

**As Reported by the Senate State Government Oversight and  
Reform Committee**

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

**Sub. S. B. No. 47**

**Senator Seitz**

**Cosponsors: Senators Eklund, Coley**

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**A B I L L**

To amend sections 3.02, 302.09, 305.02, 503.24,	1
733.31, 1901.10, 2301.02, 3501.301, 3501.38,	2
3503.06, 3503.14, 3503.16, 3503.19, 3503.28,	3
3505.13, 3505.18, 3505.181, 3505.182, 3505.183,	4
3509.03, 3509.04, 3509.05, 3511.02, 3511.05,	5
3511.09, 3513.04, 3513.262, 3513.263, 3513.30,	6
3513.31, 3519.05, and 3519.16 and to enact section	7
3501.302 of the Revised Code to revise the	8
Election Law.	9

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

<b>Section 1.</b> That sections 3.02, 302.09, 305.02, 503.24,	10
733.31, 1901.10, 2301.02, 3501.301, 3501.38, 3503.06, 3503.14,	11
3503.16, 3503.19, 3503.28, 3505.13, 3505.18, 3505.181, 3505.182,	12
3505.183, 3509.03, 3509.04, 3509.05, 3511.02, 3511.05, 3511.09,	13
3513.04, 3513.262, 3513.263, 3513.30, 3513.31, 3519.05, and	14
3519.16 be amended and section 3501.302 of the Revised Code be	15
enacted to read as follows:	16

<b>Sec. 3.02.</b> (A) When an elective office becomes vacant and is	17
filled by appointment, such appointee shall hold the office until	18

the appointee's successor is elected and qualified; and such 19  
successor shall be elected for the unexpired term, at the first 20  
general election for the office which is vacant that occurs more 21  
than ~~fifty-six~~ forty days after the vacancy has occurred; provided 22  
that when the unexpired term ends within one year immediately 23  
following the date of such general election, an election to fill 24  
such unexpired term shall not be held and the appointment shall be 25  
for such unexpired term. 26

(B) When an elective office becomes vacant and is filled by 27  
appointment, the appointing authority shall, immediately but no 28  
later than seven days after making the appointment, certify it to 29  
the board of elections and to the secretary of state. The board of 30  
elections or, in the case of an appointment to a statewide office, 31  
the secretary of state shall issue a certificate of appointment to 32  
the appointee. Certificates of appointment shall be in such form 33  
as the secretary of state shall prescribe. 34

(C) When an elected candidate fails to qualify for the office 35  
to which the candidate has been elected, the office shall be 36  
filled as in the case of a vacancy. Until so filled, the incumbent 37  
officer shall continue to hold office. This section does not 38  
postpone the time for such election beyond that at which it would 39  
have been held had no such vacancy occurred, or affect the 40  
official term, or the time for the commencement thereof, of any 41  
person elected to such office before the occurrence of such 42  
vacancy. 43

**Sec. 302.09.** When a vacancy occurs in the board of county 44  
commissioners or in the office of county auditor, county 45  
treasurer, prosecuting attorney, clerk of the court of common 46  
pleas, sheriff, county recorder, county engineer, or coroner more 47  
than ~~fifty-six~~ forty days before the next general election for 48  
state and county officers, the vacancy shall be filled as provided 49

for in divisions (A) and (B) of section 305.02 of the Revised Code. 50  
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**Sec. 305.02.** (A) If a vacancy in the office of county commissioner, prosecuting attorney, county auditor, county treasurer, clerk of the court of common pleas, sheriff, county recorder, county engineer, or coroner occurs more than ~~fifty-six~~ forty days before the next general election for state and county officers, a successor shall be elected at such election for the unexpired term unless such term expires within one year immediately following the date of such general election. 52  
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In either event, the vacancy shall be filled as provided in this section and the appointee shall hold office until a successor is elected and qualified. 60  
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(B) If a vacancy occurs from any cause in any of the offices named in division (A) of this section, the county central committee of the political party with which the last occupant of the office was affiliated shall appoint a person to hold the office and to perform the duties thereof until a successor is elected and has qualified, except that if such vacancy occurs because of the death, resignation, or inability to take the office of an officer-elect whose term has not yet begun, an appointment to take such office at the beginning of the term shall be made by the central committee of the political party with which such officer-elect was affiliated. 63  
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(C) Not less than five nor more than forty-five days after a vacancy occurs, the county central committee shall meet for the purpose of making an appointment under this section. Not less than four days before the date of such meeting the chairperson or secretary of such central committee shall send by first class mail to every member of such central committee a written notice which shall state the time and place of such meeting and the purpose 74  
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thereof. A majority of the members of the central committee 81  
present at such meeting may make the appointment. 82

(D) If the last occupant of the office or the officer-elect 83  
was elected as an independent candidate, the board of county 84  
commissioners shall make such appointment at the time when the 85  
vacancy occurs, except where the vacancy is in the office of 86  
county commissioner, in which case the prosecuting attorney and 87  
the remaining commissioners or a majority of them shall make the 88  
appointment. 89

(E) Appointments made under this section shall be certified 90  
by the appointing county central committee or by the board of 91  
county commissioners to the county board of elections and to the 92  
secretary of state, and the persons so appointed and certified 93  
shall be entitled to all remuneration provided by law for the 94  
offices to which they are appointed. 95

(F) The board of county commissioners may appoint a person to 96  
hold any of the offices named in division (A) of this section as 97  
an acting officer and to perform the duties thereof between the 98  
occurrence of the vacancy and the time when the officer appointed 99  
by the central committee qualifies and takes the office. 100

(G) A person appointed prosecuting attorney or assistant 101  
prosecuting attorney shall give bond and take the oath of office 102  
prescribed by section 309.03 of the Revised Code for the 103  
prosecuting attorney. 104

**Sec. 503.24.** If there is a vacancy by reason of the 105  
nonacceptance, death, or removal of a person chosen to an office 106  
in any township at the regular election, or if there is a vacancy 107  
from any other cause, the board of township trustees shall appoint 108  
a person having the qualifications of an elector to fill such 109  
vacancy for the unexpired term or until a successor is elected. 110

If a township is without a board or if no appointment is made 111  
within thirty days after the occurrence of a vacancy, a majority 112  
of the persons designated as the committee of five on the 113  
last-filed nominating petition of the township officer whose 114  
vacancy is to be filled who are residents of the township shall 115  
appoint a person having the qualifications of an elector to fill 116  
the vacancy for the unexpired term or until a successor is 117  
elected. If at least three of the committee members who are 118  
residents of the township cannot be found, or if that number of 119  
such members fails to make an appointment within ten days after 120  
the thirty-day period in which the board of township trustees is 121  
authorized to make an appointment, then the presiding probate 122  
judge of the county shall appoint a suitable person having the 123  
qualifications of an elector in the township to fill the vacancy 124  
for the unexpired term or until a successor is elected. 125

If a vacancy occurs in a township elective office more than 126  
~~fifty-six~~ forty days before the next general election for 127  
municipal and township officers a successor shall be chosen at 128  
that election to fill the unexpired term, provided the term does 129  
not expire within one year from the day of the election. If the 130  
term expires within one year from the day of the next general 131  
election for municipal and township officers, a successor 132  
appointed pursuant to this section shall serve out the unexpired 133  
term. 134

**Sec. 733.31.** (A) Unless otherwise provided by law, vacancies 135  
arising in appointive and elective offices of villages shall be 136  
filled by appointment by the mayor for the remainder of the 137  
unexpired term, provided that: 138

(1) Vacancies in the office of mayor shall be filled in the 139  
manner provided by section 733.25 of the Revised Code; 140

(2) Vacancies in the membership of the legislative authority 141

shall be filled in the manner provided by section 731.43 of the Revised Code;

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

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

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

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

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

(1) The county central committee of the political party with which the last occupant of the office was affiliated, acting through its members who reside in the city where the vacancy

occurs, shall appoint a person to hold the office and to perform 173  
the duties thereof until a successor is elected and has qualified, 174  
except that if such vacancy occurs because of the death, 175  
resignation, or inability to take the office of an officer-elect 176  
whose term has not yet begun, an appointment to take such office 177  
at the beginning of the term shall be made by the members of the 178  
central committee who reside in the city where the vacancy occurs. 179

(2) Not less than five nor more than forty-five days after a 180  
vacancy occurs, the county central committee, acting through its 181  
members who reside in the city where the vacancy occurs, shall 182  
meet for the purpose of making an appointment. Not less than four 183  
days before the date of the meeting the chairperson or secretary 184  
of the central committee shall send by first class mail to every 185  
member of such central committee who resides in the city where the 186  
vacancy occurs a written notice which shall state the time and 187  
place of such meeting and the purpose thereof. A majority of the 188  
members of the central committee present at such meeting may make 189  
the appointment. 190

(E) If the last occupant of the office or the officer-elect, 191  
as provided in division (D) of this section, was elected as an 192  
independent candidate, the mayor of the city shall make the 193  
appointment at the time the vacancy occurs. 194

(F) Appointments made under this section shall be certified 195  
by the appointing county central committee or by the mayor of the 196  
municipal corporation to the county board of elections and to the 197  
secretary of state. The persons so appointed and certified shall 198  
be entitled to all remuneration provided by law for the offices to 199  
which they are appointed. 200

(G) The mayor of the city may appoint a person to hold the 201  
city office of director of law, auditor, or treasurer as an acting 202  
officer and to perform the duties thereof between the occurrence 203  
of the vacancy and the time when the person appointed by the 204

central committee qualifies and takes the office. 205

**Sec. 1901.10.** (A)(1)(a) The judges of the municipal court and 206  
officers of the court shall take an oath of office as provided in 207  
section 3.23 of the Revised Code. The office of judge of the 208  
municipal court is subject to forfeiture, and the judge may be 209  
removed from office, for the causes and by the procedure provided 210  
in sections 3.07 to 3.10 of the Revised Code. A vacancy in the 211  
office of judge exists upon the death, resignation, forfeiture, 212  
removal from office, or absence from official duties for a period 213  
of six consecutive months, as determined under this section, of 214  
the judge and also by reason of the expiration of the term of an 215  
incumbent when no successor has been elected or qualified. The 216  
chief justice of the supreme court may designate a judge of 217  
another municipal court to act until that vacancy is filled in 218  
accordance with section 107.08 of the Revised Code. A vacancy 219  
resulting from the absence of a judge from official duties for a 220  
period of six consecutive months shall be determined and declared 221  
by the legislative authority. 222

(b) If a vacancy occurs in the office of judge or clerk of 223  
the municipal court after the one-hundredth day before the first 224  
Tuesday after the first Monday in May and prior to the ~~fifty-sixth~~ 225  
fortieth day before the day of the general election, all 226  
candidates for election to the unexpired term of the judge or 227  
clerk shall file nominating petitions with the board of elections 228  
not later than four p.m. on the tenth day following the day on 229  
which the vacancy occurs, except that, when the vacancy occurs 230  
fewer than ~~four~~ six days before the ~~fifty-sixth~~ fortieth day 231  
before the general election, the deadline for filing shall be four 232  
p.m. on the ~~fiftieth~~ thirty-sixth day before the day of the 233  
general election. 234

(c) Each nominating petition referred to in division 235

(A)(1)(b) of this section shall be in the form prescribed in 236  
section 3513.261 of the Revised Code and shall be signed by at 237  
least fifty qualified electors of the territory of the municipal 238  
court. No nominating petition shall be accepted for filing or 239  
filed if it appears on its face to contain signatures aggregating 240  
in number more than twice the minimum aggregate number of 241  
signatures required by this section. 242

(2) If a judge of a municipal court that has only one judge 243  
is temporarily absent, incapacitated, or otherwise unavailable, 244  
the judge may appoint a substitute who has the qualifications 245  
required by section 1901.06 of the Revised Code or a retired judge 246  
of a court of record who is a qualified elector and a resident of 247  
the territory of the court. If the judge is unable to make the 248  
appointment, the chief justice of the supreme court shall appoint 249  
a substitute. The appointee shall serve during the absence, 250  
incapacity, or unavailability of the incumbent, shall have the 251  
jurisdiction and powers conferred upon the judge of the municipal 252  
court, and shall be styled "acting judge." During that time of 253  
service, the acting judge shall sign all process and records and 254  
shall perform all acts pertaining to the office, except that of 255  
removal and appointment of officers of the court. All courts shall 256  
take judicial notice of the selection and powers of the acting 257  
judge. The incumbent judge shall establish the amount of 258  
compensation of an acting judge upon either a per diem, hourly, or 259  
other basis, but the rate of pay shall not exceed the per diem 260  
amount received by the incumbent judge. 261

(B) When the volume of cases pending in any municipal court 262  
necessitates an additional judge, the chief justice of the supreme 263  
court, upon the written request of the judge or presiding judge of 264  
that municipal court, may designate a judge of another municipal 265  
court or county court to serve for any period of time that the 266  
chief justice may prescribe. The compensation of a judge so 267

designated shall be paid from the city treasury or, in the case of 268  
a county-operated municipal court, from the county treasury. In 269  
addition to the annual salary provided for in section 1901.11 of 270  
the Revised Code and in addition to any compensation under 271  
division (A)(5) or (6) of section 141.04 of the Revised Code to 272  
which the judge is entitled in connection with the judge's own 273  
court, a full-time or part-time judge while holding court outside 274  
the judge's territory on the designation of the chief justice 275  
shall receive actual and necessary expenses and compensation as 276  
follows: 277

(1) A full-time judge shall receive thirty dollars for each 278  
day of the assignment. 279

(2) A part-time judge shall receive for each day of the 280  
assignment the per diem compensation of the judges of the court to 281  
which the judge is assigned, less the per diem amount paid to 282  
those judges pursuant to section 141.04 of the Revised Code, 283  
calculated on the basis of two hundred fifty working days per 284  
year. 285

If a request is made by a judge or the presiding judge of a 286  
municipal court to designate a judge of another municipal court 287  
because of the volume of cases in the court for which the request 288  
is made and the chief justice reports, in writing, that no 289  
municipal or county court judge is available to serve by 290  
designation, the judges of the court requesting the designation 291  
may appoint a substitute as provided in division (A)(2) of this 292  
section, who may serve for any period of time that is prescribed 293  
by the chief justice. The substitute judge shall be paid in the 294  
same manner and at the same rate as the incumbent judges, except 295  
that, if the substitute judge is entitled to compensation under 296  
division (A)(5) or (6) of section 141.04 of the Revised Code, then 297  
section 1901.121 of the Revised Code shall govern its payment. 298

<b>Sec. 2301.02.</b> The number of judges of the court of common	299
pleas for each county, the time for the next election of the	300
judges in the several counties, and the beginning of their terms	301
shall be as follows:	302
(A) In Adams, Ashland, Fayette, and Pike counties, one judge,	303
elected in 1956, term to begin February 9, 1957;	304
In Brown, Crawford, Defiance, Highland, Holmes, Morgan,	305
Ottawa, and Union counties, one judge, to be elected in 1954, term	306
to begin February 9, 1955;	307
In Auglaize county, one judge, to be elected in 1956, term to	308
begin January 9, 1957;	309
In Coshocton, Darke, Fulton, Gallia, Guernsey, Hardin,	310
Jackson, Knox, Madison, Mercer, Monroe, Paulding, Vinton, and	311
Wyandot counties, one judge, to be elected in 1956, term to begin	312
January 1, 1957;	313
In Morrow county, two judges, one to be elected in 1956, term	314
to begin January 1, 1957, and one to be elected in 2006, term to	315
begin January 1, 2007;	316
In Logan county, two judges, one to be elected in 1956, term	317
to begin January 1, 1957, and one to be elected in 2004, term to	318
begin January 2, 2005;	319
In Carroll, Clinton, Hocking, Meigs, Pickaway, Preble,	320
Shelby, Van Wert, and Williams counties, one judge, to be elected	321
in 1952, term to begin January 1, 1953;	322
In Champaign county, two judges, one to be elected in 1952,	323
term to begin January 1, 1953, and one to be elected in 2008, term	324
to begin February 10, 2009-;	325
In Harrison and Noble counties, one judge, to be elected in	326
1954, term to begin April 18, 1955;	327

In Henry county, two judges, one to be elected in 1956, term	328
to begin May 9, 1957, and one to be elected in 2004, term to begin	329
January 1, 2005;	330
In Putnam county, one judge, to be elected in 1956, term to	331
begin May 9, 1957;	332
In Huron county, one judge, to be elected in 1952, term to	333
begin May 14, 1953;	334
In Perry county, one judge, to be elected in 1954, term to	335
begin July 6, 1956;	336
In Sandusky county, two judges, one to be elected in 1954,	337
term to begin February 10, 1955, and one to be elected in 1978,	338
term to begin January 1, 1979+.	339
(B) In Allen county, three judges, one to be elected in 1956,	340
term to begin February 9, 1957, the second to be elected in 1958,	341
term to begin January 1, 1959, and the third to be elected in	342
1992, term to begin January 1, 1993;	343
In Ashtabula county, three judges, one to be elected in 1954,	344
term to begin February 9, 1955, one to be elected in 1960, term to	345
begin January 1, 1961, and one to be elected in 1978, term to	346
begin January 2, 1979;	347
In Athens county, two judges, one to be elected in 1954, term	348
to begin February 9, 1955, and one to be elected in 1990, term to	349
begin July 1, 1991;	350
In Erie county, four judges, one to be elected in 1956, term	351
to begin January 1, 1957, the second to be elected in 1970, term	352
to begin January 2, 1971, the third to be elected in 2004, term to	353
begin January 2, 2005, and the fourth to be elected in 2008, term	354
to begin February 9, 2009;	355
In Fairfield county, three judges, one to be elected in 1954,	356
term to begin February 9, 1955, the second to be elected in 1970,	357

term to begin January 1, 1971, and the third to be elected in	358
1994, term to begin January 2, 1995;	359
In Geauga county, two judges, one to be elected in 1956, term	360
to begin January 1, 1957, and the second to be elected in 1976,	361
term to begin January 6, 1977;	362
In Greene county, four judges, one to be elected in 1956,	363
term to begin February 9, 1957, the second to be elected in 1960,	364
term to begin January 1, 1961, the third to be elected in 1978,	365
term to begin January 2, 1979, and the fourth to be elected in	366
1994, term to begin January 1, 1995;	367
In Hancock county, two judges, one to be elected in 1952,	368
term to begin January 1, 1953, and the second to be elected in	369
1978, term to begin January 1, 1979;	370
In Lawrence county, two judges, one to be elected in 1954,	371
term to begin February 9, 1955, and the second to be elected in	372
1976, term to begin January 1, 1977;	373
In Marion county, three judges, one to be elected in 1952,	374
term to begin January 1, 1953, the second to be elected in 1976,	375
term to begin January 2, 1977, and the third to be elected in	376
1998, term to begin February 9, 1999;	377
In Medina county, three judges, one to be elected in 1956,	378
term to begin January 1, 1957, the second to be elected in 1966,	379
term to begin January 1, 1967, and the third to be elected in	380
1994, term to begin January 1, 1995;	381
In Miami county, two judges, one to be elected in 1954, term	382
to begin February 9, 1955, and one to be elected in 1970, term to	383
begin on January 1, 1971;	384
In Muskingum county, three judges, one to be elected in 1968,	385
term to begin August 9, 1969, one to be elected in 1978, term to	386
begin January 1, 1979, and one to be elected in 2002, term to	387

begin January 2, 2003;	388
In Portage county, three judges, one to be elected in 1956,	389
term to begin January 1, 1957, the second to be elected in 1960,	390
term to begin January 1, 1961, and the third to be elected in	391
1986, term to begin January 2, 1987;	392
In Ross county, two judges, one to be elected in 1956, term	393
to begin February 9, 1957, and the second to be elected in 1976,	394
term to begin January 1, 1977;	395
In Scioto county, three judges, one to be elected in 1954,	396
term to begin February 10, 1955, the second to be elected in 1960,	397
term to begin January 1, 1961, and the third to be elected in	398
1994, term to begin January 2, 1995;	399
In Seneca county, two judges, one to be elected in 1956, term	400
to begin January 1, 1957, and the second to be elected in 1986,	401
term to begin January 2, 1987;	402
In Warren county, four judges, one to be elected in 1954,	403
term to begin February 9, 1955, the second to be elected in 1970,	404
term to begin January 1, 1971, the third to be elected in 1986,	405
term to begin January 1, 1987, and the fourth to be elected in	406
2004, term to begin January 2, 2005;	407
In Washington county, two judges, one to be elected in 1952,	408
term to begin January 1, 1953, and one to be elected in 1986, term	409
to begin January 1, 1987;	410
In Wood county, three judges, one to be elected in 1968, term	411
beginning January 1, 1969, the second to be elected in 1970, term	412
to begin January 2, 1971, and the third to be elected in 1990,	413
term to begin January 1, 1991;	414
In Belmont and Jefferson counties, two judges, to be elected	415
in 1954, terms to begin January 1, 1955, and February 9, 1955,	416
respectively;	417

