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126th General Assembly

Regular Session

2005-2006

Am. Sub. H. B. No. 3

**Representatives DeWine, Trakas, White, Brown, Law, Uecker, Aslanides,
Carmichael, Collier, C. Evans, D. Evans, Faber, Flowers, Gibbs, Hagan,
Kearns, McGregor, Peterson, Reidelbach, Schaffer, Schlichter, Seaver,
Setzer, G. Smith, Widowfield, Willamowski, Wolpert
Senators Jacobson, Harris, Spada, Hottinger, Coughlin**

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A B I L L

To amend sections 131.23, 145.38, 303.12, 306.70,	1
307.791, 322.021, 324.021, 503.162, 504.02,	2
504.03, 511.28, 511.34, 513.14, 519.12, 745.07,	3
747.11, 1901.07, 1901.10, 1901.31, 2961.01,	4
2967.17, 3311.21, 3311.50, 3311.73, 3349.29,	5
3354.12, 3355.09, 3375.03, 3501.01, 3501.05,	6
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3519.04, 3519.05, 3523.05, 3599.11, 3599.111, 21
3599.13, 3599.14, 3599.21, 3599.24, 3599.38, 22
4301.33, 4301.331, 4301.332, 4301.333, 4301.334, 23
4305.14, 4504.021, 5705.191, 5705.194, 5705.196, 24
5705.21, 5705.218, 5705.25, 5705.251, 5705.261, 25
5705.71, 5739.022, 5748.02, 5748.04, 5748.08, and 26
6119.18, to enact sections 109.95, 3501.052, 27
3501.19, 3501.24, 3501.382, 3501.90, 3503.15, 28
3503.28, 3503.29, 3505.181, 3505.182, 3505.183, 29
3506.20, 3506.21, 3506.22, 3506.23, 3515.041, 30
3515.072, 3519.051, and 3519.07, and to repeal 31
section 3503.27 of the Revised Code to revise the 32
Election Law. 33

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

Section 1. That sections 131.23, 145.38, 303.12, 306.70, 34
307.791, 322.021, 324.021, 503.162, 504.02, 504.03, 511.28, 35
511.34, 513.14, 519.12, 745.07, 747.11, 1901.07, 1901.10, 1901.31, 36
2961.01, 2967.17, 3311.21, 3311.50, 3311.73, 3349.29, 3354.12, 37
3355.09, 3375.03, 3501.01, 3501.05, 3501.10, 3501.11, 3501.13, 38
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3503.24, 3505.062, 3505.063, 3505.16, 3505.18, 3505.19, 3505.20, 41
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3506.05, 3506.12, 3506.13, 3506.18, 3509.02, 3509.06, 3509.08, 43
3509.09, 3511.13, 3513.04, 3513.041, 3513.05, 3513.052, 3513.07, 44
3513.09, 3513.19, 3513.20, 3513.22, 3513.257, 3513.259, 3513.261, 45
3513.30, 3515.03, 3515.04, 3515.07, 3515.08, 3515.13, 3517.01, 46
3517.081, 3517.092, 3517.10, 3517.106, 3517.1011, 3517.12, 47
3517.13, 3517.153, 3517.992, 3519.01, 3519.03, 3519.04, 3519.05, 48
3523.05, 3599.11, 3599.111, 3599.13, 3599.14, 3599.21, 3599.24, 49

3599.38, 4301.33, 4301.331, 4301.332, 4301.333, 4301.334, 4305.14, 50
4504.021, 5705.191, 5705.194, 5705.196, 5705.21, 5705.218, 51
5705.25, 5705.251, 5705.261, 5705.71, 5739.022, 5748.02, 5748.04, 52
5748.08, and 6119.18 be amended and sections 109.95, 3501.052, 53
3501.19, 3501.24, 3501.382, 3501.90, 3503.15, 3503.28, 3503.29, 54
3505.181, 3505.182, 3505.183, 3506.20, 3506.21, 3506.22, 3506.23, 55
3515.041, 3515.072, 3519.051, and 3519.07 of the Revised Code be 56
enacted to read as follows: 57

Sec. 109.95. Notwithstanding any provision of the Revised 58
Code to the contrary pertaining to prosecutorial authority, the 59
attorney general may initiate criminal proceedings for election 60
fraud under section 3599.42 of the Revised Code which results from 61
a violation of any provision of Title XXXV of the Revised Code, 62
other than Chapter 3517. of the Revised Code, involving voting, an 63
initiative or referendum petition process, or the conducting of an 64
election, by presenting evidence of criminal violations in 65
question to the prosecuting attorney of any county in which the 66
violations may be prosecuted. If the prosecuting attorney does not 67
prosecute the violations within a reasonable time or requests the 68
attorney general to do so, the attorney general may proceed with 69
the prosecution of the violations with all of the rights, 70
privileges, and powers conferred by law on a prosecuting attorney, 71
including, but not limited to, the power to appear before a grand 72
jury and to interrogate witnesses before a grand jury. 73

Sec. 131.23. The various political subdivisions of this state 74
may issue bonds, and any indebtedness created by ~~such~~ that 75
issuance shall not be subject to the limitations or included in 76
the calculation of indebtedness prescribed by sections 133.05, 77
133.06, 133.07, and 133.09 of the Revised Code, but ~~such~~ the bonds 78
may be issued only under the following conditions: 79

(A) The subdivision desiring to issue ~~such~~ the bonds shall 80
obtain from the county auditor a certificate showing the total 81
amount of delinquent taxes due and unpayable to ~~such~~ the 82
subdivision at the last semiannual tax settlement. 83

(B) The fiscal officer of that subdivision shall prepare a 84
statement, from the books of the subdivision, verified by the 85
fiscal officer under oath, which shall contain the following facts 86
of ~~such~~ the subdivision: 87

(1) The total bonded indebtedness; 88

(2) The aggregate amount of notes payable or outstanding 89
accounts of the subdivision, incurred prior to the commencement of 90
the current fiscal year, which shall include all evidences of 91
indebtedness issued by the subdivision except notes issued in 92
anticipation of bond issues and the indebtedness of any 93
nontax-supported public utility; 94

(3) Except in the case of school districts, the aggregate 95
current year's requirement for disability financial assistance and 96
disability medical assistance provided under Chapter 5115. of the 97
Revised Code that the subdivision is unable to finance except by 98
the issue of bonds; 99

(4) The indebtedness outstanding through the issuance of any 100
bonds or notes pledged or obligated to be paid by any delinquent 101
taxes; 102

(5) The total of any other indebtedness; 103

(6) The net amount of delinquent taxes unpledged to pay any 104
bonds, notes, or certificates, including delinquent assessments on 105
improvements on which the bonds have been paid; 106

(7) The budget requirements for the fiscal year for bond and 107
note retirement; 108

(8) The estimated revenue for the fiscal year. 109

(C) The certificate and statement provided for in divisions 110
(A) and (B) of this section shall be forwarded to the tax 111
commissioner together with a request for authority to issue bonds 112
of ~~such~~ the subdivision in an amount not to exceed seventy per 113
cent of the net unobligated delinquent taxes and assessments due 114
and owing to ~~such~~ the subdivision, as set forth in division (B)(6) 115
of this section. 116

(D) No subdivision may issue bonds under this section in 117
excess of a sufficient amount to pay the indebtedness of the 118
subdivision as shown by division (B)(2) of this section and, 119
except in the case of school districts, to provide funds for 120
disability financial assistance and disability medical assistance, 121
as shown by division (B)(3) of this section. 122

(E) The tax commissioner shall grant to ~~such~~ the subdivision 123
authority requested by ~~such~~ the subdivision as restricted by 124
divisions (C) and (D) of this section and shall make a record of 125
the certificate, statement, and grant in a record book devoted 126
solely to such recording and which shall be open to inspection by 127
the public. 128

(F) The commissioner shall immediately upon issuing the 129
authority provided in division (E) of this section notify the 130
proper authority having charge of the retirement of bonds of ~~such~~ 131
the subdivision by forwarding a copy of ~~such~~ the grant of 132
authority and of the statement provided for in division (B) of 133
this section. 134

(G) Upon receipt of authority, the subdivision shall proceed 135
according to law to issue the amount of bonds authorized by the 136
commissioner, and authorized by the taxing authority, provided the 137
taxing authority of that subdivision may submit, by resolution 138
submit, to the electors of that subdivision the question of 139
issuing ~~such~~ the bonds. ~~Such~~ The resolution shall make the 140

declarations and statements required by section 133.18 of the 141
Revised Code. The county auditor and taxing authority shall 142
thereupon proceed as set forth in divisions (C) and (D) of ~~such~~ 143
that section. The election on the question of issuing ~~such the~~ 144
bonds shall be held under divisions (E), (F), and (G) of ~~such that~~ 145
section, except that publication of the notice of ~~such the~~ 146
election shall be made on ~~four~~ two separate days prior to ~~such the~~ 147
election in one or more newspapers of general circulation in the 148
~~subdivisions~~ subdivision. ~~Such~~ The bonds may be exchanged at their 149
face value with creditors of the subdivision in liquidating the 150
indebtedness described and enumerated in division (B)(2) of this 151
section or may be sold as provided in Chapter 133. of the Revised 152
Code, and in either event shall be uncontestable. 153

(H) The per cent of delinquent taxes and assessments 154
collected for and to the credit of the subdivision after the 155
exchange or sale of bonds as certified by the commissioner shall 156
be paid to the authority having charge of the sinking fund of the 157
subdivision, which money shall be placed in a separate fund for 158
the purpose of retiring the bonds so issued. The proper authority 159
of the subdivisions shall provide for the levying of a tax 160
sufficient in amount to pay the debt charges on all such bonds 161
issued under this section. 162

(I) This section is for the sole purpose of assisting the 163
various subdivisions in paying their unsecured indebtedness, and 164
providing funds for disability financial assistance and disability 165
medical assistance. The bonds issued under authority of this 166
section shall not be used for any other purpose, and any exchange 167
for other purposes, or the use of the money derived from the sale 168
of ~~such the~~ bonds by the subdivision for any other purpose, is 169
misapplication of funds. 170

(J) The bonds authorized by this section shall be redeemable 171
or payable in not to exceed ten years from date of issue and shall 172

not be subject to or considered in calculating the net 173
indebtedness of the subdivision. The budget commission of the 174
county in which the subdivision is located shall annually allocate 175
such portion of the then delinquent levy due ~~such~~ the subdivision 176
which is unpledged for other purposes to the payment of debt 177
charges on the bonds issued under authority of this section. 178

(K) The issue of bonds under this section shall be governed 179
by Chapter 133. of the Revised Code, respecting the terms used, 180
forms, manner of sale, and redemption except as otherwise provided 181
in this section. 182

The board of county commissioners of any county may issue 183
bonds authorized by this section and distribute the proceeds of 184
~~such~~ the bond issues to any or all of the cities and townships of 185
~~such counties~~ the county, according to their relative needs for 186
disability financial assistance and disability medical assistance 187
as determined by ~~such~~ the county. 188

All sections of the Revised Code inconsistent with or 189
prohibiting the exercise of the authority conferred by this 190
section are inoperative respecting bonds issued under this 191
section. 192

Sec. 145.38. (A) As used in this section and sections 145.381 193
and 145.384 of the Revised Code: 194

(1) "PERS retirant" means a former member of the public 195
employees retirement system who is receiving one of the following: 196

