

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

131st General Assembly

**Regular Session
2015-2016**

Sub. S. B. No. 63

Senator LaRose

**Cosponsors: Senators Hite, Jones, Gardner, Lehner, Hottinger, Skindell, Tavares,
Brown, Coley**

A BILL

To amend sections 3501.01, 3503.10, 3503.14 , 1
3503.15, 3503.18, 3503.19, 3503.21, 3503.23, 2
3505.181, 3513.05, 3513.18, 3513.19, 3513.191, 3
3517.012, 3517.013, 3599.02, and 3599.18; to 4
enact sections 3503.20 and 3503.22; and to 5
repeal sections 3513.20, 3517.014, and 3517.016 6
of the Revised Code to create an online voter 7
registration system, to revise the law 8
concerning electors' political party 9
affiliations, to require the Secretary of State 10
annually to review the Statewide Voter 11
Registration Database to identify registrants 12
who are not United States citizens, and to 13
modify the procedures for maintaining the 14
Statewide Voter Registration Database. 15

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

Section 1. That sections 3501.01, 3503.10, 3503.14, 16
3503.15, 3503.18, 3503.19, 3503.21, 3503.23, 3505.181, 3513.05, 17
3513.18, 3513.19, 3513.191, 3517.012, 3517.013, 3599.02, and 18

3599.18 be amended and sections 3503.20 and 3503.22 of the Revised Code be enacted to read as follows:

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

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

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

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

(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 February, 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 February or May, except as authorized by a municipal or county charter, but may be held on the first 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. 48
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(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 first Tuesday after the first Monday in March except as otherwise authorized by a municipal or county charter. 50
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(F) "Political party" means any group of voters meeting the requirements set forth in section 3517.01 of the Revised Code for the formation and existence of a political party. 61
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(1) "Major political party" means any political party organized under the laws of this state whose candidate for governor or nominees for presidential electors received not less than twenty per cent of the total vote cast for such office at the most recent regular state election. 64
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(2) "Minor political party" means any political party organized under the laws of this state that meets either of the following requirements: 69
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(a) Except as otherwise provided in this division, the political party's candidate for governor or nominees for presidential electors received less than twenty per cent but not less than three per cent of the total vote cast for such office at the most recent regular state election. A political party 72
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that meets the requirements of this division remains a political 77
party for a period of four years after meeting those 78
requirements. 79

(b) The political party has filed with the secretary of 80
state, subsequent to its failure to meet the requirements of 81
division (F) (2) (a) of this section, a petition that meets the 82
requirements of section 3517.01 of the Revised Code. 83

A newly formed political party shall be known as a minor 84
political party until the time of the first election for 85
governor or president which occurs not less than twelve months 86
subsequent to the formation of such party, after which election 87
the status of such party shall be determined by the vote for the 88
office of governor or president. 89

(G) "Dominant party in a precinct" or "dominant political 90
party in a precinct" means that political party whose candidate 91
for election to the office of governor at the most recent 92
regular state election at which a governor was elected received 93
more votes than any other person received for election to that 94
office in such precinct at such election. 95

(H) "Candidate" means any qualified person certified in 96
accordance with the provisions of the Revised Code for placement 97
on the official ballot of a primary, general, or special 98
election to be held in this state, or any qualified person who 99
claims to be a write-in candidate, or who knowingly assents to 100
being represented as a write-in candidate by another at either a 101
primary, general, or special election to be held in this state. 102

(I) "Independent candidate" means any candidate who ~~claims~~ 103
~~is not to be~~ affiliated with a political party, and whose name 104
has been certified on the office-type ballot at a general or 105

special election through the filing of a statement of candidacy 106
and nominating petition, as prescribed in section 3513.257 of 107
the Revised Code. 108

(J) "Nonpartisan candidate" means any candidate whose name 109
is required, pursuant to section 3505.04 of the Revised Code, to 110
be listed on the nonpartisan ballot, including all candidates 111
for judicial office, for member of any board of education, for 112
municipal or township offices in which primary elections are not 113
held for nominating candidates by political parties, and for 114
offices of municipal corporations having charters that provide 115
for separate ballots for elections for these offices. 116

(K) "Party candidate" means any candidate who ~~claims to be~~ 117
~~a member of~~ is affiliated with a political party and who has 118
been certified to appear on the office-type ballot at a general 119
or special election as the nominee of a political party because 120
the candidate has won the primary election of the candidate's 121
party for the public office the candidate seeks, has been 122
nominated under section 3517.012, or is selected by party 123
committee in accordance with section 3513.31 of the Revised 124
Code. 125

(L) "Officer of a political party" includes, but is not 126
limited to, any member, elected or appointed, of a controlling 127
committee, whether representing the territory of the state, a 128
district therein, a county, township, a city, a ward, a 129
precinct, or other territory, of a major or minor political 130
party. 131

(M) "Question or issue" means any question or issue 132
certified in accordance with the Revised Code for placement on 133
an official ballot at a general or special election to be held 134
in this state. 135

(N) "Elector" or "qualified elector" means a person having the qualifications provided by law to be entitled to vote.	136 137
(O) "Voter" means an elector who votes at an election.	138
(P) "Voting residence" means that place of residence of an elector which shall determine the precinct in which the elector may vote.	139 140 141
(Q) "Precinct" means a district within a county established by the board of elections of such county within which all qualified electors having a voting residence therein may vote at the same polling place.	142 143 144 145
(R) "Polling place" means that place provided for each precinct at which the electors having a voting residence in such precinct may vote.	146 147 148
(S) "Board" or "board of elections" means the board of elections appointed in a county pursuant to section 3501.06 of the Revised Code.	149 150 151
(T) "Political subdivision" means a county, township, city, village, or school district.	152 153
(U) "Election officer" or "election official" means any of the following:	154 155
(1) Secretary of state;	156
(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;	157 158 159 160
(3) Director of a board of elections;	161
(4) Deputy director of a board of elections;	162

(5) Member of a board of elections;	163
(6) Employees of a board of elections;	164
(7) Precinct election officials;	165
(8) Employees appointed by the boards of elections on a temporary or part-time basis.	166 167
(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.	168 169 170 171 172 173 174
(W) "Confirmation notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, to a registered elector to confirm the registered elector's current address.	175 176 177 178
(X) "Designated agency" means an office or agency in the state that provides public assistance or that provides state-funded programs primarily engaged in providing services to persons with disabilities and that is required by the National Voter Registration Act of 1993 to implement a program designed and administered by the secretary of state for registering voters, or any other public or government office or agency that implements a program designed and administered by the secretary of state for registering voters, including the department of job and family services, the program administered under section 3701.132 of the Revised Code by the department of health, the department of mental health and addiction services, the department of developmental disabilities, the opportunities for	179 180 181 182 183 184 185 186 187 188 189 190 191

Ohioans with disabilities agency, and any other agency the secretary of state designates. "Designated agency" does not include public high schools and vocational schools, public libraries, or the office of a county treasurer.

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

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

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

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

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

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

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

(5) It was issued by the government of the United States or this state.

Sec. 3503.10. (A) Each designated agency shall designate

one person within that agency to serve as coordinator for the 220
voter registration program within the agency and its 221
departments, divisions, and programs. The designated person 222
shall be trained under a program designed by the secretary of 223
state and shall be responsible for administering all aspects of 224
the voter registration program for that agency as prescribed by 225
the secretary of state. The designated person shall receive no 226
additional compensation for performing such duties. 227

(B) Every designated agency, public high school and 228
vocational school, public library, and office of a county 229
treasurer shall provide in each of its offices or locations 230
voter registration applications and assistance in the 231
registration of persons qualified to register to vote, in 232
accordance with this chapter. 233

(C) Every designated agency shall distribute to its 234
applicants, prior to or in conjunction with distributing a voter 235
registration application, a form prescribed by the secretary of 236
state that includes all of the following: 237

(1) The question, "Do you want to register to vote or 238
update your current voter registration?"--followed by boxes for 239
the applicant to indicate whether the applicant would like to 240
register or decline to register to vote, and the statement, 241
highlighted in bold print, "If you do not check either box, you 242
will be considered to have decided not to register to vote at 243
this time."; 244

(2) If the agency provides public assistance, the 245
statement, "Applying to register or declining to register to 246
vote will not affect the amount of assistance that you will be 247
provided by this agency."; 248

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

(4) The statement, "If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, or your right to choose your own political party or other political preference, you may file a complaint with the prosecuting attorney of your county or with the secretary of state," with the address and telephone number for each such official's office.

(D) Each designated agency shall distribute a voter registration form prescribed by the secretary of state to each applicant with each application for service or assistance, and with each written application or form for recertification, renewal, or change of address.

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

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

(2) Accept completed voter registration applications, voter registration change of residence forms, and voter registration change of name forms, regardless of whether the application or form was distributed by the designated agency, for transmittal to the office of the board of elections in the

county in which the agency is located. Each designated agency 278
and the appropriate board of elections shall establish a method 279
by which the voter registration applications and other voter 280
registration forms are transmitted to that board of elections 281
within five days after being accepted by the agency. 282

(3) If the designated agency is one that is primarily 283
engaged in providing services to persons with disabilities under 284
a state-funded program, and that agency provides services to a 285
person with disabilities at a person's home, provide the 286
services described in divisions (E) (1) and (2) of this section 287
at the person's home; 288

(4) Keep as confidential, except as required by the 289
secretary of state for record-keeping purposes, the identity of 290
an agency through which a person registered to vote or updated 291
the person's voter registration records, and information 292
relating to a declination to register to vote made in connection 293
with a voter registration application issued by a designated 294
agency. 295

(F) The secretary of state shall prepare and transmit 296
written instructions on the implementation of the voter 297
registration program within each designated agency, public high 298
school and vocational school, public library, and office of a 299
county treasurer. The instructions shall include directions as 300
follows: 301

(1) That each person designated to assist with voter 302
registration maintain strict neutrality with respect to a 303
person's political philosophies, a person's right to register or 304
decline to register, and any other matter that may influence a 305
person's decision to register or not register to vote; 306

(2) That each person designated to assist with voter registration not seek to influence a person's decision to register or not register to vote, not display or demonstrate any political preference or party allegiance, and not make any statement to a person or take any action the purpose or effect of which is to lead a person to believe that a decision to register or not register has any bearing on the availability of services or benefits offered, on the grade in a particular class in school, or on credit for a particular class in school;