In Clark county, four judges, one to be elected in 1952, term 418  
to begin January 1, 1953, the second to be elected in 1956, term 419  
to begin January 2, 1957, the third to be elected in 1986, term to 420  
begin January 3, 1987, and the fourth to be elected in 1994, term 421  
to begin January 2, 1995; 422

In Clermont county, five judges, one to be elected in 1956, 423  
term to begin January 1, 1957, the second to be elected in 1964, 424  
term to begin January 1, 1965, the third to be elected in 1982, 425  
term to begin January 2, 1983, the fourth to be elected in 1986, 426  
term to begin January 2, 1987; and the fifth to be elected in 427  
2006, term to begin January 3, 2007; 428

In Columbiana county, two judges, one to be elected in 1952, 429  
term to begin January 1, 1953, and the second to be elected in 430  
1956, term to begin January 1, 1957; 431

In Delaware county, two judges, one to be elected in 1990, 432  
term to begin February 9, 1991, the second to be elected in 1994, 433  
term to begin January 1, 1995; 434

In Lake county, six judges, one to be elected in 1958, term 435  
to begin January 1, 1959, the second to be elected in 1960, term 436  
to begin January 2, 1961, the third to be elected in 1964, term to 437  
begin January 3, 1965, the fourth and fifth to be elected in 1978, 438  
terms to begin January 4, 1979, and January 5, 1979, respectively, 439  
and the sixth to be elected in 2000, term to begin January 6, 440  
2001; 441

In Licking county, four judges, one to be elected in 1954, 442  
term to begin February 9, 1955, one to be elected in 1964, term to 443  
begin January 1, 1965, one to be elected in 1990, term to begin 444  
January 1, 1991, and one to be elected in 2004, term to begin 445  
January 1, 2005; 446

In Lorain county, nine judges, two to be elected in 1952, 447  
terms to begin January 1, 1953, and January 2, 1953, respectively, 448

one to be elected in 1958, term to begin January 3, 1959, one to 449  
be elected in 1968, term to begin January 1, 1969, two to be 450  
elected in 1988, terms to begin January 4, 1989, and January 5, 451  
1989, respectively, two to be elected in 1998, terms to begin 452  
January 2, 1999, and January 3, 1999, respectively; and one to be 453  
elected in 2006, term to begin January 6, 2007; 454

In Butler county, eleven judges, one to be elected in 1956, 455  
term to begin January 1, 1957; two to be elected in 1954, terms to 456  
begin January 1, 1955, and February 9, 1955, respectively; one to 457  
be elected in 1968, term to begin January 2, 1969; one to be 458  
elected in 1986, term to begin January 3, 1987; two to be elected 459  
in 1988, terms to begin January 1, 1989, and January 2, 1989, 460  
respectively; one to be elected in 1992, term to begin January 4, 461  
1993; two to be elected in 2002, terms to begin January 2, 2003, 462  
and January 3, 2003, respectively; and one to be elected in 2006, 463  
term to begin January 3, 2007; 464

In Richland county, four judges, one to be elected in 1956, 465  
term to begin January 1, 1957, the second to be elected in 1960, 466  
term to begin February 9, 1961, the third to be elected in 1968, 467  
term to begin January 2, 1969, and the fourth to be elected in 468  
2004, term to begin January 3, 2005; 469

In Tuscarawas county, two judges, one to be elected in 1956, 470  
term to begin January 1, 1957, and the second to be elected in 471  
1960, term to begin January 2, 1961; 472

In Wayne county, two judges, one to be elected in 1956, term 473  
beginning January 1, 1957, and one to be elected in 1968, term to 474  
begin January 2, 1969; 475

In Trumbull county, six judges, one to be elected in 1952, 476  
term to begin January 1, 1953, the second to be elected in 1954, 477  
term to begin January 1, 1955, the third to be elected in 1956, 478  
term to begin January 1, 1957, the fourth to be elected in 1964, 479

term to begin January 1, 1965, the fifth to be elected in 1976, 480  
term to begin January 2, 1977, and the sixth to be elected in 481  
1994, term to begin January 3, 1995; 482

(C) In Cuyahoga county, thirty-nine judges; eight to be 483  
elected in 1954, terms to begin on successive days beginning from 484  
January 1, 1955, to January 7, 1955, and February 9, 1955, 485  
respectively; eight to be elected in 1956, terms to begin on 486  
successive days beginning from January 1, 1957, to January 8, 487  
1957; three to be elected in 1952, terms to begin from January 1, 488  
1953, to January 3, 1953; two to be elected in 1960, terms to 489  
begin on January 8, 1961, and January 9, 1961, respectively; two 490  
to be elected in 1964, terms to begin January 4, 1965, and January 491  
5, 1965, respectively; one to be elected in 1966, term to begin on 492  
January 10, 1967; four to be elected in 1968, terms to begin on 493  
successive days beginning from January 9, 1969, to January 12, 494  
1969; two to be elected in 1974, terms to begin on January 18, 495  
1975, and January 19, 1975, respectively; five to be elected in 496  
1976, terms to begin on successive days beginning January 6, 1977, 497  
to January 10, 1977; two to be elected in 1982, terms to begin 498  
January 11, 1983, and January 12, 1983, respectively; and two to 499  
be elected in 1986, terms to begin January 13, 1987, and January 500  
14, 1987, respectively; 501

In Franklin county, twenty-two judges; two to be elected in 502  
1954, terms to begin January 1, 1955, and February 9, 1955, 503  
respectively; four to be elected in 1956, terms to begin January 504  
1, 1957, to January 4, 1957; four to be elected in 1958, terms to 505  
begin January 1, 1959, to January 4, 1959; three to be elected in 506  
1968, terms to begin January 5, 1969, to January 7, 1969; three to 507  
be elected in 1976, terms to begin on successive days beginning 508  
January 5, 1977, to January 7, 1977; one to be elected in 1982, 509  
term to begin January 8, 1983; one to be elected in 1986, term to 510  
begin January 9, 1987; two to be elected in 1990, terms to begin 511

July 1, 1991, and July 2, 1991, respectively; one to be elected in 512  
1996, term to begin January 2, 1997; and one to be elected in 513  
2004, term to begin July 1, 2005; 514

In Hamilton county, twenty-one judges; eight to be elected in 515  
1966, terms to begin January 1, 1967, January 2, 1967, and from 516  
February 9, 1967, to February 14, 1967, respectively; five to be 517  
elected in 1956, terms to begin from January 1, 1957, to January 518  
5, 1957; one to be elected in 1964, term to begin January 1, 1965; 519  
one to be elected in 1974, term to begin January 15, 1975; one to 520  
be elected in 1980, term to begin January 16, 1981; two to be 521  
elected at large in the general election in 1982, terms to begin 522  
April 1, 1983; one to be elected in 1990, term to begin July 1, 523  
1991; and two to be elected in 1996, terms to begin January 3, 524  
1997, and January 4, 1997, respectively; 525

In Lucas county, fourteen judges; two to be elected in 1954, 526  
terms to begin January 1, 1955, and February 9, 1955, 527  
respectively; two to be elected in 1956, terms to begin January 1, 528  
1957, and October 29, 1957, respectively; two to be elected in 529  
1952, terms to begin January 1, 1953, and January 2, 1953, 530  
respectively; one to be elected in 1964, term to begin January 3, 531  
1965; one to be elected in 1968, term to begin January 4, 1969; 532  
two to be elected in 1976, terms to begin January 4, 1977, and 533  
January 5, 1977, respectively; one to be elected in 1982, term to 534  
begin January 6, 1983; one to be elected in 1988, term to begin 535  
January 7, 1989; one to be elected in 1990, term to begin January 536  
2, 1991; and one to be elected in 1992, term to begin January 2, 537  
1993; 538

In Mahoning county, seven judges; three to be elected in 539  
1954, terms to begin January 1, 1955, January 2, 1955, and 540  
February 9, 1955, respectively; one to be elected in 1956, term to 541  
begin January 1, 1957; one to be elected in 1952, term to begin 542  
January 1, 1953; one to be elected in 1968, term to begin January 543

2, 1969; and one to be elected in 1990, term to begin July 1, 544  
1991; 545

In Montgomery county, fifteen judges; three to be elected in 546  
1954, terms to begin January 1, 1955, January 2, 1955, and January 547  
3, 1955, respectively; four to be elected in 1952, terms to begin 548  
January 1, 1953, January 2, 1953, July 1, 1953, and July 2, 1953, 549  
respectively; one to be elected in 1964, term to begin January 3, 550  
1965; one to be elected in 1968, term to begin January 3, 1969; 551  
three to be elected in 1976, terms to begin on successive days 552  
beginning January 4, 1977, to January 6, 1977; two to be elected 553  
in 1990, terms to begin July 1, 1991, and July 2, 1991, 554  
respectively; and one to be elected in 1992, term to begin January 555  
1, 1993-; 556

In Stark county, eight judges; one to be elected in 1958, 557  
term to begin on January 2, 1959; two to be elected in 1954, terms 558  
to begin on January 1, 1955, and February 9, 1955, respectively; 559  
two to be elected in 1952, terms to begin January 1, 1953, and 560  
April 16, 1953, respectively; one to be elected in 1966, term to 561  
begin on January 4, 1967; and two to be elected in 1992, terms to 562  
begin January 1, 1993, and January 2, 1993, respectively; 563

In Summit county, thirteen judges; four to be elected in 564  
1954, terms to begin January 1, 1955, January 2, 1955, January 3, 565  
1955, and February 9, 1955, respectively; three to be elected in 566  
1958, terms to begin January 1, 1959, January 2, 1959, and May 17, 567  
1959, respectively; one to be elected in 1966, term to begin 568  
January 4, 1967; one to be elected in 1968, term to begin January 569  
5, 1969; one to be elected in 1990, term to begin May 1, 1991; one 570  
to be elected in 1992, term to begin January 6, 1993; and two to 571  
be elected in 2008, terms to begin January 5, 2009, and January 6, 572  
2009, respectively. 573

Notwithstanding the foregoing provisions, in any county 574  
having two or more judges of the court of common pleas, in which 575

more than one-third of the judges plus one were previously elected 576  
at the same election, if the office of one of those judges so 577  
elected becomes vacant more than ~~fifty-six~~ forty days prior to the 578  
second general election preceding the expiration of that judge's 579  
term, the office that that judge had filled shall be abolished as 580  
of the date of the next general election, and a new office of 581  
judge of the court of common pleas shall be created. The judge who 582  
is to fill that new office shall be elected for a six-year term at 583  
the next general election, and the term of that judge shall 584  
commence on the first day of the year following that general 585  
election, on which day no other judge's term begins, so that the 586  
number of judges that the county shall elect shall not be reduced. 587

Judges of the probate division of the court of common pleas 588  
are judges of the court of common pleas but shall be elected 589  
pursuant to sections 2101.02 and 2101.021 of the Revised Code, 590  
except in Adams, Harrison, Henry, Morgan, Noble, and Wyandot 591  
counties in which the judge of the court of common pleas elected 592  
pursuant to this section also shall serve as judge of the probate 593  
division, except in Lorain county in which the judges of the 594  
domestic relations division of the Lorain county court of common 595  
pleas elected pursuant to this section also shall perform the 596  
duties and functions of the judge of the probate division from 597  
February 9, 2009, through September 28, 2009, and except in Morrow 598  
county in which the judges of the court of common pleas elected 599  
pursuant to this section also shall perform the duties and 600  
functions of the judge of the probate division. 601

**Sec. 3501.301.** A contract involving a cost in excess of ~~ten~~ 602  
twenty-five thousand dollars for printing and furnishing the 603  
supplies, other than the official ballots, required in section 604  
3501.30 of the Revised Code, shall not be let until the board of 605  
elections has caused notice to be published once in a newspaper of 606  
general circulation within the county or upon notice given by 607

mail, addressed to the responsible suppliers within the state. The 608  
board of elections may require that each bid be accompanied by a 609  
bond, with at least two individual sureties, or a surety company, 610  
satisfactory to the board, in a sum double the amount of the bid, 611  
conditioned upon the faithful performance of the contract awarded 612  
and for the payment as damages by such bidder to the board of any 613  
excess of cost over the bid which it may be required to pay for 614  
such work by reason of the failure of the bidder to complete the 615  
contract. The contract shall be let to the lowest and best bidder. 616

Sec. 3501.302. The secretary of state may enter into 617  
agreements for the bulk purchase of election supplies in order to 618  
reduce the costs for such purchases by individual boards of 619  
elections. A board of elections desiring to participate in such 620  
purchase agreements shall file with the secretary of state a 621  
written request for inclusion. A request for inclusion shall 622  
include an agreement to be bound by such terms and conditions as 623  
the secretary of state prescribes and to make direct payments to 624  
the vendor under each purchase agreement. 625

**Sec. 3501.38.** All declarations of candidacy, nominating 626  
petitions, or other petitions presented to or filed with the 627  
secretary of state or a board of elections or with any other 628  
public office for the purpose of becoming a candidate for any 629  
nomination or office or for the holding of an election on any 630  
issue shall, in addition to meeting the other specific 631  
requirements prescribed in the sections of the Revised Code 632  
relating to them, be governed by the following rules: 633

(A) Only electors qualified to vote on the candidacy or issue 634  
which is the subject of the petition shall sign a petition. Each 635  
signer shall be a registered elector pursuant to section ~~3503.11~~ 636  
3503.01 of the Revised Code. The facts of qualification shall be 637  
determined as of the date when the petition is filed. 638

(B) Signatures shall be affixed in ink. Each signer may also 639  
print the signer's name, so as to clearly identify the signer's 640  
signature. 641

(C) Each signer shall place on the petition after the 642  
signer's name the date of signing and the location of the signer's 643  
voting residence, including the street and number if in a 644  
municipal corporation or the rural route number, post office 645  
address, or township if outside a municipal corporation. The 646  
voting address given on the petition shall be the address 647  
appearing in the registration records at the board of elections. 648

(D) Except as otherwise provided in section 3501.382 of the 649  
Revised Code, no person shall write any name other than the 650  
person's own on any petition. Except as otherwise provided in 651  
section 3501.382 of the Revised Code, no person may authorize 652  
another to sign for the person. If a petition contains the 653  
signature of an elector two or more times, only the first 654  
signature shall be counted. 655

(E)(1) On each petition paper, the circulator shall indicate 656  
the number of signatures contained on it, and shall sign a 657  
statement made under penalty of election falsification that the 658  
circulator witnessed the affixing of every signature, that all 659  
signers were to the best of the circulator's knowledge and belief 660  
qualified to sign, and that every signature is to the best of the 661  
circulator's knowledge and belief the signature of the person 662  
whose signature it purports to be or of an attorney in fact acting 663  
pursuant to section 3501.382 of the Revised Code. On the 664  
circulator's statement for a declaration of candidacy or 665  
nominating petition for a person seeking to become a statewide 666  
candidate or for a statewide initiative or a statewide referendum 667  
petition, the circulator shall identify the circulator's name, the 668  
address of the circulator's permanent residence, and the name and 669  
address of the person employing the circulator to circulate the 670

petition, if any. 671

(2) As used in division (E) of this section, "statewide 672  
candidate" means the joint candidates for the offices of governor 673  
and lieutenant governor or a candidate for the office of secretary 674  
of state, auditor of state, treasurer of state, or attorney 675  
general. 676

(F) Except as otherwise provided in section 3501.382 of the 677  
Revised Code, if a circulator knowingly permits an unqualified 678  
person to sign a petition paper or permits a person to write a 679  
name other than the person's own on a petition paper, that 680  
petition paper is invalid; otherwise, the signature of a person 681  
not qualified to sign shall be rejected but shall not invalidate 682  
the other valid signatures on the paper. 683

(G) The circulator of a petition may, before filing it in a 684  
public office, strike from it any signature the circulator does 685  
not wish to present as a part of the petition. 686

(H) Any signer of a petition or an attorney in fact acting 687  
pursuant to section 3501.382 of the Revised Code on behalf of a 688  
signer may remove the signer's signature from that petition at any 689  
time before the petition is filed in a public office by striking 690  
the signer's name from the petition; no signature may be removed 691  
after the petition is filed in any public office. 692

(I)(1) No alterations, corrections, or additions may be made 693  
to a petition after it is filed in a public office. 694

(2)(a) No declaration of candidacy, nominating petition, or 695  
other petition for the purpose of becoming a candidate may be 696  
withdrawn after it is filed in a public office. Nothing in this 697  
division prohibits a person from withdrawing as a candidate as 698  
otherwise provided by law. 699

(b) No petition presented to or filed with the secretary of 700  
state, a board of elections, or any other public office for the 701

purpose of the holding of an election on any question or issue may 702  
be resubmitted after it is withdrawn from a public office or 703  
rejected as containing insufficient signatures. Nothing in this 704  
division prevents a question or issue petition from being 705  
withdrawn by the filing of a written notice of the withdrawal by a 706  
majority of the members of the petitioning committee with the same 707  
public office with which the petition was filed prior to the 708  
sixtieth day before the election at which the question or issue is 709  
scheduled to appear on the ballot. 710

(J) All declarations of candidacy, nominating petitions, or 711  
other petitions under this section shall be accompanied by the 712  
following statement in boldface capital letters: WHOEVER COMMITS 713  
ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. 714

(K) All separate petition papers shall be filed at the same 715  
time, as one instrument. 716

(L) If a board of elections distributes for use a petition 717  
form for a declaration of candidacy, nominating petition, or any 718  
type of question or issue petition that does not satisfy the 719  
requirements of law as of the date of that distribution, the board 720  
shall not invalidate the petition on the basis that the petition 721  
form does not satisfy the requirements of law, if the petition 722  
otherwise is valid. Division (L) of this section applies only if 723  
the candidate received the petition from the board within ninety 724  
days of when the petition is required to be filed. 725

**Sec. 3503.06.** (A) No person shall be entitled to vote at any 726  
election, ~~or to sign or circulate any declaration of candidacy or~~ 727  
~~any nominating, or recall petition,~~ unless the person is 728  
registered as an elector and will have resided in the county and 729  
precinct where the person is registered for at least thirty days 730  
at the time of the next election. 731

(B)~~(1)~~ No person shall be entitled to sign any petition, 732

unless the person is registered as an elector and resides in a 733  
precinct in which the candidacy or issue that is the subject of 734  
the petition will appear on the ballot. 735

(C)(1)(a) Except for a nominating petition for presidential 736  
electors, no person shall be entitled to circulate any initiative 737  
or referendum petition unless the person is a resident of this 738  
state and is at least eighteen years of age. 739

(b) No person shall be entitled to circulate a nominating 740  
petition for presidential electors unless the person is at least 741  
eighteen years of age. 742

(2) All election officials, in determining the residence of a 743  
person circulating a petition under division ~~(B)~~(C)(1) of this 744  
section, shall be governed by the following rules: 745

(a) That place shall be considered the residence of a person 746  
in which the person's habitation is fixed and to which, whenever 747  
the person is absent, the person has the intention of returning. 748

(b) A person shall not be considered to have lost the 749  
person's residence who leaves the person's home and goes into 750  
another state for temporary purposes only, with the intention of 751  
returning. 752

(c) A person shall not be considered to have gained a 753  
residence in any county of this state into which the person comes 754  
for temporary purposes only, without the intention of making that 755  
county the permanent place of abode. 756

(d) If a person removes to another state with the intention 757  
of making that state the person's residence, the person shall be 758  
considered to have lost the person's residence in this state. 759

(e) Except as otherwise provided in division ~~(B)~~(C)(2)(f) of 760  
this section, if a person removes from this state and continuously 761  
resides outside this state for a period of four years or more, the 762

person shall be considered to have lost the person's residence in 763  
this state, notwithstanding the fact that the person may entertain 764  
an intention to return at some future period. 765

(f) If a person removes from this state to engage in the 766  
services of the United States government, the person shall not be 767  
considered to have lost the person's residence in this state 768  
during the period of that service, and likewise should the person 769  
enter the employment of the state, the place where that person 770  
resided at the time of the person's removal shall be considered to 771  
be the person's place of residence. 772

(g) If a person goes into another state and, while there, 773  
exercises the right of a citizen by voting, the person shall be 774  
considered to have lost the person's residence in this state. 775

~~(C) No person shall be entitled to sign any initiative or 776  
referendum petition unless the person is registered as an elector 777  
and will have resided in the county and precinct where the person 778  
is registered for at least thirty days at the time of the next 779  
election. 780~~

**Sec. 3503.14.** (A) The secretary of state shall prescribe the 781  
form and content of the registration, change of residence, and 782  
change of name forms used in this state. The forms shall meet the 783  
requirements of the National Voter Registration Act of 1993 and 784  
shall include spaces for all of the following: 785

(1) The voter's name; 786

(2) The voter's address; 787

(3) The current date; 788

(4) The voter's date of birth; 789

(5) The voter to provide one or more of the following: 790

(a) The voter's driver's license number, if any; 791

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

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

(6) The voter's signature.