(a) Age and service retirement benefits under section 145.32, 197
145.33, 145.331, 145.34, or 145.46 of the Revised Code; 198

(b) Age and service retirement benefits paid by the public 199
employees retirement system under section 145.37 of the Revised 200
Code; 201

(c) Any benefit paid under a PERS defined contribution plan. 202

(2) "Other system retirant" means both of the following: 203

(a) A member or former member of the Ohio police and fire 204
pension fund, state teachers retirement system, school employees 205
retirement system, state highway patrol retirement system, or 206
Cincinnati retirement system who is receiving age and service or 207
commuted age and service retirement benefits or a disability 208
benefit from a system of which the person is a member or former 209
member; 210

(b) A member or former member of the public employees 211
retirement system who is receiving age and service retirement 212
benefits or a disability benefit under section 145.37 of the 213
Revised Code paid by the school employees retirement system or the 214
state teachers retirement system. 215

(B)(1) Subject to this section and section 145.381 of the 216
Revised Code, a PERS retirant or other system retirant may be 217
employed by a public employer. If so employed, the PERS retirant 218
or other system retirant shall contribute to the public employees 219
retirement system in accordance with section 145.47 of the Revised 220
Code, and the employer shall make contributions in accordance with 221
section 145.48 of the Revised Code. 222

(2) A public employer that employs a PERS retirant or other 223
system retirant, or enters into a contract for services as an 224
independent contractor with a PERS retirant, shall notify the 225
retirement board of the employment or contract not later than the 226
end of the month in which the employment or contract commences. 227
Any overpayment of benefits to a PERS retirant by the retirement 228
system resulting from delay or failure of the employer to give the 229
notice shall be repaid to the retirement system by the employer. 230

(3) On receipt of notice from a public employer that a person 231
who is an other system retirant has been employed, the retirement 232
system shall notify the retirement system of which the other 233

system retirant was a member of such employment. 234

(4)(a) A PERS retirant who has received a retirement 235
allowance for less than two months when employment subject to this 236
section commences shall forfeit the retirement allowance for any 237
month the PERS retirant is employed prior to the expiration of the 238
two-month period. Service and contributions for that period shall 239
not be included in calculation of any benefits payable to the PERS 240
retirant, and those contributions shall be refunded on the 241
retirant's death or termination of the employment. 242

(b) An other system retirant who has received a retirement 243
allowance or disability benefit for less than two months when 244
employment subject to this section commences shall forfeit the 245
retirement allowance or disability benefit for any month the other 246
system retirant is employed prior to the expiration of the 247
two-month period. Service and contributions for that period shall 248
not be included in the calculation of any benefits payable to the 249
other system retirant, and those contributions shall be refunded 250
on the retirant's death or termination of the employment. 251

(c) Contributions made on compensation earned after the 252
expiration of the two-month period shall be used in the 253
calculation of the benefit or payment due under section 145.384 of 254
the Revised Code. 255

(5) On receipt of notice from the Ohio police and fire 256
pension fund, school employees retirement system, or state 257
teachers retirement system of the re-employment of a PERS 258
retirant, the public employees retirement system shall not pay, or 259
if paid, shall recover, the amount to be forfeited by the PERS 260
retirant in accordance with section 742.26, 3307.35, or 3309.341 261
of the Revised Code. 262

(6) A PERS retirant who enters into a contract to provide 263
services as an independent contractor to the employer by which the 264

retirant was employed at the time of retirement or, less than two
months after the retirement allowance commences, begins providing
services as an independent contractor pursuant to a contract with
another public employer, shall forfeit the pension portion of the
retirement benefit for the period beginning the first day of the
month following the month in which the services begin and ending
on the first day of the month following the month in which the
services end. The annuity portion of the retirement allowance
shall be suspended on the day services under the contract begin
and shall accumulate to the credit of the retirant to be paid in a
single payment after services provided under the contract
terminate. A PERS retirant subject to division (B)(6) of this
section shall not contribute to the retirement system and shall
not become a member of the system.

(7) As used in this division, "employment" includes service
for which a PERS retirant or other system retirant, the retirant's
employer, or both, have waived any earnable salary for the
service.

(C)(1) Except as provided in division (C)(3) of this section,
this division applies to both of the following:

(a) A PERS retirant who, prior to September 14, 2000, was
subject to division (C)(1)(b) of this section as that division
existed immediately prior to September 14, 2000, and has not
elected pursuant to Am. Sub. S.B. 144 of the 123rd general
assembly to cease to be subject to that division;

(b) A PERS retirant to whom both of the following apply:

(i) The retirant held elective office in this state, or in
any municipal corporation, county, or other political subdivision
of this state at the time of retirement under this chapter.

(ii) The retirant was elected or appointed to the same office
for the remainder of the term or the term immediately following

the term during which the retirement occurred. 296

(2) A PERS retirant who is subject to this division is a 297
member of the public employees retirement system with all the 298
rights, privileges, and obligations of membership, except that the 299
membership does not include survivor benefits provided pursuant to 300
section 145.45 of the Revised Code or, beginning on the ninetieth 301
day after September 14, 2000, any amount calculated under section 302
145.401 of the Revised Code. The pension portion of the PERS 303
retirant's retirement allowance shall be forfeited until the first 304
day of the first month following termination of the employment. 305
The annuity portion of the retirement allowance shall accumulate 306
to the credit of the PERS retirant to be paid in a single payment 307
after termination of the employment. The retirement allowance 308
shall resume on the first day of the first month following 309
termination of the employment. On termination of the employment, 310
the PERS retirant shall elect to receive either a refund of the 311
retirant's contributions to the retirement system during the 312
period of employment subject to this section or a supplemental 313
retirement allowance based on the retirant's contributions and 314
service credit for that period of employment. 315

(3) This division does not apply to any of the following: 316

(a) A PERS retirant elected to office who, at the time of the 317
election for the retirant's current term, was not retired but, not 318
less than ninety days prior to the primary election for the term 319
or the date on which a primary for the term would have been held, 320
filed a written declaration of intent to retire before the end of 321
the term with the director of the board of elections of the county 322
in which petitions for nomination or election to the office are 323
filed; 324

(b) A PERS retirant elected to office who, at the time of the 325
election for the retirant's current term, was a retirant and had 326

been retired for not less than ninety days; 327

(c) A PERS retirant appointed to office who, at the time of 328
appointment to the retirant's current term, notified the person or 329
entity making the appointment that the retirant was already 330
retired or intended to retire before the end of the term. 331

(D)(1) Except as provided in division (C) of this section, a 332
PERS retirant or other system retirant subject to this section is 333
not a member of the public employees retirement system, and, 334
except as specified in this section does not have any of the 335
rights, privileges, or obligations of membership. Except as 336
specified in division (D)(2) of this section, the retirant is not 337
eligible to receive health, medical, hospital, or surgical 338
benefits under section 145.58 of the Revised Code for employment 339
subject to this section. 340

(2) A PERS retirant subject to this section shall receive 341
primary health, medical, hospital, or surgical insurance coverage 342
from the retirant's employer, if the employer provides coverage to 343
other employees performing comparable work. Neither the employer 344
nor the PERS retirant may waive the employer's coverage, except 345
that the PERS retirant may waive the employer's coverage if the 346
retirant has coverage comparable to that provided by the employer 347
from a source other than the employer or the public employees 348
retirement system. If a claim is made, the employer's coverage 349
shall be the primary coverage and shall pay first. The benefits 350
provided under section 145.58 of the Revised Code shall pay only 351
those medical expenses not paid through the employer's coverage or 352
coverage the PERS retirant receives through a source other than 353
the retirement system. 354

(E) If the disability benefit of an other system retirant 355
employed under this section is terminated, the retirant shall 356
become a member of the public employees retirement system, 357

effective on the first day of the month next following the 358
termination with all the rights, privileges, and obligations of 359
membership. If such person, after the termination of the 360
disability benefit, earns two years of service credit under this 361
system or under the Ohio police and fire pension fund, state 362
teachers retirement system, school employees retirement system, or 363
state highway patrol retirement system, the person's prior 364
contributions as an other system retirant under this section shall 365
be included in the person's total service credit as a public 366
employees retirement system member, and the person shall forfeit 367
all rights and benefits of this section. Not more than one year of 368
credit may be given for any period of twelve months. 369

(F) This section does not affect the receipt of benefits by 370
or eligibility for benefits of any person who on August 20, 1976, 371
was receiving a disability benefit or service retirement pension 372
or allowance from a state or municipal retirement system in Ohio 373
and was a member of any other state or municipal retirement system 374
of this state. 375

(G) The public employees retirement board may adopt rules to 376
carry out this section. 377

Sec. 303.12. (A)(1) Amendments to the zoning resolution may 378
be initiated by motion of the county rural zoning commission, by 379
the passage of a resolution by the board of county commissioners, 380
or by the filing of an application by one or more of the owners or 381
lessees of property within the area proposed to be changed or 382
affected by the proposed amendment with the county rural zoning 383
commission. The board of county commissioners may require that the 384
owner or lessee of property filing an application to amend the 385
zoning resolution pay a fee to defray the cost of advertising, 386
mailing, filing with the county recorder, and other expenses. If 387
the board of county commissioners requires such a fee, it shall be 388

required generally, for each application. The board of county 389
commissioners ~~shall~~, upon the passage of such a resolution, shall 390
certify it to the county rural zoning commission. 391

(2) Upon the adoption of ~~such~~ a motion by the county rural 392
zoning commission, the certification of ~~such~~ a resolution by the 393
board of county commissioners to the commission, or the filing of 394
~~such~~ an application by property owners or lessees as described in 395
division (A)(1) of this section with the commission, the ~~county~~ 396
~~rural zoning~~ commission shall set a date for a public hearing, 397
which date shall not be less than twenty nor more than forty days 398
from the date of adoption of such a motion, the date of the 399
certification of such a resolution, or the date of the filing of 400
such an application. Notice of ~~such~~ the hearing shall be given by 401
the ~~county rural zoning~~ commission by one publication in one or 402
more newspapers of general circulation in each township affected 403
by ~~such~~ the proposed amendment at least ten days before the date 404
of ~~such~~ the hearing. 405

(B) If the proposed amendment intends to rezone or redistrict 406
ten or fewer parcels of land, as listed on the county auditor's 407
current tax list, written notice of the hearing shall be mailed by 408
the county rural zoning commission, by first class mail, at least 409
ten days before the date of the public hearing to all owners of 410
property within and contiguous to and directly across the street 411
from ~~such~~ the area proposed to be rezoned or redistricted to the 412
addresses of ~~such~~ those owners appearing on the county auditor's 413
current tax list. The failure of delivery of ~~such~~ that notice 414
shall not invalidate any such amendment. 415

(C) If the proposed amendment intends to rezone or redistrict 416
ten or fewer parcels of land as listed on the county auditor's 417
current tax list, the published and mailed notices shall set forth 418
the time, date, and place of the public hearing, ~~and shall~~ include 419
all of the following: 420