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

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

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

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

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

(2) Designate a person to assist with voter registration

from the public high school's or vocational school's staff; 336

(3) Make voter registration applications and materials 337
available, as outlined in the voter registration program 338
established by the secretary of state pursuant to section 339
3501.05 of the Revised Code; 340

(4) Distribute the statement, "applying to register or 341
declining to register to vote, or registering as affiliated with 342
a particular political party or registering to vote and 343
remaining unaffiliated, will not affect or be a condition of 344
your receiving a particular grade in or credit for a school 345
course or class, participating in a curricular or 346
extracurricular activity, receiving a benefit or privilege, or 347
participating in a program or activity otherwise available to 348
pupils enrolled in this school district's schools."; 349

(5) Establish a method by which the voter registration 350
application and other voter registration forms are transmitted 351
to the board of elections within five days after being accepted 352
by the public high school or vocational school. 353

(H) Any person employed by the designated agency, public 354
high school or vocational school, public library, or office of a 355
county treasurer may be designated to assist with voter 356
registration pursuant to this section. The designated agency, 357
public high school or vocational school, public library, or 358
office of a county treasurer shall provide the designated 359
person, and make available such space as may be necessary, 360
without charge to the county or state. 361

(I) The secretary of state shall prepare and cause to be 362
displayed in a prominent location in each designated agency a 363
notice that identifies the person designated to assist with 364

voter registration, the nature of that person's duties, and 365
where and when that person is available for assisting in the 366
registration of voters. 367

A designated agency may furnish additional supplies and 368
services to disseminate information to increase public awareness 369
of the existence of a person designated to assist with voter 370
registration in every designated agency. 371

(J) This section does not limit any authority a board of 372
education, superintendent, or principal has to allow, sponsor, 373
or promote voluntary election registration programs within a 374
high school or vocational school, including programs in which 375
pupils serve as persons designated to assist with voter 376
registration, provided that no pupil is required to participate. 377

(K) Each public library and office of the county treasurer 378
shall establish a method by which voter registration forms are 379
transmitted to the board of elections within five days after 380
being accepted by the public library or office of the county 381
treasurer. 382

(L) The department of job and family services and its 383
departments, divisions, and programs shall limit administration 384
of the aspects of the voter registration program for the 385
department to the requirements prescribed by the secretary of 386
state and the requirements of this section and the National 387
Voter Registration Act of 1993. 388

Sec. 3503.14. (A) The secretary of state shall prescribe 389
the form and content of the registration, change of residence, 390
and change of name forms used in this state. ~~The~~ 391

(1) The forms shall meet the requirements of the National 392
Voter Registration Act of 1993 and shall include spaces for all 393

of the following:	394
(1) <u>(a)</u> The voter's name;	395
(2) <u>(b)</u> The voter's address;	396
(3) <u>(c)</u> The current date;	397
(4) <u>(d)</u> The voter's date of birth;	398
(5) <u>(e)</u> The voter to provide one or more of the following:	399
(a) <u>(i)</u> The voter's driver's license number, if any;	400
(b) <u>(ii)</u> The last four digits of the voter's social security number, if any;	401 402
(c) <u>(iii)</u> 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 voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the voter's name and address.	403 404 405 406 407 408 409
(6) <u>(f)</u> The voter's signature.	410
<u>(2) (a) The registration form shall include a space for the applicant to write the name of a political party, as defined in section 3517.01 of the Revised Code, if the applicant wishes to be affiliated with that party.</u>	411 412 413 414
<u>(b) The form shall state that if the applicant is not currently registered as affiliated with a political party, as defined in section 3517.01 of the Revised Code, and does not write the name of a political party, as defined in that section, the applicant will be recorded as having no party affiliation.</u>	415 416 417 418 419
<u>(c) If any of the following are true, the applicant shall</u>	420

not be registered as affiliated with any political party: 421

(i) The applicant is not currently registered as 422
affiliated with a political party, as defined in section 3517.01 423
of the Revised Code, and the applicant does not write the name 424
of a political party, as defined in that section. 425

(ii) The applicant writes the name of an organization that 426
is not a political party, as defined in section 3517.01 of the 427
Revised Code, at the time the form is received by the board of 428
elections. 429

(iii) The applicant writes the names of two or more 430
organizations or political parties. 431

(d) If the applicant is currently registered as affiliated 432
with a political party, as defined in section 3517.01 of the 433
Revised Code, and the applicant does not write the name of a 434
political party, as defined in that section, the board shall 435
retain the political party affiliation from the applicant's 436
prior registration record. 437

(3) The registration form shall include a space on which 438
the person registering an applicant shall sign the person's name 439
and provide the person's address and a space on which the person 440
registering an applicant shall name the employer who is 441
employing that person to register the applicant. 442

(4) Except for forms prescribed by the secretary of state 443
under section 3503.11 of the Revised Code, the secretary of 444
state shall permit boards of elections to produce forms that 445
have subdivided spaces for each individual alphanumeric 446
character of the information provided by the voter so as to 447
accommodate the electronic reading and conversion of the voter's 448
information to data and the subsequent electronic transfer of 449

that data to the statewide voter registration database 450
established under section 3503.15 of the Revised Code. 451

(B) None of the following persons who are registering an 452
applicant in the course of that official's or employee's normal 453
duties shall sign the person's name, provide the person's 454
address, or name the employer who is employing the person to 455
register an applicant on a form prepared under this section: 456

(1) An election official; 457

(2) A county treasurer; 458

(3) A deputy registrar of motor vehicles; 459

(4) An employee of a designated agency; 460

(5) An employee of a public high school; 461

(6) An employee of a public vocational school; 462

(7) An employee of a public library; 463

(8) An employee of the office of a county treasurer; 464

(9) An employee of the bureau of motor vehicles; 465

(10) An employee of a deputy registrar of motor vehicles; 466

(11) An employee of an election official. 467

(C) Except as provided in section 3501.382 of the Revised 468
Code, any applicant who is unable to sign the applicant's own 469
name shall make an "X," if possible, which shall be certified by 470
the signing of the name of the applicant by the person filling 471
out the form, who shall add the person's own signature. If an 472
applicant is unable to make an "X," the applicant shall indicate 473
in some manner that the applicant desires to register to vote or 474
to change the applicant's name or residence. The person 475

registering the applicant shall sign the form and attest that 476
the applicant indicated that the applicant desired to register 477
to vote or to change the applicant's name or residence. 478

(D) No registration, change of residence, or change of 479
name form shall be rejected solely on the basis that a person 480
registering an applicant failed to sign the person's name or 481
failed to name the employer who is employing that person to 482
register the applicant as required under division (A) of this 483
section. 484

(E) A voter registration application submitted online 485
through the internet pursuant to section 3503.20 of the Revised 486
Code is not required to contain a signature to be considered 487
valid. The signature obtained under division (B) of that section 488
shall be considered the applicant's signature for all election 489
and signature-matching purposes. 490

(F) As used in this section, "registering an applicant" 491
includes any effort, for compensation, to provide voter 492
registration forms or to assist persons in completing or 493
returning those forms. 494

Sec. 3503.15. (A) (1) The secretary of state shall 495
establish and maintain a statewide voter registration database 496
that shall be administered by the office of the secretary of 497
state and made continuously available to each board of elections 498
and to other agencies as authorized by law. 499

(2) (a) State agencies, including, but not limited to, the 500
department of health, the bureau of motor vehicles, the 501
department of job and family services, the department of 502
medicaid, and the department of rehabilitation and corrections, 503
shall provide any information and data to the secretary of state 504

that is collected in the course of normal business and that is 505
necessary to register to vote, to update an elector's 506
registration, or to maintain the statewide voter registration 507
database established pursuant to this section, except where 508
prohibited by federal law or regulation. The department of 509
health, the bureau of motor vehicles, the department of job and 510
family services, the department of medicaid, and the department 511
of rehabilitation and corrections shall provide that information 512
and data to the secretary of state not later than the last day 513
of each month. The secretary of state shall ensure that any 514
information or data provided to the secretary of state that is 515
confidential in the possession of the entity providing the data 516
remains confidential while in the possession of the secretary of 517
state. No public office, and no public official or employee, 518
shall sell that information or data or use that information or 519
data for profit. 520

(b) Information provided under this division for 521
maintenance of the statewide voter registration database shall 522
not be used to update the name or address of a registered 523
elector. The name or address of a registered elector shall only 524
be updated as a result of the elector's actions in filing a 525
notice of change of name, change of address, or both. 526

(c) A board of elections shall contact a registered 527
elector pursuant to the rules adopted under division (D) (7) of 528
this section to verify the accuracy of the information in the 529
statewide voter registration database regarding that elector if 530
that information does not conform with information provided 531
under division (A) (2) (a) of this section and the discrepancy 532
would affect the elector's eligibility to cast a regular ballot. 533

(3) (a) The secretary of state shall enter into agreements 534

to share information or data that is in the possession of the secretary of state with other states or groups of states, as the secretary of state considers necessary, in order to maintain the statewide voter registration database established pursuant to this section. Except as otherwise provided in division (A) (3) (b) of this section, the secretary of state shall ensure that any information or data provided to the secretary of state that is confidential in the possession of the state providing the data remains confidential while in the possession of the secretary of state.

(b) The secretary of state may provide such otherwise confidential information or data to persons or organizations that are engaging in legitimate governmental purposes related to the maintenance of the statewide voter registration database. The secretary of state shall adopt rules pursuant to Chapter 119. of the Revised Code identifying the persons or organizations who may receive that information or data. The secretary of state shall not share that information or data with a person or organization not identified in those rules. The secretary of state shall ensure that a person or organization that receives confidential information or data under this division keeps the information or data confidential in the person's or organization's possession by, at a minimum, entering into a confidentiality agreement with the person or organization. Any confidentiality agreement entered into under this division shall include a requirement that the person or organization submit to the jurisdiction of this state in the event that the person or organization breaches the agreement.

(4) No person or entity that receives information or data under division (A) (3) of this section shall sell the information or data or use the information or data for profit.