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

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

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

(1) An election official;

(2) A county treasurer;	823
(3) A deputy registrar of motor vehicles;	824
(4) An employee of a designated agency;	825
(5) An employee of a public high school;	826
(6) An employee of a public vocational school;	827
(7) An employee of a public library;	828
(8) An employee of the office of a county treasurer;	829
(9) An employee of the bureau of motor vehicles;	830
(10) An employee of a deputy registrar of motor vehicles;	831
(11) An employee of an election official.	832
(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.	833 834 835 836 837 838 839 840 841 842 843
(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.	844 845 846 847 848 849
(E) As used in this section, "registering an applicant" includes any effort, for compensation, to provide voter	850 851

registration forms or to assist persons in completing or returning 852  
those forms. 853

**Sec. 3503.16.** (A) Whenever a registered elector changes the 854  
place of residence of that registered elector from one precinct to 855  
another within a county or from one county to another, or has a 856  
change of name, that registered elector shall report the change by 857  
delivering a change of residence or change of name form, whichever 858  
is appropriate, as prescribed by the secretary of state under 859  
section 3503.14 of the Revised Code to the state or local office 860  
of a designated agency, a public high school or vocational school, 861  
a public library, the office of the county treasurer, the office 862  
of the secretary of state, any office of the registrar or deputy 863  
registrar of motor vehicles, or any office of a board of elections 864  
in person or by a third person. Any voter registration, change of 865  
address, or change of name application, returned by mail, may be 866  
sent only to the secretary of state or the board of elections. 867

A registered elector also may update the registration of that 868  
registered elector by filing a change of residence or change of 869  
name form on the day of a special, primary, or general election at 870  
the polling place in the precinct in which that registered elector 871  
resides or at the board of elections or at another site designated 872  
by the board. 873

(B)(1)(a) Any registered elector who moves within a precinct 874  
on or prior to the day of a general, primary, or special election 875  
and has not filed a notice of change of residence with the board 876  
of elections may vote in that election by going to that registered 877  
elector's assigned polling place, completing and signing a notice 878  
of change of residence, showing identification in the form of a 879  
current and valid photo identification, a military identification, 880  
or a copy of a current utility bill, bank statement, government 881  
check, paycheck, or other government document, other than a ~~notice~~ 882

~~of an election mailed by a board of elections under section~~ 883  
~~3501.19 of the Revised Code or a notice of voter registration~~ 884  
mailed by a board of elections under section 3503.19 of the 885  
Revised Code, that shows the name and current address of the 886  
elector, and casting a ballot. If the elector provides either a 887  
driver's license or a state identification card issued under 888  
section 4507.50 of the Revised Code that does not contain the 889  
elector's current residence address, the elector shall provide the 890  
last four digits of the elector's driver's license number or state 891  
identification card number, and the precinct election official 892  
shall mark the poll list or signature pollbook to indicate that 893  
the elector has provided a driver's license or state 894  
identification card number with a former address and record the 895  
last four digits of the elector's driver's license number or state 896  
identification card number. 897

(b) Any registered elector who changes the name of that 898  
registered elector and remains within a precinct on or prior to 899  
the day of a general, primary, or special election and has not 900  
filed a notice of change of name with the board of elections may 901  
vote in that election by going to that registered elector's 902  
assigned polling place, completing and signing a notice of a 903  
change of name, and casting a provisional ballot under section 904  
3505.181 of the Revised Code. 905

(2) Any registered elector who moves from one precinct to 906  
another within a county or moves from one precinct to another and 907  
changes the name of that registered elector on or prior to the day 908  
of a general, primary, or special election and has not filed a 909  
notice of change of residence or change of name, whichever is 910  
appropriate, with the board of elections may vote in that election 911  
if that registered elector complies with division (G) of this 912  
section or does all of the following: 913

(a) Appears at anytime during regular business hours on or 914

after the twenty-eighth day prior to the election in which that 915  
registered elector wishes to vote or, if the election is held on 916  
the day of a presidential primary election, the twenty-fifth day 917  
prior to the election, through noon of the Saturday prior to the 918  
election at the office of the board of elections, appears at any 919  
time during regular business hours on the Monday prior to the 920  
election at the office of the board of elections, or appears on 921  
the day of the election at either of the following locations: 922

(i) The polling place in the precinct in which that 923  
registered elector resides; 924

(ii) The office of the board of elections or, if pursuant to 925  
division (C) of section 3501.10 of the Revised Code the board has 926  
designated another location in the county at which registered 927  
electors may vote, at that other location instead of the office of 928  
the board of elections. 929

(b) Completes and signs, under penalty of election 930  
falsification, a notice of change of residence or change of name, 931  
whichever is appropriate, and files it with election officials at 932  
the polling place, at the office of the board of elections, or, if 933  
pursuant to division (C) of section 3501.10 of the Revised Code 934  
the board has designated another location in the county at which 935  
registered electors may vote, at that other location instead of 936  
the office of the board of elections, whichever is appropriate; 937

(c) Votes a provisional ballot under section 3505.181 of the 938  
Revised Code at the polling place, at the office of the board of 939  
elections, or, if pursuant to division (C) of section 3501.10 of 940  
the Revised Code the board has designated another location in the 941  
county at which registered electors may vote, at that other 942  
location instead of the office of the board of elections, 943  
whichever is appropriate, using the address to which that 944  
registered elector has moved or the name of that registered 945  
elector as changed, whichever is appropriate; 946

(d) Completes and signs, under penalty of election 947  
falsification, a statement attesting that that registered elector 948  
moved or had a change of name, whichever is appropriate, on or 949  
prior to the day of the election, has voted a provisional ballot 950  
at the polling place in the precinct in which that registered 951  
elector resides, at the office of the board of elections, or, if 952  
pursuant to division (C) of section 3501.10 of the Revised Code 953  
the board has designated another location in the county at which 954  
registered electors may vote, at that other location instead of 955  
the office of the board of elections, whichever is appropriate, 956  
and will not vote or attempt to vote at any other location for 957  
that particular election. The statement required under division 958  
(B)(2)(d) of this section shall be included on the notice of 959  
change of residence or change of name, whichever is appropriate, 960  
required under division (B)(2)(b) of this section. 961

(C) Any registered elector who moves from one county to 962  
another county within the state on or prior to the day of a 963  
general, primary, or special election and has not registered to 964  
vote in the county to which that registered elector moved may vote 965  
in that election if that registered elector complies with division 966  
(G) of this section or does all of the following: 967

(1) Appears at any time during regular business hours on or 968  
after the twenty-eighth day prior to the election in which that 969  
registered elector wishes to vote or, if the election is held on 970  
the day of a presidential primary election, the twenty-fifth day 971  
prior to the election, through noon of the Saturday prior to the 972  
election at the office of the board of elections or, if pursuant 973  
to division (C) of section 3501.10 of the Revised Code the board 974  
has designated another location in the county at which registered 975  
electors may vote, at that other location instead of the office of 976  
the board of elections, appears during regular business hours on 977  
the Monday prior to the election at the office of the board of 978

elections or, if pursuant to division (C) of section 3501.10 of 979  
the Revised Code the board has designated another location in the 980  
county at which registered electors may vote, at that other 981  
location instead of the office of the board of elections, or 982  
appears on the day of the election at the office of the board of 983  
elections or, if pursuant to division (C) of section 3501.10 of 984  
the Revised Code the board has designated another location in the 985  
county at which registered electors may vote, at that other 986  
location instead of the office of the board of elections; 987

(2) Completes and signs, under penalty of election 988  
falsification, a notice of change of residence and files it with 989  
election officials at the board of elections or, if pursuant to 990  
division (C) of section 3501.10 of the Revised Code the board has 991  
designated another location in the county at which registered 992  
electors may vote, at that other location instead of the office of 993  
the board of elections; 994

(3) Votes a provisional ballot under section 3505.181 of the 995  
Revised Code at the office of the board of elections or, if 996  
pursuant to division (C) of section 3501.10 of the Revised Code 997  
the board has designated another location in the county at which 998  
registered electors may vote, at that other location instead of 999  
the office of the board of elections, using the address to which 1000  
that registered elector has moved; 1001

(4) Completes and signs, under penalty of election 1002  
falsification, a statement attesting that that registered elector 1003  
has moved from one county to another county within the state on or 1004  
prior to the day of the election, has voted at the office of the 1005  
board of elections or, if pursuant to division (C) of section 1006  
3501.10 of the Revised Code the board has designated another 1007  
location in the county at which registered electors may vote, at 1008  
that other location instead of the office of the board of 1009  
elections, and will not vote or attempt to vote at any other 1010

location for that particular election. The statement required 1011  
under division (C)(4) of this section shall be included on the 1012  
notice of change of residence required under division (C)(2) of 1013  
this section. 1014

(D) A person who votes by absent voter's ballots pursuant to 1015  
division (G) of this section shall not make written application 1016  
for the ballots pursuant to Chapter 3509. of the Revised Code. 1017  
Ballots cast pursuant to division (G) of this section shall be set 1018  
aside in a special envelope and counted during the official 1019  
canvass of votes in the manner provided for in sections 3505.32 1020  
and 3509.06 of the Revised Code insofar as that manner is 1021  
applicable. The board shall examine the pollbooks to verify that 1022  
no ballot was cast at the polls or by absent voter's ballots under 1023  
Chapter 3509. or 3511. of the Revised Code by an elector who has 1024  
voted by absent voter's ballots pursuant to division (G) of this 1025  
section. Any ballot determined to be insufficient for any of the 1026  
reasons stated above or stated in section 3509.07 of the Revised 1027  
Code shall not be counted. 1028

Subject to division (C) of section 3501.10 of the Revised 1029  
Code, a board of elections may lease or otherwise acquire a site 1030  
different from the office of the board at which registered 1031  
electors may vote pursuant to division (B) or (C) of this section. 1032

(E) Upon receiving a change of residence or change of name 1033  
form, the board of elections shall immediately send the registrant 1034  
an acknowledgment notice. If the change of residence or change of 1035  
name form is valid, the board shall update the voter's 1036  
registration as appropriate. If that form is incomplete, the board 1037  
shall inform the registrant in the acknowledgment notice specified 1038  
in this division of the information necessary to complete or 1039  
update that registrant's registration. 1040

(F) Change of residence and change of name forms shall be 1041  
available at each polling place, and when these forms are 1042

completed, noting changes of residence or name, as appropriate, 1043  
they shall be filed with election officials at the polling place. 1044  
Election officials shall return completed forms, together with the 1045  
pollbooks and tally sheets, to the board of elections. 1046

The board of elections shall provide change of residence and 1047  
change of name forms to the probate court and court of common 1048  
pleas. The court shall provide the forms to any person eighteen 1049  
years of age or older who has a change of name by order of the 1050  
court or who applies for a marriage license. The court shall 1051  
forward all completed forms to the board of elections within five 1052  
days after receiving them. 1053

(G) A registered elector who otherwise would qualify to vote 1054  
under division (B) or (C) of this section but is unable to appear 1055  
at the office of the board of elections or, if pursuant to 1056  
division (C) of section 3501.10 of the Revised Code the board has 1057  
designated another location in the county at which registered 1058  
electors may vote, at that other location, on account of personal 1059  
illness, physical disability, or infirmity, may vote on the day of 1060  
the election if that registered elector does all of the following: 1061

(1) Makes a written application that includes all of the 1062  
information required under section 3509.03 of the Revised Code to 1063  
the appropriate board for an absent voter's ballot on or after the 1064  
twenty-seventh day prior to the election in which the registered 1065  
elector wishes to vote through noon of the Saturday prior to that 1066  
election and requests that the absent voter's ballot be sent to 1067  
the address to which the registered elector has moved if the 1068  
registered elector has moved, or to the address of that registered 1069  
elector who has not moved but has had a change of name; 1070

(2) Declares that the registered elector has moved or had a 1071  
change of name, whichever is appropriate, and otherwise is 1072  
qualified to vote under the circumstances described in division 1073  
(B) or (C) of this section, whichever is appropriate, but that the 1074

registered elector is unable to appear at the board of elections 1075  
because of personal illness, physical disability, or infirmity; 1076

(3) Completes and returns along with the completed absent 1077  
voter's ballot a notice of change of residence indicating the 1078  
address to which the registered elector has moved, or a notice of 1079  
change of name, whichever is appropriate; 1080

(4) Completes and signs, under penalty of election 1081  
falsification, a statement attesting that the registered elector 1082  
has moved or had a change of name on or prior to the day before 1083  
the election, has voted by absent voter's ballot because of 1084  
personal illness, physical disability, or infirmity that prevented 1085  
the registered elector from appearing at the board of elections, 1086  
and will not vote or attempt to vote at any other location or by 1087  
absent voter's ballot mailed to any other location or address for 1088  
that particular election. 1089

**Sec. 3503.19.** (A) Persons qualified to register or to change 1090  
their registration because of a change of address or change of 1091  
name may register or change their registration in person at any 1092  
state or local office of a designated agency, at the office of the 1093  
registrar or any deputy registrar of motor vehicles, at a public 1094  
high school or vocational school, at a public library, at the 1095  
office of a county treasurer, or at a branch office established by 1096  
the board of elections, or in person, through another person, or 1097  
by mail at the office of the secretary of state or at the office 1098  
of a board of elections. A registered elector may also change the 1099  
elector's registration on election day at any polling place where 1100  
the elector is eligible to vote, in the manner provided under 1101  
section 3503.16 of the Revised Code. 1102

Any state or local office of a designated agency, the office 1103  
of the registrar or any deputy registrar of motor vehicles, a 1104  
public high school or vocational school, a public library, or the 1105

office of a county treasurer shall transmit any voter registration 1106  
application or change of registration form that it receives to the 1107  
board of elections of the county in which the state or local 1108  
office is located, within five days after receiving the voter 1109  
registration application or change of registration form. 1110

An otherwise valid voter registration application that is 1111  
returned to the appropriate office other than by mail must be 1112  
received by a state or local office of a designated agency, the 1113  
office of the registrar or any deputy registrar of motor vehicles, 1114  
a public high school or vocational school, a public library, the 1115  
office of a county treasurer, the office of the secretary of 1116  
state, or the office of a board of elections no later than the 1117  
thirtieth day preceding a primary, special, or general election 1118  
for the person to qualify as an elector eligible to vote at that 1119  
election. An otherwise valid registration application received 1120  
after that day entitles the elector to vote at all subsequent 1121  
elections. 1122

Any state or local office of a designated agency, the office 1123  
of the registrar or any deputy registrar of motor vehicles, a 1124  
public high school or vocational school, a public library, or the 1125  
office of a county treasurer shall date stamp a registration 1126  
application or change of name or change of address form it 1127  
receives using a date stamp that does not disclose the identity of 1128  
the state or local office that receives the registration. 1129

Voter registration applications, if otherwise valid, that are 1130  
returned by mail to the office of the secretary of state or to the 1131  
office of a board of elections must be postmarked no later than 1132  
the thirtieth day preceding a primary, special, or general 1133  
election in order for the person to qualify as an elector eligible 1134  
to vote at that election. If an otherwise valid voter registration 1135  
application that is returned by mail does not bear a postmark or a 1136  
legible postmark, the registration shall be valid for that 1137

election if received by the office of the secretary of state or 1138  
the office of a board of elections no later than twenty-five days 1139  
preceding any special, primary, or general election. 1140

(B)(1) Any person may apply in person, by telephone, by mail, 1141  
or through another person for voter registration forms to the 1142  
office of the secretary of state or the office of a board of 1143  
elections. An individual who is eligible to vote as a uniformed 1144  
services voter or an overseas voter in accordance with 42 U.S.C. 1145  
1973ff-6 also may apply for voter registration forms by electronic 1146  
means to the office of the secretary of state or to the board of 1147  
elections of the county in which the person's voting residence is 1148  
located pursuant to section 3503.191 of the Revised Code. 1149

(2)(a) An applicant may return the applicant's completed 1150  
registration form in person or by mail to any state or local 1151  
office of a designated agency, to a public high school or 1152  
vocational school, to a public library, to the office of a county 1153  
treasurer, to the office of the secretary of state, or to the 1154  
office of a board of elections. An applicant who is eligible to 1155  
vote as a uniformed services voter or an overseas voter in 1156  
accordance with 42 U.S.C. 1973ff-6 also may return the applicant's 1157  
completed voter registration form electronically to the office of 1158  
the secretary of state or to the board of elections of the county 1159  
in which the person's voting residence is located pursuant to 1160  
section 3503.191 of the Revised Code. 1161

(b) Subject to division (B)(2)(c) of this section, an 1162  
applicant may return the applicant's completed registration form 1163  
through another person to any board of elections or the office of 1164  
the secretary of state. 1165