- (1) The name of the county rural zoning commission that will 421
be conducting the ~~public~~ hearing; 422
- (2) A statement indicating that the motion, resolution, or 423
application is an amendment to the zoning resolution; 424
- (3) A list of the addresses of all properties to be rezoned 425
or redistricted by the proposed amendment and of the names of 426
owners of these properties, as they appear on the county auditor's 427
current tax list; 428
- (4) The present zoning classification of property named in 429
the proposed amendment and the proposed zoning classification of 430
~~such~~ that property; 431
- (5) The time and place where the motion, resolution, or 432
application proposing to amend the zoning resolution will be 433
available for examination for a period of at least ten days prior 434
to the ~~public~~ hearing; 435
- (6) The name of the person responsible for giving notice of 436
the public hearing by publication ~~or~~ by mail, or by both 437
publication and mail; 438
- ~~(7) Any other information requested by the zoning commission;~~ 439
- ~~(8)~~ A statement that, after the conclusion of ~~such~~ the 440
hearing, the matter will be submitted to the board of county 441
commissioners for its action; 442
- (8) Any other information requested by the commission. 443
- (D) If the proposed amendment alters the text of the zoning 444
resolution, or rezones or redistricts more than ten parcels of 445
land, as listed on the county auditor's current tax list, the 446
published notice shall set forth the time, date, and place of the 447
public hearing, and ~~shall~~ include all of the following: 448
- (1) The name of the county rural zoning commission that will 449
be conducting the ~~public~~ hearing on the proposed amendment; 450

(2) A statement indicating that the motion, application, or 451
resolution is an amendment to the zoning resolution; 452

(3) The time and place where the text and maps of the 453
proposed amendment will be available for examination for a period 454
of at least ten days prior to the ~~public~~ hearing; 455

(4) The name of the person responsible for giving notice of 456
the ~~public~~ hearing by publication; 457

(5) A statement that, after the conclusion of ~~such~~ the 458
hearing, the matter will be submitted to the board of county 459
commissioners for its action; 460

(6) Any other information requested by the ~~zoning~~ commission. 461

Hearings shall be held in the county court house or in a 462
public place designated by the ~~zoning~~ commission. 463

(E) Within five days after the adoption of ~~such~~ the motion 464
described in division (A) of this section, the certification of 465
~~such~~ the resolution described in division (A) of this section, or 466
the filing of ~~such~~ the application described in division (A) of 467
this section, the county rural zoning commission shall transmit a 468
copy of it together with text and map pertaining to it to the 469
county or regional planning commission, if there is such a 470
commission. 471

The county or regional planning commission shall recommend 472
the approval or denial of the proposed amendment or the approval 473
of some modification of it and shall submit ~~such~~ its 474
recommendation to the county rural zoning commission. ~~Such~~ The 475
recommendation shall be considered at the public hearing held by 476
the county rural zoning commission on ~~such~~ the proposed amendment. 477

The county rural zoning commission, within thirty days after 478
~~such~~ the hearing, shall recommend the approval or denial of the 479
proposed amendment, or the approval of some modification of it, 480

and shall submit ~~such~~ that recommendation together with ~~such~~ the 481
motion, application, or resolution involved, the text and map 482
pertaining to ~~it~~ the proposed amendment, and the recommendation of 483
the county or regional planning commission on it to the board of 484
county commissioners. 485

The board of county commissioners, upon receipt of ~~such~~ that 486
recommendation, shall set a time for a public hearing on ~~such~~ the 487
proposed amendment, which date shall be not more than thirty days 488
from the date of the receipt of ~~such~~ that recommendation ~~from the~~ 489
~~county rural zoning commission~~. Notice of ~~such~~ public the hearing 490
shall be given by the board by one publication in one or more 491
newspapers of general circulation in the county, at least ten days 492
before the date of ~~such~~ the hearing. 493

(F) If the proposed amendment intends to rezone or redistrict 494
ten or fewer parcels of land as listed on the county auditor's 495
current tax list, the published notice shall set forth the time, 496
date, and place of the public hearing and ~~shall~~ include all of the 497
following: 498

(1) The name of the board of county commissioners that will 499
be conducting the ~~public~~ hearing; 500

(2) A statement indicating that the motion, application, or 501
resolution is an amendment to the zoning resolution; 502

(3) A list of the addresses of all properties to be rezoned 503
or redistricted by the proposed amendment and of the names of 504
owners of ~~these~~ those properties, as they appear on the county 505
auditor's current tax list; 506

(4) The present zoning classification of property named in 507
the proposed amendment and the proposed zoning classification of 508
~~such~~ that property; 509

(5) The time and place where the motion, application, or 510
resolution proposing to amend the zoning resolution will be 511

available for examination for a period of at least ten days prior 512
to the ~~publie~~ hearing; 513

(6) The name of the person responsible for giving notice of 514
the ~~publie~~ hearing by publication ~~or~~, by mail, or by both 515
publication and mail; 516

(7) Any other information requested by the board. 517

(G) If the proposed amendment alters the text of the zoning 518
resolution, or rezones or redistricts more than ten parcels of 519
land as listed on the county auditor's current tax list, the 520
published notice shall set forth the time, date, and place of the 521
public hearing, ~~and shall~~ include all of the following: 522

(1) The name of the board of county commissioners that will 523
be conducting the ~~publie~~ hearing on the proposed amendment; 524

(2) A statement indicating that the motion, application, or 525
resolution is an amendment to the zoning resolution; 526

(3) The time and place where the text and maps of the 527
proposed amendment will be available for examination for a period 528
of at least ten days prior to the ~~publie~~ hearing; 529

(4) The name of the person responsible for giving notice of 530
the ~~publie~~ hearing by publication; 531

(5) Any other information requested by the board. 532

(H) Within twenty days after ~~such~~ its public hearing, the 533
board of county commissioners shall either adopt or deny the 534
recommendation of the county rural zoning commission or adopt some 535
modification of it. If the board denies or modifies the 536
commission's recommendation ~~of the county rural zoning commission,~~ 537
the unanimous vote of the board shall be required. 538

~~Such~~ The proposed amendment, if adopted by the board, shall 539
become effective in thirty days after the date of ~~such~~ its 540
adoption, unless, within thirty days after the adoption ~~of the~~ 541

~~amendment~~, there is presented to the board of county commissioners 542
a petition, signed by a number of qualified voters residing in the 543
unincorporated area of the township or part of that unincorporated 544
area included in the zoning plan equal to not less than eight per 545
cent of the total vote cast for all candidates for governor in 546
~~such~~ that area at the most recent general election at which a 547
governor was elected, requesting the board to submit the amendment 548
to the electors of ~~such~~ that area, for approval or rejection, at a 549
special election to be held on the day of the next primary or 550
general election. Each part of this petition shall contain the 551
number and the full and correct title, if any, of the zoning 552
amendment resolution, motion, or application, furnishing the name 553
by which the amendment ~~proposal~~ is known and a brief summary of 554
its contents. In addition to meeting the requirements of this 555
section, each petition shall be governed by the rules specified in 556
section 3501.38 of the Revised Code. 557

The form of a petition calling for a zoning referendum and 558
the statement of the circulator shall be substantially as follows: 559

"PETITION FOR ZONING REFERENDUM 560

(if the proposal is identified by a particular name or number, or 561
both, these should be inserted here) 562

A proposal to amend the zoning map of the unincorporated area 563
of Township, County, Ohio, 564
adopted (date) (followed by brief summary of 565
the proposal). 566

To the Board of County Commissioners of 567
County, Ohio: 568

We, the undersigned, being electors residing in the 569
unincorporated area of Township, included within 570
the County Zoning Plan, equal to not less than 571
eight per cent of the total vote cast for all candidates for 572

governor in the area at the preceding general election at which a
governor was elected, request the Board of County Commissioners to
submit this amendment of the zoning resolution to the electors of
..... Township residing within the unincorporated area of
the township included in the County Zoning
Resolution, for approval or rejection at a special election to be
held on the day of the next primary or general election to be held
on(date)....., pursuant to section 303.12 of the
Revised Code.

Street Address	Date of
Signature or R.F.D. Township Precinct County	Signing
.....	
.....	

STATEMENT OF CIRCULATOR

I,(name of circulator).....,
declare under penalty of election falsification that I am an
elector of the state of Ohio and reside at the address appearing
below my signature; that I am the circulator of the foregoing part
petition containing(number)..... signatures; that I have
witnessed the affixing of every signature; that all signers were
to the best of my knowledge and belief qualified to sign; and that
every signature is to the best of my knowledge and belief the
signature of the person whose signature it purports to be or of an
attorney in fact acting pursuant to section 3501.382 of the
Revised Code.

.....
(Signature of circulator)
.....
(Address of circulator's permanent
residence in this state)
.....
(City, village, or township,

and zip code) 605

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY 606
OF THE FIFTH DEGREE." 607

No amendment for which such a referendum vote has been 608
requested shall be put into effect unless a majority of the vote 609
cast on the issue is in favor of the amendment. Upon certification 610
by the board of elections that the amendment has been approved by 611
the voters, it shall take immediate effect. 612

Within five working days after an amendment's effective date, 613
the board of county commissioners shall file the text and maps of 614
the amendment in the office of the county recorder and with the 615
regional or county planning commission, if one exists. 616

~~The board shall file all amendments, including text and maps,~~ 617
~~that are in effect on January 1, 1992, in the office of the county~~ 618
~~recorder within thirty working days after that date. The board~~ 619
~~shall also file duplicates of the same documents with the regional~~ 620
~~or county planning commission, if one exists, within the same~~ 621
~~period.~~ 622

The failure to file any amendment, or any text and maps, or 623
duplicates of any of these documents, with the office of the 624
county recorder or the county or regional planning commission as 625
required by this section does not invalidate the amendment and is 626
not grounds for an appeal of any decision of the board of zoning 627
appeals. 628

Sec. 306.70. A tax proposed to be levied by a board of county 629
commissioners or by the board of trustees of a regional transit 630
authority pursuant to sections 5739.023 and 5741.022 of the 631
Revised Code shall not become effective until it is submitted to 632
the electors residing within the county or within the territorial 633
boundaries of the regional transit authority and approved by a 634

majority of the electors voting ~~thereon~~ on it. Such question shall
be submitted at a general election or at a special election on a
day specified in the resolution levying the tax and occurring not
less than seventy-five days after such resolution is certified to
the board of elections, in accordance with section 3505.071 of the
Revised Code.

The board of elections of the county or of each county in
which any territory of the regional transit authority is located
shall make the necessary arrangements for the submission of such
question to the electors of the county or regional transit
authority, and the election shall be held, canvassed, and
certified in the same manner as regular elections for the election
of county officers. Notice of the election shall be published in
one or more newspapers which in the aggregate are of general
circulation in the territory of the county or of the regional
transit authority once a week for ~~four~~ two consecutive weeks prior
to the election stating and shall be posted on the board of
elections' web site, or, if the board does not operate and
maintain its own web site, on the web site it operates and
maintains on free internet space under section 3501.24 of the
Revised Code, for thirty days prior to the election. The notice
shall state the type, rate, and purpose of the tax to be levied,
the length of time during which the tax will be in effect, and the
time and place of the election.

More than one such question may be submitted at the same
election. The form of the ballots cast at such election shall be:

"Shall a(n) (sales and use)
tax be levied for all transit purposes of the
(here insert name of the county or regional transit authority) at
a rate not exceeding (here insert percentage)
per cent for (here insert number of years the tax
is to be in effect, or that it is to be in effect for a continuing

period of time)?"

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If the tax proposed to be levied is a continuation of an
existing tax, whether at the same rate or at an increased or
reduced rate, or an increase in the rate of an existing tax, the
notice and ballot form shall so state.

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The board of elections to which the resolution was certified
shall certify the results of the election to the county auditor of
the county or secretary-treasurer of the regional transit
authority levying the tax and to the tax commissioner of the
state.

