

I\_133\_0163-2

133rd General Assembly  
Regular Session  
2019-2020

Sub. H. B. No. 49

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**A BILL**

To amend section 3501.01 of the Revised Code to 1  
specify that certain county issued licenses 2  
qualify as photo identification for voting 3  
purposes. 4

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

**Section 1.** That section 3501.01 of the Revised Code be 5  
amended to read as follows: 6

**Sec. 3501.01.** As used in the sections of the Revised Code 7  
relating to elections and political communications: 8

(A) "General election" means the election held on the 9  
first Tuesday after the first Monday in each November. 10

(B) "Regular municipal election" means the election held 11  
on the first Tuesday after the first Monday in November in each 12  
odd-numbered year. 13

(C) "Regular state election" means the election held on 14  
the first Tuesday after the first Monday in November in each 15  
even-numbered year. 16



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

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

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

(F) "Political party" means any group of voters meeting 47  
the requirements set forth in section 3517.01 of the Revised 48  
Code for the formation and existence of a political party. 49

(1) "Major political party" means any political party 50  
organized under the laws of this state whose candidate for 51  
governor or nominees for presidential electors received not less 52  
than twenty per cent of the total vote cast for such office at 53  
the most recent regular state election. 54

(2) "Minor political party" means any political party 55  
organized under the laws of this state that meets either of the 56  
following requirements: 57

(a) Except as otherwise provided in this division, the 58  
political party's candidate for governor or nominees for 59  
presidential electors received less than twenty per cent but not 60  
less than three per cent of the total vote cast for such office 61  
at the most recent regular state election. A political party 62  
that meets the requirements of this division remains a political 63  
party for a period of four years after meeting those 64  
requirements. 65

(b) The political party has filed with the secretary of 66  
state, subsequent to its failure to meet the requirements of 67  
division (F) (2) (a) of this section, a petition that meets the 68  
requirements of section 3517.01 of the Revised Code. 69

A newly formed political party shall be known as a minor 70  
political party until the time of the first election for 71  
governor or president which occurs not less than twelve months 72  
subsequent to the formation of such party, after which election 73  
the status of such party shall be determined by the vote for the 74  
office of governor or president. 75

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

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

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

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

(K) "Party candidate" means any candidate who claims to be a member of a political party and who has been certified to appear on the office-type ballot at a general or special

election as the nominee of a political party because the 106  
candidate has won the primary election of the candidate's party 107  
for the public office the candidate seeks, has been nominated 108  
under section 3517.012, or is selected by party committee in 109  
accordance with section 3513.31 of the Revised Code. 110

(L) "Officer of a political party" includes, but is not 111  
limited to, any member, elected or appointed, of a controlling 112  
committee, whether representing the territory of the state, a 113  
district therein, a county, township, a city, a ward, a 114  
precinct, or other territory, of a major or minor political 115  
party. 116

(M) "Question or issue" means any question or issue 117  
certified in accordance with the Revised Code for placement on 118  
an official ballot at a general or special election to be held 119  
in this state. 120

(N) "Elector" or "qualified elector" means a person having 121  
the qualifications provided by law to be entitled to vote. 122

(O) "Voter" means an elector who votes at an election. 123

(P) "Voting residence" means that place of residence of an 124  
elector which shall determine the precinct in which the elector 125  
may vote. 126

(Q) "Precinct" means a district within a county 127  
established by the board of elections of such county within 128  
which all qualified electors having a voting residence therein 129  
may vote at the same polling place. 130

(R) "Polling place" means that place provided for each 131  
precinct at which the electors having a voting residence in such 132  
precinct may vote. 133

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

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

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

(1) Secretary of state;

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

(3) Director of a board of elections;

(4) Deputy director of a board of elections;

(5) Member of a board of elections;

(6) Employees of a board of elections;

(7) Precinct election officials;

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

(V) "Acknowledgment notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, informing a voter registration applicant or an applicant who wishes to change the applicant's residence or name of the status of the application; the information necessary to complete or update the application, if any; and if the application is complete, the precinct in which the applicant is to vote.

(W) "Confirmation notice" means a notice sent by a board

of elections, on a form prescribed by the secretary of state, to 161  
a registered elector to confirm the registered elector's current 162  
address. 163

(X) "Designated agency" means an office or agency in the 164  
state that provides public assistance or that provides state- 165  
funded programs primarily engaged in providing services to 166  
persons with disabilities and that is required by the National 167  
Voter Registration Act of 1993 to implement a program designed 168  
and administered by the secretary of state for registering 169  
voters, or any other public or government office or agency that 170  
implements a program designed and administered by the secretary 171  
of state for registering voters, including the department of job 172  
and family services, the program administered under section 173  
3701.132 of the Revised Code by the department of health, the 174  
department of mental health and addiction services, the 175  
department of developmental disabilities, the opportunities for 176  
Ohioans with disabilities agency, and any other agency the 177  
secretary of state designates. "Designated agency" does not 178  
include public high schools and vocational schools, public 179  
libraries, or the office of a county treasurer. 180

(Y) "National Voter Registration Act of 1993" means the 181  
"National Voter Registration Act of 1993," 107 Stat. 77, 42 182  
U.S.C.A. 1973gg. 183

(Z) "Voting Rights Act of 1965" means the "Voting Rights 184  
Act of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. 185

(AA) "Photo identification" means a document that meets 186  
each of the following requirements: 187

(1) It shows the name of the individual to whom it was 188  
issued, which shall conform to the name in the poll list or 189

signature pollbook. 190

(2) It shows the current address of the individual to whom 191  
it was issued, which shall conform to the address in the poll 192  
list or signature pollbook, except for a driver's license or a 193  
state identification card issued under section 4507.50 of the 194  
Revised Code, which may show either the current or former 195  
address of the individual to whom it was issued, regardless of 196  
whether that address conforms to the address in the poll list or 197  
signature pollbook. 198

(3) It shows a photograph of the individual to whom it was 199  
issued. 200

(4) It includes an expiration date that has not passed. 201

(5) It was issued by the government of the United States 202  
or this state, or by a county of this state so long as in order 203  
to obtain the identification the county required proof of county 204  
residency and presentation of a birth certificate, passport, or 205  
Ohio driver's license or state identification card. 206

**Section 2.** That existing section 3501.01 of the Revised 207  
Code is hereby repealed. 208