(c) A person who receives compensation for registering a 1166  
voter shall return any registration form entrusted to that person 1167  
by an applicant to any board of elections or to the office of the 1168  
secretary of state. 1169

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

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

- (a) The applicant's registration;
- (b) The precinct in which the applicant is to vote;
- (c) In bold type as follows:

"Voters must bring identification to the polls in order to verify identity. Identification may include a current and valid photo identification, a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than this notification ~~or a notification of an election mailed by a board of elections~~, that shows the voter's name and current address. Voters who do not

provide one of these documents will still be able to vote by 1201  
casting a provisional ballot. Voters who do not have any of the 1202  
above forms of identification, including a social security number, 1203  
will still be able to vote by signing an affirmation swearing to 1204  
the voter's identity under penalty of election falsification and 1205  
by casting a provisional ballot." 1206

The notification shall be by nonforwardable mail. If the mail 1207  
is returned to the board, it shall investigate and cause the 1208  
notification to be delivered to the correct address. 1209

(2) If, after investigating as required under division (C)(1) 1210  
of this section, the board is unable to verify the voter's correct 1211  
address, it shall cause the voter's name in the official 1212  
registration list and in the poll list or signature pollbook to be 1213  
marked to indicate that the voter's notification was returned to 1214  
the board. 1215

At the first election at which a voter whose name has been so 1216  
marked appears to vote, the voter shall be required to provide 1217  
identification to the election officials and to vote by 1218  
provisional ballot under section 3505.181 of the Revised Code. If 1219  
the provisional ballot is counted pursuant to division (B)(3) of 1220  
section 3505.183 of the Revised Code, the board shall correct that 1221  
voter's registration, if needed, and shall remove the indication 1222  
that the voter's notification was returned from that voter's name 1223  
on the official registration list and on the poll list or 1224  
signature pollbook. If the provisional ballot is not counted 1225  
pursuant to division (B)(4)(a)(i), (v), or (vi) of section 1226  
3505.183 of the Revised Code, the voter's registration shall be 1227  
canceled. The board shall notify the voter by United States mail 1228  
of the cancellation. 1229

(3) If a notice of the disposition of an otherwise valid 1230  
registration application is sent by nonforwardable mail and is 1231  
returned undelivered, the person shall be registered as provided 1232

in division (C)(2) of this section and sent a confirmation notice 1233  
by forwardable mail. If the person fails to respond to the 1234  
confirmation notice, update the person's registration, or vote by 1235  
provisional ballot as provided in division (C)(2) of this section 1236  
in any election during the period of two federal elections 1237  
subsequent to the mailing of the confirmation notice, the person's 1238  
registration shall be canceled. 1239

**Sec. 3503.28.** (A) The secretary of state shall develop an 1240  
information brochure regarding voter registration. The brochure 1241  
shall include, but is not limited to, all of the following 1242  
information: 1243

(1) The applicable deadlines for registering to vote or for 1244  
returning an applicant's completed registration form; 1245

(2) The applicable deadline for returning an applicant's 1246  
completed registration form if the person returning the form is 1247  
being compensated for registering voters; 1248

(3) The locations to which a person may return an applicant's 1249  
completed registration form; 1250

(4) The location to which a person who is compensated for 1251  
registering voters may return an applicant's completed 1252  
registration form; 1253

(5) The registration and affirmation requirements applicable 1254  
to persons who are compensated for registering voters under 1255  
section 3503.29 of the Revised Code; 1256

(6) A notice, which shall be written in bold type, stating as 1257  
follows: 1258

"Voters must bring identification to the polls in order to 1259  
verify identity. Identification may include a current and valid 1260  
photo identification, a military identification, or a copy of a 1261  
current utility bill, bank statement, government check, paycheck, 1262

or other government document, other than ~~a notice of an election~~ 1263  
~~or~~ a voter registration notification sent by a board of elections, 1264  
that shows the voter's name and current address. Voters who do not 1265  
provide one of these documents will still be able to vote by 1266  
casting a provisional ballot. Voters who do not have any of the 1267  
above forms of identification, including a social security number, 1268  
will still be able to vote by signing an affirmation swearing to 1269  
the voter's identity under penalty of election falsification and 1270  
by casting a provisional ballot." 1271

(B) Except as otherwise provided in division (D) of this 1272  
section, a board of elections, designated agency, public high 1273  
school, public vocational school, public library, office of a 1274  
county treasurer, or deputy registrar of motor vehicles shall 1275  
distribute a copy of the brochure developed under division (A) of 1276  
this section to any person who requests more than two voter 1277  
registration forms at one time. 1278

(C)(1) The secretary of state shall provide the information 1279  
required to be included in the brochure developed under division 1280  
(A) of this section to any person who prints a voter registration 1281  
form that is made available on a web site of the office of the 1282  
secretary of state. 1283

(2) If a board of elections operates and maintains a web 1284  
site, the board shall provide the information required to be 1285  
included in the brochure developed under division (A) of this 1286  
section to any person who prints a voter registration form that is 1287  
made available on that web site. 1288

(D) A board of elections shall not be required to distribute 1289  
a copy of a brochure under division (B) of this section to any of 1290  
the following officials or employees who are requesting more than 1291  
two voter registration forms at one time in the course of the 1292  
official's or employee's normal duties: 1293

(1) An election official;	1294
(2) A county treasurer;	1295
(3) A deputy registrar of motor vehicles;	1296
(4) An employee of a designated agency;	1297
(5) An employee of a public high school;	1298
(6) An employee of a public vocational school;	1299
(7) An employee of a public library;	1300
(8) An employee of the office of a county treasurer;	1301
(9) An employee of the bureau of motor vehicles;	1302
(10) An employee of a deputy registrar of motor vehicles;	1303
(11) An employee of an election official.	1304
(E) As used in this section, "registering voters" includes	1305
any effort, for compensation, to provide voter registration forms	1306
or to assist persons in completing or returning those forms.	1307
<b>Sec. 3505.13.</b> A contract for the printing of ballots	1308
involving a cost in excess of <del>ten</del> <u>twenty-five</u> thousand dollars	1309
shall not be let until after five days' notice published once in a	1310
newspaper of general circulation published in the county or upon	1311
notice given by mail by the board of elections, addressed to the	1312
responsible printing offices within the state. Except as otherwise	1313
provided in this section, each bid for such printing must be	1314
accompanied by a bond with at least two sureties, or a surety	1315
company, satisfactory to the board, in a sum double the amount of	1316
the bid, conditioned upon the faithful performance of the contract	1317
for such printing as is awarded and for the payment as damages by	1318
such bidder to the board of any excess of cost over the bid which	1319
it may be obliged to pay for such work by reason of the failure of	1320
the bidder to complete the contract. No bid unaccompanied by such	1321
bond shall be considered by the board. The board may, however,	1322

waive the requirement that each bid be accompanied by a bond if 1323  
the cost of the contract is ~~ten~~ twenty-five thousand dollars or 1324  
less. The contract shall be let to the lowest responsible bidder 1325  
in the state. All ballots shall be printed within the state. 1326

**Sec. 3505.18.** (A)(1) When an elector appears in a polling 1327  
place to vote, the elector shall announce to the precinct election 1328  
officials the elector's full name and current address and provide 1329  
proof of the elector's identity in the form of a current and valid 1330  
photo identification, a military identification, or a copy of a 1331  
current utility bill, bank statement, government check, paycheck, 1332  
or other government document, other than ~~a notice of an election~~ 1333  
~~mailed by a board of elections under section 3501.19 of the~~ 1334  
~~Revised Code or~~ a notice of voter registration mailed by a board 1335  
of elections under section 3503.19 of the Revised Code, that shows 1336  
the name and current address of the elector. If the elector 1337  
provides either a driver's license or a state identification card 1338  
issued under section 4507.50 of the Revised Code that does not 1339  
contain the elector's current residence address, the elector shall 1340  
provide the last four digits of the elector's driver's license 1341  
number or state identification card number, and the precinct 1342  
election official shall mark the poll list or signature pollbook 1343  
to indicate that the elector has provided a driver's license or 1344  
state identification card number with a former address and record 1345  
the last four digits of the elector's driver's license number or 1346  
state identification card number. 1347

(2) If an elector has but is unable to provide to the 1348  
precinct election officials any of the forms of identification 1349  
required under division (A)(1) of this section, but has a social 1350  
security number, the elector may provide the last four digits of 1351  
the elector's social security number. Upon providing the social 1352  
security number information, the elector may cast a provisional 1353  
ballot under section 3505.181 of the Revised Code, the envelope of 1354

which ballot shall include that social security number 1355  
information. 1356

(3) If an elector has but is unable to provide to the 1357  
precinct election officials any of the forms of identification 1358  
required under division (A)(1) of this section and if the elector 1359  
has a social security number but is unable to provide the last 1360  
four digits of the elector's social security number, the elector 1361  
may cast a provisional ballot under section 3505.181 of the 1362  
Revised Code. 1363

(4) If an elector does not have any of the forms of 1364  
identification required under division (A)(1) of this section and 1365  
cannot provide the last four digits of the elector's social 1366  
security number because the elector does not have a social 1367  
security number, the elector may execute an affirmation under 1368  
penalty of election falsification that the elector cannot provide 1369  
the identification required under that division or the last four 1370  
digits of the elector's social security number for those reasons. 1371  
Upon signing the affirmation, the elector may cast a provisional 1372  
ballot under section 3505.181 of the Revised Code. The secretary 1373  
of state shall prescribe the form of the affirmation, which shall 1374  
include spaces for all of the following: 1375

(a) The elector's name; 1376

(b) The elector's address; 1377

(c) The current date; 1378

(d) The elector's date of birth; 1379

(e) The elector's signature. 1380

(5) If an elector does not have any of the forms of 1381  
identification required under division (A)(1) of this section and 1382  
cannot provide the last four digits of the elector's social 1383  
security number because the elector does not have a social 1384

security number, and if the elector declines to execute an 1385  
affirmation under division (A)(4) of this section, the elector may 1386  
cast a provisional ballot under section 3505.181 of the Revised 1387  
Code, the envelope of which ballot shall include the elector's 1388  
name. 1389

(6) If an elector has but declines to provide to the precinct 1390  
election officials any of the forms of identification required 1391  
under division (A)(1) of this section or the elector has a social 1392  
security number but declines to provide to the precinct election 1393  
officials the last four digits of the elector's social security 1394  
number, the elector may cast a provisional ballot under section 1395  
3505.181 of the Revised Code. 1396

(B) After the elector has announced the elector's full name 1397  
and current address and provided any of the forms of 1398  
identification required under division (A)(1) of this section, the 1399  
elector shall write the elector's name and address at the proper 1400  
place in the poll list or signature pollbook provided for the 1401  
purpose, except that if, for any reason, an elector is unable to 1402  
write the elector's name and current address in the poll list or 1403  
signature pollbook, the elector may make the elector's mark at the 1404  
place intended for the elector's name, and a precinct election 1405  
official shall write the name of the elector at the proper place 1406  
on the poll list or signature pollbook following the elector's 1407  
mark. The making of such a mark shall be attested by the precinct 1408  
election official, who shall evidence the same by signing the 1409  
precinct election official's name on the poll list or signature 1410  
pollbook as a witness to the mark. Alternatively, if applicable, 1411  
an attorney in fact acting pursuant to section 3501.382 of the 1412  
Revised Code may sign the elector's signature in the poll list or 1413  
signature pollbook in accordance with that section. 1414

The elector's signature in the poll list or signature 1415  
pollbook then shall be compared with the elector's signature on 1416

the elector's registration form or a digitized signature list as 1417  
provided for in section 3503.13 of the Revised Code, and if, in 1418  
the opinion of a majority of the precinct election officials, the 1419  
signatures are the signatures of the same person, the election 1420  
officials shall enter the date of the election on the registration 1421  
form or shall record the date by other means prescribed by the 1422  
secretary of state. The validity of an attorney in fact's 1423  
signature on behalf of an elector shall be determined in 1424  
accordance with section 3501.382 of the Revised Code. 1425

If the right of the elector to vote is not then challenged, 1426  
or, if being challenged, the elector establishes the elector's 1427  
right to vote, the elector shall be allowed to proceed to use the 1428  
voting machine. If voting machines are not being used in that 1429  
precinct, the judge in charge of ballots shall then detach the 1430  
next ballots to be issued to the elector from Stub B attached to 1431  
each ballot, leaving Stub A attached to each ballot, hand the 1432  
ballots to the elector, and call the elector's name and the stub 1433  
number on each of the ballots. The judge shall enter the stub 1434  
numbers opposite the signature of the elector in the pollbook. The 1435  
elector shall then retire to one of the voting compartments to 1436  
mark the elector's ballots. No mark shall be made on any ballot 1437  
which would in any way enable any person to identify the person 1438  
who voted the ballot. 1439

**Sec. 3505.181.** (A) All of the following individuals shall be 1440  
permitted to cast a provisional ballot at an election: 1441

(1) An individual who declares that the individual is a 1442  
registered voter in the jurisdiction in which the individual 1443  
desires to vote and that the individual is eligible to vote in an 1444  
election, but the name of the individual does not appear on the 1445  
official list of eligible voters for the polling place or an 1446  
election official asserts that the individual is not eligible to 1447

vote; 1448

(2) An individual who has a social security number and 1449  
provides to the election officials the last four digits of the 1450  
individual's social security number as permitted by division 1451  
(A)(2) of section 3505.18 of the Revised Code; 1452

(3) An individual who has but is unable to provide to the 1453  
election officials any of the forms of identification required 1454  
under division (A)(1) of section 3505.18 of the Revised Code and 1455  
who has a social security number but is unable to provide the last 1456  
four digits of the individual's social security number as 1457  
permitted under division (A)(2) of that section; 1458

(4) An individual who does not have any of the forms of 1459  
identification required under division (A)(1) of section 3505.18 1460  
of the Revised Code, who cannot provide the last four digits of 1461  
the individual's social security number under division (A)(2) of 1462  
that section because the individual does not have a social 1463  
security number, and who has executed an affirmation as permitted 1464  
under division (A)(4) of that section; 1465

(5) An individual whose name in the poll list or signature 1466  
pollbook has been marked under section 3509.09 or 3511.13 of the 1467  
Revised Code as having requested an absent voter's ballot or an 1468  
armed service absent voter's ballot for that election and who 1469  
appears to vote at the polling place; 1470

(6) An individual whose notification of registration has been 1471  
returned undelivered to the board of elections and whose name in 1472  
the official registration list and in the poll list or signature 1473  
pollbook has been marked under division (C)(2) of section 3503.19 1474  
of the Revised Code; 1475

(7) An individual who is challenged under section 3505.20 of 1476  
the Revised Code and the election officials determine that the 1477  
person is ineligible to vote or are unable to determine the 1478

person's eligibility to vote;	1479
(8) An individual whose application or challenge hearing has	1480
been postponed until after the day of the election under division	1481
(D)(1) of section 3503.24 of the Revised Code;	1482
(9) An individual who changes the individual's name and	1483
remains within the precinct, moves from one precinct to another	1484
within a county, moves from one precinct to another and changes	1485
the individual's name, or moves from one county to another within	1486
the state, and completes and signs the required forms and	1487
statements under division (B) or (C) of section 3503.16 of the	1488
Revised Code;	1489
(10) An individual whose signature, in the opinion of the	1490
precinct officers under section 3505.22 of the Revised Code, is	1491
not that of the person who signed that name in the registration	1492
forms;	1493
(11) An individual who is challenged under section 3513.20 of	1494
the Revised Code who refuses to make the statement required under	1495
that section or who a majority of the precinct officials find	1496
lacks any of the qualifications to make the individual a qualified	1497
elector;	1498
(12) An individual who does not have any of the forms of	1499
identification required under division (A)(1) of section 3505.18	1500
of the Revised Code, who cannot provide the last four digits of	1501
the individual's social security number under division (A)(2) of	1502
that section because the person does not have a social security	1503
number, and who declines to execute an affirmation as permitted	1504
under division (A)(4) of that section;	1505
(13) An individual who has but declines to provide to the	1506
precinct election officials any of the forms of identification	1507
required under division (A)(1) of section 3501.18 of the Revised	1508
Code or who has a social security number but declines to provide	1509

to the precinct election officials the last four digits of the 1510  
individual's social security number. 1511

(B) An individual who is eligible to cast a provisional 1512  
ballot under division (A) of this section shall be permitted to 1513  
cast a provisional ballot as follows: 1514

(1) An election official at the polling place shall notify 1515  
the individual that the individual may cast a provisional ballot 1516  
in that election. 1517

(2) The individual shall be permitted to cast a provisional 1518  
ballot at that polling place upon the execution of a written 1519  
affirmation by the individual before an election official at the 1520  
polling place stating that the individual is both of the 1521  
following: 1522

(a) A registered voter in the jurisdiction in which the 1523  
individual desires to vote; 1524

(b) Eligible to vote in that election. 1525

(3) An election official at the polling place shall transmit 1526  
the ballot cast by the individual, the voter information contained 1527  
in the written affirmation executed by the individual under 1528  
division (B)(2) of this section, or the individual's name if the 1529  
individual declines to execute such an affirmation to an 1530  
appropriate local election official for verification under 1531  
division (B)(4) of this section. 1532

(4) If the appropriate local election official to whom the 1533  
ballot or voter or address information is transmitted under 1534  
division (B)(3) of this section determines that the individual is 1535  
eligible to vote, the individual's provisional ballot shall be 1536  
counted as a vote in that election. 1537

(5)(a) At the time that an individual casts a provisional 1538  
ballot, the appropriate local election official shall give the 1539

individual written information that states that any individual who 1540  
casts a provisional ballot will be able to ascertain under the 1541  
system established under division (B)(5)(b) of this section 1542  
whether the vote was counted, and, if the vote was not counted, 1543  
the reason that the vote was not counted. 1544

(b) The appropriate state or local election official shall 1545  
establish a free access system, in the form of a toll-free 1546  
telephone number, that any individual who casts a provisional 1547  
ballot may access to discover whether the vote of that individual 1548  
was counted, and, if the vote was not counted, the reason that the 1549  
vote was not counted. The free access system established under 1550  
this division also shall provide to an individual whose 1551  
provisional ballot was not counted information explaining how that 1552  
individual may contact the board of elections to register to vote 1553  
or to resolve problems with the individual's voter registration. 1554

The appropriate state or local election official shall 1555  
establish and maintain reasonable procedures necessary to protect 1556  
the security, confidentiality, and integrity of personal 1557  
information collected, stored, or otherwise used by the free 1558  
access system established under this division. Access to 1559  
information about an individual ballot shall be restricted to the 1560  
individual who cast the ballot. 1561

(6) If, at the time that an individual casts a provisional 1562  
ballot, the individual provides identification in the form of a 1563  
current and valid photo identification, a military identification, 1564  
or a copy of a current utility bill, bank statement, government 1565  
check, paycheck, or other government document, other than a notice 1566  
~~of an election mailed by a board of elections under section~~ 1567  
~~3501.19 of the Revised Code or~~ a notice of voter registration 1568  
mailed by a board of elections under section 3503.19 of the 1569  
Revised Code, that shows the individual's name and current 1570  
address, or provides the last four digits of the individual's 1571

social security number, or executes an affirmation that the 1572  
elector does not have any of those forms of identification or the 1573  
last four digits of the individual's social security number 1574  
because the individual does not have a social security number, or 1575  
declines to execute such an affirmation, the appropriate local 1576  
election official shall record the type of identification 1577  
provided, the social security number information, the fact that 1578  
the affirmation was executed, or the fact that the individual 1579  
declined to execute such an affirmation and include that 1580  
information with the transmission of the ballot or voter or 1581  
address information under division (B)(3) of this section. If the 1582  
individual declines to execute such an affirmation, the 1583  
appropriate local election official shall record the individual's 1584  
name and include that information with the transmission of the 1585  
ballot under division (B)(3) of this section. 1586