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Sec. 307.791. The question of repeal of a county sediment
control rule adopted under section 307.79 of the Revised Code may
be initiated by filing with the board of elections of the county
not less than seventy-five days before the general or primary
election in any year a petition requesting that an election be
held on such question. Such petition shall be signed by qualified
electors residing in the county equal in number to ten per cent of
those voting for governor at the most recent gubernatorial
election in the county.

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After determination by it that such petition is valid, the
board of elections shall submit the question to the electors of
the county at the next general or primary election. The election
shall be conducted, canvassed, and certified in the same manner as
regular elections for county offices in the county. Notice of the
election shall be published in a newspaper of general circulation
in the county once a week for ~~four~~ two consecutive weeks prior to
the election, ~~stating and shall be posted on the board of~~
elections' web site, or, if the board does not operate and
maintain its own web site, on the web site it operates and
maintains on free internet space under section 3501.24 of the
Revised Code, for thirty days prior to the election. The notice

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shall state the purpose, ~~the~~ time, ~~the~~ and place of the election, 698
and the complete text of each rule sought to be repealed. The form 699
of the ballot cast at such election shall be prescribed by the 700
secretary of state. The question covered by such petition shall be 701
submitted as a separate proposition, but it may be printed on the 702
same ballot with any other proposition submitted at the same 703
election other than the election of officers. If a majority of the 704
qualified electors voting on the question of repeal approve the 705
repeal, the result of the election shall be certified immediately 706
after the canvass by the board of elections to the board of county 707
commissioners, who shall thereupon rescind the rule. 708

Sec. 322.021. The question of a repeal of a county permissive 709
tax adopted as an emergency measure pursuant to division (B) of 710
section 322.02 of the Revised Code may be initiated by filing with 711
the board of elections of the county not less than seventy-five 712
days before the general election in any year a petition requesting 713
that an election be held on such question. Such petition shall be 714
signed by qualified electors residing in the county equal in 715
number to ten per cent of those voting for governor at the most 716
recent gubernatorial election. 717

After determination by it that such petition is valid, the 718
board of elections shall submit the question to the electors of 719
the county at the next general election. The election shall be 720
conducted, canvassed, and certified in the same manner as regular 721
elections for county offices in the county. Notice of the election 722
shall be published in a newspaper of general circulation in the 723
district once a week for ~~four~~ two consecutive weeks prior to the 724
election, ~~stating~~ and shall be posted on the board of elections' 725
web site, or, if the board does not operate and maintain its own 726
web site, on the web site it operates and maintains on free 727
internet space under section 3501.24 of the Revised Code, for 728
thirty days prior to the election. The notice shall state the 729

purpose, time, and place of the election. The form of the ballot 730
cast at such election shall be prescribed by the secretary of 731
state. The question covered by such petition shall be submitted as 732
a separate proposition, but it may be printed on the same ballot 733
with any other proposition submitted at the same election other 734
than the election of officers. If a majority of the qualified 735
electors voting on the question of repeal approve the repeal, the 736
result of the election shall be certified immediately after the 737
canvass by the board of elections to the board of county 738
commissioners, who shall thereupon, after the current year, cease 739
to levy the tax. 740

Sec. 324.021. The question of repeal of a county permissive 741
tax adopted as an emergency measure pursuant to section 324.02 of 742
the Revised Code may be initiated by filing with the board of 743
elections of the county not less than seventy-five days before the 744
general election in any year a petition requesting that an 745
election be held on such question. Such petition shall be signed 746
by qualified electors residing in the county equal in number to 747
ten per cent of those voting for governor at the most recent 748
gubernatorial election. 749

After determination by it that such petition is valid, the 750
board of elections shall submit the question to the electors of 751
the county at the next general election. The election shall be 752
conducted, canvassed, and certified in the same manner as regular 753
elections for county offices in the county. Notice of the election 754
shall be published in a newspaper of general circulation in the 755
district once a week for ~~four~~ two consecutive weeks prior to the 756
election, ~~stating~~ and shall be posted on the board of elections' 757
web site, or, if the board does not operate and maintain its own 758
web site, on the web site it operates and maintains on free 759
internet space under section 3501.24 of the Revised Code, for 760
thirty days prior to the election. The notice shall state the 761

purpose, ~~the~~ time, and ~~the~~ place of the election. The form of the 762
ballot cast at such election shall be prescribed by the secretary 763
of state. The question covered by such petition shall be submitted 764
as a separate proposition, but it may be printed on the same 765
ballot with any other proposition submitted at the same election 766
other than the election of officers. If a majority of the 767
qualified electors voting on the question of repeal approve the 768
repeal, the result of the election shall be certified immediately 769
after the canvass by the board of elections to the board of county 770
commissioners, who shall thereupon, after the current year, cease 771
to levy the tax. 772

Sec. 503.162. (A) After certification of a resolution as 773
provided in section 503.161 of the Revised Code, the board of 774
elections shall submit the question of whether the township's name 775
shall be changed to the electors of the unincorporated area of the 776
township in accordance with division (C) of that section, and the 777
ballot language shall be substantially as follows: 778

"Shall the township of (name) change its name to 779
..... (proposed name)? 780

..... For name change 781

..... Against name change" 782

(B)(1) At least forty-five days before the election on this 783
question, the board of township trustees shall provide notice of 784
the election and an explanation of the proposed name change in a 785
newspaper of general circulation in the township once a week for 786
~~three~~ two consecutive weeks and shall post the notice and 787
explanation in five conspicuous places in the unincorporated area 788
of the township. 789

(2) For at least thirty days before the election on this 790
question, the board of elections shall post notice of the election 791

and an explanation of the proposed name change on the board's web 792
site or, if the board does not operate and maintain its own web 793
site, on the web site it operates and maintains on free internet 794
space under section 3501.24 of the Revised Code. 795

(C) If a majority of the votes cast on the proposition of 796
changing the township's name is in the affirmative, the name 797
change is adopted and becomes effective ninety days after the 798
board of elections certifies the election results to the fiscal 799
officer of the township. Upon receipt of the certification of the 800
election results from the board of elections, the fiscal officer 801
of the township shall send a copy of that certification to the 802
secretary of state. 803

(D) A change in the name of a township shall not alter the 804
rights or liabilities of the township as previously named. 805

Sec. 504.02. (A) After certification of a resolution as 806
provided in division (A), (B), or (D) of section 504.01 of the 807
Revised Code, the board of elections shall submit the question of 808
whether to adopt a limited home rule government to the electors of 809
the unincorporated area of the township, and the ballot language 810
shall be substantially as follows: 811

"Shall the township of (name) adopt a limited 812
home rule government, under which government the board of township 813
trustees, by resolution, may exercise limited powers of local 814
self-government and limited police powers? 815

..... For adoption of a limited home rule government 816

..... Against adoption of a limited home rule government" 817

(B)(1) At least forty-five days before the election on this 818
question, the board of township trustees shall have notice of the 819
election and a description of the proposed limited home rule 820
government published in a newspaper of general circulation in the 821

township once a week for ~~three~~ two consecutive weeks and have the 822
notice and description posted in five conspicuous places in the 823
unincorporated area of the township. 824

(2) For at least thirty days before the election on this 825
question, the board of elections shall post notice of the election 826
and a description of the proposed limited home rule government on 827
the board's web site or, if the board does not operate and 828
maintain its own web site, on the web site it operates and 829
maintains on free internet space under section 3501.24 of the 830
Revised Code. 831

(C) If a majority of the votes cast on the proposition of 832
adopting a limited home rule government is in the affirmative, 833
that government is adopted and becomes the government of the 834
township on the first day of January immediately following the 835
election. 836

Sec. 504.03. (A)(1) If a limited home rule government is 837
adopted pursuant to section 504.02 of the Revised Code, it shall 838
remain in effect for at least three years except as otherwise 839
provided in division (B) of this section. At the end of that 840
period, if the board of township trustees determines that that 841
government is not in the best interests of the township, it may 842
adopt a resolution causing the board of elections to submit to the 843
electors of the unincorporated area of the township the question 844
of whether the township should continue the limited home rule 845
government. The question shall be voted upon at the next general 846
election occurring at least seventy-five days after the 847
certification of the resolution to the board of elections. After 848
certification of the resolution, the board of elections shall 849
submit the question to the electors of the unincorporated area of 850
the township, and the ballot language shall be substantially as 851
follows: 852

"Shall the township of (name) continue the 853
limited home rule government under which it is operating? 854
..... For continuation of the limited home rule government 855
..... Against continuation of the limited home rule government" 856

(2)(a) At least forty-five days before the election on the 857
question of continuing the limited home rule government, the board 858
of township trustees shall have notice of the election published 859
in a newspaper of general circulation in the township once a week 860
for ~~three~~ two consecutive weeks and have the notice posted in five 861
conspicuous places in the unincorporated area of the township. 862

(b) For at least thirty days before the election on the 863
question of continuing the limited home rule government, the board 864
of elections shall post notice of the election on the board's web 865
site or, if the board does not operate and maintain its own web 866
site, on the web site it operates and maintains on free internet 867
space under section 3501.24 of the Revised Code. 868

(B) The electors of a township that has adopted a limited 869
home rule government may propose at any time by initiative 870
petition, in accordance with section 504.14 of the Revised Code, a 871
resolution submitting to the electors in the unincorporated area 872
of the township, in an election, the question set forth in 873
division (A)(1) of this section. 874

(C) If a majority of the votes cast under division (A) or (B) 875
of this section on the proposition of continuing the limited home 876
rule government is in the negative, that government is terminated 877
effective on the first day of January immediately following the 878
election, and a limited home rule government shall not be adopted 879
in the unincorporated area of the township pursuant to section 880
504.02 of the Revised Code for at least three years after that 881
date. 882

(D) If a limited home rule government is terminated under 883

this section, the board of township trustees immediately shall
adopt a resolution repealing all resolutions adopted pursuant to
this chapter that are not authorized by any other section of the
Revised Code outside this chapter, effective on the first day of
January immediately following the election described in division
(A) or (B) of this section. However, no resolution adopted under
this division shall affect or impair the obligations of the
township under any security issued or contracts entered into by
the township in connection with the financing of any water supply
facility or sewer improvement under sections 504.18 to 504.20 of
the Revised Code or the authority of the township to collect or
enforce any assessments or other revenues constituting security
for or source of payments of debt service charges of those
securities.

(E) Upon the termination of a limited home rule government
under this section, if the township had converted its board of
township trustees to a five-member board before ~~the effective date~~
~~of this amendment~~ September 26, 2003, the current board member who
received the lowest number of votes of the current board members
who were elected at the most recent election for township
trustees, and the current board member who received the lowest
number of votes of the current board members who were elected at
the second most recent election for township trustees, shall cease
to be township trustees on the date that the limited home rule
government terminates. Their offices likewise shall cease to exist
at that time, and the board shall continue as a three-member board
as provided in section 505.01 of the Revised Code.