(5) The secretary of state shall regularly transmit to the 566
boards of elections, to the extent permitted by state and 567
federal law, the information and data the secretary of state 568
receives under divisions (A)(2) and (3) of this section that is 569
necessary to do the following, in order to ensure that the 570
accuracy of the statewide voter registration database is 571
maintained on a regular basis in accordance with applicable 572
state and federal law: 573

(a) Require the boards of elections to maintain the 574
database in a manner that ensures that the name of each 575
registered elector appears in the database, that only 576
individuals who are not registered or eligible to vote are 577
removed from the database, and that duplicate registrations are 578
eliminated from the database; 579

(b) Require the boards of elections to make a reasonable 580
effort to remove individuals who are not eligible to vote from 581
the database; 582

(c) Establish safeguards to ensure that eligible electors 583
are not removed in error from the database. 584

(B) The statewide voter registration database established 585
under this section shall be the official list of registered 586
voters for all elections conducted in this state. 587

(C) The statewide voter registration database established 588
under this section shall, at a minimum, include all of the 589
following: 590

(1) An electronic network that connects all board of 591
elections offices with the office of the secretary of state and 592
with the offices of all other boards of elections; 593

(2) A computer program that harmonizes the records 594

contained in the database with records maintained by each board 595
of elections; 596

(3) An interactive computer program that allows access to 597
the records contained in the database by each board of elections 598
and by any persons authorized by the secretary of state to add, 599
delete, modify, or print database records, and to conduct 600
updates of the database; 601

(4) A search program capable of verifying registered 602
voters and their registration information by name, driver's 603
license number, birth date, social security number, or current 604
address; 605

(5) Safeguards and components to ensure that the 606
integrity, security, and confidentiality of the voter 607
registration information is maintained; 608

(6) Methods to retain canceled voter registration records 609
for not less than five years after they are canceled and to 610
record the reason for their cancellation. 611

(D) The secretary of state shall adopt rules pursuant to 612
Chapter 119. of the Revised Code doing all of the following: 613

(1) Specifying the manner in which existing voter 614
registration records maintained by boards of elections shall be 615
converted to electronic files for inclusion in the statewide 616
voter registration database; 617

(2) Establishing a uniform method for entering voter 618
registration records into the statewide voter registration 619
database on an expedited basis, but not less than once per day, 620
if new registration information is received; 621

(3) Establishing a uniform method for purging canceled 622

voter registration records from the statewide voter registration database in accordance with section 3503.21 of the Revised Code; 623
624

(4) Specifying the persons authorized to add, delete, modify, or print records contained in the statewide voter registration database and to make updates of that database; 625
626
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(5) Establishing a process for annually auditing the information contained in the statewide voter registration database; 628
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(6) Establishing, by mutual agreement with the bureau of motor vehicles, the content and format of the information and data the bureau of motor vehicles shall provide to the secretary of state under division (A)(2)(a) of this section and the frequency with which the bureau shall provide that information and data; 631
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(7) Establishing a uniform method for addressing instances in which records contained in the statewide voter registration database do not conform with records maintained by an agency, state, or group of states described in division (A)(2)(a) or (3)(a) of this section. That method shall prohibit an elector's voter registration from being canceled on the sole basis that the information in the registration record does not conform to records maintained by such an agency. 637
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(E) A board of elections promptly shall purge a voter's name and voter registration information from the statewide voter registration database in accordance with the rules adopted by the secretary of state under division (D)(3) of this section after the cancellation of a voter's registration under section 3503.21 of the Revised Code. 645
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(F) The secretary of state shall provide training in the 651

operation of the statewide voter registration database to each board of elections and to any persons authorized by the secretary of state to add, delete, modify, or print database records, and to conduct updates of the database.

(G) (1) The statewide voter registration database established under this section shall be made available on a web site of the office of the secretary of state as follows:

(a) Except as otherwise provided in division (G) (1) (b) of this section, the following information from the statewide voter registration database regarding a registered voter shall be made available on the web site:

- (i) The voter's name;
- (ii) The voter's address;
- (iii) The voter's precinct number;
- (iv) The voter's political party affiliation, if any;
- (v) The voter's voting history.

(b) During the thirty days before the day of a primary or general election, the web site interface of the statewide voter registration database shall permit a voter to search for the polling location at which that voter may cast a ballot.

(2) The secretary of state shall establish, by rule adopted under Chapter 119. of the Revised Code, a process for boards of elections to notify the secretary of state of changes in the locations of precinct polling places for the purpose of updating the information made available on the secretary of state's web site under division (G) (1) (b) of this section. Those rules shall require a board of elections, during the thirty days before the day of a primary or general election, to notify the

secretary of state within one business day of any change to the location of a precinct polling place within the county.

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

(H) The secretary of state shall conduct an annual review of the statewide voter registration database as follows:

(1) The secretary of state shall compare the information in the statewide voter registration database with the information the secretary of state obtains from the bureau of motor vehicles under division (A) (2) of this section to identify any person who does all of the following, in the following order:

(a) Submits documentation to the bureau of motor vehicles that indicates that the person is not a United States citizen;

(b) Registers to vote, submits a voter registration change of residence or change of name form, or votes in this state;

(c) Submits documentation to the bureau of motor vehicles that indicates that the person is not a United States citizen.

(2) The secretary of state shall send a written notice to each person identified under division (H) (1) of this section, instructing the person either to confirm that the person is a United States citizen or to submit a completed voter registration cancellation form to the secretary of state. The secretary of state shall include a blank voter registration

cancellation form with the notice. If the person fails to 709
respond to the secretary of state in the manner described in 710
division (H) (3) or (4) of this section not later than thirty 711
days after the notice was sent, the secretary of state promptly 712
shall send the person a second notice and form. 713

(3) If, not later than sixty days after the first notice 714
was sent, a person who is sent a notice under division (H) (2) of 715
this section responds to the secretary of state, confirming that 716
the person is a United States citizen, the secretary of state 717
shall take no action concerning the person's voter registration. 718

(4) If, not later than sixty days after the first notice 719
was sent, a person who receives a notice under division (H) (2) 720
of this section sends a completed voter registration 721
cancellation form to the secretary of state, the secretary of 722
state shall instruct the board of elections of the county in 723
which the person is registered to cancel the person's 724
registration. 725

(5) If a person who was sent a second notice under 726
division (H) (2) of this section fails to respond to the 727
secretary of state in the manner described in division (H) (3) or 728
(4) of this section not later than thirty days after the second 729
notice was sent, the secretary of state shall refer the matter 730
to the attorney general for further investigation and possible 731
prosecution under section 3599.11, 3599.12, 3599.13, or any 732
other applicable section of the Revised Code. If, after the 733
thirtieth day after the second notice was sent, the person sends 734
a completed voter registration cancellation form to the 735
secretary of state, the secretary of state shall instruct the 736
board of elections of the county in which the person is 737
registered to cancel the person's registration and shall notify 738

the attorney general of the cancellation. 739

(6) The secretary of state shall not conduct the review 740
described in division (H) of this section during the ninety days 741
immediately preceding a primary or general election for federal 742
office. 743

Sec. 3503.18. (A) (1) ~~The~~ Not later than the last day of 744
each month, the director of health shall file with the secretary 745
of state, ~~at least once each month,~~ the names, social security 746
numbers, dates of birth, dates of death, and residences of all 747
persons, over eighteen years of age, who have died within this 748
state or another state ~~within such month~~ during the period 749
beginning on the date of the most recent filing and ending on 750
the day before the date of the current filing. If the director 751
is notified of the death of such a person after the director has 752
filed the report for the ~~month in period during~~ which the person 753
died, the director shall file with the secretary of state a 754
supplemental report containing that information concerning the 755
person not later than one month after the director is notified 756
of the person's death. 757

(2) The secretary of state and the director of health 758
shall jointly establish a secure electronic system through which 759
they shall exchange the information described in division (A) (1) 760
of this section regarding the death of a registered elector. 761

(B) At least once each month, each probate judge in this 762
state shall file with the board of elections the names and 763
residence addresses of all persons over eighteen years of age 764
who have been adjudicated incompetent for the purpose of voting, 765
as provided in section 5122.301 of the Revised Code. 766

(C) At least once each month the clerk of the court of 767

common pleas shall file with the board the names and residence 768
addresses of all persons who have been convicted during the 769
previous month of crimes that would disfranchise such persons 770
under existing laws of the state. Reports of conviction of 771
crimes under the laws of the United States that would 772
disfranchise an elector and that are provided to the secretary 773
of state by any United States attorney shall be forwarded by the 774
secretary of state to the appropriate board of elections. 775

(D) Upon receiving a report required by this section, the 776
board of elections shall promptly cancel the registration of 777
each elector named in the report in accordance with section 778
3503.21 of the Revised Code. If the report contains a residence 779
address of an elector in a county other than the county in which 780
the board of elections is located, the director shall promptly 781
send a copy of the report to the appropriate board of elections, 782
which shall cancel the registration in accordance with that 783
section. 784

Sec. 3503.19. (A) Persons qualified to register or to 785
change their registration because of a change of address or 786
change of name may register or change their registration in 787
person at any state or local office of a designated agency, at 788
the office of the registrar or any deputy registrar of motor 789
vehicles, at a public high school or vocational school, at a 790
public library, at the office of a county treasurer, or at a 791
branch office established by the board of elections, or in 792
person, through another person, or by mail at the office of the 793
secretary of state or at the office of a board of elections. A 794
registered elector may also change the elector's registration on 795
election day at any polling place where the elector is eligible 796
to vote, in the manner provided under section 3503.16 of the 797
Revised Code. 798

Any state or local office of a designated agency, the 799
office of the registrar or any deputy registrar of motor 800
vehicles, a public high school or vocational school, a public 801
library, or the office of a county treasurer shall transmit any 802
voter registration application or change of registration form 803
that it receives to the board of elections of the county in 804
which the state or local office is located, within five days 805
after receiving the voter registration application or change of 806
registration form. 807

An otherwise valid voter registration application that is 808
returned to the appropriate office other than by mail must be 809
received by a state or local office of a designated agency, the 810
office of the registrar or any deputy registrar of motor 811
vehicles, a public high school or vocational school, a public 812
library, the office of a county treasurer, the office of the 813
secretary of state, or the office of a board of elections no 814
later than the thirtieth day preceding a primary, special, or 815
general election for the person to qualify as an elector 816
eligible to vote at that election. An otherwise valid 817
registration application received after that day entitles the 818
elector to vote at all subsequent elections. 819