(7) If an individual casts a provisional ballot pursuant to 1587  
division (A)(3), (7), (8), (12), or (13) of this section, the 1588  
election official shall indicate, on the provisional ballot 1589  
verification statement required under section 3505.182 of the 1590  
Revised Code, that the individual is required to provide 1591  
additional information to the board of elections or that an 1592  
application or challenge hearing has been postponed with respect 1593  
to the individual, such that additional information is required 1594  
for the board of elections to determine the eligibility of the 1595  
individual who cast the provisional ballot. 1596

(8) During the ten days after the day of an election, an 1597  
individual who casts a provisional ballot pursuant to division 1598  
(A)(3), (7), (12), or (13) of this section shall appear at the 1599  
office of the board of elections and provide to the board any 1600  
additional information necessary to determine the eligibility of 1601  
the individual who cast the provisional ballot. 1602

(a) For a provisional ballot cast pursuant to division 1603

(A)(3), (12), or (13) of this section to be eligible to be counted, the individual who cast that ballot, within ten days after the day of the election, shall do any of the following:

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

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

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

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

(C)(1) If an individual declares that the individual is eligible to vote in a jurisdiction other than the jurisdiction in which the individual desires to vote, or if, upon review of the precinct voting location guide using the residential street address provided by the individual, an election official at the polling place at which the individual desires to vote determines

that the individual is not eligible to vote in that jurisdiction, 1635  
the election official shall direct the individual to the polling 1636  
place for the jurisdiction in which the individual appears to be 1637  
eligible to vote, explain that the individual may cast a 1638  
provisional ballot at the current location but the ballot will not 1639  
be counted if it is cast in the wrong precinct, and provide the 1640  
telephone number of the board of elections in case the individual 1641  
has additional questions. 1642

(2) If the individual refuses to travel to the polling place 1643  
for the correct jurisdiction or to the office of the board of 1644  
elections to cast a ballot, the individual shall be permitted to 1645  
vote a provisional ballot at that jurisdiction in accordance with 1646  
division (B) of this section. If any of the following apply, the 1647  
provisional ballot cast by that individual shall not be opened or 1648  
counted: 1649

(a) The individual is not properly registered in that 1650  
jurisdiction. 1651

(b) The individual is not eligible to vote in that election 1652  
in that jurisdiction. 1653

(c) The individual's eligibility to vote in that jurisdiction 1654  
in that election cannot be established upon examination of the 1655  
records on file with the board of elections. 1656

(D) The appropriate local election official shall cause 1657  
voting information to be publicly posted at each polling place on 1658  
the day of each election. 1659

(E) As used in this section and sections 3505.182 and 1660  
3505.183 of the Revised Code: 1661

(1) "Jurisdiction" means the precinct in which a person is a 1662  
legally qualified elector. 1663

(2) "Precinct voting location guide" means either of the 1664

following:	1665
(a) An electronic or paper record that lists the correct jurisdiction and polling place for either each specific residential street address in the county or the range of residential street addresses located in each neighborhood block in the county;	1666 1667 1668 1669 1670
(b) Any other method that a board of elections creates that allows a precinct election official or any elector who is at a polling place in that county to determine the correct jurisdiction and polling place of any qualified elector who resides in the county.	1671 1672 1673 1674 1675
(3) "Voting information" means all of the following:	1676
(a) A sample version of the ballot that will be used for that election;	1677 1678
(b) Information regarding the date of the election and the hours during which polling places will be open;	1679 1680
(c) Instructions on how to vote, including how to cast a vote and how to cast a provisional ballot;	1681 1682
(d) Instructions for mail-in registrants and first-time voters under applicable federal and state laws;	1683 1684
(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;	1685 1686 1687 1688 1689
(f) General information on federal and state laws regarding prohibitions against acts of fraud and misrepresentation.	1690 1691
<b>Sec. 3505.182.</b> Each individual who casts a provisional ballot under section 3505.181 of the Revised Code shall execute a written	1692 1693

affirmation. The form of the written affirmation shall be printed 1694  
upon the face of the provisional ballot envelope and shall be 1695  
substantially as follows: 1696

"Provisional Ballot Affirmation 1697

STATE OF OHIO 1698

I, ..... (Name of provisional voter), solemnly 1699  
swear or affirm that I am a registered voter in the jurisdiction 1700  
in which I am voting this provisional ballot and that I am 1701  
eligible to vote in the election in which I am voting this 1702  
provisional ballot. 1703

I understand that, if the above-provided information is not 1704  
fully completed and correct, if the board of elections determines 1705  
that I am not registered to vote, a resident of this precinct, or 1706  
eligible to vote in this election, or if the board of elections 1707  
determines that I have already voted in this election, my 1708  
provisional ballot will not be counted. I further understand that 1709  
knowingly providing false information is a violation of law and 1710  
subjects me to possible criminal prosecution. 1711

I hereby declare, under penalty of election falsification, 1712  
that the above statements are true and correct to the best of my 1713  
knowledge and belief. 1714

..... 1715

(Signature of Voter) 1716

..... 1717

(Voter's date of birth) 1718

The last four digits of the 1719

voter's social security number

..... 1720

(To be provided if the voter is 1721

unable to provide a current and

valid photo identification, a

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

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY	1722
OF THE FIFTH DEGREE.	1723
Additional Information For Determining Ballot Validity	1724
(May be completed at voter's discretion)	1725
Voter's current address: .....	1726
Voter's former address if .....	1727
photo identification does not contain voter's current address	
Voter's driver's license number or, if not provided above, the last four digits of voter's social security number	1728
(Please circle number type) .....	1729
(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	1730

document, other than ~~a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code or~~ a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the voter's name and current address.)

Reason for voting provisional ballot (Check one): 1731

..... Requested, but did not receive, absent voter's ballot 1732

..... Other 1733

Verification Statement 1734

(To be completed by election official) 1735

The Provisional Ballot Affirmation printed above was 1736

subscribed and affirmed before me this ..... day of 1737

..... (Month), ..... (Year). 1738

(If applicable, the election official must check the 1739

following true statement concerning additional information needed 1740

to determine the eligibility of the provisional voter.) 1741

..... The provisional voter is required to provide 1742

additional information to the board of elections. 1743

..... An application or challenge hearing regarding this 1744

voter has been postponed until after the election. 1745

(The election official must check the following true 1746

statement concerning identification provided by the provisional 1747

voter, if any.) 1748

..... The provisional voter provided a current and valid 1749

photo identification. 1750

..... The provisional voter provided a current valid photo 1751

identification, other than a driver's license or a state 1752

identification card, with the voter's former address instead of 1753

current address and has provided the election official both the 1754

current and former addresses. 1755

..... The provisional voter provided a military 1756

identification or a copy of a current utility bill, bank 1757  
statement, government check, paycheck, or other government 1758  
document, other than ~~a notice of an election mailed by a board of~~ 1759  
~~elections under section 3501.19 of the Revised Code~~ or a notice of 1760  
voter registration mailed by a board of elections under section 1761  
3503.19 of the Revised Code, with the voter's name and current 1762  
address. 1763

..... The provisional voter provided the last four digits of 1764  
the voter's social security number. 1765

..... The provisional voter is not able to provide a current 1766  
and valid photo identification, a military identification, or a 1767  
copy of a current utility bill, bank statement, government check, 1768  
paycheck, or other government document, other than ~~a notice of an~~ 1769  
~~election mailed by a board of elections under section 3501.19 of~~ 1770  
~~the Revised Code~~ or a notice of voter registration mailed by a 1771  
board of elections under section 3503.19 of the Revised Code, with 1772  
the voter's name and current address but does have one of these 1773  
forms of identification. The provisional voter must provide one of 1774  
the foregoing items of identification to the board of elections 1775  
within ten days after the election. 1776

..... The provisional voter is not able to provide a current 1777  
and valid photo identification, a military identification, or a 1778  
copy of a current utility bill, bank statement, government check, 1779  
paycheck, or other government document, other than ~~a notice of an~~ 1780  
~~election mailed by a board of elections under section 3501.19 of~~ 1781  
~~the Revised Code~~ or a notice of voter registration mailed by a 1782  
board of elections under section 3503.19 of the Revised Code, with 1783  
the voter's name and current address but does have one of these 1784  
forms of identification. Additionally, the provisional voter does 1785  
have a social security number but is not able to provide the last 1786  
four digits of the voter's social security number before voting. 1787  
The provisional voter must provide one of the foregoing items of 1788

identification or the last four digits of the voter's social 1789  
security number to the board of elections within ten days after 1790  
the election. 1791

..... The provisional voter does not have a current and valid 1792  
photo identification, a military identification, a copy of a 1793  
current utility bill, bank statement, government check, paycheck, 1794  
or other government document with the voter's name and current 1795  
address, or a social security number, but has executed an 1796  
affirmation. 1797

..... The provisional voter does not have a current and valid 1798  
photo identification, a military identification, a copy of a 1799  
current utility bill, bank statement, government check, paycheck, 1800  
or other government document with the voter's name and current 1801  
address, or a social security number, and has declined to execute 1802  
an affirmation. 1803

..... The provisional voter declined to provide a current and 1804  
valid photo identification, a military identification, a copy of a 1805  
current utility bill, bank statement, government check, paycheck, 1806  
or other government document with the voter's name and current 1807  
address, or the last four digits of the voter's social security 1808  
number but does have one of these forms of identification or a 1809  
social security number. The provisional voter must provide one of 1810  
the foregoing items of identification or the last four digits of 1811  
the voter's social security number to the board of elections 1812  
within ten days after the election. 1813

..... 1814  
(Signature of Election Official)" 1815

In addition to any information required to be included on the 1816  
written affirmation, an individual casting a provisional ballot 1817  
may provide additional information to the election official to 1818  
assist the board of elections in determining the individual's 1819  
eligibility to vote in that election, including the date and 1820

location at which the individual registered to vote, if known. 1821

If the individual declines to execute the affirmation, an 1822

appropriate local election official shall comply with division 1823

(B)(6) of section 3505.181 of the Revised Code. 1824

**Sec. 3505.183.** (A) When the ballot boxes are delivered to the 1825

board of elections from the precincts, the board shall separate 1826

the provisional ballot envelopes from the rest of the ballots. 1827

Teams of employees of the board consisting of one member of each 1828

major political party shall place the sealed provisional ballot 1829

envelopes in a secure location within the office of the board. The 1830

sealed provisional ballot envelopes shall remain in that secure 1831

location until the validity of those ballots is determined under 1832

division (B) of this section. While the provisional ballot is 1833

stored in that secure location, and prior to the counting of the 1834

provisional ballots, if the board receives information regarding 1835

the validity of a specific provisional ballot under division (B) 1836

of this section, the board may note, on the sealed provisional 1837

ballot envelope for that ballot, whether the ballot is valid and 1838

entitled to be counted. 1839

(B)(1) To determine whether a provisional ballot is valid and 1840

entitled to be counted, the board shall examine its records and 1841

determine whether the individual who cast the provisional ballot 1842

is registered and eligible to vote in the applicable election. The 1843

board shall examine the information contained in the written 1844

affirmation executed by the individual who cast the provisional 1845

ballot under division (B)(2) of section 3505.181 of the Revised 1846

Code. If the individual declines to execute such an affirmation, 1847

the individual's name, written by either the individual or the 1848

election official at the direction of the individual, shall be 1849

included in a written affirmation in order for the provisional 1850

ballot to be eligible to be counted; otherwise, the following 1851

information shall be included in the written affirmation in order 1852  
for the provisional ballot to be eligible to be counted: 1853

(a) The individual's name and signature; 1854

(b) A statement that the individual is a registered voter in 1855  
the jurisdiction in which the provisional ballot is being voted; 1856

(c) A statement that the individual is eligible to vote in 1857  
the election in which the provisional ballot is being voted. 1858

(2) In addition to the information required to be included in 1859  
an affirmation under division (B)(1) of this section, in 1860  
determining whether a provisional ballot is valid and entitled to 1861  
be counted, the board also shall examine any additional 1862  
information for determining ballot validity provided by the 1863  
provisional voter on the affirmation, provided by the provisional 1864  
voter to an election official under section 3505.182 of the 1865  
Revised Code, or provided to the board of elections during the ten 1866  
days after the day of the election under division (B)(8) of 1867  
section 3505.181 of the Revised Code, to assist the board in 1868  
determining the individual's eligibility to vote. 1869

(3) If, in examining a provisional ballot affirmation and 1870  
additional information under divisions (B)(1) and (2) of this 1871  
section and comparing the information required under division 1872  
(B)(1) of this section with the elector's information in the 1873  
statewide voter registration database, the board determines that 1874  
all of the following apply, the provisional ballot envelope shall 1875  
be opened, and the ballot shall be placed in a ballot box to be 1876  
counted: 1877

(a) The individual named on the affirmation is properly 1878  
registered to vote. 1879

(b) The individual named on the affirmation is eligible to 1880  
cast a ballot in the precinct and for the election in which the 1881  
individual cast the provisional ballot. 1882

(c) The individual provided all of the information required 1883  
under division (B)(1) of this section in the affirmation that the 1884  
individual executed at the time the individual cast the 1885  
provisional ballot. 1886

(d) The last four digits of the elector's social security 1887  
number or the elector's driver's license number or state 1888  
identification number are not different from the last four digits 1889  
of the elector's social security number or the elector's driver's 1890  
license number or state identification number contained in the 1891  
statewide voter registration database. 1892

(e) If applicable, the individual provided any additional 1893  
information required under division (B)(8) of section 3505.181 of 1894  
the Revised Code within ten days after the day of the election. 1895

(f) If applicable, the hearing conducted under division (B) 1896  
of section 3503.24 of the Revised Code after the day of the 1897  
election resulted in the individual's inclusion in the official 1898  
registration list. 1899

(4)(a) If, in examining a provisional ballot affirmation and 1900  
additional information under divisions (B)(1) and (2) of this 1901  
section and comparing the information required under division 1902  
(B)(1) of this section with the elector's information in the 1903  
statewide voter registration database, the board determines that 1904  
any of the following applies, the provisional ballot envelope 1905  
shall not be opened, and the ballot shall not be counted: 1906

(i) The individual named on the affirmation is not qualified 1907  
or is not properly registered to vote. 1908

(ii) The individual named on the affirmation is not eligible 1909  
to cast a ballot in the precinct or for the election in which the 1910  
individual cast the provisional ballot. 1911

(iii) The individual did not provide all of the information 1912  
required under division (B)(1) of this section in the affirmation 1913

that the individual executed at the time the individual cast the provisional ballot. 1914  
1915

(iv) The individual has already cast a ballot for the election in which the individual cast the provisional ballot. 1916  
1917

(v) 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. 1918  
1919  
1920  
1921

(vi) 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. 1922  
1923  
1924  
1925

(vii) 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 to execute an affirmation under division (A) of section 3505.18 or division (B) of section 3505.181 of the Revised Code. 1926  
1927  
1928  
1929  
1930  
1931  
1932  
1933  
1934  
1935  
1936

(viii) The last four digits of the elector's social security number or the elector's driver's license number or state identification number are 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. 1937  
1938  
1939  
1940  
1941  
1942

(b) If, in examining a provisional ballot affirmation and additional information under divisions (B)(1) and (2) of this 1943  
1944

section and comparing the information required under division 1945  
(B)(1) of this section with the elector's information in the 1946  
statewide voter registration database, the board is unable to 1947  
determine either of the following, the provisional ballot envelope 1948  
shall not be opened, and the ballot shall not be counted: 1949

(i) Whether the individual named on the affirmation is 1950  
qualified or properly registered to vote; 1951

(ii) Whether the individual named on the affirmation is 1952  
eligible to cast a ballot in the precinct or for the election in 1953  
which the individual cast the provisional ballot. 1954

(C)(1) For each provisional ballot rejected under division 1955  
(B)(4) of this section, the board shall record the name of the 1956  
provisional voter who cast the ballot, the identification number 1957  
of the provisional ballot envelope, the names of the election 1958  
officials who determined the validity of that ballot, the date and 1959  
time that the determination was made, and the reason that the 1960  
ballot was not counted. 1961

(2) Provisional ballots that are rejected under division 1962  
(B)(4) of this section shall not be counted but shall be preserved 1963  
in their provisional ballot envelopes unopened until the time 1964  
provided by section 3505.31 of the Revised Code for the 1965  
destruction of all other ballots used at the election for which 1966  
ballots were provided, at which time they shall be destroyed. 1967

(D) Provisional ballots that the board determines are 1968  
eligible to be counted under division (B)(3) of this section shall 1969  
be counted in the same manner as provided for other ballots under 1970  
section 3505.27 of the Revised Code. No provisional ballots shall 1971  
be counted in a particular county until the board determines the 1972  
eligibility to be counted of all provisional ballots cast in that 1973  
county under division (B) of this section for that election. 1974  
Observers, as provided in section 3505.21 of the Revised Code, may 1975

be present at all times that the board is determining the 1976  
eligibility of provisional ballots to be counted and counting 1977  
those provisional ballots determined to be eligible. No person 1978  
shall recklessly disclose the count or any portion of the count of 1979  
provisional ballots in such a manner as to jeopardize the secrecy 1980  
of any individual ballot. 1981

(E)(1) Except as otherwise provided in division (E)(2) of 1982  
this section, nothing in this section shall prevent a board of 1983  
elections from examining provisional ballot affirmations and 1984  
additional information under divisions (B)(1) and (2) of this 1985  
section to determine the eligibility of provisional ballots to be 1986  
counted during the ten days after the day of an election. 1987

(2) A board of elections shall not examine the provisional 1988  
ballot affirmation and additional information under divisions 1989  
(B)(1) and (2) of this section of any provisional ballot for which 1990  
an election official has indicated under division (B)(7) of 1991  
section 3505.181 of the Revised Code that additional information 1992  
is required for the board of elections to determine the 1993  
eligibility of the individual who cast that provisional ballot 1994  
until the individual provides any information required under 1995  
division (B)(8) of section 3505.181 of the Revised Code, until any 1996  
hearing required to be conducted under section 3503.24 of the 1997  
Revised Code with regard to the provisional voter is held, or 1998  
until the eleventh day after the day of the election, whichever is 1999  
earlier. 2000

**Sec. 3509.03.** Except as provided in division (B) of section 2001  
3509.08 of the Revised Code, any qualified elector desiring to 2002  
vote absent voter's ballots at an election shall make written 2003  
application for those ballots to the director of elections of the 2004  
county in which the elector's voting residence is located. The 2005  
application need not be in any particular form but shall contain 2006

all of the following:	2007
(A) The elector's name;	2008
(B) The elector's signature;	2009
(C) The address at which the elector is registered to vote;	2010
(D) The elector's date of birth;	2011
(E) One of the following:	2012
(1) The elector's driver's license number;	2013
(2) The last four digits of the elector's social security number;	2014 2015
(3) A copy of the elector's current and valid photo identification, a copy of a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the name and address of the elector.	2016 2017 2018 2019 2020 2021 2022 2023
(F) A statement identifying the election for which absent voter's ballots are requested;	2024 2025
(G) A statement that the person requesting the ballots is a qualified elector;	2026 2027
(H) If the request is for primary election ballots, the elector's party affiliation;	2028 2029
(I) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed.	2030 2031
Each application for absent voter's ballots shall be	2032
delivered to the director not earlier than the first day of	2033
January of the year of the elections for which the absent voter's	2034
ballots are requested or not earlier than ninety days before the	2035

day of the election at which the ballots are to be voted, 2036  
whichever is earlier, and not later than twelve noon of the third 2037  
day before the day of the election at which the ballots are to be 2038  
voted, or not later than six p.m. on the ~~the~~ last Friday before 2039  
the day of the election at which the ballots are to be voted if 2040  
the application is delivered in person to the office of the board. 2041