Sec. 511.28. A copy of any resolution for a tax levy adopted
by the township board of park commissioners as provided in section
511.27 of the Revised Code shall be certified by the clerk of the
board of park commissioners to the board of elections of the

proper county, together with a certified copy of the resolution 915
approving the levy, passed by the board of township trustees if 916
such a resolution is required by division (C) of section 511.27 of 917
the Revised Code, not less than seventy-five days before a general 918
or primary election in any year. The board of elections shall 919
submit the proposal to the electors as provided in section 511.27 920
of the Revised Code at the succeeding general or primary election. 921
A resolution to renew an existing levy may not be placed on the 922
ballot unless the question is submitted at the general election 923
held during the last year the tax to be renewed may be extended on 924
the real and public utility property tax list and duplicate, or at 925
any election held in the ensuing year. The board of park 926
commissioners shall cause notice that the vote will be taken to be 927
published once a week for ~~four~~ two consecutive weeks prior to the 928
election in a newspaper of general circulation in the county 929
within which the park district is located. Additionally, the board 930
of elections shall post that notice on its web site, or, if the 931
board does not operate and maintain its own web site, on the web 932
site it operates and maintains on free internet space under 933
section 3501.24 of the Revised Code, for thirty days prior to the 934
election. The notice shall state the purpose of the proposed levy, 935
the annual rate proposed expressed in dollars and cents for each 936
one hundred dollars of valuation as well as in mills for each one 937
dollar of valuation, the number of consecutive years during which 938
the levy shall be in effect, and the time and place of the 939
election. 940

The form of the ballots cast at the election shall be: "An 941
additional tax for the benefit of (name of township park district) 942
..... for the purpose of (purpose stated in the order of the 943
board) at a rate not exceeding mills for 944
each one dollar of valuation, which amounts to (rate expressed in 945
dollars and cents) for each one hundred dollars of 946
valuation, for (number of years the levy is to run) 947

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

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If the levy submitted is a proposal to renew, increase, or
decrease an existing levy, the form of the ballot specified in
this section may be changed by substituting for the words "An
additional" at the beginning of the form, the words "A renewal of
a" in the case of a proposal to renew an existing levy in the same
amount; the words "A renewal of mills and an increase
of mills to constitute a" in the case of an increase;
or the words "A renewal of part of an existing levy, being a
reduction of mills, to constitute a" in the case of a
decrease in the rate of the existing levy.

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If the tax is to be placed on the current tax list, the form
of the ballot shall be modified by adding, after the statement of
the number of years the levy is to run, the phrase ", commencing
in (first year the tax is to be levied), first due in
calendar year (first calendar year in which the tax
shall be due)."

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The question covered by the order shall be submitted as a
separate proposition, but may be printed on the same ballot with
any other proposition submitted at the same election, other than
the election of officers. More than one such question may be
submitted at the same election.

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Sec. 511.34. In townships composed of islands, and on one of
which islands lands have been conveyed in trust for the benefit of
the inhabitants of the island for use as a park, and a board of
park trustees has been provided for the control of the park, the
board of township trustees may create a tax district of the island

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to raise funds by taxation as provided under divisions (A) and (B) 978
of this section. 979

(A) For the care and maintenance of parks on the island, the 980
board of township trustees annually may levy a tax, not to exceed 981
one mill, upon all the taxable property in the district. The tax 982
shall be in addition to all other levies authorized by law, and 983
subject to no limitation on tax rates except as provided in this 984
division. 985

The proceeds of the tax levy shall be expended by the board 986
of township trustees for the purpose of the care and maintenance 987
of the parks, and shall be paid out of the township treasury upon 988
the orders of the board of park trustees. 989

(B) For the purpose of acquiring additional land for use as a 990
park, the board of township trustees may levy a tax in excess of 991
the ten-mill limitation on all taxable property in the district. 992
The tax shall be proposed by resolution adopted by two-thirds of 993
the members of the board of township trustees. The resolution 994
shall specify the purpose and rate of the tax and the number of 995
years the tax will be levied, which shall not exceed five years, 996
and which may include a levy on the current tax list and 997
duplicate. The resolution shall go into immediate effect upon its 998
passage, and no publication of the resolution is necessary other 999
than that provided for in the notice of election. The board of 1000
township trustees shall certify a copy of the resolution to the 1001
proper board of elections not later than seventy-five days before 1002
the primary or general election in the township, and the board of 1003
elections shall submit the question of the tax to the voters of 1004
the district at the succeeding primary or general election. The 1005
board of elections shall make the necessary arrangements for the 1006
submission of the question to the electors of the district, and 1007
the election shall be conducted, canvassed, and certified in the 1008
same manner as regular elections in the township for the election 1009

of officers. Notice of the election shall be published in a
newspaper of general circulation in the township once a week for
~~four~~ two consecutive weeks prior to the election, ~~stating and~~
shall be posted on the board of elections' web site, or, if the
board does not operate and maintain its own web site, on the web
site it operates and maintains on free internet space under
section 3501.24 of the Revised Code, for thirty days prior to the
election. The notice shall state the purpose of the tax, the
proposed rate of the tax, expressed in dollars and cents for each
one hundred dollars of valuation and mills for each one dollar of
valuation, the number of years the tax will be in effect ~~and,~~ the
first year the tax will be levied, and the time and place of the
election.

The form of the ballots cast at an election held under this
division shall be as follows:

"An additional tax for the benefit of (name of the
township) for the purpose of acquiring additional park land at a
rate of mills for each one dollar of valuation, which
amounts to (rate expressed in dollars and cents) for each
one hundred dollars of valuation, for (number of years
the levy is to run) beginning in (first year the tax
will be levied).

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

"

The question shall be submitted as a separate proposition but
may be printed on the same ballot with any other proposition
submitted at the same election other than the election of
officers. More than one such question may be submitted at the same
election.

If the levy is approved by a majority of electors voting on the question, the board of elections shall certify the result of the election to the tax commissioner. In the first year of the levy, the tax shall be extended on the tax lists after the February settlement following the election. If the tax is to be placed on the tax lists of the current year as specified in the resolution, the board of elections shall certify the result of the election immediately after the canvass to the board of township trustees, which shall forthwith make the necessary levy and certify the levy to the county auditor, who shall extend the levy on the tax lists for collection. After the first year of the levy, the levy shall be included in the annual tax budget that is certified to the county budget commission.

Sec. 513.14. The board of elections shall advertise the proposed tax levy question mentioned in section 513.13 of the Revised Code, in two newspapers of opposite political faith, if two such newspapers are published in the joint township hospital district, or otherwise, in one newspaper, published or of general circulation in the proposed township hospital district, once a week for three two consecutive weeks immediately preceding such prior to the election and shall advertise that proposed tax levy question on its web site, or, if the board does not operate and maintain its own web site, on the web site it operates and maintains on free internet space under section 3501.24 of the Revised Code, for thirty days prior to the election.

Sec. 519.12. (A)(1) Amendments to the zoning resolution may be initiated by motion of the township zoning commission, by the passage of a resolution by the board of township trustees, or by the filing of an application by one or more of the owners or lessees of property within the area proposed to be changed or affected by the proposed amendment with the township zoning

commission. The board of township trustees may require that the 1072
owner or lessee of property filing an application to amend the 1073
zoning resolution pay a fee to defray the cost of advertising, 1074
mailing, filing with the county recorder, and other expenses. If 1075
the board of township trustees requires such a fee, it shall be 1076
required generally, for each application. The board of township 1077
trustees, upon the passage of such a resolution, shall certify it 1078
to the township zoning commission. 1079

(2) Upon the adoption of a motion by the township zoning 1080
commission, the certification of a resolution by the board of 1081
township trustees to the commission, or the filing of an 1082
application by property owners or lessees as described in division 1083
(A)(1) of this section with the commission, the commission shall 1084
set a date for a public hearing, which date shall not be less than 1085
twenty nor more than forty days from the date of the certification 1086
of such a resolution, the date of adoption of such a motion, or 1087
the date of the filing of such an application. Notice of the 1088
hearing shall be given by the commission by one publication in one 1089
or more newspapers of general circulation in the township at least 1090
ten days before the date of the hearing. 1091

(B) If the proposed amendment intends to rezone or redistrict 1092
ten or fewer parcels of land, as listed on the county auditor's 1093
current tax list, written notice of the hearing shall be mailed by 1094
the township zoning commission, by first class mail, at least ten 1095
days before the date of the public hearing to all owners of 1096
property within and contiguous to and directly across the street 1097
from the area proposed to be rezoned or redistricted to the 1098
addresses of those owners appearing on the county auditor's 1099
current tax list. The failure of delivery of that notice shall not 1100
invalidate any such amendment. 1101

(C) If the proposed amendment intends to rezone or redistrict 1102
ten or fewer parcels of land as listed on the county auditor's 1103

current tax list, the published and mailed notices shall set forth
the time, date, and place of the public hearing and include all of
the following:

(1) The name of the township zoning commission that will be
conducting the hearing;

(2) A statement indicating that the motion, resolution, or
application is an amendment to the zoning resolution;

(3) A list of the addresses of all properties to be rezoned
or redistricted by the proposed amendment and of the names of
owners of those properties, as they appear on the county auditor's
current tax list;

(4) The present zoning classification of property named in
the proposed amendment and the proposed zoning classification of
that property;

(5) The time and place where the motion, resolution, or
application proposing to amend the zoning resolution will be
available for examination for a period of at least ten days prior
to the hearing;

(6) The name of the person responsible for giving notice of
the hearing by publication, by mail, or by both publication and
mail;

~~(7) Any other information requested by the commission;~~

~~(8) A statement that, after the conclusion of the hearing,~~
the matter will be submitted to the board of township trustees for
its action;

(8) Any other information requested by the commission.

(D) If the proposed amendment alters the text of the zoning
resolution, or rezones or redistricts more than ten parcels of
land as listed on the county auditor's current tax list, the
published notice shall set forth the time, date, and place of the

public hearing and include all of the following: 1134

(1) The name of the township zoning commission that will be 1135
conducting the hearing on the proposed amendment; 1136

(2) A statement indicating that the motion, application, or 1137
resolution is an amendment to the zoning resolution; 1138

(3) The time and place where the text and maps of the 1139
proposed amendment will be available for examination for a period 1140
of at least ten days prior to the hearing; 1141

(4) The name of the person responsible for giving notice of 1142
the hearing by publication; 1143

(5) A statement that, after the conclusion of the hearing, 1144
the matter will be submitted to the board of township trustees for 1145
its action; 1146

(6) Any other information requested by the commission. 1147

(E) Within five days after the adoption of the motion 1148
described in division (A) of this section, the certification of 1149
the resolution described in division (A) of this section, or the 1150
filing of the application described in division (A) of this 1151
section, the township zoning commission shall transmit a copy of 1152
it together with text and map pertaining to it to the county or 1153
regional planning commission, if there is such a commission. 1154

The county or regional planning commission shall recommend 1155
the approval or denial of the proposed amendment or the approval 1156
of some modification of it and shall submit its recommendation to 1157
the township zoning commission. The recommendation shall be 1158
considered at the public hearing held by the township zoning 1159
commission on the proposed amendment. 1160

The township zoning commission, within thirty days after the 1161
hearing, shall recommend the approval or denial of the proposed 1162
amendment, or the approval of some modification of it, and submit 1163

that recommendation together with the motion, application, or 1164
resolution involved, the text and map pertaining to the proposed 1165
amendment, and the recommendation of the county or regional 1166
planning commission on it to the board of township trustees. 1167

The board of township trustees, upon receipt of that 1168
recommendation, shall set a time for a public hearing on the 1169
proposed amendment, which date shall not be more than thirty days 1170
from the date of the receipt of that recommendation. Notice of the 1171
hearing shall be given by the board by one publication in one or 1172
more newspapers of general circulation in the township, at least 1173
ten days before the date of the hearing. 1174