Any state or local office of a designated agency, the 820
office of the registrar or any deputy registrar of motor 821
vehicles, a public high school or vocational school, a public 822
library, or the office of a county treasurer shall date stamp a 823
registration application or change of name or change of address 824
form it receives using a date stamp that does not disclose the 825
identity of the state or local office that receives the 826
registration. 827

Voter registration applications, if otherwise valid, that 828

are returned by mail to the office of the secretary of state or 829
to the office of a board of elections must be postmarked no 830
later than the thirtieth day preceding a primary, special, or 831
general election in order for the person to qualify as an 832
elector eligible to vote at that election. If an otherwise valid 833
voter registration application that is returned by mail does not 834
bear a postmark or a legible postmark, the registration shall be 835
valid for that election if received by the office of the 836
secretary of state or the office of a board of elections no 837
later than twenty-five days preceding any special, primary, or 838
general election. 839

(B) (1) Any person may apply in person, by telephone, by 840
mail, or through another person for voter registration forms to 841
the office of the secretary of state or the office of a board of 842
elections. An individual who is eligible to vote as a uniformed 843
services voter or an overseas voter in accordance with 42 U.S.C. 844
1973ff-6 also may apply for voter registration forms by 845
electronic means to the office of the secretary of state or to 846
the board of elections of the county in which the person's 847
voting residence is located pursuant to section 3503.191 of the 848
Revised Code. 849

(2) (a) An applicant may return the applicant's completed 850
registration form in person or by mail to any state or local 851
office of a designated agency, to a public high school or 852
vocational school, to a public library, to the office of a 853
county treasurer, to the office of the secretary of state, or to 854
the office of a board of elections. An applicant who is eligible 855
to vote as a uniformed services voter or an overseas voter in 856
accordance with 42 U.S.C. 1973ff-6 also may return the 857
applicant's completed voter registration form electronically to 858
the office of the secretary of state or to the board of 859

elections of the county in which the person's voting residence 860
is located pursuant to section 3503.191 of the Revised Code. 861

(b) Subject to division (B) (2) (c) of this section, an 862
applicant may return the applicant's completed registration form 863
through another person to any board of elections or the office 864
of the secretary of state. 865

(c) A person who receives compensation for registering a 866
voter shall return any registration form entrusted to that 867
person by an applicant to any board of elections or to the 868
office of the secretary of state. 869

(d) If a board of elections or the office of the secretary 870
of state receives a registration form under division (B) (2) (b) 871
or (c) of this section before the thirtieth day before an 872
election, the board or the office of the secretary of state, as 873
applicable, shall forward the registration to the board of 874
elections of the county in which the applicant is seeking to 875
register to vote within ten days after receiving the 876
application. If a board of elections or the office of the 877
secretary of state receives a registration form under division 878
(B) (2) (b) or (c) of this section on or after the thirtieth day 879
before an election, the board or the office of the secretary of 880
state, as applicable, shall forward the registration to the 881
board of elections of the county in which the applicant is 882
seeking to register to vote within thirty days after that 883
election. 884

(C) (1) A board of elections that receives a voter 885
registration application and is satisfied as to the truth of the 886
statements made in the registration form shall register the 887
applicant not later than twenty business days after receiving 888
the application, unless that application is received during the 889

thirty days immediately preceding the day of an election. The 890
board shall promptly notify the applicant in writing of each of 891
the following: 892

(a) The applicant's registration; 893

(b) The political party, if any, with which the applicant 894
is registered as affiliated; 895

(c) The precinct in which the applicant is to vote; 896

~~(e)~~ (d) In bold type as follows: 897

"Voters must bring identification to the polls in order to 898
verify identity. Identification may include a current and valid 899
photo identification, a military identification, or a copy of a 900
current utility bill, bank statement, government check, 901
paycheck, or other government document, other than this 902
notification, that shows the voter's name and current address. 903
Voters who do not provide one of these documents will still be 904
able to vote by casting a provisional ballot. Voters who do not 905
have any of the above forms of identification, including a 906
social security number, will still be able to vote by signing an 907
affirmation swearing to the voter's identity under penalty of 908
election falsification and by casting a provisional ballot." 909

The notification shall be by nonforwardable mail. If the 910
mail is returned to the board, it shall investigate and cause 911
the notification to be delivered to the correct address. 912

(2) If, after investigating as required under division (C) 913
(1) of this section, the board is unable to verify the voter's 914
correct address, it shall cause the voter's name in the official 915
registration list and in the poll list or signature pollbook to 916
be marked to indicate that the voter's notification was returned 917
to the board. 918

At the first election at which a voter whose name has been 919
so marked appears to vote, the voter shall be required to 920
provide identification to the election officials and to vote by 921
provisional ballot under section 3505.181 of the Revised Code. 922
If the provisional ballot is counted pursuant to division (B) (3) 923
of section 3505.183 of the Revised Code, the board shall correct 924
that voter's registration, if needed, and shall remove the 925
indication that the voter's notification was returned from that 926
voter's name on the official registration list and on the poll 927
list or signature pollbook. If the provisional ballot is not 928
counted pursuant to division (B) (4) (a) (i), (v), or (vi) of 929
section 3505.183 of the Revised Code, the voter's registration 930
shall be canceled. The board shall notify the voter by United 931
States mail of the cancellation. 932

(3) If a notice of the disposition of an otherwise valid 933
registration application is sent by nonforwardable mail and is 934
returned undelivered, the person shall be registered as provided 935
in division (C) (2) of this section and sent a confirmation 936
notice by forwardable mail. If the person fails to respond to 937
the confirmation notice, update the person's registration, or 938
vote by provisional ballot as provided in division (C) (2) of 939
this section in any election during the period of two federal 940
elections subsequent to the mailing of the confirmation notice, 941
the person's registration shall be canceled. 942

Sec. 3503.20. (A) The secretary of state shall establish a 943
secure online voter registration system. The system shall 944
provide for all of the following: 945

(1) An applicant to submit a voter registration 946
application to the secretary of state online through the 947
internet; 948

- (2) The online applicant to be registered to vote, if all 949
of the following apply: 950
- (a) The application contains all of the following 951
information: 952
- (i) The applicant's name; 953
- (ii) The applicant's address; 954
- (iii) The applicant's date of birth; 955
- (iv) The last four digits of the applicant's social 956
security number; 957
- (v) The applicant's Ohio driver's license number or the 958
number of the applicant's state identification card issued under 959
section 4507.50 of the Revised Code. 960
- (b) The applicant's name, address, and date of birth, the 961
last four digits of the applicant's social security number, and 962
the applicant's Ohio driver's license number or the number of 963
the applicant's state identification card as they are provided 964
in the application are not inconsistent with the information on 965
file with the bureau of motor vehicles; 966
- (c) The applicant is a United States citizen, will have 967
lived in this state for thirty days immediately preceding the 968
next election, will be at least eighteen years of age on or 969
before the day of the next general election, and is otherwise 970
eligible to register to vote; 971
- (d) The applicant attests to the truth and accuracy of the 972
information submitted in the online application under penalty of 973
election falsification. 974
- (B) The secretary of state may include in the online voter 975

registration application a feature that permits an applicant to 976
register as affiliated with a political party in the manner 977
described in section 3503.14 of the Revised Code by selecting 978
the name of a political party. 979

(C) If an individual registers to vote or a registered 980
elector updates the elector's name, address, or both under this 981
section, the secretary of state shall obtain an electronic copy 982
of the applicant's or elector's signature that is on file with 983
the bureau of motor vehicles. That electronic signature shall be 984
used as the applicant's or elector's signature on voter 985
registration records, for all election and signature-matching 986
purposes. 987

(D) The secretary of state shall employ whatever security 988
measures the secretary of state considers necessary to ensure 989
the integrity and accuracy of voter registration information 990
submitted electronically pursuant to this section. Errors in 991
processing voter registration applications in the online system 992
shall not prevent an applicant from becoming registered or from 993
voting. 994

(E) The online voter registration application established 995
under division (A) of this section shall include the following 996
language: 997

"By clicking the box below, I affirm all of the following 998
under penalty of election falsification, which is a felony of 999
the fifth degree: 1000

(1) I am the person whose name and identifying information 1001
is provided on this form, and I desire to register to vote, or 1002
update my voter registration, in the State of Ohio. 1003

(2) All of the information I have provided on this form is 1004

true and correct as of the date I am submitting this form. 1005

(3) I am a United States citizen. 1006

(4) I will have lived in Ohio for thirty days immediately 1007
preceding the next election. 1008

(5) I will be at least eighteen years of age on or before 1009
the day of the next general election. 1010

(6) I authorize the Bureau of Motor Vehicles to transmit 1011
to the Ohio Secretary of State my signature that is on file with 1012
the Bureau of Motor Vehicles, and I understand and agree that 1013
the signature transmitted by the Bureau of Motor Vehicles will 1014
be used by the Secretary of State to validate this electronic 1015
voter registration application as if I had signed this form 1016
personally." 1017

In order to register to vote or update a voter 1018
registration under division (A) of this section, an applicant or 1019
elector shall be required to mark the box in the online voter 1020
registration application that appears in conjunction with the 1021
previous statement. 1022

(F) The online voter registration process established 1023
under division (A) of this section shall be in operation and 1024
available for use by individuals who wish to register to vote or 1025
update their voter registration information online not later 1026
than the first day of July occurring not fewer than one hundred 1027
twenty days after the effective date of this section. During the 1028
period beginning on the first day after the close of voter 1029
registration before an election and ending on the day of the 1030
election, the online voter registration system shall display a 1031
notice indicating that the applicant will not be registered to 1032
vote for the purposes of that election. 1033

(G) Notwithstanding section 1.50 of the Revised Code, if 1034
any provision of this section or of division (E) of section 1035
3503.14 of the Revised Code is held invalid, or if the 1036
application of any provision of this section or of that division 1037
to any person or circumstance is held invalid, then this section 1038
and that division cease to operate. 1039

Sec. 3503.21. (A) The registration of a registered elector 1040
shall be canceled upon the occurrence of any of the following: 1041

(1) The filing by a registered elector of a written 1042
request with a board of elections or the secretary of state, on 1043
a form prescribed by the secretary of state and signed by the 1044
elector, that the registration be canceled. The filing of such a 1045
request does not prohibit an otherwise qualified elector from 1046
reregistering to vote at any time. 1047