**Sec. 3509.04.** (A) If a director of a board of elections 2042  
receives an application for absent voter's ballots that does not 2043  
contain all of the required information, the director promptly 2044  
shall notify the applicant of the additional information required 2045  
to be provided by the applicant to complete that application. 2046

(B) Upon receipt by the director of elections of an 2047  
application for absent voter's ballots that contains all of the 2048  
required information, as provided by section 3509.03 and division 2049  
(G) of section 3503.16 of the Revised Code, the director, if the 2050  
director finds that the applicant is a qualified elector, shall 2051  
deliver to the applicant in person or mail directly to the 2052  
applicant by special delivery mail, air mail, or regular mail, 2053  
postage prepaid, proper absent voter's ballots. The director shall 2054  
deliver or mail with the ballots an unsealed identification 2055  
envelope upon the face of which shall be printed a form 2056  
substantially as follows: 2057

"Identification Envelope Statement of Voter 2058

I, .....(Name of voter), declare under 2059  
penalty of election falsification that the within ballot or 2060  
ballots contained no voting marks of any kind when I received 2061  
them, and I caused the ballot or ballots to be marked, enclosed in 2062  
the identification envelope, and sealed in that envelope. 2063

My voting residence in Ohio is 2064

..... 2065

(Street and Number, if any, or Rural Route and Number) 2066

of ..... (City, Village, or Township) 2067

Ohio, which is in Ward ..... Precinct ..... 2068

in that city, village, or township. 2069

The primary election ballots, if any, within this envelope 2070

are primary election ballots of the ..... Party. 2071

Ballots contained within this envelope are to be voted at the 2072

..... (general, special, or primary) election to be held on 2073

the ..... day of ....., .... 2074

My date of birth is ..... (Month and Day), 2075

..... (Year). 2076

(Voter must provide one of the following:) 2077

My driver's license number is ..... (Driver's 2078

license number). 2079

The last four digits of my Social Security Number are 2080

..... (Last four digits of Social Security Number). 2081

..... In lieu of providing a driver's license number or the 2082

last four digits of my Social Security Number, I am enclosing a 2083

copy of one of the following in the return envelope in which this 2084

identification envelope will be mailed: a current and valid photo 2085

identification, a military identification, or a current utility 2086

bill, bank statement, government check, paycheck, or other 2087

government document, other than ~~a notice of an election mailed by~~ 2088

~~a board of elections under section 3501.19 of the Revised Code or~~ 2089

a notice of voter registration mailed by a board of elections, 2090

that shows my name and address. 2091

I hereby declare, under penalty of election falsification, 2092

that the statements above are true, as I verily believe. 2093

..... 2094

(Signature of Voter) 2095

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 2096  
THE FIFTH DEGREE." 2097

The director shall mail with the ballots and the unsealed 2098  
identification envelope an unsealed return envelope upon the face 2099  
of which shall be printed the official title and post-office 2100  
address of the director. In the upper left corner on the face of 2101  
the return envelope, several blank lines shall be printed upon 2102  
which the voter may write the voter's name and return address. The 2103  
return envelope shall be of such size that the identification 2104  
envelope can be conveniently placed within it for returning the 2105  
identification envelope to the director. 2106

**Sec. 3509.05.** (A) When an elector receives an absent voter's 2107  
ballot pursuant to the elector's application or request, the 2108  
elector shall, before placing any marks on the ballot, note 2109  
whether there are any voting marks on it. If there are any voting 2110  
marks, the ballot shall be returned immediately to the board of 2111  
elections; otherwise, the elector shall cause the ballot to be 2112  
marked, folded in a manner that the stub on it and the 2113  
indorsements and facsimile signatures of the members of the board 2114  
of elections on the back of it are visible, and placed and sealed 2115  
within the identification envelope received from the director of 2116  
elections for that purpose. Then, the elector shall cause the 2117  
statement of voter on the outside of the identification envelope 2118  
to be completed and signed, under penalty of election 2119  
falsification. 2120

If the elector does not provide the elector's driver's 2121  
license number or the last four digits of the elector's social 2122  
security number on the statement of voter on the identification 2123  
envelope, the elector also shall include in the return envelope 2124  
with the identification envelope a copy of the elector's current 2125  
valid photo identification, a copy of a military identification, 2126

or a copy of a current utility bill, bank statement, government 2127  
check, paycheck, or other government document, other than a notice 2128  
~~of an election mailed by a board of elections under section~~ 2129  
~~3501.19 of the Revised Code or~~ a notice of voter registration 2130  
mailed by a board of elections under section 3503.19 of the 2131  
Revised Code, that shows the name and address of the elector. 2132

The elector shall mail the identification envelope to the 2133  
director from whom it was received in the return envelope, postage 2134  
prepaid, or the elector may personally deliver it to the director, 2135  
or the spouse of the elector, the father, mother, father-in-law, 2136  
mother-in-law, grandfather, grandmother, brother, or sister of the 2137  
whole or half blood, or the son, daughter, adopting parent, 2138  
adopted child, stepparent, stepchild, uncle, aunt, nephew, or 2139  
niece of the elector may deliver it to the director. The return 2140  
envelope shall be transmitted to the director in no other manner, 2141  
except as provided in section 3509.08 of the Revised Code. 2142

When absent voter's ballots are delivered to an elector at 2143  
the office of the board, the elector may retire to a voting 2144  
compartment provided by the board and there mark the ballots. 2145  
Thereupon, the elector shall fold them, place them in the 2146  
identification envelope provided, seal the envelope, fill in and 2147  
sign the statement on the envelope under penalty of election 2148  
falsification, and deliver the envelope to the director of the 2149  
board. 2150

Except as otherwise provided in division (B) of this section, 2151  
all other envelopes containing marked absent voter's ballots shall 2152  
be delivered to the director not later than the close of the polls 2153  
on the day of an election. Absent voter's ballots delivered to the 2154  
director later than the times specified shall not be counted, but 2155  
shall be kept by the board in the sealed identification envelopes 2156  
in which they are delivered to the director, until the time 2157  
provided by section 3505.31 of the Revised Code for the 2158

destruction of all other ballots used at the election for which 2159  
ballots were provided, at which time they shall be destroyed. 2160

(B)(1) Except as otherwise provided in division (B)(2) of 2161  
this section, any return envelope that is postmarked prior to the 2162  
day of the election shall be delivered to the director prior to 2163  
the eleventh day after the election. Ballots delivered in 2164  
envelopes postmarked prior to the day of the election that are 2165  
received after the close of the polls on election day through the 2166  
tenth day thereafter shall be counted on the eleventh day at the 2167  
board of elections in the manner provided in divisions (C) and (D) 2168  
of section 3509.06 of the Revised Code. Any such ballots that are 2169  
received by the director later than the tenth day following the 2170  
election shall not be counted, but shall be kept by the board in 2171  
the sealed identification envelopes as provided in division (A) of 2172  
this section. 2173

(2) Division (B)(1) of this section shall not apply to any 2174  
mail that is postmarked using a postage evidencing system, 2175  
including a postage meter, as defined in 39 C.F.R. 501.1. 2176

**Sec. 3511.02.** Notwithstanding any section of the Revised Code 2177  
to the contrary, whenever any person applies for registration as a 2178  
voter on a form adopted in accordance with federal regulations 2179  
relating to the "Uniformed and Overseas Citizens Absentee Voting 2180  
Act," 100 Stat. 924, 42 U.S.C.A. 1973ff (1986), this application 2181  
shall be sufficient for voter registration and as a request for an 2182  
absent voter's ballot. Uniformed services or overseas absent 2183  
voter's ballots may be obtained by any person meeting the 2184  
requirements of section 3511.011 of the Revised Code by applying 2185  
electronically to the secretary of state or to the board of 2186  
elections of the county in which the person's voting residence is 2187  
located in accordance with section 3511.021 of the Revised Code or 2188  
by applying to the director of the board of elections of the 2189

county in which the person's voting residence is located, in one 2190  
of the following ways: 2191

(A) That person may make written application for those 2192  
ballots. The person may personally deliver the application to the 2193  
director or may mail it, send it by facsimile machine, send it by 2194  
electronic mail, send it through internet delivery if such 2195  
delivery is offered by the board of elections or the secretary of 2196  
state, or otherwise send it to the director. The application need 2197  
not be in any particular form but shall contain all of the 2198  
following information: 2199

(1) The elector's name; 2200

(2) The elector's signature; 2201

(3) The address at which the elector is registered to vote; 2202

(4) The elector's date of birth; 2203

(5) One of the following: 2204

(a) The elector's driver's license number; 2205

(b) The last four digits of the elector's social security 2206  
number; 2207

(c) A copy of the elector's current and valid photo 2208  
identification, a copy of a military identification, or a copy of 2209  
a current utility bill, bank statement, government check, 2210  
paycheck, or other government document, other than ~~a notice of an~~ 2211  
~~election mailed by a board of elections under section 3501.19 of~~ 2212  
~~the Revised Code or~~ a notice of voter registration mailed by a 2213  
board of elections under section 3503.19 of the Revised Code, that 2214  
shows the name and address of the elector. 2215

(6) A statement identifying the election for which absent 2216  
voter's ballots are requested; 2217

(7) A statement that the person requesting the ballots is a 2218  
qualified elector; 2219

(8) A statement that the elector is an absent uniformed 2220  
services voter or overseas voter as defined in 42 U.S.C. 1973ff-6; 2221

(9) A statement of the elector's length of residence in the 2222  
state immediately preceding the commencement of service, 2223  
immediately preceding the date of leaving to be with or near the 2224  
service member, or immediately preceding leaving the United 2225  
States, or a statement that the elector's parent or legal guardian 2226  
resided in this state long enough to establish residency for 2227  
voting purposes immediately preceding leaving the United States, 2228  
whichever is applicable; 2229

(10) If the request is for primary election ballots, the 2230  
elector's party affiliation; 2231

(11) If the elector desires ballots to be mailed to the 2232  
elector, the address to which those ballots shall be mailed; 2233

(12) If the elector desires ballots to be sent to the elector 2234  
by facsimile machine, the telephone number to which they shall be 2235  
so sent; 2236

(13) If the elector desires ballots to be sent to the elector 2237  
by electronic mail or, if offered by the board of elections or the 2238  
secretary of state, through internet delivery, the elector's 2239  
electronic mail address or other internet contact information. 2240

(B) A voter or any relative of a voter listed in division (C) 2241  
of this section may use a single federal post card application to 2242  
apply for uniformed services or overseas absent voter's ballots 2243  
for use at the primary and general elections in a given year and 2244  
any special election to be held on the day in that year specified 2245  
by division (E) of section 3501.01 of the Revised Code for the 2246  
holding of a primary election, designated by the general assembly 2247  
for the purpose of submitting constitutional amendments proposed 2248  
by the general assembly to the voters of the state. A single 2249  
federal postcard application shall be processed by the board of 2250

elections pursuant to section 3511.04 of the Revised Code the same 2251  
as if the voter had applied separately for uniformed services or 2252  
overseas absent voter's ballots for each election. 2253

(C) Application to have uniformed services or overseas absent 2254  
voter's ballots mailed or sent by facsimile machine to such a 2255  
person may be made by the spouse, father, mother, father-in-law, 2256  
mother-in-law, grandfather, grandmother, brother or sister of the 2257  
whole blood or half blood, son, daughter, adopting parent, adopted 2258  
child, stepparent, stepchild, daughter-in-law, son-in-law, uncle, 2259  
aunt, nephew, or niece of such a person. The application shall be 2260  
in writing upon a blank form furnished only by the director or on 2261  
a single federal post card as provided in division (B) of this 2262  
section. The form of the application shall be prescribed by the 2263  
secretary of state. The director shall furnish that blank form to 2264  
any of the relatives specified in this division desiring to make 2265  
the application, only upon the request of such a relative made in 2266  
person at the office of the board or upon the written request of 2267  
such a relative mailed to the office of the board. The 2268  
application, subscribed and sworn to by the applicant, shall 2269  
contain all of the following: 2270

(1) The full name of the elector for whom ballots are 2271  
requested; 2272

(2) A statement that the elector is an absent uniformed 2273  
services voter or overseas voter as defined in 42 U.S.C. 1973ff-6; 2274

(3) The address at which the elector is registered to vote; 2275

(4) A statement identifying the elector's length of residence 2276  
in the state immediately preceding the commencement of service, 2277  
immediately preceding the date of leaving to be with or near 2278  
service member, or immediately preceding leaving the United 2279  
States, or a statement that the elector's parent or legal guardian 2280  
resided in this state long enough to establish residency for 2281

voting purposes immediately preceding leaving the United States,	2282
as the case may be;	2283
(5) The elector's date of birth;	2284
(6) One of the following:	2285
(a) The elector's driver's license number;	2286
(b) The last four digits of the elector's social security number;	2287 2288
(c) A copy of the elector's current and valid photo identification, a copy of a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than <del>a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code</del> or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the name and address of the elector.	2289 2290 2291 2292 2293 2294 2295 2296
(7) A statement identifying the election for which absent voter's ballots are requested;	2297 2298
(8) A statement that the person requesting the ballots is a qualified elector;	2299 2300
(9) If the request is for primary election ballots, the elector's party affiliation;	2301 2302
(10) A statement that the applicant bears a relationship to the elector as specified in division (C) of this section;	2303 2304
(11) The address to which ballots shall be mailed, the telephone number to which ballots shall be sent by facsimile machine, the electronic mail address to which ballots shall be sent by electronic mail, or, if internet delivery is offered by the board of elections or the secretary of state, the internet contact information to which ballots shall be sent through internet delivery;	2305 2306 2307 2308 2309 2310 2311

(12) The signature and address of the person making the application. 2312  
2313

Each application for uniformed services or overseas absent voter's ballots shall be delivered to the director not earlier than the first day of January of the year of the elections for which the uniformed services or overseas absent voter's ballots are requested or not earlier than ninety days before the day of the election at which the ballots are to be voted, whichever is earlier, and not later than twelve noon of the third day preceding the day of the election, or not later than six p.m. on the last Friday before the day of the election at which those ballots are to be voted if the application is delivered in person to the office of the board. 2314  
2315  
2316  
2317  
2318  
2319  
2320  
2321  
2322  
2323  
2324

(D) If the voter for whom the application is made is entitled to vote for presidential and vice-presidential electors only, the applicant shall submit to the director in addition to the requirements of divisions (A), (B), and (C) of this section, a statement to the effect that the voter is qualified to vote for presidential and vice-presidential electors and for no other offices. 2325  
2326  
2327  
2328  
2329  
2330  
2331

**Sec. 3511.05.** (A) The director of the board of elections shall place uniformed services or overseas absent voter's ballots sent by mail in an unsealed identification envelope, gummed ready for sealing. The director shall include with uniformed services or overseas absent voter's ballots sent electronically, including by facsimile machine, an instruction sheet for preparing a gummed envelope in which the ballots shall be returned. The envelope for returning ballots sent by either means shall have printed or written on its face a form substantially as follows: 2332  
2333  
2334  
2335  
2336  
2337  
2338  
2339  
2340

"Identification Envelope Statement of Voter 2341

I, .....(Name of voter), declare under 2342

penalty of election falsification that the within ballot or 2343  
ballots contained no voting marks of any kind when I received 2344  
them, and I caused the ballot or ballots to be marked, enclosed in 2345  
the identification envelope, and sealed in that envelope. 2346

My voting residence in Ohio is 2347  
..... 2348  
(Street and Number, if any, or Rural Route and Number) 2349  
of ..... (City, Village, or Township) 2350  
Ohio, which is in Ward ..... Precinct ..... 2351  
in that city, village, or township. 2352

The primary election ballots, if any, within this envelope 2353  
are primary election ballots of the ..... Party. 2354

Ballots contained within this envelope are to be voted at the 2355  
..... (general, special, or primary) election to be held on 2356  
the ..... day of ....., .... 2357

My date of birth is ..... (Month and Day), 2358  
..... (Year). 2359

(Voter must provide one of the following:) 2360

My driver's license number is ..... (Driver's 2361  
license number). 2362

The last four digits of my Social Security Number are 2363  
..... (Last four digits of Social Security Number). 2364

..... In lieu of providing a driver's license number or the 2365  
last four digits of my Social Security Number, I am enclosing a 2366  
copy of one of the following in the return envelope in which this 2367  
identification envelope will be mailed: a current and valid photo 2368  
identification, a military identification, or a current utility 2369  
bill, bank statement, government check, paycheck, or other 2370  
government document, other than ~~a notice of an election mailed by~~ 2371  
~~a board of elections under section 3501.19 of the Revised Code or~~ 2372

a notice of voter registration mailed by a board of elections, 2373  
that shows my name and address. 2374

I hereby declare, under penalty of election falsification, 2375  
that the statements above are true, as I verily believe. 2376

..... 2377

(Signature of Voter) 2378

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 2379  
THE FIFTH DEGREE." 2380

(B) The director shall also mail with the ballots and the 2381  
unsealed identification envelope sent by mail an unsealed return 2382  
envelope, gummed, ready for sealing, for use by the voter in 2383  
returning the voter's marked ballots to the director. The director 2384  
shall send with the ballots and the instruction sheet for 2385  
preparing a gummed envelope sent electronically, including by 2386  
facsimile machine, an instruction sheet for preparing a second 2387  
gummed envelope as described in this division, for use by the 2388  
voter in returning that voter's marked ballots to the director. 2389  
The return envelope shall have two parallel lines, each one 2390  
quarter of an inch in width, printed across its face paralleling 2391  
the top, with an intervening space of one quarter of an inch 2392  
between such lines. The top line shall be one and one-quarter 2393  
inches from the top of the envelope. Between the parallel lines 2394  
shall be printed: "OFFICIAL ELECTION UNIFORMED SERVICES OR 2395  
OVERSEAS ABSENT VOTER'S BALLOTS -- VIA AIR MAIL." Three blank 2396  
lines shall be printed in the upper left corner on the face of the 2397  
envelope for the use by the voter in placing the voter's complete 2398  
military, naval, or mailing address on these lines, and beneath 2399  
these lines there shall be printed a box beside the words "check 2400  
if out-of-country." The voter shall check this box if the voter 2401  
will be outside the United States on the day of the election. The 2402  
official title and the post-office address of the director to whom 2403  
the envelope shall be returned shall be printed on the face of 2404

such envelope in the lower right portion below the bottom parallel line. 2405  
2406

(C) On the back of each identification envelope and each return envelope shall be printed the following: 2407  
2408

"Instructions to voter: 2409

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. 2410  
2411  
2412  
2413  
2414  
2415  
2416

The flap on this envelope was firmly stuck to the back of the envelope when received, and required forced opening before sealing and mailing. 2417  
2418  
2419

..... 2420  
(Signature of voter)" 2421

(D) Division (C) of this section does not apply when absent voter's ballots are sent electronically, including by facsimile machine. 2422  
2423  
2424