(F) If the proposed amendment intends to rezone or redistrict 1175
ten or fewer parcels of land as listed on the county auditor's 1176
current tax list, the published notice shall set forth the time, 1177
date, and place of the public hearing and include all of the 1178
following: 1179

(1) The name of the board of township trustees that will be 1180
conducting the hearing; 1181

(2) A statement indicating that the motion, application, or 1182
resolution is an amendment to the zoning resolution; 1183

(3) A list of the addresses of all properties to be rezoned 1184
or redistricted by the proposed amendment and of the names of 1185
owners of those properties, as they appear on the county auditor's 1186
current tax list; 1187

(4) The present zoning classification of property named in 1188
the proposed amendment and the proposed zoning classification of 1189
that property; 1190

(5) The time and place where the motion, application, or 1191
resolution proposing to amend the zoning resolution will be 1192
available for examination for a period of at least ten days prior 1193

to the hearing; 1194

(6) The name of the person responsible for giving notice of 1195
the hearing by publication, by mail, or by both publication and 1196
mail; 1197

(7) Any other information requested by the board. 1198

(G) If the proposed amendment alters the text of the zoning 1199
resolution, or rezones or redistricts more than ten parcels of 1200
land as listed on the county auditor's current tax list, the 1201
published notice shall set forth the time, date, and place of the 1202
public hearing and include all of the following: 1203

(1) The name of the board of township trustees that will be 1204
conducting the hearing on the proposed amendment; 1205

(2) A statement indicating that the motion, application, or 1206
resolution is an amendment to the zoning resolution; 1207

(3) The time and place where the text and maps of the 1208
proposed amendment will be available for examination for a period 1209
of at least ten days prior to the hearing; 1210

(4) The name of the person responsible for giving notice of 1211
the hearing by publication; 1212

(5) Any other information requested by the board. 1213

(H) Within twenty days after its public hearing, the board of 1214
township trustees shall either adopt or deny the recommendations 1215
of the township zoning commission or adopt some modification of 1216
them. If the board denies or modifies the commission's 1217
recommendations, the unanimous vote of the board shall be 1218
required. 1219

The proposed amendment, if adopted by the board, shall become 1220
effective in thirty days after the date of its adoption, unless, 1221
within thirty days after the adoption, there is presented to the 1222
board of township trustees a petition, signed by a number of 1223

registered electors residing in the unincorporated area of the 1224
township or part of that unincorporated area included in the 1225
zoning plan equal to not less than eight per cent of the total 1226
vote cast for all candidates for governor in that area at the most 1227
recent general election at which a governor was elected, 1228
requesting the board of township trustees to submit the amendment 1229
to the electors of that area for approval or rejection at a 1230
special election to be held on the day of the next primary or 1231
general election that occurs at least seventy-five days after the 1232
petition is filed. Each part of this petition shall contain the 1233
number and the full and correct title, if any, of the zoning 1234
amendment resolution, motion, or application, furnishing the name 1235
by which the amendment is known and a brief summary of its 1236
contents. In addition to meeting the requirements of this section, 1237
each petition shall be governed by the rules specified in section 1238
3501.38 of the Revised Code. 1239

The form of a petition calling for a zoning referendum and 1240
the statement of the circulator shall be substantially as follows: 1241

"PETITION FOR ZONING REFERENDUM 1242

(if the proposal is identified by a particular name or number, or 1243
both, these should be inserted here) 1244

A proposal to amend the zoning map of the unincorporated area 1245
of Township, County, Ohio, adopted 1246
.....(date)..... (followed by brief summary of the proposal). 1247

To the Board of Township Trustees of 1248
Township, County, Ohio: 1249
..... County, Ohio: 1250

We, the undersigned, being electors residing in the 1251
unincorporated area of Township, included 1252
within the Township Zoning Plan, equal to not less 1253
than eight per cent of the total vote cast for all candidates for 1254

governor in the area at the preceding general election at which a
governor was elected, request the Board of Township Trustees to
submit this amendment of the zoning resolution to the electors of
..... Township residing within the
unincorporated area of the township included in the
..... Township Zoning Resolution, for approval or
rejection at a special election to be held on the day of the
primary or general election to be held on(date).....,
pursuant to section 519.12 of the Revised Code.

Street Address	Date of
Signature or R.F.D. Township Precinct County	Signing
.....	
.....	

STATEMENT OF CIRCULATOR

I,(name of circulator)....., declare under
penalty of election falsification that I am an elector of the
state of Ohio and reside at the address appearing below my
signature; that I am the circulator of the foregoing part petition
containing(number)..... signatures; that I have
witnessed the affixing of every signature; that all signers were
to the best of my knowledge and belief qualified to sign; and that
every signature is to the best of my knowledge and belief the
signature of the person whose signature it purports to be or of an
attorney in fact acting pursuant to section 3501.382 of the
Revised Code.

.....
(Signature of circulator)
.....
(Address of circulator's permanent
residence in this state)
.....
(City, village, or township,

and zip code) 1287

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY 1288
OF THE FIFTH DEGREE." 1289

The petition shall be filed with the board of township 1290
trustees and shall be accompanied by an appropriate map of the 1291
area affected by the zoning proposal. Within two weeks after 1292
receiving a petition filed under this section, the board of 1293
township trustees shall certify the petition to the board of 1294
elections. A petition filed under this section shall be certified 1295
to the board of elections not less than seventy-five days prior to 1296
the election at which the question is to be voted upon. 1297

The board of elections shall determine the sufficiency and 1298
validity of each petition certified to it by a board of township 1299
trustees under this section. If the board of elections determines 1300
that a petition is sufficient and valid, the question shall be 1301
voted upon at a special election to be held on the day of the next 1302
primary or general election that occurs at least seventy-five days 1303
after the date the petition is filed with the board of township 1304
trustees, regardless of whether any election will be held to 1305
nominate or elect candidates on that day. 1306

No amendment for which such a referendum vote has been 1307
requested shall be put into effect unless a majority of the vote 1308
cast on the issue is in favor of the amendment. Upon certification 1309
by the board of elections that the amendment has been approved by 1310
the voters, it shall take immediate effect. 1311

Within five working days after an amendment's effective date, 1312
the board of township trustees shall file the text and maps of the 1313
amendment in the office of the county recorder and with the county 1314
or regional planning commission, if one exists. 1315

The failure to file any amendment, or any text and maps, or 1316
duplicates of any of these documents, with the office of the 1317

county recorder or the county or regional planning commission as 1318
required by this section does not invalidate the amendment and is 1319
not grounds for an appeal of any decision of the board of zoning 1320
appeals. 1321

Sec. 745.07. An ordinance passed pursuant to section 745.06 1322
of the Revised Code, shall not take effect until submitted to the 1323
electors of the municipal corporation, at a special or general 1324
election held ~~therein~~ in the municipal corporation at such time as 1325
the legislative authority ~~thereof~~ determines, and approved by a 1326
majority of the electors voting ~~thereon~~ on it. The ordinance shall 1327
be passed by an affirmative vote of not less than a majority of 1328
the members of the legislative authority, and shall be subject to 1329
the approval of the mayor as provided by law. The ordinance shall 1330
specify the form or phrasing of the question to be placed upon the 1331
ballot. Thirty days' notice of the election shall be given by 1332
publication once a week for ~~four~~ two consecutive weeks in two 1333
daily or weekly newspapers published or circulated in the 1334
municipal corporation, ~~which~~ and by posting for that period on the 1335
board of elections' web site or, if the board does not operate and 1336
maintain its own web site, on the web site it operates and 1337
maintains on free internet space under section 3501.24 of the 1338
Revised Code. The notice shall contain the full form or phrasing 1339
of the question to be submitted. The clerk of the legislative 1340
authority shall certify the passage of ~~such~~ the ordinance to the 1341
officers having control of elections in ~~such~~ the municipal 1342
corporation, who shall cause ~~such~~ the question to be voted on at 1343
the general or special election as specified in the ordinance. 1344

Sec. 747.11. The board of rapid transit commissioners may 1345
grant to any corporation organized for street or interurban 1346
railway purposes the right to operate, by lease or otherwise, the 1347
depots, terminals, and railways mentioned in section 747.08 of the 1348

Revised Code upon such terms as the board is authorized by 1349
ordinance to agree upon with such corporation, subject to the 1350
approval of a majority of the electors of the city voting ~~thereon~~ 1351
on the question. 1352

The board of rapid transit commissioners shall certify such 1353
lease or agreement to the board of elections, which shall then 1354
submit the question of the approval of such lease or agreement to 1355
the qualified electors of the city at either a special or general 1356
election as the ordinance specifies. Thirty days' notice of the 1357
election shall be given by publication in one or more of the 1358
newspapers published in the city, ~~once a week for four~~ two 1359
consecutive weeks prior to ~~the time of holding such the~~ election, 1360
setting and the board of elections shall post notice of the 1361
election for thirty days prior to the election on its web site or, 1362
if the board does not operate and maintain its own web site, on 1363
the web site it operates and maintains on free internet space 1364
under section 3501.24 of the Revised Code. The notice shall set 1365
forth the terms of the lease or agreement and the time of holding 1366
the election. On the approval by a majority of the voters voting 1367
at ~~such the~~ election, the corporation may operate such depots, 1368
terminals, and railways as provided in the lease or agreement, and 1369
corporations organized under the laws of this state for street or 1370
interurban railway purposes may lease and operate such depots, 1371
terminals, and railways. 1372

Sec. 1901.07. (A) All municipal court judges shall be elected 1373
on the nonpartisan ballot for terms of six years. In a municipal 1374
court in which only one judge is to be elected in any one year, 1375
that judge's term commences on the first day of January after the 1376
election. In a municipal court in which two or more judges are to 1377
be elected in any one year, their terms commence on successive 1378
days beginning the first day of January, following the election, 1379
unless otherwise provided by section 1901.08 of the Revised Code. 1380

1381

(B) All candidates for municipal court judge may be nominated 1382
either by nominating petition or by primary election, except that 1383
if the jurisdiction of a municipal court extends only to the 1384
corporate limits of the municipal corporation in which the court 1385
is located and that municipal corporation operates under a 1386
charter, all candidates shall be nominated in the same manner 1387
provided in the charter for the office of municipal court judge, 1388
or, if no specific provisions are made in the charter for the 1389
office of municipal court judge, in the same manner as the charter 1390
prescribes for the nomination and election of the legislative 1391
authority of the municipal corporation. 1392

~~If a municipal corporation that has a municipal court has a 1393
charter that specifies a primary date other than the date 1394
specified in division (E) of section 3501.01 of the Revised Code, 1395
and if the jurisdiction of the a municipal court extends beyond 1396
the corporate limits of the municipal corporation, all candidates 1397
for the office of municipal judge of that court shall be nominated 1398
only by petition. 1399~~