(2) The filing of a notice of the death of a registered 1048
elector as provided in section 3503.18 of the Revised Code; 1049

(3) The filing with the board of elections of a certified 1050
copy of the death certificate of a registered elector by the 1051
deceased elector's spouse, parent, or child, by the 1052
administrator of the deceased elector's estate, or by the 1053
executor of the deceased elector's will; 1054

(4) The conviction of the registered elector of a felony 1055
under the laws of this state, any other state, or the United 1056
States as provided in section 2961.01 of the Revised Code; 1057

(5) The adjudication of incompetency of the registered 1058
elector for the purpose of voting as provided in section 1059
5122.301 of the Revised Code; 1060

(6) The change of residence of the registered elector to a 1061
location outside the county of registration in accordance with 1062

division (B) of this section; 1063

(7) The failure of the registered elector, after having 1064
been mailed a confirmation notice, to do either of the 1065
following: 1066

(a) Respond to such a notice and vote at least once during 1067
a period of four consecutive years, which period shall include 1068
two general federal elections; 1069

(b) Update the elector's registration and vote at least 1070
once during a period of four consecutive years, which period 1071
shall include two general federal elections. 1072

(B) (1) The secretary of state shall prescribe procedures 1073
to identify and cancel the registration in a prior county of 1074
residence of any registrant who changes the registrant's voting 1075
residence to a location outside the registrant's current county 1076
of registration. Any procedures prescribed in this division 1077
shall be uniform and nondiscriminatory, and shall comply with 1078
the Voting Rights Act of 1965. The secretary of state may 1079
prescribe procedures under this division that include the use of 1080
the national change of address service provided by the United 1081
States postal system through its licensees. Any program so 1082
prescribed shall be completed not later than ninety days prior 1083
to the date of any primary or general election for federal 1084
office. 1085

(2) The registration of any elector identified as having 1086
changed the elector's voting residence to a location outside the 1087
elector's current county of registration shall not be canceled 1088
unless the registrant is sent a confirmation notice on a form 1089
prescribed by the secretary of state and the registrant fails to 1090
respond to the confirmation notice or otherwise update the 1091

registration and fails to vote in any election during the period 1092
of two federal elections subsequent to the mailing of the 1093
confirmation notice. 1094

(C) The registration of a registered elector shall not be 1095
canceled except as provided in this section, division (Q) of 1096
section 3501.05 of the Revised Code, division (C) (2) of section 1097
3503.19 of the Revised Code, or division (C) of section 3503.24 1098
of the Revised Code. 1099

(D) Boards of elections shall send their voter 1100
registration information to the secretary of state as required 1101
under section 3503.15 of the Revised Code. The secretary of 1102
state may prescribe by rule adopted pursuant to section 111.15 1103
of the Revised Code the format in which the boards of elections 1104
must send that information to the secretary of state. In the 1105
first quarter of each year, the secretary of state shall send 1106
the information to the national change of address service 1107
described in division (B) of this section and request that 1108
service to provide the secretary of state with a list of any 1109
voters sent by the secretary of state who have moved within the 1110
last twelve months. The secretary of state shall transmit to 1111
each appropriate board of elections whatever lists the secretary 1112
of state receives from that service. The board shall send a 1113
notice to each person on the list transmitted by the secretary 1114
of state requesting confirmation of the person's change of 1115
address, together with a postage prepaid, preaddressed return 1116
envelope containing a form on which the voter may verify or 1117
correct the change of address information. 1118

(E) The registration of a registered elector described in 1119
division (A) (7) or (B) (2) of this section shall be canceled not 1120
later than one hundred twenty days after the date of the second 1121

general federal election in which the elector fails to vote or 1122
not later than one hundred twenty days after the expiration of 1123
the four-year period in which the elector fails to vote or 1124
respond to a confirmation notice, whichever is later. 1125

(F) (1) When a registration is canceled pursuant to 1126
division (A) (2) or (3) of this section, the applicable board of 1127
elections shall send a written notice, on a form prescribed by 1128
the secretary of state, to the address at which the elector was 1129
registered, informing the recipient that the elector's 1130
registration has been canceled, of the reason for the 1131
cancellation, and that if the cancellation was made in error, 1132
the elector may contact the board of elections to correct the 1133
error. 1134

(2) If the elector's registration is canceled pursuant to 1135
division (A) (2) or (3) of this section in error, it shall be 1136
restored and treated as though it were never canceled. 1137

Sec. 3503.22. (A) (1) An elector's political party 1138
affiliation shall be determined based on the most recent of the 1139
following: 1140

(a) The elector's registration form; 1141

(b) The elector's most recent declaration of political 1142
party affiliation filed under division (B) of this section; 1143

(c) The elector's action in casting the ballot of a 1144
political party at a primary election. 1145

(2) If the elector was registered before the effective 1146
date of this section, the elector's registration form shall be 1147
deemed to indicate an affiliation with the political party whose 1148
ballot the elector voted at the most recent primary election 1149
within the year of that effective date and the immediately 1150

preceding two calendar years. 1151

(3) An elector's action in voting only in a special 1152
election on a question or issue held on the day of a primary 1153
election shall not affect the elector's political party 1154
affiliation, as determined under division (A) of this section. 1155

(B) An elector who wishes to change or remove the 1156
elector's political party affiliation, as determined under 1157
division (A) of this section, may file a declaration of 1158
political party affiliation, on a form prescribed by the 1159
secretary of state, with the board of elections of the county in 1160
which the elector resides. 1161

Sec. 3503.23. (A) Fourteen days before an election, the 1162
board of elections shall cause to be prepared from the statewide 1163
voter registration database established under section 3503.15 of 1164
the Revised Code a complete and official registration list for 1165
each precinct, containing the names, addresses, and political 1166
party ~~whose ballot the elector voted in the most recent primary~~ 1167
~~election within the current year and the immediately preceding~~ 1168
~~two calendar years,~~ affiliations of all qualified registered 1169
voters in the precinct, as determined under section 3503.22 of 1170
the Revised Code. All the names, insofar as practicable, shall 1171
be arranged in alphabetical order. The lists may be prepared 1172
either in sheet form on one side of the paper or in electronic 1173
form, at the discretion of the board. Each precinct list shall 1174
be headed "Register of Voters," and under the heading shall be 1175
indicated the district or ward and precinct. 1176

Appended to each precinct list shall be attached the names 1177
of the members of the board and the name of the director. A 1178
sufficient number of such lists shall be provided for 1179
distribution to the candidates, political parties, or organized 1180

groups that apply for them. The board shall have each precinct
list available at the board for viewing by the public during
normal business hours. The board shall ensure that, by the
opening of the polls on the day of a general or primary
election, each precinct has a paper copy of the registration
list of voters in that precinct.

(B) On the day of a general or primary election, precinct
election officials shall do both of the following:

(1) By the time the polls open, conspicuously post and
display at the polling place one copy of the registration list
of voters in that precinct in an area of the polling place that
is easily accessible;

(2) At 11 a.m. and 4 p.m. place a mark, on the official
registration list posted at the polling place, before the name
of those registered voters who have voted.

(C) Notwithstanding division (B) of section 3501.35 of the
Revised Code, any person may enter the polling place for the
sole purpose of reviewing the official registration list posted
in accordance with division (B) of this section, provided that
the person does not engage in conduct that would constitute
harassment in violation of the election law, as defined in
section 3501.90 of the Revised Code.

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

(1) An individual who declares that the individual is a
registered voter in the precinct in which the individual desires
to vote and that the individual is eligible to vote in an
election, but the name of the individual does not appear on the
official list of eligible voters for the precinct or an election

official asserts that the individual is not eligible to vote; 1210

(2) An individual who does not have or is unable to 1211
provide to the election officials any of the forms of 1212
identification required under division (A)(1) of section 3505.18 1213
of the Revised Code; 1214

(3) An individual whose name in the poll list or signature 1215
pollbook has been marked under section 3509.09 or 3511.13 of the 1216
Revised Code as having requested an absent voter's ballot or a 1217
uniformed services or overseas absent voter's ballot for that 1218
election and who appears to vote at the polling place; 1219

(4) An individual whose notification of registration has 1220
been returned undelivered to the board of elections and whose 1221
name in the official registration list and in the poll list or 1222
signature pollbook has been marked under division (C)(2) of 1223
section 3503.19 of the Revised Code; 1224

(5) An individual who has been successfully challenged 1225
under section 3505.20 or ~~3513.20~~ 3513.19 of the Revised Code or 1226
whose application or challenge hearing has been postponed until 1227
after the day of the election under division (D)(1) of section 1228
3503.24 of the Revised Code; 1229

(6) An individual who changes the individual's name and 1230
remains within the precinct without providing proof of that name 1231
change under division (B)(1)(b) of section 3503.16 of the 1232
Revised Code, moves from one precinct to another within a 1233
county, moves from one precinct to another and changes the 1234
individual's name, or moves from one county to another within 1235
the state, and completes and signs the required forms and 1236
statements under division (B) or (C) of section 3503.16 of the 1237
Revised Code; 1238

(7) An individual whose signature, in the opinion of the precinct officers under section 3505.22 of the Revised Code, is not that of the person who signed that name in the registration forms. 1239
1240
1241
1242

(B) An individual who is eligible to cast a provisional ballot under division (A) of this section shall be permitted to cast a provisional ballot as follows: 1243
1244
1245

(1) An election official at the polling place shall notify the individual that the individual may cast a provisional ballot in that election. 1246
1247
1248

(2) Except as otherwise provided in division (F) of this section, the individual shall complete and execute a written affirmation before an election official at the polling place stating that the individual is both of the following: 1249
1250
1251
1252

(a) A registered voter in the precinct in which the individual desires to vote; 1253
1254

(b) Eligible to vote in that election. 1255

(3) An election official at the polling place shall transmit the ballot cast by the individual and the voter information contained in the written affirmation executed by the individual under division (B) (2) of this section to an appropriate local election official for verification under division (B) (4) of this section. 1256
1257
1258
1259
1260
1261

(4) If the appropriate local election official to whom the ballot or voter or address information is transmitted under division (B) (3) of this section determines that the individual is eligible to vote, the individual's provisional ballot shall be counted as a vote in that election. 1262
1263
1264
1265
1266

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

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

The appropriate state or local election official shall establish and maintain reasonable procedures necessary to protect the security, confidentiality, and integrity of personal information collected, stored, or otherwise used by the free access system established under this division. The system shall permit an individual only to gain access to information about the individual's own provisional ballot.