**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; 2425  
2426  
2427  
2428  
2429  
2430  
2431  
2432  
2433  
2434

otherwise, the elector shall cause the ballot to be marked, folded 2435  
separately so as to conceal the markings on it, deposited in the 2436  
identification envelope, and securely sealed in the identification 2437  
envelope. The elector then shall cause the identification envelope 2438  
to be placed within the return envelope, sealed in the return 2439  
envelope, and mailed to the director of the board of elections to 2440  
whom it is addressed. The ballot shall be submitted for mailing 2441  
not later than 12:01 a.m. at the place where the voter completes 2442  
the ballot, on the date of the election. If the elector does not 2443  
provide the elector's driver's license number or the last four 2444  
digits of the elector's social security number on the statement of 2445  
voter on the identification envelope, the elector also shall 2446  
include in the return envelope with the identification envelope a 2447  
copy of the elector's current valid photo identification, a copy 2448  
of a military identification, or a copy of a current utility bill, 2449  
bank statement, government check, paycheck, or other government 2450  
document, other than ~~a notice of an election mailed by a board of~~ 2451  
~~elections under section 3501.19 of the Revised Code~~ or a notice of 2452  
voter registration mailed by a board of elections under section 2453  
3503.19 of the Revised Code, that shows the name and address of 2454  
the elector. Each elector who will be outside the United States on 2455  
the day of the election shall check the box on the return envelope 2456  
indicating this fact and shall mail the return envelope to the 2457  
director prior to the close of the polls on election day. 2458

Every uniformed services or overseas absent voter's ballot 2459  
identification envelope shall be accompanied by the following 2460  
statement in boldface capital letters: WHOEVER COMMITS ELECTION 2461  
FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. 2462

**Sec. 3513.04.** Candidates for party nominations to state, 2463  
district, county, and municipal offices or positions, for which 2464  
party nominations are provided by law, and for election as members 2465  
of party controlling committees shall have their names printed on 2466

the official primary ballot by filing a declaration of candidacy 2467  
and paying the fees specified for the office under divisions (A) 2468  
and (B) of section 3513.10 of the Revised Code, except that the 2469  
joint candidates for party nomination to the offices of governor 2470  
and lieutenant governor shall, for the two of them, file one 2471  
declaration of candidacy. The joint candidates also shall pay the 2472  
fees specified for the joint candidates under divisions (A) and 2473  
(B) of section 3513.10 of the Revised Code. 2474

The secretary of state shall not accept for filing the 2475  
declaration of candidacy of a candidate for party nomination to 2476  
the office of governor unless the declaration of candidacy also 2477  
shows a joint candidate for the same party's nomination to the 2478  
office of lieutenant governor, shall not accept for filing the 2479  
declaration of candidacy of a candidate for party nomination to 2480  
the office of lieutenant governor unless the declaration of 2481  
candidacy also shows a joint candidate for the same party's 2482  
nomination to the office of governor, and shall not accept for 2483  
filing a declaration of candidacy that shows a candidate for party 2484  
nomination to the office of governor or lieutenant governor who, 2485  
for the same election, has already filed a declaration of 2486  
candidacy or a declaration of intent to be a write-in candidate, 2487  
or has become a candidate by the filling of a vacancy under 2488  
section 3513.30 of the Revised Code for any other state office or 2489  
any federal or county office. 2490

No person who seeks party nomination for an office or 2491  
position at a primary election by declaration of candidacy or by 2492  
declaration of intent to be a write-in candidate and no person who 2493  
is a first choice for president of candidates seeking election as 2494  
delegates and alternates to the national conventions of the 2495  
different major political parties who are chosen by direct vote of 2496  
the electors as provided in this chapter shall be permitted to 2497  
become a candidate by nominating petition ~~or~~, by declaration of 2498

intent to be a write-in candidate, or by filling a vacancy under 2499  
section 3513.31 of the Revised Code at the following general 2500  
election for any office other than the office of member of the 2501  
state board of education, office of member of a city, local, or 2502  
exempted village board of education, office of member of a 2503  
governing board of an educational service center, or office of 2504  
township trustee. 2505

**Sec. 3513.262.** The nominating petitions of all candidates 2506  
required to be filed before four p.m. of the day before the day of 2507  
the primary election immediately preceding the general election 2508  
shall be processed as follows: 2509

If such petition is filed with the secretary of state, ~~he~~ the 2510  
secretary of state shall, not later than the fifteenth day of June 2511  
following the filing of such petition, or if the primary election 2512  
was a presidential primary election, not later than the end of the 2513  
sixth week after the day of that election, transmit to each board 2514  
such separate petition papers as purport to contain signatures of 2515  
electors of the county of such board. If such petition is filed 2516  
with the board of the most populous county of a district or of a 2517  
county in which the major portion of the population of a 2518  
subdivision is located, such board shall, not later than the 2519  
fifteenth day of June, or if the primary election was a 2520  
presidential primary election, not later than the end of the sixth 2521  
week after the day of that election, transmit to each board within 2522  
such district such separate petition papers of the petition as 2523  
purport to contain signatures of electors of the county of such 2524  
board. 2525

All petition papers so transmitted to a board and all 2526  
nominating petitions filed with a board shall, under proper 2527  
regulations, be open to public inspection from the fifteenth day 2528  
of June until four p.m. of the thirtieth day of that month, or if 2529

the primary election was a presidential primary election, from the 2530  
end of the sixth week after the election until four p.m. of the 2531  
end of the seventh week after the election. Each board shall, not 2532  
later than the next fifteenth day of July, or if the primary 2533  
election was a presidential primary election, not later than the 2534  
end of the tenth week after the day of that election, examine and 2535  
determine the sufficiency of the signatures on the petition papers 2536  
transmitted to or filed with it, and the validity of the petitions 2537  
filed with it, and shall return to the secretary of state all 2538  
petition papers transmitted to it by ~~him~~ the secretary of state, 2539  
together with its certification of its determination as to the 2540  
validity or invalidity of signatures thereon, and shall return to 2541  
each other board all petition papers transmitted to it by such 2542  
other board, as provided in this section, together with its 2543  
certification of its determination as to the validity or 2544  
invalidity of signatures thereon. A signature on a nominating 2545  
petition is not valid if it is dated more than one year before the 2546  
date the nominating petition was filed. All other matters 2547  
affecting the validity or invalidity of such petition papers shall 2548  
be determined by the secretary of state or the board with whom 2549  
such petition papers were filed. 2550

Written protests against nominating petitions may be filed by 2551  
any qualified elector eligible to vote for the candidate whose 2552  
nominating petition ~~he~~ the elector objects to, not later than four 2553  
p.m. of the thirtieth day of July, or if the primary election was 2554  
a presidential primary election, not later than the end of the 2555  
twelfth week after the day of that election. Such protests shall 2556  
be filed with the election officials with whom the nominating 2557  
petition was filed. Upon the filing of such protest, the election 2558  
officials with whom it is filed shall promptly fix the time and 2559  
place for hearing it, and shall forthwith mail notice of the 2560  
filing of such protest and the time and place for hearing it to 2561  
the person whose nomination is protested. They shall also 2562

forthwith mail notice of the time and place fixed for the hearing 2563  
to the person who filed the protest. At the time fixed, such 2564  
election officials shall hear the protest and determine the 2565  
validity or invalidity of the petition. Such determination shall 2566  
be final. 2567

A protest against the nominating petition filed by joint 2568  
candidates for the offices of governor and lieutenant governor 2569  
shall be filed, heard, and determined in the same manner as a 2570  
protest against the nominating petition of a candidate who files 2571  
~~by himself~~ individually. 2572

**Sec. 3513.263.** The nominating petitions of all candidates 2573  
required to be filed before four p.m. of the ninetieth day before 2574  
the day of the general election, shall be processed as follows: 2575

If such petition is filed with the secretary of state, the 2576  
secretary of state shall promptly transmit to each board such 2577  
separate petition papers as purports to contain signatures of 2578  
electors of the county of such board. 2579

If such petition is filed with the board of a county in which 2580  
the major portion of the population of a subdivision is located, 2581  
such board shall promptly transmit to the board of each county in 2582  
which other portions of such subdivision are located such separate 2583  
petition papers of the petition as purport to contain signatures 2584  
of electors of such county. 2585

All petition papers so transmitted to a board of elections, 2586  
and all nominating petitions filed with a board of elections 2587  
shall, under proper regulation, be open to public inspection until 2588  
four p.m. of the eightieth day before the day of such general 2589  
election. Each board shall, not later than the seventy-eighth day 2590  
before the day of such general election examine and determine the 2591  
sufficiency of the signatures on the petition papers transmitted 2592  
to or filed with it and the validity or invalidity of petitions 2593

filed with it, and shall return to each other board all petition 2594  
papers transmitted to it by such other board, together with its 2595  
certification of its determination as to the validity or 2596  
invalidity of signatures thereon. A signature on a nominating 2597  
petition is not valid if it is dated more than one year before the 2598  
date the nominating petition was filed. All other matters 2599  
affecting the validity or invalidity of such petition papers shall 2600  
be determined by the board with whom such petition papers were 2601  
filed. 2602

Written protests against such nominating petitions may be 2603  
filed by any qualified elector eligible to vote for the candidate 2604  
whose nominating petition the elector objects to, not later than 2605  
the seventy-fourth day before the general election. Such protests 2606  
shall be filed with the election officials with whom the 2607  
nominating petition was filed. Upon the filing of such protests, 2608  
the election officials with whom it is filed shall promptly fix 2609  
the time and place for hearing it, and shall forthwith mail notice 2610  
of the filing of such protest and the time and place for hearing 2611  
it to the person whose nomination is protested. They shall also 2612  
forthwith mail notice of the time and place fixed for the hearing 2613  
to the person who filed the protest. At the time and place fixed, 2614  
such election officials shall hear the protest and determine the 2615  
validity or invalidity of the petition. Such determination shall 2616  
be final. 2617

**Sec. 3513.30.** (A)(1) If only one valid declaration of 2618  
candidacy is filed for nomination as a candidate of a political 2619  
party for an office and that candidate dies prior to the tenth day 2620  
before the primary election, both of the following may occur: 2621

(a) The political party whose candidate died may fill the 2622  
vacancy so created as provided in division (A)(2) of this section. 2623

(b) Any major political party other than the one whose 2624

candidate died may select a candidate as provided in division 2625  
(A)(2) of this section under either of the following 2626  
circumstances: 2627

(i) No person has filed a valid declaration of candidacy for 2628  
nomination as that party's candidate at the primary election. 2629

(ii) Only one person has filed a valid declaration of 2630  
candidacy for nomination as that party's candidate at the primary 2631  
election, that person has withdrawn, died, or been disqualified 2632  
under section 3513.052 of the Revised Code, and the vacancy so 2633  
created has not been filled. 2634

(2) A vacancy may be filled under division (A)(1)(a) and a 2635  
selection may be made under division (A)(1)(b) of this section by 2636  
the appropriate committee of the political party in the same 2637  
manner as provided in divisions (A) to (E) of section 3513.31 of 2638  
the Revised Code for the filling of similar vacancies created by 2639  
withdrawals or disqualifications under section 3513.052 of the 2640  
Revised Code after the primary election, except that the 2641  
certification required under that section may not be filed with 2642  
the secretary of state, or with a board of the most populous 2643  
county of a district, or with the board of a county in which the 2644  
major portion of the population of a subdivision is located, later 2645  
than four p.m. of the tenth day before the day of such primary 2646  
election, or with any other board later than four p.m. of the 2647  
fifth day before the day of such primary election. 2648

(3) If only one valid declaration of candidacy is filed for 2649  
nomination as a candidate of a political party for an office and 2650  
that candidate dies on or after the tenth day before the day of 2651  
the primary election, that candidate is considered to have 2652  
received the nomination of that candidate's political party at 2653  
that primary election, and, for purposes of filling the vacancy so 2654  
created, that candidate's death shall be treated as if that 2655  
candidate died on the day after the day of the primary election. 2656

(B) Any person filing a declaration of candidacy may withdraw 2657  
as such candidate at any time prior to the primary election. The 2658  
withdrawal shall be effected and the statement of withdrawal shall 2659  
be filed in accordance with the procedures prescribed in division 2660  
(D) of this section for the withdrawal of persons nominated in a 2661  
primary election or by nominating petition. 2662

(C) A person who is the first choice for president of the 2663  
United States by a candidate for delegate or alternate to a 2664  
national convention of a political party may withdraw consent for 2665  
the selection of the person as such first choice no later than 2666  
four p.m. of the fortieth day before the day of the presidential 2667  
primary election. Withdrawal of consent shall be for the entire 2668  
slate of candidates for delegates and alternates who named such 2669  
person as their presidential first choice and shall constitute 2670  
withdrawal from the primary election by such delegates and 2671  
alternates. The withdrawal shall be made in writing and delivered 2672  
to the secretary of state. If the withdrawal is delivered to the 2673  
secretary of state on or before the seventieth day before the day 2674  
of the primary election, the boards of elections shall remove both 2675  
the name of the withdrawn first choice and the names of such 2676  
withdrawn candidates from the ballots according to the directions 2677  
of the secretary of state. If the withdrawal is delivered to the 2678  
secretary of state after the seventieth day before the day of the 2679  
primary election, the board of elections shall not remove the name 2680  
of the withdrawn first choice and the names of the withdrawn 2681  
candidates from the ballots. The board of elections shall post a 2682  
notice at each polling location on the day of the primary 2683  
election, and shall enclose with each absent voter's ballot given 2684  
or mailed after the candidate withdraws, a notice that votes for 2685  
the withdrawn first choice or the withdrawn candidates will be 2686  
void and will not be counted. If such names are not removed from 2687  
all ballots before the day of the election, the votes for the 2688  
withdrawn first choice or the withdrawn candidates are void and 2689

shall not be counted. 2690

(D) Any person nominated in a primary election or by 2691  
nominating petition as a candidate for election at the next 2692  
general election may withdraw as such candidate at any time prior 2693  
to the general election. Such withdrawal may be effected by the 2694  
filing of a written statement by such candidate announcing the 2695  
candidate's withdrawal and requesting that the candidate's name 2696  
not be printed on the ballots. If such candidate's declaration of 2697  
candidacy or nominating petition was filed with the secretary of 2698  
state, the candidate's statement of withdrawal shall be addressed 2699  
to and filed with the secretary of state. If such candidate's 2700  
declaration of candidacy or nominating petition was filed with a 2701  
board of elections, the candidate's statement of withdrawal shall 2702  
be addressed to and filed with such board. 2703

(E) When a person withdraws under division (B) or (D) of this 2704  
section on or before the seventieth day before the day of the 2705  
primary election or the general election, the board of elections 2706  
shall remove the name of the withdrawn candidate from the ballots 2707  
according to the directions of the secretary of state. When a 2708  
person withdraws under division (B) or (D) of this section after 2709  
the seventieth day before the day of the primary election or the 2710  
general election, the board of elections shall not remove the name 2711  
of the withdrawn candidate from the ballots. The board of 2712  
elections shall post a notice at each polling place on the day of 2713  
the ~~primary~~ election, and shall enclose with each absent voter's 2714  
ballot given or mailed after the candidate withdraws, a notice 2715  
that votes for the withdrawn candidate will be void and will not 2716  
be counted. If the name is not removed from all ballots before the 2717  
day of the election, the votes for the withdrawn candidate are 2718  
void and shall not be counted. 2719

**Sec. 3513.31.** (A) If a person nominated in a primary election 2720

as a candidate for election at the next general election, whose  
candidacy is to be submitted to the electors of the entire state,  
withdraws as that candidate or is disqualified as that candidate  
under section 3513.052 of the Revised Code, the vacancy in the  
party nomination so created may be filled by the state central  
committee of the major political party that made the nomination at  
the primary election, if the committee's chairperson and secretary  
certify the name of the person selected to fill the vacancy by the  
time specified in this division, at a meeting called for that  
purpose. The meeting shall be called by the chairperson of that  
committee, who shall give each member of the committee at least  
two days' notice of the time, place, and purpose of the meeting.  
If a majority of the members of the committee are present at the  
meeting, a majority of those present may select a person to fill  
the vacancy. The chairperson and secretary of the meeting shall  
certify in writing and under oath to the secretary of state, not  
later than the eighty-sixth day before the day of the general  
election, the name of the person selected to fill the vacancy. The  
certification must be accompanied by the written acceptance of the  
nomination by the person whose name is certified. A vacancy that  
may be filled by an intermediate or minor political party shall be  
filled in accordance with the party's rules by authorized  
officials of the party. Certification must be made as in the  
manner provided for a major political party.

(B) If a person nominated in a primary election as a party  
candidate for election at the next general election, whose  
candidacy is to be submitted to the electors of a district  
comprised of more than one county but less than all of the  
counties of the state, withdraws as that candidate or is  
disqualified as that candidate under section 3513.052 of the  
Revised Code, the vacancy in the party nomination so created may  
be filled by a district committee of the major political party

that made the nomination at the primary election, if the 2754  
committee's chairperson and secretary certify the name of the 2755  
person selected to fill the vacancy by the time specified in this 2756  
division, at a meeting called for that purpose. The district 2757  
committee shall consist of the chairperson and secretary of the 2758  
county central committee of such political party in each county in 2759  
the district. The district committee shall be called by the 2760  
chairperson of the county central committee of such political 2761  
party of the most populous county in the district, who shall give 2762  
each member of the district committee at least two days' notice of 2763  
the time, place, and purpose of the meeting. If a majority of the 2764  
members of the district committee are present at the district 2765  
committee meeting, a majority of those present may select a person 2766  
to fill the vacancy. The chairperson and secretary of the meeting 2767  
shall certify in writing and under oath to the board of elections 2768  
of the most populous county in the district, not later than four 2769  
p.m. of the eighty-sixth day before the day of the general 2770  
election, the name of the person selected to fill the vacancy. The 2771  
certification must be accompanied by the written acceptance of the 2772  
nomination by the person whose name is certified. A vacancy that 2773  
may be filled by an intermediate or minor political party shall be 2774  
filled in accordance with the party's rules by authorized 2775  
officials of the party. Certification must be made as in the 2776  
manner provided for a major political party. 2777

(C) If a person nominated in a primary election as a party 2778  
candidate for election at the next general election, whose 2779  
candidacy is to be submitted to the electors of a county, 2780  
withdraws as that candidate or is disqualified as that candidate 2781  
under section 3513.052 of the Revised Code, the vacancy in the 2782  
party nomination so created may be filled by the county central 2783  
committee of the major political party that made the nomination at 2784  
the primary election, or by the county executive committee if so 2785  
authorized, if the committee's chairperson and secretary certify 2786

the name of the person selected to fill the vacancy by the time 2787  
specified in this division, at a meeting called for that purpose. 2788  
The meeting shall be called by the chairperson of that committee, 2789  
who shall give each member of the committee at least two days' 2790  
notice of the time, place, and purpose of the meeting. If a 2791  
majority of the members of the committee are present at the 2792  
meeting, a majority of those present may select a person to fill 2793  
the vacancy. The chairperson and secretary of the meeting shall 2794  
certify in writing and under oath to the board of that county, not 2795  
later than four p.m. of the eighty-sixth day before the day of the 2796  
general election, the name of the person selected to fill the 2797  
vacancy. The certification must be accompanied by the written 2798  
acceptance of the nomination by the person whose name is 2799  
certified. A vacancy that may be filled by an intermediate or 2800  
minor political party shall be filled in accordance with the 2801  
party's rules by authorized officials of the party. Certification 2802  
must be made as in the manner provided for a major political 2803  
party. 2804