If in which it is located or if the jurisdiction of the court 1400
does not extend beyond the corporate limits of the municipal 1401
corporation in which it is located and no charter provisions 1402
apply, all candidates for party nomination to the office of 1403
municipal court judge shall file a declaration of candidacy and 1404
petition not later than four p.m. of the seventy-fifth day before 1405
the day of the primary election, or if the primary election is a 1406
presidential primary election, not later than four p.m. of the 1407
sixtieth day before the day of the presidential primary election, 1408
in the form prescribed by section 3513.07 of the Revised Code. The 1409
petition shall conform to the requirements provided for ~~such~~ those 1410
petitions of candidacy contained in section 3513.05 of the Revised 1411
Code, except that the petition shall be signed by at least fifty 1412

electors of the territory of the court. If no valid declaration of 1413
candidacy is filed for nomination as a candidate of a political 1414
party for election to the office of municipal court judge, or if 1415
the number of persons filing the declarations of candidacy for 1416
nominations as candidates of one political party for election to 1417
the office does not exceed the number of candidates that that 1418
party is entitled to nominate as its candidates for election to 1419
the office, no primary election shall be held for the purpose of 1420
nominating candidates of that party for election to the office, 1421
and the candidates shall be issued certificates of nomination in 1422
the manner set forth in section 3513.02 of the Revised Code. 1423

If the jurisdiction of a municipal court extends beyond the 1424
corporate limits of the municipal corporation in which it is 1425
located or if the jurisdiction of the court does not extend beyond 1426
the corporate limits of the municipal corporation in which it is 1427
located and no charter provisions apply, nonpartisan candidates 1428
filing for the office of municipal court judge shall file 1429
~~nominating petitions for the office of municipal judge shall file~~ 1430
~~them~~ not later than four p.m. of the day before the day of the 1431
primary election, in the form prescribed by section 3513.261 of 1432
the Revised Code. The petition shall conform to the requirements 1433
provided for ~~such~~ those petitions of candidacy contained in 1434
section 3513.257 of the Revised Code, except that the petition 1435
shall be signed by at least fifty electors of the territory of the 1436
court. 1437

The nominating petition or declaration of candidacy for a 1438
municipal court judge shall contain a designation of the term for 1439
which the candidate seeks election. At the following regular 1440
municipal election, the candidacies of the judges nominated shall 1441
be submitted to the electors of the territory on a nonpartisan, 1442
judicial ballot in the same manner as provided for judges of the 1443
court of common pleas, except that, in a municipal corporation 1444

operating under a charter, all candidates for municipal court 1445
judge shall be elected in conformity with the charter if 1446
provisions are made in the charter for the election of municipal 1447
court judges. 1448

(C) Notwithstanding divisions (A) and (B) of this section, in 1449
the following municipal courts, the judges shall be nominated and 1450
elected as follows: 1451

(1) In the Cleveland municipal court, the judges shall be 1452
nominated only by petition. The petition shall be signed by at 1453
least ~~one thousand~~ fifty electors of the territory of the court. 1454
It shall be in the statutory form and shall be filed in the manner 1455
and within the time prescribed by the charter of the city of 1456
Cleveland for filing petitions of candidates for municipal 1457
offices. Each elector shall have the right to sign petitions for 1458
as many candidates as are to be elected, but no more. The judges 1459
shall be elected by the electors of the territory of the court in 1460
the manner provided by law for the election of judges of the court 1461
of common pleas. 1462

(2) In the Toledo municipal court, the judges shall be 1463
nominated only by petition. The petition shall be signed by at 1464
least ~~one thousand~~ fifty electors of the territory of the court. 1465
It shall be in the statutory form and shall be filed in the manner 1466
and within the time prescribed by the charter of the city of 1467
Toledo for filing nominating petitions for city council. Each 1468
elector shall have the right to sign petitions for as many 1469
candidates as are to be elected, but no more. The judges shall be 1470
elected by the electors of the territory of the court in the 1471
manner provided by law for the election of judges of the court of 1472
common pleas. 1473

(3) In the Akron municipal court, the judges shall be 1474
nominated only by petition. The petition shall be signed by at 1475
least ~~two hundred~~ fifty electors of the territory of the court. It 1476

shall be in statutory form and shall be filed in the manner and 1477
within the time prescribed by the charter of the city of Akron for 1478
filing nominating petitions of candidates for municipal offices. 1479
Each elector shall have the right to sign petitions for as many 1480
candidates as are to be elected, but no more. The judges shall be 1481
elected by the electors of the territory of the court in the 1482
manner provided by law for the election of judges of the court of 1483
common pleas. 1484

(4) In the Hamilton county municipal court, the judges shall 1485
be nominated only by petition. The petition shall be signed by at 1486
least ~~one thousand~~ fifty electors of the territory of the court, 1487
which petitions shall be signed, verified, and filed in the manner 1488
and within the time required by law for nominating petitions for 1489
members of council of the city of Cincinnati. The judges shall be 1490
elected by the electors of the territory of the court at the 1491
regular municipal election and in the manner provided by law for 1492
the election of judges of the court of common pleas. 1493

(5) In the Franklin county municipal court, the judges shall 1494
be nominated only by petition. The petition shall be signed by at 1495
least ~~one thousand~~ fifty electors of the territory of the court. 1496
The petition shall be in the statutory form and shall be filed in 1497
the manner and within the time prescribed by the charter of the 1498
city of Columbus for filing petitions of candidates for municipal 1499
offices. The judges shall be elected by the electors of the 1500
territory of the court in the manner provided by law for the 1501
election of judges of the court of common pleas. 1502

(6) In the Auglaize, Brown, Clermont, Crawford, Hocking, 1503
Jackson, Lawrence, Madison, Miami, Morrow, Portage, and Wayne 1504
county municipal courts, the judges shall be nominated only by 1505
petition. The petitions shall be signed by at least ~~two hundred~~ 1506
fifty electors of the territory of the court and shall conform to 1507
the provisions of this section. 1508

(D) As used in this section, as to an election for either a full or an unexpired term, "the territory within the jurisdiction of the court" means ~~such~~ that territory as it will be on the first day of January after the election.

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

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

shall be four p.m. on the thirty-sixth day before the day of the
general election.

~~(c) Except as otherwise provided in division (A)(1)(d) of~~
~~this section, each~~ Each nominating petition referred to in
division (A)(1)(b) of this section shall be in the form prescribed
in section 3513.261 of the Revised Code and shall be signed by at
least fifty qualified electors of the territory of the municipal
court ~~not less in number than one per cent of the number of~~
~~electors who voted for governor at the most recent regular state~~
~~election in the territory over which such court has jurisdiction,~~
~~or twenty-five hundred electors, whichever is the lesser number.~~

~~(d) For any such vacancy occurring in the office of judge or~~
~~clerk of a municipal court named in division (C)(1), (2), (3),~~
~~(4), (5), or (6) of section 1901.07 of the Revised Code, each~~
~~nominating petition shall be signed by qualified electors of the~~
~~territory of the municipal court not less in number than one per~~
~~cent of the number of electors who voted for governor at the most~~
~~recent regular state election in the territory over which the~~
~~court has jurisdiction, or the number of qualified electors~~
~~required to sign a nominating petition in each of those divisions,~~
~~as applicable to each particular court, whichever is the lesser~~
~~number.~~

~~(e) No.~~ No nominating petition shall be accepted for filing
or filed if it appears on its face to contain signatures
aggregating in number more than twice the minimum aggregate number
of signatures required by this section.

(2) If a judge of a municipal court that has only one judge
is temporarily absent, incapacitated, or otherwise unavailable,
the judge may appoint a substitute who has the qualifications
required by section 1901.06 of the Revised Code or a retired judge
of a court of record who is a qualified elector and a resident of
the territory of the court. If the judge is unable to make the

1572 appointment, the chief justice of the supreme court shall appoint
1573 a substitute. The appointee shall serve during the absence,
1574 incapacity, or unavailability of the incumbent, shall have the
1575 jurisdiction and powers conferred upon the judge of the municipal
1576 court, and shall be styled "acting judge." During that time of
1577 service, the acting judge shall sign all process and records and
1578 shall perform all acts pertaining to the office, except that of
1579 removal and appointment of officers of the court. All courts shall
1580 take judicial notice of the selection and powers of the acting
1581 judge. The incumbent judge shall establish the amount of
1582 compensation of an acting judge upon either a per diem, hourly, or
1583 other basis, but the rate of pay shall not exceed the per diem
1584 amount received by the incumbent judge.

1585 (B) When the volume of cases pending in any municipal court
1586 necessitates an additional judge, the chief justice of the supreme
1587 court, upon the written request of the judge or presiding judge of
1588 that municipal court, may designate a judge of another municipal
1589 court or county court to serve for any period of time that the
1590 chief justice may prescribe. The compensation of a judge so
1591 designated shall be paid from the city treasury or, in the case of
1592 a county-operated municipal court, from the county treasury. In
1593 addition to the annual salary provided for in section 1901.11 of
1594 the Revised Code and in addition to any compensation under
1595 division (A)(5) or (6) of section 141.04 of the Revised Code to
1596 which the judge is entitled in connection with the judge's own
1597 court, a full-time or part-time judge while holding court outside
1598 the judge's territory on the designation of the chief justice
1599 shall receive actual and necessary expenses and compensation as
1600 follows:

1601 (1) A full-time judge shall receive thirty dollars for each
1602 day of the assignment.

1603 (2) A part-time judge shall receive for each day of the

assignment the per diem compensation of the judges of the court to 1604
which the judge is assigned, less the per diem amount paid to 1605
those judges pursuant to section 141.04 of the Revised Code, 1606
calculated on the basis of two hundred fifty working days per 1607
year. 1608

If a request is made by a judge or the presiding judge of a 1609
municipal court to designate a judge of another municipal court 1610
because of the volume of cases in the court for which the request 1611
is made and the chief justice reports, in writing, that no 1612
municipal or county court judge is available to serve by 1613
designation, the judges of the court requesting the designation 1614
may appoint a substitute as provided in division (A)(2) of this 1615
section, who may serve for any period of time that is prescribed 1616
by the chief justice. The substitute judge shall be paid in the 1617
same manner and at the same rate as the incumbent judges, except 1618
that, if the substitute judge is entitled to compensation under 1619
division (A)(5) or (6) of section 141.04 of the Revised Code, then 1620
section 1901.121 of the Revised Code shall govern its payment. 1621

Sec. 1901.31. The clerk and deputy clerks of a municipal 1622
court shall be selected, be compensated, give bond, and have 1623
powers and duties as follows: 1624

(A) There shall be a clerk of the court who is appointed or 1625
elected as follows: 1626

(1)(a) Except in the Akron, Barberton, Cuyahoga Falls, 1627
Toledo, Hamilton county, Portage county, and Wayne county 1628
municipal courts, if the population of the territory equals or 1629
exceeds one hundred thousand at the regular municipal election 1630
immediately preceding the expiration of the term of the present 1631
clerk, the clerk shall be nominated and elected by the qualified 1632
electors of the territory in the manner that is provided for the 1633
nomination and election of judges in section 1901.07 of the 1634

Revised Code. 1635

The clerk so elected shall hold office for a term of six 1636
years, which term shall commence on the first day of January 1637
following the clerk's election and continue until the clerk's 1638
successor is elected and qualified. 1639

(b) In the Hamilton county municipal court, the clerk of 1640
courts of Hamilton county shall be the clerk of the municipal 1641
court and may appoint an assistant clerk who shall receive the 1642
compensation, payable out of the treasury of Hamilton county in 1643
semimonthly installments, that the board of county commissioners 1644
prescribes. The clerk of courts of Hamilton county, acting as the 1645
clerk of the Hamilton county municipal court and assuming the 1646
duties of that office, shall receive compensation at one-fourth 1647
the rate that is prescribed for the clerks of courts of common 1648
pleas as determined in accordance with the population of the 1649
county and the rates set forth in sections 325.08 and 325.18 of 1650
the Revised Code. This compensation shall be paid from the county 1651
treasury in semimonthly installments and is in addition to the 1652
annual compensation that is received for the performance of the 1653
duties of the clerk of courts of Hamilton county, as provided in 1654
sections 325.08 and 325.18 of the Revised Code. 1655

(c) In the Portage county and Wayne county municipal courts, 1656
the clerks of courts of Portage county and Wayne county shall be 1657
the clerks, respectively, of the Portage county and Wayne county 1658
municipal courts and may appoint a chief deputy clerk for each 1659
branch that is established pursuant to section 1901.311 of the 1660
Revised Code and assistant clerks as the judges of the municipal 1661
court determine are necessary, all of whom shall receive the 1662
compensation that the legislative authority prescribes. The clerks 1663
of courts of Portage county and Wayne county, acting as the clerks 1664
of the Portage county and Wayne county municipal courts and 1665
assuming the duties of these offices, shall receive compensation 1666

payable from the county treasury in semimonthly installments at
one-fourth the rate that is prescribed for the clerks of courts of
common pleas as determined in accordance with the population of
the county and the rates set forth in sections 325.08 and 325.18
of the Revised Code.