(6) If, at the time that an individual casts a provisional ballot, the individual provides identification in the form of a current and valid photo identification, a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government

document, other than a notice of voter registration mailed by a 1297
board of elections under section 3503.19 of the Revised Code, 1298
that shows the individual's name and current address, or 1299
provides the individual's driver's license or state 1300
identification card number or the last four digits of the 1301
individual's social security number, the individual shall record 1302
the type of identification provided or the driver's license, 1303
state identification card, or social security number information 1304
and include that information on the provisional ballot 1305
affirmation under division (B) (3) of this section. 1306

(7) During the seven days after the day of an election, an 1307
individual who casts a provisional ballot because the individual 1308
does not have or is unable to provide to the election officials 1309
any of the required forms of identification or because the 1310
individual has been successfully challenged under section 1311
3505.20 of the Revised Code shall appear at the office of the 1312
board of elections and provide to the board any additional 1313
information necessary to determine the eligibility of the 1314
individual who cast the provisional ballot. 1315

(a) For a provisional ballot cast by an individual who 1316
does not have or is unable to provide to the election officials 1317
any of the required forms of identification to be eligible to be 1318
counted, the individual who cast that ballot, within seven days 1319
after the day of the election, shall do either of the following: 1320

(i) Provide to the board of elections proof of the 1321
individual's identity in the form of a current and valid photo 1322
identification, a military identification, or a copy of a 1323
current utility bill, bank statement, government check, 1324
paycheck, or other government document, other than a notice of 1325
voter registration mailed by a board of elections under section 1326

3503.19 of the Revised Code, that shows the individual's name 1327
and current address; or 1328

(ii) Provide to the board of elections the individual's 1329
driver's license or state identification card number or the last 1330
four digits of the individual's social security number. 1331

(b) For a provisional ballot cast by an individual who has 1332
been successfully challenged under section 3505.20 of the 1333
Revised Code to be eligible to be counted, the individual who 1334
cast that ballot, within seven days after the day of that 1335
election, shall provide to the board of elections any 1336
identification or other documentation required to be provided by 1337
the applicable challenge questions asked of that individual 1338
under section 3505.20 of the Revised Code. 1339

(C)(1) If an individual declares that the individual is 1340
eligible to vote in a precinct other than the precinct in which 1341
the individual desires to vote, or if, upon review of the 1342
precinct voting location guide using the residential street 1343
address provided by the individual, an election official at the 1344
precinct at which the individual desires to vote determines that 1345
the individual is not eligible to vote in that precinct, the 1346
election official shall direct the individual to the precinct 1347
and polling place in which the individual appears to be eligible 1348
to vote, explain that the individual may cast a provisional 1349
ballot at the current location but the ballot or a portion of 1350
the ballot will not be counted if it is cast in the wrong 1351
precinct, and provide the telephone number of the board of 1352
elections in case the individual has additional questions. 1353

(2) If the individual refuses to travel to the correct 1354
precinct or to the office of the board of elections to cast a 1355
ballot, the individual shall be permitted to vote a provisional 1356

ballot at that precinct in accordance with division (B) of this 1357
section. If the individual is in the correct polling location 1358
for the precinct in which the individual is registered and 1359
eligible to vote, the election official shall complete and sign, 1360
under penalty of election falsification, a form that includes 1361
all of the following, and attach the form to the individual's 1362
provisional ballot affirmation: 1363

(a) The name or number of the individual's correct 1364
precinct; 1365

(b) A statement that the election official instructed the 1366
individual to travel to the correct precinct to vote; 1367

(c) A statement that the election official informed the 1368
individual that casting a provisional ballot in the wrong 1369
precinct would result in all or a portion of the votes on the 1370
ballot being rejected; 1371

(d) The name or number of the precinct in which the 1372
individual is casting a provisional ballot; and 1373

(e) The name of the polling location in which the 1374
individual is casting a provisional ballot. 1375

(D) The appropriate local election official shall cause 1376
voting information to be publicly posted at each polling place 1377
on the day of each election. 1378

(E) As used in this section and sections 3505.182 and 1379
3505.183 of the Revised Code: 1380

(1) "Precinct voting location guide" means either of the 1381
following: 1382

(a) An electronic or paper record that lists the correct 1383
precinct and polling place for either each specific residential 1384

street address in the county or the range of residential street 1385
addresses located in each neighborhood block in the county; 1386

(b) Any other method that a board of elections creates 1387
that allows a precinct election official or any elector who is 1388
at a polling place in that county to determine the correct 1389
precinct and polling place of any qualified elector who resides 1390
in the county. 1391

(2) "Voting information" means all of the following: 1392

(a) A sample version of the ballot that will be used for 1393
that election; 1394

(b) Information regarding the date of the election and the 1395
hours during which polling places will be open; 1396

(c) Instructions on how to vote, including how to cast a 1397
vote and how to cast a provisional ballot; 1398

(d) Instructions for mail-in registrants and first-time 1399
voters under applicable federal and state laws; 1400

(e) General information on voting rights under applicable 1401
federal and state laws, including information on the right of an 1402
individual to cast a provisional ballot and instructions on how 1403
to contact the appropriate officials if these rights are alleged 1404
to have been violated; 1405

(f) General information on federal and state laws 1406
regarding prohibitions against acts of fraud and 1407
misrepresentation. 1408

(F) Nothing in this section or section 3505.183 of the 1409
Revised Code is in derogation of section 3505.24 of the Revised 1410
Code, which permits a blind, disabled, or illiterate elector to 1411
receive assistance in the marking of the elector's ballot by two 1412

precinct election officials of different political parties. A 1413
blind, disabled, or illiterate elector may receive assistance in 1414
marking that elector's provisional ballot and in completing the 1415
required affirmation in the same manner as an elector may 1416
receive assistance on the day of an election under that section. 1417

Sec. 3513.05. Each person desiring to become a candidate 1418
for a party nomination at a primary election or for election to 1419
an office or position to be voted for at a primary election, 1420
except persons desiring to become joint candidates for the 1421
offices of governor and lieutenant governor and except as 1422
otherwise provided in section 3513.051 of the Revised Code, 1423
shall, not later than four p.m. of the ninetieth day before the 1424
day of the primary election, file a declaration of candidacy and 1425
petition and pay the fees required under divisions (A) and (B) 1426
of section 3513.10 of the Revised Code. The declaration of 1427
candidacy and all separate petition papers shall be filed at the 1428
same time as one instrument. When the offices are to be voted 1429
for at a primary election, persons desiring to become joint 1430
candidates for the offices of governor and lieutenant governor 1431
shall, not later than four p.m. of the ninetieth day before the 1432
day of the primary election, comply with section 3513.04 of the 1433
Revised Code. The prospective joint candidates' declaration of 1434
candidacy and all separate petition papers of candidacies shall 1435
be filed at the same time as one instrument. The secretary of 1436
state or a board of elections shall not accept for filing a 1437
declaration of candidacy and petition of a person seeking to 1438
become a candidate if that person, for the same election, has 1439
already filed a declaration of candidacy or a declaration of 1440
intent to be a write-in candidate, or has become a candidate by 1441
the filling of a vacancy under section 3513.30 of the Revised 1442
Code for any federal, state, or county office, if the 1443

declaration of candidacy is for a state or county office, or for 1444
any municipal or township office, if the declaration of 1445
candidacy is for a municipal or township office. 1446

If the declaration of candidacy declares a candidacy which 1447
is to be submitted to electors throughout the entire state, the 1448
petition, including a petition for joint candidates for the 1449
offices of governor and lieutenant governor, shall be signed by 1450
at least one thousand qualified electors who are members of the 1451
same political party as the candidate or joint candidates, and 1452
the declaration of candidacy and petition shall be filed with 1453
the secretary of state; provided that the secretary of state 1454
shall not accept or file any such petition appearing on its face 1455
to contain signatures of more than three thousand electors. 1456

Except as otherwise provided in this paragraph, if the 1457
declaration of candidacy is of one that is to be submitted only 1458
to electors within a district, political subdivision, or portion 1459
thereof, the petition shall be signed by not less than fifty 1460
qualified electors who are members of the same political party 1461
as the political party of which the candidate is a member. If 1462
the declaration of candidacy is for party nomination as a 1463
candidate for member of the legislative authority of a municipal 1464
corporation elected by ward, the petition shall be signed by not 1465
less than twenty-five qualified electors who are members of the 1466
political party of which the candidate is a member. 1467

No such petition, except the petition for a candidacy that 1468
is to be submitted to electors throughout the entire state, 1469
shall be accepted for filing if it appears to contain on its 1470
face signatures of more than three times the minimum number of 1471
signatures. When a petition of a candidate has been accepted for 1472
filing by a board of elections, the petition shall not be deemed 1473

invalid if, upon verification of signatures contained in the 1474
petition, the board of elections finds the number of signatures 1475
accepted exceeds three times the minimum number of signatures 1476
required. A board of elections may discontinue verifying 1477
signatures on petitions when the number of verified signatures 1478
equals the minimum required number of qualified signatures. 1479

If the declaration of candidacy declares a candidacy for 1480
party nomination or for election as a candidate of a minor 1481
party, the minimum number of signatures on such petition is one- 1482
half the minimum number provided in this section, except that, 1483
when the candidacy is one for election as a member of the state 1484
central committee or the county central committee of a political 1485
party, the minimum number shall be the same for a minor party as 1486
for a major party. 1487

If a declaration of candidacy is one for election as a 1488
member of the state central committee or the county central 1489
committee of a political party, the petition shall be signed by 1490
five qualified electors of the district, county, ward, township, 1491
or precinct within which electors may vote for such candidate. 1492
The electors signing such petition shall be members of the same 1493
political party as the political party of which the candidate is 1494
a member. 1495

For purposes of signing or circulating a petition of 1496
candidacy for party nomination or election, an elector is 1497
considered to be a member of a political party if the elector 1498
~~voted in that party's primary election within the preceding two-~~ 1499
~~calendar years, or if the elector did not vote in any other-~~ 1500
~~party's primary election within the preceding two calendar-~~ 1501
~~years~~ is not affiliated with a different political party, as 1502
determined under section 3503.22 of the Revised Code. 1503