(D) If a person nominated in a primary election as a party 2805  
candidate for election at the next general election, whose 2806  
candidacy is to be submitted to the electors of a district within 2807  
a county, withdraws as that candidate or is disqualified as that 2808  
candidate under section 3513.052 of the Revised Code, the vacancy 2809  
in the party nomination so created may be filled by a district 2810  
committee consisting of those members of the county central 2811  
committee or, if so authorized, those members of the county 2812  
executive committee in that county of the major political party 2813  
that made the nomination at the primary election who represent the 2814  
precincts or the wards and townships within the district, if the 2815  
committee's chairperson and secretary certify the name of the 2816  
person selected to fill the vacancy by the time specified in this 2817  
division, at a meeting called for that purpose. The district 2818  
committee meeting shall be called by the chairperson of the county 2819

central committee or executive committee, as appropriate, who 2820  
shall give each member of the district committee at least two 2821  
days' notice of the time, place, and purpose of the meeting. If a 2822  
majority of the members of the district committee are present at 2823  
the district committee meeting, a majority of those present may 2824  
select a person to fill the vacancy. The chairperson and secretary 2825  
of the district committee meeting shall certify in writing and 2826  
under oath to the board of the county, not later than four p.m. of 2827  
the eighty-sixth day before the day of the general election, the 2828  
name of the person selected to fill the vacancy. The certification 2829  
must be accompanied by the written acceptance of the nomination by 2830  
the person whose name is certified. A vacancy that may be filled 2831  
by an intermediate or minor political party shall be filled in 2832  
accordance with the party's rules by authorized officials of the 2833  
party. Certification must be made as in the manner provided for a 2834  
major political party. 2835

(E) If a person nominated in a primary election as a party 2836  
candidate for election at the next general election, whose 2837  
candidacy is to be submitted to the electors of a subdivision 2838  
within a county, withdraws as that candidate or is disqualified as 2839  
that candidate under section 3513.052 of the Revised Code, the 2840  
vacancy in the party nomination so created may be filled by a 2841  
subdivision committee consisting of those members of the county 2842  
central committee or, if so authorized, those members of the 2843  
county executive committee in that county of the major political 2844  
party that made the nomination at that primary election who 2845  
represent the precincts or the wards and townships within that 2846  
subdivision, if the committee's chairperson and secretary certify 2847  
the name of the person selected to fill the vacancy by the time 2848  
specified in this division, at a meeting called for that purpose. 2849

The subdivision committee meeting shall be called by the 2850  
chairperson of the county central committee or executive 2851

committee, as appropriate, who shall give each member of the 2852  
subdivision committee at least two days' notice of the time, 2853  
place, and purpose of the meeting. If a majority of the members of 2854  
the subdivision committee are present at the subdivision committee 2855  
meeting, a majority of those present may select a person to fill 2856  
the vacancy. The chairperson and secretary of the subdivision 2857  
committee meeting shall certify in writing and under oath to the 2858  
board of the county, not later than four p.m. of the eighty-sixth 2859  
day before the day of the general election, the name of the person 2860  
selected to fill the vacancy. The certification must be 2861  
accompanied by the written acceptance of the nomination by the 2862  
person whose name is certified. A vacancy that may be filled by an 2863  
intermediate or minor political party shall be filled in 2864  
accordance with the party's rules by authorized officials of the 2865  
party. Certification must be made in the manner provided for a 2866  
major political party. 2867

(F) If a person nominated by petition as an independent or 2868  
nonpartisan candidate for election at the next general election 2869  
withdraws as that candidate or is disqualified as that candidate 2870  
under section 3513.052 of the Revised Code, the vacancy so created 2871  
may be filled by a majority of the committee of five, as 2872  
designated on the candidate's nominating petition, if a member of 2873  
that committee certifies in writing and under oath to the election 2874  
officials with whom the candidate filed the candidate's nominating 2875  
petition, not later than the eighty-sixth day before the day of 2876  
the general election, the name of the person selected to fill the 2877  
vacancy. The certification shall be accompanied by the written 2878  
acceptance of the nomination by the person whose name is certified 2879  
and shall be made in the manner provided for a major political 2880  
party. 2881

(G) If a person nominated in a primary election as a party 2882  
candidate for election at the next general election dies, the 2883

vacancy so created may be filled by the same committee in the same 2884  
manner as provided in this section for the filling of similar 2885  
vacancies created by withdrawals or disqualifications under 2886  
section 3513.052 of the Revised Code, except that the 2887  
certification, when filling a vacancy created by death, may not be 2888  
filed with the secretary of state, or with a board of the most 2889  
populous county of a district, or with the board of a county in 2890  
which the major portion of the population of a subdivision is 2891  
located, later than four p.m. of the tenth day before the day of 2892  
such general election, or with any other board later than four 2893  
p.m. of the fifth day before the day of such general election. 2894

(H) If a person nominated by petition as an independent or 2895  
nonpartisan candidate for election at the next general election 2896  
dies prior to the tenth day before the day of that general 2897  
election, the vacancy so created may be filled by a majority of 2898  
the committee of five designated in the nominating petition to 2899  
represent the candidate named in it. To fill the vacancy a member 2900  
of the committee shall, not later than four p.m. of the fifth day 2901  
before the day of the general election, file with the election 2902  
officials with whom the petition nominating the person was filed, 2903  
a certificate signed and sworn to under oath by a majority of the 2904  
members, designating the person they select to fill the vacancy. 2905  
The certification must be accompanied by the written acceptance of 2906  
the nomination by the person whose name is so certified. 2907

(I) If a person holding an elective office dies or resigns 2908  
subsequent to the one hundred fifteenth day before the day of a 2909  
primary election and prior to the eighty-sixth day before the day 2910  
of the next general election, and if, under the laws of this 2911  
state, a person may be elected at that general election to fill 2912  
the unexpired term of the person who has died or resigned, the 2913  
appropriate committee of each political party, acting as in the 2914  
case of a vacancy in a party nomination, as provided in divisions 2915

(A) to (D) of this section, may select a person as the party candidate for election for such unexpired term at that general election, and certify the person's name to the appropriate election official not later than four p.m. on the eighty-sixth day before the day of that general election, or on the tenth day following the day on which the vacancy occurs, whichever is later. When the vacancy occurs on or subsequent to the eighty-sixth day and six or more days prior to the ~~fifty-sixth~~ fortieth day before the general election, the appropriate committee may select a person as the party candidate and certify the person's name, as provided in the preceding sentence, not later than four p.m. on the ~~fiftieth~~ tenth day following the day on which the vacancy occurs. When the vacancy occurs fewer than six days before the fortieth day before the general election, the deadline for filing shall be four p.m. on the thirty-sixth day before the general election. Thereupon the name shall be printed as the party candidate under proper titles and in the proper place on the proper ballots for use at the election. If a person has been nominated in a primary election, the authorized committee of that political party shall not select and certify a person as the party candidate.

(J) Each person desiring to become an independent candidate to fill the unexpired term shall file a statement of candidacy and nominating petition, as provided in section 3513.261 of the Revised Code, with the appropriate election official not later than four p.m. on the tenth day following the day on which the vacancy occurs, provided that when the vacancy occurs fewer than six days before the ~~fifty-sixth~~ day before the general election, the deadline for filing shall be four p.m. on the fiftieth day before the general election. The nominating petition shall contain at least seven hundred fifty signatures and no more than one thousand five hundred signatures of qualified electors of the district, political subdivision, or portion of a political

subdivision in which the office is to be voted upon, or the amount 2949  
provided for in section 3513.257 of the Revised Code, whichever is 2950  
less. 2951

(K) When a person nominated as a candidate by a political 2952  
party in a primary election or by nominating petition for an 2953  
elective office for which candidates are nominated at a party 2954  
primary election withdraws, dies, or is disqualified under section 2955  
3513.052 of the Revised Code prior to the general election, the 2956  
appropriate committee of any other major political party or 2957  
committee of five that has not nominated a candidate for that 2958  
office, or whose nominee as a candidate for that office has 2959  
withdrawn, died, or been disqualified without the vacancy so 2960  
created having been filled, may, acting as in the case of a 2961  
vacancy in a party nomination or nomination by petition as 2962  
provided in divisions (A) to (F) of this section, whichever is 2963  
appropriate, select a person as a candidate of that party or of 2964  
that committee of five for election to the office. 2965

**Sec. 3519.05.** (A) If the measure to be submitted proposes a 2966  
constitutional amendment, the heading of each part of the petition 2967  
shall be prepared in the following form, and printed in capital 2968  
letters in type of the approximate size set forth: 2969

"INITIATIVE PETITION 2970

Amendment to the Constitution 2971

Proposed by Initiative Petition 2972

To be submitted directly to the electors" 2973

"Amendment" printed in fourteen-point boldface type shall 2974  
precede the title, which shall be briefly expressed and printed in 2975  
eight-point type. The summary shall then be set forth printed in 2976  
ten-point type, and then shall follow the certification of the 2977  
attorney general, under proper date, which shall also be printed 2978  
in ten-point type. The petition shall then set forth the names and 2979

addresses of the committee of not less than three nor more than 2980  
five to represent the petitioners in all matters relating to the 2981  
petition or its circulation. 2982

Immediately above the heading of the place for signatures on 2983  
each part of the petition the following notice shall be printed in 2984  
boldface type: 2985

"NOTICE 2986

Whoever knowingly signs this petition more than once; except 2987  
as provided in section 3501.382 of the Revised Code, signs a name 2988  
other than one's own on this petition; or signs this petition when 2989  
not a qualified voter, is liable to prosecution." 2990

The heading of the place for signatures shall be 2991  
substantially as follows: 2992

"(Sign with ink. Your name, residence, and date of signing must be 2993  
given.) 2994

— 2995

Rural Route or 2996

other Post- 2997

Signature County Township office Address Month Day Year 2998

— 2999

(Voters who do not live in a municipal corporation should fill in 3000  
the information called for by headings printed above.) 3001

(Voters who reside in municipal corporations should fill in the 3002  
information called for by headings printed below.) 3003

— 3004

City Street 3005

or and 3006

Signature County Village Number Ward Precinct Month Day Year" 3007

— 3008

The text of the proposed amendment shall be printed in full, 3009  
immediately following the place for signatures, and shall be 3010  
prefaced by "Be it resolved by the people of the State of Ohio." 3011  
Immediately following the text of the proposed amendment must 3012  
appear the following form: 3013

"I, ....., declare under penalty of election 3014  
falsification that I am the circulator of the foregoing petition 3015  
paper containing the signatures of ..... electors, that the 3016  
signatures appended hereto were made and appended in my presence 3017  
on the date set opposite each respective name, and are the 3018  
signatures of the persons whose names they purport to be or of 3019  
attorneys in fact acting pursuant to section 3501.382 of the 3020  
Revised Code, and that the electors signing this petition did so 3021  
with knowledge of the contents of same. I am employed to circulate 3022  
this petition by ..... (Name and 3023  
address of employer). (The preceding sentence shall be completed 3024  
as required by section 3501.38 of the Revised Code if the 3025  
circulator is being employed to circulate the petition.) 3026  
(Signed) ..... 3027  
(Address of circulator's permanent 3028  
residence in this state)  
..... 3029

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY 3030  
OF THE FIFTH DEGREE." 3031

(B) If the measure proposes a law, the heading of each part 3032  
of the petition shall be prepared as follows: 3033

"INITIATIVE PETITION 3034

Law proposed by initiative petition first to be submitted to 3035  
the General Assembly." 3036

In all other respects, the form shall be as provided for the 3037  
submission of a constitutional amendment, except that the text of 3038

the proposed law shall be prefaced by "Be it enacted by the people  
of the state of Ohio."

The form for a supplementary initiative petition shall be the  
same as that provided for an initiative petition, with the  
exception that "supplementary" shall precede "initiative" in the  
title thereof.

(C) The general provisions set forth in this section relative  
to the form and order of an initiative petition shall be, so far  
as practical, applicable to a referendum petition, the heading of  
which shall be as follows:

"REFERENDUM PETITION

To be submitted to the electors for their approval or  
rejection"

The title, which follows the heading, shall contain a brief  
legislative history of the law, section, or item of law to be  
referred. The text of the law so referred shall be followed by the  
certification of the secretary of state, in accordance with  
division (B)(2)(b) of section 3519.01 of the Revised Code, that it  
has been compared with the copy of the enrolled act, on file in  
the secretary of state's office, containing such law, section, or  
item of law, and found to be correct.

(D) The secretary of state shall prescribe a form for part  
petitions to be submitted during the ten-day period beginning on  
the first day following the date that the secretary of state  
notifies the chairperson of the committee interested in the  
petition that the petition has an insufficient number of valid  
signatures. The form provided to a particular committee shall  
contain a unique identifier and shall be separate from the forms  
prescribed in divisions (A), (B), and (C) of this section. The  
secretary of state shall make the form available to the committee  
only as described in division (F) of section 3519.16 of the

Revised Code. 3070

The form shall comply with the requirements of Section 1g of 3071  
Article II, Ohio Constitution and, except as otherwise provided in 3072  
this division, with the requirements of divisions (A), (B), and 3073  
(C) of this section. 3074

Sec. 3519.16. (A) Pursuant to Section 1g of Article II, Ohio 3075  
Constitution, the supreme court of Ohio shall have exclusive 3076  
original jurisdiction in all challenges to initiative and 3077  
referendum petitions. 3078

(B) The circulator of any part petition, the committee 3079  
interested in the a petition, or any elector may file with the 3080  
board of elections a protest against the board's findings made 3081  
pursuant to section 3519.15 of the Revised Code. Protests shall be 3082  
in writing and shall specify reasons for the protest. Protests for 3083  
all initiative and referendum petitions other than those to be 3084  
voted on by electors throughout the entire state shall be filed 3085  
not later than four p.m. of the seventy fourth day before the day 3086  
of the election. Once a protest is filed, the board shall proceed 3087  
to establish the sufficiency or insufficiency of the signatures 3088  
and of the verification of those signatures in an action before 3089  
the court of common pleas in the county. The action shall be 3090  
brought within three days after the protest is filed, and it shall 3091  
be heard forthwith by a judge of that court, whose decision shall 3092  
be certified to the board. The signatures that are adjudged 3093  
sufficient or the part petitions that are adjudged properly 3094  
verified shall be included with the others by the board, and those 3095  
found insufficient and all those part petitions that are adjudged 3096  
not properly verified shall not be included shall include upon 3097  
each part-petition filed with the secretary of state a designation 3098  
of the county in which the part-petition was circulated and a 3099  
number for the part-petition. In any county where part-petitions 3100

are circulated, each part-petition shall be numbered sequentially. 3101  
The committee shall sort the part-petitions by county. Upon filing 3102  
the petition with the secretary of state, the committee also shall 3103  
file the following: 3104

(1) An electronic copy of the petition along with a 3105  
verification that the electronic copy is a true representation of 3106  
the original filed paper petition; 3107

(2) A summary of the number of part-petitions filed per 3108  
county, and the number of signatures on each part-petition; 3109

(3) An index of the electronic copy of the petition. 3110

(C) From the time the petition is initially filed with the 3111  
secretary of state and until the part-petitions are returned to 3112  
the secretary of state by the boards of elections after a 3113  
determination of sufficiency under section 3519.15 of the Revised 3114  
Code, any request for the inspection or copying of the original 3115  
petition filed with the secretary of state under Chapter 149. of 3116  
the Revised Code is fulfilled if the secretary of state permits 3117  
the inspection of or provides copies of the electronic copy of the 3118  
petition filed by the circulator. 3119

(D) Discrepancies between the electronic copy of a petition 3120  
filed under division (B)(1) of this section and the original paper 3121  
petition filed with the secretary of state shall not render the 3122  
petition invalid. Such discrepancies, if the product of fraud, 3123  
shall be subject to criminal penalties under section 3599.36 of 3124  
the Revised Code. 3125

(E) The properly verified part-petitions, together with ~~the~~ 3126  
~~report~~ an electronic copy of the ~~board~~ part-petitions, shall be 3127  
returned to the secretary of state not less than ~~sixty~~ one hundred 3128  
~~ten~~ days before the election, provided that, in the case of an 3129  
initiated law to be presented to the general assembly, the boards 3130  
shall promptly check and return the petitions together with their 3131

report. The secretary of state shall determine the sufficiency of 3132  
the signatures not later than one hundred five days before the 3133  
election. The secretary of state promptly shall notify the 3134  
chairperson of the committee in charge of the circulation as to 3135  
the sufficiency or insufficiency of the petition and the extent of 3136  
the insufficiency. 3137

(F) If the petition is found insufficient because of an 3138  
insufficient number of valid signatures, the committee shall be 3139  
allowed ten additional days after the notification by the 3140  
secretary of state for the collection and filing of additional 3141  
signatures to the petition. When the secretary of state makes that 3142  
notification, the secretary of state simultaneously shall provide 3143  
the chairperson with the unique petition form described in 3144  
division (D) of section 3519.05 of the Revised Code. No additional 3145  
signatures shall be collected or submitted to the secretary of 3146  
state by the committee interested in the petition, or by any 3147  
person acting on behalf of the committee, during the period 3148  
beginning on the date that the petition is initially submitted to 3149  
the secretary of state and ending on the date that the secretary 3150  
of state notifies the chairperson of the committee that the 3151  
petition has an insufficient number of valid signatures. If the 3152  
committee, or any person acting on behalf of the committee, 3153  
submits additional signatures, the signatures must be on the form 3154  
provided by the secretary of state under this division and only 3155  
signatures that were signed and collected during the ten-day 3156  
period to collect and submit additional signatures may be 3157  
submitted. If additional signatures are filed, the secretary of 3158  
state shall determine the sufficiency of those additional 3159  
signatures not later than sixty-five days before the election. The 3160  
part-petitions of the supplementary petition that appear to the 3161  
secretary of state to be properly verified, upon their receipt by 3162  
the secretary of state, shall forthwith be forwarded to the boards 3163  
of the several counties together with the part-petitions of the 3164

original petition that have been properly verified. They shall be 3165  
immediately examined and passed upon as to the validity and 3166  
sufficiency of the signatures on them by each of the boards and 3167  
returned within ~~five~~ eight days to the secretary of state with the 3168  
report of each board. No signature on a supplementary 3169  
part-petition that is the same as a signature on an original 3170  
part-petition shall be counted. The number of signatures in both 3171  
the original and supplementary petitions, properly verified, shall 3172  
be used by the secretary of state in determining the total number 3173  
of signatures to the petition that the secretary of state shall 3174  
record and announce. If they are sufficient, the amendment, 3175  
proposed law, or law shall be placed on the ballot as required by 3176  
law. If the petition is found insufficient, the secretary of state 3177  
shall notify the committee in charge of the circulation of the 3178  
petition. 3179

**Section 2.** That existing sections 3.02, 302.09, 305.02, 3180  
503.24, 733.31, 1901.10, 2301.02, 3501.301, 3501.38, 3503.06, 3181  
3503.14, 3503.16, 3503.19, 3503.28, 3505.13, 3505.18, 3505.181, 3182  
3505.182, 3505.183, 3509.03, 3509.04, 3509.05, 3511.02, 3511.05, 3183  
3511.09, 3513.04, 3513.262, 3513.263, 3513.30, 3513.31, 3519.05, 3184  
and 3519.16 of the Revised Code are hereby repealed. 3185

**Section 3.** If any provision of a section of the Revised Code 3186  
as amended or enacted by this act or the application thereof to 3187  
any person or circumstance is held invalid, the invalidity does 3188  
not affect other provisions or applications of the section or 3189  
related sections which can be given effect without the invalid 3190  
provision or application, and to this end the provisions are 3191  
severable. 3192