the 9181
general assembly and campaign committees of candidates for the 9182
office of judge of a court of appeals file pursuant to division 9183
(F) or (L) of section 3517.106 of the Revised Code. If an officer 9184
at the board of elections where a statement filed for a candidate 9185
for the office of member of the general assembly or for a 9186
candidate for the office of judge of a court of appeals was 9187
submitted finds the statement to be incomplete or inaccurate, the 9188
officer shall immediately notify the secretary of state of its 9189
incomplete or inaccurate nature. If either an officer at the board 9190
of elections or the secretary of state finds a statement filed for 9191
a candidate for the office of member of the general assembly or 9192
for a candidate for the office of judge of a court of appeals to 9193
be incomplete or inaccurate, only the secretary of state shall 9194
send the notification as to the incomplete or inaccurate nature of 9195
the statement. 9196

Within twenty-one days after receipt of the notice, in the 9197
case of a pre-election statement, a postelection statement, a 9198
monthly statement, an annual statement, or a semiannual statement 9199
prescribed by section 3517.10, an annual statement prescribed by 9200
section 3517.101, or a statement prescribed by division (B)(2)(b) 9201
or (C)(2)(b) of section 3517.105 or section 3517.107 of the 9202
Revised Code, the recipient shall file an addendum, amendment, or 9203
other correction to the statement providing the information 9204

necessary to complete or correct the statement. The secretary of 9205
state may require that, in lieu of filing an addendum, amendment, 9206
or other correction to a statement that is filed by electronic 9207
means of transmission to the office of the secretary of state 9208
pursuant to section 3517.106 of the Revised Code, the recipient of 9209
the notice described in this division file by electronic means of 9210
transmission an amended statement that incorporates the 9211
information necessary to complete or correct the statement. 9212

The secretary of state shall determine by rule when an 9213
addendum, amendment, or other correction to any of the following 9214
or when an amended statement of any of the following shall be 9215
filed: 9216

(i) A two-business-day statement prescribed by section 9217
3517.10 of the Revised Code; 9218

(ii) A disclosure of electioneering communications statement 9219
prescribed by division (D) of section 3517.1011 of the Revised 9220
Code; 9221

(iii) A deposit and disbursement statement prescribed under 9222
division (B) of section 3517.1012 of the Revised Code; 9223

(iv) A gift and disbursement statement prescribed under 9224
section 3517.1013 of the Revised Code; 9225

(v) A donation and disbursement statement prescribed under 9226
section 3517.1014 of the Revised Code. 9227

An addendum, amendment, or other correction to a statement 9228
that is filed by electronic means of transmission pursuant to 9229
section 3517.106 of the Revised Code shall be filed in the same 9230
manner as the statement. 9231

The provisions of sections 3517.10, 3517.106, 3517.1011, 9232
3517.1012, 3517.1013, and 3517.1014 of the Revised Code pertaining 9233
to the filing of statements of contributions and expenditures, 9234

statements of independent expenditures, disclosure of 9235
electioneering communications statements, deposit and disbursement 9236
statements, gift and disbursement statements, and donation and 9237
disbursement statements by electronic means of transmission apply 9238
to the filing of addenda, amendments, or other corrections to 9239
those statements by electronic means of transmission and the 9240
filing of amended statements by electronic means of transmission. 9241

(b) Within five business days after the secretary of state 9242
receives, by electronic or other means of transmission, an 9243
addendum, amendment, or other correction to a statement or an 9244
amended statement under division (B)(3)(a) of this section, the 9245
secretary of state, pursuant to divisions (E), (F), (G), and (I) 9246
of section 3517.106 or division (D) of section 3517.1011 of the 9247
Revised Code, shall make the contribution and expenditure, 9248
contribution and disbursement, deposit and disbursement, gift and 9249
disbursement, or donation and disbursement information in that 9250
addendum, amendment, correction, or amended statement available 9251
online to the public through the internet. 9252

(4)(a) The secretary of state or the board of elections shall 9253
examine all statements for compliance with sections 3517.08 to 9254
3517.17 of the Revised Code. 9255

(b) The secretary of state may contract with an individual or 9256
entity not associated with the secretary of state and experienced 9257
in interpreting the campaign finance law of this state to conduct 9258
examinations of statements filed by any statewide candidate, as 9259
defined in section 3517.103 of the Revised Code. 9260

(c) The examination shall be conducted by a person or entity 9261
qualified to conduct it. The results of the examination shall be 9262
available to the public, and, when the examination is conducted by 9263
an individual or entity not associated with the secretary of 9264
state, the results of the examination shall be reported to the 9265
secretary of state. 9266

(C)(1) In the event of a failure to file or a late filing of a statement required to be filed under sections 3517.081 to 3517.17 of the Revised Code, or if a filed statement or any addendum, amendment, or other correction to a statement or any amended statement, if an addendum, amendment, or other correction or an amended statement is required to be filed, is incomplete or inaccurate or appears to disclose a failure to comply with or a violation of law, the official whose duty it is to examine the statement shall promptly file a complaint with the Ohio elections commission under section 3517.153 of the Revised Code if the law is one over which the commission has jurisdiction to hear complaints, or the official shall promptly report the failure or violation to the board of elections and the board shall promptly report it to the prosecuting attorney in accordance with division (J) of section 3501.11 of the Revised Code. If the official files a complaint with the commission, the commission shall proceed in accordance with sections 3517.154 to 3517.157 of the Revised Code.