If the declaration of candidacy is of one that is to be 1504
submitted only to electors within a county, or within a district 1505
or subdivision or part thereof smaller than a county, the 1506
petition shall be filed with the board of elections of the 1507
county. If the declaration of candidacy is of one that is to be 1508
submitted only to electors of a district or subdivision or part 1509
thereof that is situated in more than one county, the petition 1510
shall be filed with the board of elections of the county within 1511
which the major portion of the population thereof, as 1512
ascertained by the next preceding federal census, is located. 1513

A petition shall consist of separate petition papers, each 1514
of which shall contain signatures of electors of only one 1515
county. Petitions or separate petition papers containing 1516
signatures of electors of more than one county shall not thereby 1517
be declared invalid. In case petitions or separate petition 1518
papers containing signatures of electors of more than one county 1519
are filed, the board shall determine the county from which the 1520
majority of signatures came, and only signatures from such 1521
county shall be counted. Signatures from any other county shall 1522
be invalid. 1523

Each separate petition paper shall be circulated by one 1524
person only, who shall be the candidate or a joint candidate or 1525
a member of the same political party as the candidate or joint 1526
candidates, and each separate petition paper shall be governed 1527
by the rules set forth in section 3501.38 of the Revised Code. 1528

The secretary of state shall promptly transmit to each 1529
board such separate petition papers of each petition 1530
accompanying a declaration of candidacy filed with the secretary 1531
of state as purport to contain signatures of electors of the 1532
county of such board. The board of the most populous county of a 1533

district shall promptly transmit to each board within such 1534
district such separate petition papers of each petition 1535
accompanying a declaration of candidacy filed with it as purport 1536
to contain signatures of electors of the county of each such 1537
board. The board of a county within which the major portion of 1538
the population of a subdivision, situated in more than one 1539
county, is located, shall promptly transmit to the board of each 1540
other county within which a portion of such subdivision is 1541
located such separate petition papers of each petition 1542
accompanying a declaration of candidacy filed with it as purport 1543
to contain signatures of electors of the portion of such 1544
subdivision in the county of each such board. 1545

All petition papers so transmitted to a board and all 1546
petitions accompanying declarations of candidacy filed with a 1547
board shall, under proper regulations, be open to public 1548
inspection until four p.m. of the eightieth day before the day 1549
of the next primary election. Each board shall, not later than 1550
the seventy-eighth day before the day of that primary election, 1551
examine and determine the validity or invalidity of the 1552
signatures on the petition papers so transmitted to or filed 1553
with it and shall return to the secretary of state all petition 1554
papers transmitted to it by the secretary of state, together 1555
with its certification of its determination as to the validity 1556
or invalidity of signatures thereon, and shall return to each 1557
other board all petition papers transmitted to it by such board, 1558
together with its certification of its determination as to the 1559
validity or invalidity of the signatures thereon. All other 1560
matters affecting the validity or invalidity of such petition 1561
papers shall be determined by the secretary of state or the 1562
board with whom such petition papers were filed. 1563

Protests against the candidacy of any person filing a 1564

declaration of candidacy for party nomination or for election to 1565
an office or position, as provided in this section, may be filed 1566
by any qualified elector who is a member of the same political 1567
party as the candidate and who is eligible to vote at the 1568
primary election for the candidate whose declaration of 1569
candidacy the elector objects to, or by the controlling 1570
committee of that political party. The protest shall be in 1571
writing, and shall be filed not later than four p.m. of the 1572
seventy-fourth day before the day of the primary election. The 1573
protest shall be filed with the election officials with whom the 1574
declaration of candidacy and petition was filed. Upon the filing 1575
of the protest, the election officials with whom it is filed 1576
shall promptly fix the time for hearing it, and shall forthwith 1577
mail notice of the filing of the protest and the time fixed for 1578
hearing to the person whose candidacy is so protested. They 1579
shall also forthwith mail notice of the time fixed for such 1580
hearing to the person who filed the protest. At the time fixed, 1581
such election officials shall hear the protest and determine the 1582
validity or invalidity of the declaration of candidacy and 1583
petition. If they find that such candidate is not an elector of 1584
the state, district, county, or political subdivision in which 1585
the candidate seeks a party nomination or election to an office 1586
or position, or has not fully complied with this chapter, the 1587
candidate's declaration of candidacy and petition shall be 1588
determined to be invalid and shall be rejected; otherwise, it 1589
shall be determined to be valid. That determination shall be 1590
final. 1591

A protest against the candidacy of any persons filing a 1592
declaration of candidacy for joint party nomination to the 1593
offices of governor and lieutenant governor shall be filed, 1594
heard, and determined in the same manner as a protest against 1595

the candidacy of any person filing a declaration of candidacy 1596
singly. 1597

The secretary of state shall, on the seventieth day before 1598
the day of a primary election, certify to each board in the 1599
state the forms of the official ballots to be used at the 1600
primary election, together with the names of the candidates to 1601
be printed on the ballots whose nomination or election is to be 1602
determined by electors throughout the entire state and who filed 1603
valid declarations of candidacy and petitions. 1604

The board of the most populous county in a district 1605
comprised of more than one county but less than all of the 1606
counties of the state shall, on the seventieth day before the 1607
day of a primary election, certify to the board of each county 1608
in the district the names of the candidates to be printed on the 1609
official ballots to be used at the primary election, whose 1610
nomination or election is to be determined only by electors 1611
within the district and who filed valid declarations of 1612
candidacy and petitions. 1613

The board of a county within which the major portion of 1614
the population of a subdivision smaller than the county and 1615
situated in more than one county is located shall, on the 1616
seventieth day before the day of a primary election, certify to 1617
the board of each county in which a portion of that subdivision 1618
is located the names of the candidates to be printed on the 1619
official ballots to be used at the primary election, whose 1620
nomination or election is to be determined only by electors 1621
within that subdivision and who filed valid declarations of 1622
candidacy and petitions. 1623

Sec. 3513.18. (A) Party primaries shall be held at the 1624
same place and time, ~~but and~~ there shall be ~~separate pollbooks a~~ 1625

~~single pollbook and tally sheets~~ sheet provided ~~at for~~ each 1626
~~polling place precinct~~ for each party participating in the 1627
primary election. The pollbook shall include the political party 1628
affiliation, if any, of each registered elector in the precinct. 1629

(B) When an elector appears in a polling place to vote at 1630
a primary election, the elector shall announce to the precinct 1631
election officials the political party with which the elector 1632
wishes to be affiliated and whose ballot the elector wishes to 1633
cast. 1634

(C) If a special election on a question or issue is held 1635
on the day of a primary election, ~~there shall be provided in the~~ 1636
~~pollbooks pages on which shall be recorded the names of all~~ 1637
~~electors voting on said question or issue and not voting in such~~ 1638
~~primary. It~~ it shall not be necessary for electors desiring to 1639
vote only on the question or issue to ~~declare their~~ be 1640
affiliated with a political affiliation ~~party.~~ 1641

Sec. 3513.19. ~~(A)~~ It is the duty of any precinct election 1642
official, whenever any such official doubts that a person 1643
attempting to vote at a primary election is legally entitled to 1644
vote at that election, to challenge the right of that person to 1645
vote. The right of a person to vote at a primary election may be 1646
challenged upon the following grounds: 1647

~~(1)~~ (A) That the person whose right to vote is challenged 1648
is not a legally qualified elector; 1649

~~(2)~~ (B) That the person has received or has been promised 1650
some valuable reward or consideration for the person's vote; 1651

~~(3)~~ That the person is not affiliated with or is not a 1652
member of the political party whose ballot the person desires to 1653
vote. Such party affiliation shall be determined by examining 1654

~~the elector's voting record for the current year and the~~ 1655
~~immediately preceding two calendar years as shown on the voter's~~ 1656
~~registration card, using the standards of affiliation specified~~ 1657
~~in the seventh paragraph of section 3513.05 of the Revised Code.~~ 1658
~~Division (A) (3) of this section and the seventh paragraph of~~ 1659
~~section 3513.05 of the Revised Code do not prohibit a person who~~ 1660
~~holds an elective office for which candidates are nominated at a~~ 1661
~~party primary election from doing any of the following:~~ 1662

~~(a) If the person voted as a member of a different~~ 1663
~~political party at any primary election within the current year~~ 1664
~~and the immediately preceding two calendar years, being a~~ 1665
~~candidate for nomination at a party primary held during the~~ 1666
~~times specified in division (C) (2) of section 3513.191 of the~~ 1667
~~Revised Code provided that the person complies with the~~ 1668
~~requirements of that section;~~ 1669

~~(b) Circulating the person's own petition of candidacy for~~ 1670
~~party nomination in the primary election.~~ 1671

~~(B) When the right of a person to vote is challenged upon~~ 1672
~~the ground set forth in division (A) (3) of this section,~~ 1673
~~membership in or political affiliation with a political party~~ 1674
~~shall be determined by the person's statement, made under~~ 1675
~~penalty of election falsification, that the person desires to be~~ 1676
~~affiliated with and supports the principles of the political~~ 1677
~~party whose primary ballot the person desires to vote.~~ 1678

Sec. 3513.191. (A) No person shall be a candidate for 1679
nomination or election at a party primary if the person ~~voted as~~ 1680
~~a member of a different political party at any primary election~~ 1681
~~within the current year and the immediately preceding two~~ 1682
~~calendar years~~is not affiliated with that political party, as 1683
determined under section 3503.22 of the Revised Code, as of the 1684

date the person files the person's declaration of candidacy. 1685

~~(B) Notwithstanding division (A) of this section, either~~ 1686
~~of the following persons may be candidates for nomination of any~~ 1687
~~political party at a party primary:~~ 1688

~~(1) A person who does not hold an elective office;~~ 1689

~~(2) A person who holds an elective office other than one~~ 1690
~~for which candidates are nominated at a party primary.~~ 1691

~~(C)(1) Notwithstanding division (A) of this section, a~~ 1692
A 1693
person who holds an elective office for which candidates are 1694
nominated at a party primary may be a candidate at a primary 1695
election held during the times specified in division ~~(C)(2)~~ (B) 1696
(3) of this section for nomination as a candidate of a political 1697
party ~~of which the person is prohibited from being a candidate~~ 1698
~~for nomination under division (A) of this section other than the~~ 1699
party that most recently nominated the person as a candidate for 1700
the office the person currently holds, only if the person files 1701
:

(a) Is affiliated with the person's new political party, 1702
as determined under section 3503.22 of the Revised Code; 1703

(b) Files a declaration of intent to seek the nomination 1704
~~of that the person's new party and if, by filing the~~ 1705
~~declaration, the person has~~ ; and 1706

(c) Has not violated division ~~(C)(3)~~ (B)(4) of this 1707
~~section. The~~ 1708

(2) The declaration of intent shall: 1709

(a) Be filed not later than four p.m. of the thirtieth day 1710
before a declaration of candidacy and petition is required to be 1711
filed under section 3513.05 of the Revised Code; 1712

(b) Be filed with the same official with whom the person 1713
filing the declaration of intent is required to file a 1714
declaration of candidacy and petition; 1715

(c) Indicate the political party whose nomination in the 1716
primary election the person seeks; 1717

(d) Be on a form prescribed by the secretary of state. 1718

~~(2)~~(3) No person filing a declaration of intent under 1719
division ~~(C)~~(B)(1) of this section shall be a candidate at any 1720
primary election for nomination for an elective office for which 1721
candidates are nominated at a party primary during the calendar 1722
year in which the person files the declaration or during the 1723
next calendar year except as a candidate of the party indicated 1724
under division ~~(C)~~(1)(B) (2) (c) of this section. 1725

~~(3)~~(4) No person who files a declaration of intent under 1726
division ~~(C)~~(B)(1) of this section shall file another such 1727
declaration for a period of ten years after the declaration is 1728
filed. 1729

~~(4) Notwithstanding the seventh paragraph of section 1730
3513.05 of the Revised Code, a person who complies with this 1731
section may circulate that person's own petition of candidacy 1732
for party nomination at the party primary at which the person 1733
seeks nomination under this section. 1734~~

Sec. 3517.012. (A) (1) When a party formation petition 1735
meeting the requirements of section 3517.01 of the Revised Code 1736
declaring the intention to organize a political party is filed 1737
with the secretary of state, the new party comes into legal 1738
existence on the date of filing and is entitled to nominate 1739
candidates to appear on the ballot at the general election held 1740
in even-numbered years that occurs more than one hundred twenty- 1741

five days after the date of filing. 1742

(2) (a) Upon receiving a party formation petition filed 1743
under division (A) (1) of this section, the secretary of state 1744
shall promptly transmit to each board of elections the separate 1745
petition papers that purport to contain signatures of electors 1746
of that board's county. 1747

(b) Not later than the one hundred eighteenth day before 1748
the day of the general election, each board shall examine and 1749
determine the sufficiency of the signatures on the petition 1750
papers and shall return them to the secretary of state, together 1751
with the board's certification of its determination as to the 1752
validity or invalidity of the signatures on the petition. 1753

(c) Any qualified elector may file a written protest 1754
against the petition with the secretary of state not later than 1755
the one hundred fourteenth day before the day of the general 1756
election. Any such protest shall be resolved in the manner 1757
specified under section 3501.39 of the Revised Code. 1758

(d) Not later than the ninety-fifth day before the day of 1759
the general election, the secretary of state shall determine 1760
whether the party formation petition is sufficient and shall 1761
notify the committee designated in the petition of that 1762
determination. 1763

(B) (1) Not later than one hundred ten days before the day 1764
of that general election and not earlier than the day the 1765
applicable party formation petition is filed, each candidate or 1766
pair of joint candidates wishing to appear on the ballot at the 1767
general election as the nominee or nominees of the party that 1768
filed the party formation petition shall file a nominating 1769
petition, on a form prescribed by the secretary of state, that 1770

includes the name of the political party that submitted the 1771
party formation petition. Except as otherwise provided in this 1772
section and sections 3505.03, 3505.08, 3506.11, 3513.31, 1773
3513.311, and 3513.312 of the Revised Code, the provisions of 1774
the Revised Code concerning independent candidates who file 1775
nominating petitions apply to candidates who file nominating 1776
petitions under this section. 1777

(2) (a) If the candidacy is to be submitted to electors 1778
throughout the entire state, the nominating petition, including 1779
a petition for joint candidates for the offices of governor and 1780
lieutenant governor, shall be signed by at least fifty qualified 1781
electors who ~~have not voted as a member of~~ are not affiliated 1782
with a different political party at any primary election within 1783
the current year or the immediately preceding two calendar 1784
years, as determined under section 3503.22 of the Revised Code. 1785

(b) ~~Except as otherwise provided in this division, if~~ If 1786
the candidacy is to be submitted only to electors within a 1787
district, political subdivision, or portion thereof, the 1788
nominating petition shall be signed by not less than five 1789
qualified electors who ~~have not voted as a member of~~ are not 1790
affiliated with a different political party at any primary 1791
election within the current year or the immediately preceding 1792
two calendar years, as determined under section 3503.22 of the 1793
Revised Code. 1794

(3) (a) Each board of elections that is responsible to 1795
verify signatures on the nominating petition shall examine and 1796
determine the sufficiency of those signatures not later than the 1797
one hundred fifth day before the day of the general election ~~and~~ 1798
~~shall be resolved as specified in that section.~~ 1799

(b) Written protests against the petition may be filed in 1800

the manner specified under section 3513.263 of the Revised Code 1801
not later than the one hundredth day before the general election 1802
and shall be resolved as specified in that section. 1803

(c) Not later than the ninety-fifth day before the day of 1804
the general election, the secretary of state or the board of 1805
elections, as applicable, shall determine whether the nominating 1806
petition is sufficient and shall notify the candidate and the 1807
committee designated in the party formation petition of that 1808
determination. 1809

(C) (1) After being notified that the political party has 1810
submitted a sufficient party formation petition under division 1811
(A) of this section, the committee designated in a party 1812
formation petition shall, not later than the seventy-fifth day 1813
before the day of the general election, certify to the secretary 1814
of state a slate of candidates consisting of candidates or joint 1815
candidates who submitted sufficient nominating petitions under 1816
division (B) of this section. The slate certifying the 1817
candidates shall be on a form prescribed by the secretary of 1818
state and signed by all of the individuals of the committee 1819
designated in the party formation petition. In no event shall 1820
the slate of candidates include more than one candidate for any 1821
public office or more than one set of joint candidates for the 1822
offices of governor and lieutenant governor. The names of the 1823
candidates or joint candidates so certified shall appear on the 1824
ballot at the general election as that party's nominees for 1825
those offices. For purposes of this division, "joint candidates" 1826
means the joint candidates for the offices of governor and 1827
lieutenant governor. 1828

(2) If a candidate's nominating petition is insufficient 1829
or if the committee does not certify the candidate's name under 1830

division (C) (1) of this section, the candidate shall not appear 1831
on the ballot in the general election. 1832

(3) If a party formation petition is insufficient, no 1833
candidate shall appear on the ballot in the general election as 1834
that political party's nominee, regardless of whether any 1835
candidate's nominating petition is sufficient. 1836

Sec. 3517.013. ~~Section~~ Division (B) of section 3513.191 of 1837
the Revised Code does not apply to persons desiring to become 1838
candidates for party nomination of a newly formed political 1839
party meeting the requirements of sections 3517.011 and 3517.012 1840
of the Revised Code for a period of four calendar years from the 1841
date of the party formation. 1842

Sec. 3599.02. No person shall before, during, or after any 1843
primary, general, or special election or convention solicit, 1844
request, demand, receive, or contract for any money, gift, loan, 1845
property, influence, position, employment, or other thing of 1846
value for that person or for another person for doing any of the 1847
following: 1848

(A) Registering or refraining from registering to vote; 1849

(B) Agreeing to register or to refrain from registering to 1850
vote; 1851

(C) Agreeing to vote or to refrain from voting; 1852

(D) Voting or refraining from voting at any primary, 1853
general, or special election or convention for a particular 1854
person, question, or issue; 1855

(E) Registering or voting, or refraining from registering 1856
or voting, or voting or refraining from voting for a particular 1857
person, question, or issue; 1858

(F) Becoming, or refraining from becoming, affiliated with 1859
a political party, as determined under section 3503.22 of the 1860
Revised Code. 1861

Whoever violates this section is guilty of bribery, a 1862
felony of the fourth degree, and shall be disfranchised and 1863
excluded from holding any public office for five years 1864
immediately following such conviction. 1865

Sec. 3599.18. (A) No election official, person assisting 1866
in the registration of electors, or police officer shall 1867
knowingly do any of the following: 1868

(1) Refuse, neglect, or unnecessarily delay, hinder, or 1869
prevent the registration of a qualified elector, who in a lawful 1870
manner applies for registration; 1871

(2) Enter or consent to the entry of a fictitious name on 1872
a voter registration list; 1873

(3) Alter the name, political party affiliation, or lack 1874
of political party affiliation on, or remove or destroy, the 1875
registration card or form of any qualified elector; 1876

(4) Neglect, unlawfully execute, or fail to execute any 1877
duty enjoined upon that person as an election official, person 1878
assisting in the registration of electors, or police officer. 1879

(B) Whoever violates division (A) of this section is 1880
guilty of a misdemeanor of the first degree. 1881

Section 2. That existing sections 3501.01, 3503.10, 1882
3503.14, 3503.15, 3503.18, 3503.19, 3503.21, 3503.23, 3505.181, 1883
3513.05, 3513.18, 3513.19, 3513.191, 3517.012, 3517.013, 1884
3599.02, and 3599.18 and sections 3513.20, 3517.014, and 1885
3517.016 of the Revised Code are hereby repealed. 1886

Section 3. Section 3501.01 of the Revised Code is 1887
presented in this act as a composite of the section as amended 1888
by Am. Sub. H.B. 59, Am. Sub. S.B. 109, and Am. Sub. S.B. 193, 1889
all of the 130th General Assembly. The General Assembly, 1890
applying the principle stated in division (B) of section 1.52 of 1891
the Revised Code that amendments are to be harmonized if 1892
reasonably capable of simultaneous operation, finds that the 1893
composite is the resulting version of the section in effect 1894
prior to the effective date of the section as presented in this 1895
act. 1896