(2) For purposes of division (C)(1) of this section, a statement or an addendum, amendment, or other correction to a statement or an amended statement required to be filed under sections 3517.081 to 3517.17 of the Revised Code is incomplete or inaccurate under this section if the statement, addendum, amendment, other correction, or amended statement fails to disclose substantially all contributions, gifts, or donations that are received or deposits that are made that are required to be reported under sections 3517.10, 3517.107, 3517.108, 3517.1011, 3517.1012, 3517.1013, and 3517.1014 of the Revised Code or if the statement, addendum, amendment, other correction, or amended statement fails to disclose at least ninety per cent of the total contributions, gifts, or donations received or deposits made or of the total expenditures or disbursements made during the reporting period.

(D) No certificate of nomination or election shall be issued 9299
to a person, and no person elected to an office shall enter upon 9300
the performance of the duties of that office, until that person or 9301
that person's campaign committee, as appropriate, has fully 9302
complied with this section and sections 3517.08, 3517.081, 9303
3517.10, and 3517.13 of the Revised Code. 9304

Sec. 3599.07. No ~~judge of elections~~ precinct election 9305
official, observer, or police officer admitted into the polling 9306
rooms at the election, at any time while the polls are open, shall 9307
have in the individual's possession, distribute, or give out any 9308
ballot or ticket to any person on any pretense during the 9309
receiving, counting, or certifying of the votes, or have any 9310
ballot or ticket in the individual's possession or control, except 9311
in the proper discharge of the individual's official duty in 9312
receiving, counting, or canvassing the votes. This section does 9313
not prevent the lawful exercise by a ~~judge of elections~~ precinct 9314
election official or observer of the individual right to vote at 9315
such election. 9316

Sec. 3599.11. (A) No person shall knowingly register or make 9317
application or attempt to register in a precinct in which the 9318
person is not a qualified voter; or knowingly aid or abet any 9319
person to so register; or attempt to register or knowingly induce 9320
or attempt to induce any person to so register; or knowingly 9321
impersonate another or write or assume the name of another, real 9322
or fictitious, in registering or attempting to register; or by 9323
false statement or other unlawful means procure, aid, or attempt 9324
to procure the erasure or striking out on the register or 9325
duplicate list of the name of a qualified elector therein; or 9326
knowingly induce or attempt to induce a registrar or other 9327
election authority to refuse registration in a precinct to an 9328
elector thereof; or knowingly swear or affirm falsely upon a 9329

lawful examination by or before any registering officer; or make, 9330
print, or issue any false or counterfeit certificate of 9331
registration or knowingly alter any certificate of registration. 9332

No person shall knowingly register under more than one name 9333
or knowingly induce any person to so register. 9334

No person shall knowingly make any false statement on any 9335
form for registration or change of registration or upon any 9336
application or return envelope for an absent voter's ballot. 9337

Whoever violates this division is guilty of a felony of the 9338
fifth degree. 9339

(B)(1) No person who helps another person register outside an 9340
official voter registration place shall knowingly destroy, or 9341
knowingly help another person to destroy, any completed 9342
registration form. 9343

Whoever violates this division is guilty of election 9344
falsification, a felony of the fifth degree. 9345

(2)(a) No person who helps another person register outside an 9346
official voter registration place shall knowingly fail to return 9347
any registration form entrusted to that person to any board of 9348
elections or the office of the secretary of state within ten days 9349
after that ~~registration~~ registration form is completed, or on or 9350
before the thirtieth day before the election, whichever day is 9351
earlier, unless the registration form is received by the person 9352
within twenty-four hours of the thirtieth day before the election, 9353
in which case the person shall return the registration form to any 9354
board of elections or the office of the secretary of state within 9355
ten days of its receipt. 9356

Whoever violates this division is guilty of ~~election~~ 9357
~~falsification~~, a felony of the ~~fifth~~ fourth degree, unless the 9358
person has not previously been convicted of a violation of 9359
division (B)(2)(a), ~~(B)(2)~~ or (b), ~~(C)(1)~~, ~~or (C)(2)~~ of this 9360

section, the violation of this division does not cause any person 9361
to miss any voter registration deadline with regard to any 9362
election, and the number of voter registration forms that the 9363
violator has failed to properly return does not exceed forty-nine, 9364
in which case the violator is guilty of a ~~misdemeanor~~ felony of 9365
the ~~first~~ fifth degree. 9366

(b) ~~Subject to division (C)(2) of this section, no~~ No person 9367
who helps another person register outside an official registration 9368
place shall knowingly return any registration form entrusted to 9369
that person to any location other than any board of elections or 9370
the office of the secretary of state. 9371

Whoever violates this division is guilty of ~~election~~ 9372
~~falsification~~, a felony of the ~~fifth~~ fourth degree, unless the 9373
person has not previously been convicted of a violation of 9374
division (B)(2)(a), ~~(B)(2)~~ or (b), ~~(C)(1), or (C)(2)~~ of this 9375
section, the violation of this division does not cause any person 9376
to miss any voter registration deadline with regard to any 9377
election, and the number of voter registration forms that the 9378
violator has failed to properly return does not exceed forty-nine, 9379
in which case the violator is guilty of a ~~misdemeanor~~ felony of 9380
the ~~first~~ fifth degree. 9381

~~(C)(1) No person who receives compensation for registering a~~ 9382
~~voter shall knowingly fail to return any registration form~~ 9383
~~entrusted to that person to any board of elections or the office~~ 9384
~~of the secretary of state within ten days after that voter~~ 9385
~~registration form is completed, or on or before the thirtieth day~~ 9386
~~before the election, whichever is earlier, unless the registration~~ 9387
~~form is received by the person within twenty four hours of the~~ 9388
~~thirtieth day before the election, in which case the person shall~~ 9389
~~return the registration form to any board of elections or the~~ 9390
~~office of the secretary of state within ten days of its receipt.~~ 9391

~~Whoever violates this division is guilty of election~~ 9392

~~falsification, a felony of the fifth degree, unless the person has 9393
not previously been convicted of a violation of division 9394
(B)(2)(a), (B)(2)(b), (C)(1), or (C)(2) of this section, the 9395
violation of this division does not cause any person to miss any 9396
voter registration deadline with regard to any election, and the 9397
number of voter registration forms that the violator has failed to 9398
properly return does not exceed forty nine, in which case the 9399
violator is guilty of a misdemeanor of the first degree. 9400~~

~~(2) No person who receives compensation for registering a 9401
voter shall knowingly return any registration form entrusted to 9402
that person to any location other than any board of elections or 9403
the office of the secretary of state. 9404~~

~~Whoever violates this division is guilty of election 9405
falsification, a felony of the fifth degree, unless the person has 9406
not previously been convicted of a violation of division 9407
(B)(2)(a), (B)(2)(b), (C)(1), or (C)(2) of this section, the 9408
violation of this division does not cause any person to miss any 9409
voter registration deadline with regard to any election, and the 9410
number of voter registration forms that the violator has failed to 9411
properly return does not exceed forty nine, in which case the 9412
violator is guilty of a misdemeanor of the first degree. 9413~~

~~(D) As used in division (C) of this section, "registering a 9414
voter" includes any effort, for compensation, to provide voter 9415
registration forms or to assist persons in completing or returning 9416
those forms. 9417~~

Sec. 3599.17. (A) No elections official serving as a 9418
registrar or ~~judge of elections~~ precinct election official shall 9419
do any of the following: 9420

(1) Fail to appear before the board of elections, or its 9421
representative, after notice has been served personally upon the 9422
official or left at the official's usual place of residence, for 9423

examination as to the official's qualifications;	9424
(2) Fail to appear at the polling place to which the official is assigned at the hour and during the hours set for the registration or election;	9425 9426 9427
(3) Fail to take the oath prescribed by section 3501.31 of the Revised Code, unless excused by such board;	9428 9429
(4) Refuse or sanction the refusal of another registrar or judge of elections <u>precinct election official</u> to administer an oath required by law;	9430 9431 9432
(5) Fail to send notice to the board of the appointment of a judge <u>precinct election official</u> to fill a vacancy;	9433 9434
(6) Act as registrar or judge <u>precinct election official</u> without having been appointed and having received a certificate of appointment, except a judge <u>precinct election official</u> appointed to fill a vacancy caused by absence or removal;	9435 9436 9437 9438
(7) Fail in any other way to perform any duty imposed by law.	9439
(B) Whoever violates division (A) of this section is guilty of a misdemeanor of the first degree.	9440 9441
Sec. 3599.19. (A) No judge of elections <u>precinct election official</u> shall knowingly do any of the following:	9442 9443
(1) Unlawfully open or permit to be opened the sealed package containing registration lists, ballots, blanks, pollbooks, and other papers and material to be used in an election;	9444 9445 9446
(2) Unlawfully misplace, carry away, negligently lose or permit to be taken from the judge <u>precinct election official</u> , fail to deliver, or destroy any such packages, papers, or material;	9447 9448 9449
(3) Receive or sanction the reception of a ballot from a person not a qualified elector or from a person who refused to answer a question in accordance with the election law;	9450 9451 9452

- (4) Refuse to receive or sanction the rejection of a ballot from a person, knowing that person to be a qualified elector; 9453
9454
- (5) Permit a fraudulent ballot to be placed in the ballot box; 9455
9456
- (6) Place or permit to be placed in any ballot box any ballot known by the ~~judge~~ precinct election official to be improperly or falsely marked; 9457
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- (7) Count or permit to be counted any illegal or fraudulent ballot; 9460
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- (8) Mislead an elector who is physically unable to prepare the elector's ballot, mark a ballot for such elector otherwise than as directed by that elector, or disclose to any person, except when legally required to do so, how such elector voted; 9462
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- (9) Alter or mark or permit any alteration or marking on any ballot when counting the ballots; 9466
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- (10) Unlawfully count or tally or sanction the wrongful counting or tallying of votes; 9468
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- (11) After the counting of votes commences, as required by law, postpone or sanction the postponement of the counting of votes, adjourn at any time or to any place, or remove the ballot box from the place of voting, or from the custody or presence of all the ~~judges of such elections~~ precinct election officials; 9470
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- (12) Permit any ballot to remain or to be in the ballot box at the opening of the polls, or to be put in the box during the counting of the ballots, or to be left in the box without being counted; 9475
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- (13) Admit or sanction the admission to the polling room at an election during the receiving, counting, and certifying of votes of any person not qualified by law to be so admitted; 9479
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- (14) Refuse to admit or sanction the refusal to admit any 9482

person, upon lawful request for admission, who is legally 9483
qualified to be present; 9484

(15) Permit or sanction the counting of the ballots contrary 9485
to the manner prescribed by law; 9486

(16) Neglect or unlawfully execute any duty enjoined upon the 9487
~~judge~~ precinct election official by law. 9488

(B) Whoever violates division (A) of this section is guilty 9489
of a misdemeanor of the first degree. 9490

Sec. 3599.31. No officer of the law shall fail to obey 9491
forthwith an order of the ~~presiding judge~~ voting location manager 9492
and aid in enforcing a lawful order of the ~~presiding judges~~ voting 9493
location manager at an election, against persons unlawfully 9494
congregating or loitering within one hundred feet of a polling 9495
place, hindering or delaying an elector from reaching or leaving 9496
the polling place, soliciting or attempting, within one hundred 9497
feet of the polling place, to influence an elector in casting the 9498
elector's vote, or interfering with the registration of voters or 9499
casting and counting of the ballots. 9500

Whoever violates this section is guilty of a misdemeanor of 9501
the first degree. 9502

Section 2. That existing sections 3.02, 7.101, 302.09, 9503
305.02, 503.24, 733.31, 1901.10, 2101.44, 2301.02, 3501.01, 9504
3501.02, 3501.05, 3501.051, 3501.053, 3501.10, 3501.11, 3501.13, 9505
3501.17, 3501.18, 3501.20, 3501.22, 3501.26, 3501.27, 3501.28, 9506
3501.29, 3501.30, 3501.301, 3501.31, 3501.32, 3501.33, 3501.35, 9507
3501.37, 3501.38, 3503.02, 3503.06, 3503.09, 3503.10, 3503.14, 9508
3503.15, 3503.16, 3503.18, 3503.19, 3503.21, 3503.24, 3503.26, 9509
3503.28, 3505.03, 3505.04, 3505.06, 3505.08, 3505.10, 3505.11, 9510
3505.13, 3505.16, 3505.17, 3505.18, 3505.181, 3505.182, 3505.183, 9511
3505.20, 3505.21, 3505.23, 3505.24, 3505.26, 3505.27, 3505.29, 9512

3505.30, 3505.31, 3506.05, 3506.08, 3506.09, 3506.12, 3506.15, 9513
3506.21, 3509.01, 3509.03, 3509.04, 3509.05, 3509.06, 3509.07, 9514
3509.08, 3511.02, 3511.021, 3511.04, 3511.05, 3511.09, 3511.11, 9515
3511.14, 3513.05, 3513.13, 3513.131, 3513.14, 3513.19, 3513.21, 9516
3513.31, 3515.04, 3515.08, 3517.01, 3517.012, 3517.014, 3517.015, 9517
3517.106, 3517.11, 3599.07, 3599.11, 3599.17, 3599.19, and 9518
3599.31, and sections 3503.29, 3506.16, 3517.016, and 3599.111 of 9519
the Revised Code are hereby repealed. 9520

Section 3. This act shall be known as the Voter Protection 9521
Act. 9522