(d) Except as otherwise provided in division (A)(1)(d) of
this section, in the Akron municipal court, candidates for
election to the office of clerk of the court shall be nominated by
primary election. The primary election shall be held on the day
specified in the charter of the city of Akron for the nomination
of municipal officers. Notwithstanding any contrary provision of
section 3513.05 or 3513.257 of the Revised Code, the declarations
of candidacy and petitions of partisan candidates and the
nominating petitions of independent candidates for the office of
clerk of the Akron municipal court shall be signed by at least ~~two~~
~~hundred~~ fifty qualified electors of the territory of the court.

The candidates shall file a declaration of candidacy and
petition, or a nominating petition, whichever is applicable, not
later than four p.m. of the seventy-fifth day before the day of
the primary election, in the form prescribed by section 3513.07 or
3513.261 of the Revised Code. The declaration of candidacy and
petition, or the nominating petition, shall conform to the
applicable requirements of section 3513.05 or 3513.257 of the
Revised Code.

If no valid declaration of candidacy and petition is filed by
any person for nomination as a candidate of a particular political
party for election to the office of clerk of the Akron municipal
court, a primary election shall not be held for the purpose of
nominating a candidate of that party for election to that office.
If only one person files a valid declaration of candidacy and
petition for nomination as a candidate of a particular political
party for election to that office, a primary election shall not be

held for the purpose of nominating a candidate of that party for
election to that office, and the candidate shall be issued a
certificate of nomination in the manner set forth in section
3513.02 of the Revised Code.

Declarations of candidacy and petitions, nominating
petitions, and certificates of nomination for the office of clerk
of the Akron municipal court shall contain a designation of the
term for which the candidate seeks election. At the following
regular municipal election, all candidates for the office shall be
submitted to the qualified electors of the territory of the court
in the manner that is provided in section 1901.07 of the Revised
Code for the election of the judges of the court. The clerk so
elected shall hold office for a term of six years, which term
shall commence on the first day of January following the clerk's
election and continue until the clerk's successor is elected and
qualified.

(e) Except as otherwise provided in division (A)(1)(e) of
this section, in the Barberton municipal court, candidates for
election to the office of clerk of the court shall be nominated by
primary election. The primary election shall be held on the day
specified in the charter of the city of Barberton for the
nomination of municipal officers. Notwithstanding any contrary
provision of section 3513.05 or 3513.257 of the Revised Code, the
declarations of candidacy and petitions of partisan candidates and
the nominating petitions of independent candidates for the office
of clerk of the Barberton municipal court shall be signed by at
least ~~two hundred~~ fifty qualified electors of the territory of the
court.

The candidates shall file a declaration of candidacy and
petition, or a nominating petition, whichever is applicable, not
later than four p.m. of the seventy-fifth day before the day of
the primary election, in the form prescribed by section 3513.07 or

3513.261 of the Revised Code. The declaration of candidacy and
petition, or the nominating petition, shall conform to the
applicable requirements of section 3513.05 or 3513.257 of the
Revised Code.

If no valid declaration of candidacy and petition is filed by
any person for nomination as a candidate of a particular political
party for election to the office of clerk of the Barberton
municipal court, a primary election shall not be held for the
purpose of nominating a candidate of that party for election to
that office. If only one person files a valid declaration of
candidacy and petition for nomination as a candidate of a
particular political party for election to that office, a primary
election shall not be held for the purpose of nominating a
candidate of that party for election to that office, and the
candidate shall be issued a certificate of nomination in the
manner set forth in section 3513.02 of the Revised Code.

Declarations of candidacy and petitions, nominating
petitions, and certificates of nomination for the office of clerk
of the Barberton municipal court shall contain a designation of
the term for which the candidate seeks election. At the following
regular municipal election, all candidates for the office shall be
submitted to the qualified electors of the territory of the court
in the manner that is provided in section 1901.07 of the Revised
Code for the election of the judges of the court. The clerk so
elected shall hold office for a term of six years, which term
shall commence on the first day of January following the clerk's
election and continue until the clerk's successor is elected and
qualified.

(f) Except as otherwise provided in division (A)(1)(f) of
this section, in the Cuyahoga Falls municipal court, candidates
for election to the office of clerk of the court shall be
nominated by primary election. The primary election shall be held

on the day specified in the charter of the city of Cuyahoga Falls 1763
for the nomination of municipal officers. Notwithstanding any 1764
contrary provision of section 3513.05 or 3513.257 of the Revised 1765
Code, the declarations of candidacy and petitions of partisan 1766
candidates and the nominating petitions of independent candidates 1767
for the office of clerk of the Cuyahoga Falls municipal court 1768
shall be signed by at least ~~two hundred~~ fifty qualified electors 1769
of the territory of the court. 1770

The candidates shall file a declaration of candidacy and 1771
petition, or a nominating petition, whichever is applicable, not 1772
later than four p.m. of the seventy-fifth day before the day of 1773
the primary election, in the form prescribed by section 3513.07 or 1774
3513.261 of the Revised Code. The declaration of candidacy and 1775
petition, or the nominating petition, shall conform to the 1776
applicable requirements of section 3513.05 or 3513.257 of the 1777
Revised Code. 1778

If no valid declaration of candidacy and petition is filed by 1779
any person for nomination as a candidate of a particular political 1780
party for election to the office of clerk of the Cuyahoga Falls 1781
municipal court, a primary election shall not be held for the 1782
purpose of nominating a candidate of that party for election to 1783
that office. If only one person files a valid declaration of 1784
candidacy and petition for nomination as a candidate of a 1785
particular political party for election to that office, a primary 1786
election shall not be held for the purpose of nominating a 1787
candidate of that party for election to that office, and the 1788
candidate shall be issued a certificate of nomination in the 1789
manner set forth in section 3513.02 of the Revised Code. 1790

Declarations of candidacy and petitions, nominating 1791
petitions, and certificates of nomination for the office of clerk 1792
of the Cuyahoga Falls municipal court shall contain a designation 1793
of the term for which the candidate seeks election. At the 1794

following regular municipal election, all candidates for the
office shall be submitted to the qualified electors of the
territory of the court in the manner that is provided in section
1901.07 of the Revised Code for the election of the judges of the
court. The clerk so elected shall hold office for a term of six
years, which term shall commence on the first day of January
following the clerk's election and continue until the clerk's
successor is elected and qualified.

(g) Except as otherwise provided in division (A)(1)(g) of
this section, in the Toledo municipal court, candidates for
election to the office of clerk of the court shall be nominated by
primary election. The primary election shall be held on the day
specified in the charter of the city of Toledo for the nomination
of municipal officers. Notwithstanding any contrary provision of
section 3513.05 or 3513.257 of the Revised Code, the declarations
of candidacy and petitions of partisan candidates and the
nominating petitions of independent candidates for the office of
clerk of the Toledo municipal court shall be signed by at least
~~two hundred~~ fifty qualified electors of the territory of the
court.

The candidates shall file a declaration of candidacy and
petition, or a nominating petition, whichever is applicable, not
later than four p.m. of the seventy-fifth day before the day of
the primary election, in the form prescribed by section 3513.07 or
3513.261 of the Revised Code. The declaration of candidacy and
petition, or the nominating petition, shall conform to the
applicable requirements of section 3513.05 or 3513.257 of the
Revised Code.

If no valid declaration of candidacy and petition is filed by
any person for nomination as a candidate of a particular political
party for election to the office of clerk of the Toledo municipal
court, a primary election shall not be held for the purpose of

nominating a candidate of that party for election to that office. 1827
If only one person files a valid declaration of candidacy and 1828
petition for nomination as a candidate of a particular political 1829
party for election to that office, a primary election shall not be 1830
held for the purpose of nominating a candidate of that party for 1831
election to that office, and the candidate shall be issued a 1832
certificate of nomination in the manner set forth in section 1833
3513.02 of the Revised Code. 1834

Declarations of candidacy and petitions, nominating 1835
petitions, and certificates of nomination for the office of clerk 1836
of the Toledo municipal court shall contain a designation of the 1837
term for which the candidate seeks election. At the following 1838
regular municipal election, all candidates for the office shall be 1839
submitted to the qualified electors of the territory of the court 1840
in the manner that is provided in section 1901.07 of the Revised 1841
Code for the election of the judges of the court. The clerk so 1842
elected shall hold office for a term of six years, which term 1843
shall commence on the first day of January following the clerk's 1844
election and continue until the clerk's successor is elected and 1845
qualified. 1846

(2)(a) Except for the Alliance, Auglaize county, Brown 1847
county, Columbiana county, Lorain, Massillon, and Youngstown 1848
municipal courts, in a municipal court for which the population of 1849
the territory is less than one hundred thousand, the clerk shall 1850
be appointed by the court, and the clerk shall hold office until 1851
the clerk's successor is appointed and qualified. 1852

(b) In the Alliance, Lorain, Massillon, and Youngstown 1853
municipal courts, the clerk shall be elected for a term of office 1854
as described in division (A)(1)(a) of this section. 1855

(c) In the Auglaize county and Brown county municipal courts, 1856
the clerks of courts of Auglaize county and Brown county shall be 1857

the clerks, respectively, of the Auglaize county and Brown county
municipal courts and may appoint a chief deputy clerk for each
branch that is established pursuant to section 1901.311 of the
Revised Code, and assistant clerks as the judge of the court
determines are necessary, all of whom shall receive the
compensation that the legislative authority prescribes. The clerks
of courts of Auglaize county and Brown county, acting as the
clerks of the Auglaize county and Brown county municipal courts
and assuming the duties of these offices, shall receive
compensation payable from the county treasury in semimonthly
installments at one-fourth the rate that is prescribed for the
clerks of courts of common pleas as determined in accordance with
the population of the county and the rates set forth in sections
325.08 and 325.18 of the Revised Code.

(d) In the Columbiana county municipal court, the clerk of
courts of Columbiana county shall be the clerk of the municipal
court, may appoint a chief deputy clerk for each branch office
that is established pursuant to section 1901.311 of the Revised
Code, and may appoint any assistant clerks that the judges of the
court determine are necessary. All of the chief deputy clerks and
assistant clerks shall receive the compensation that the
legislative authority prescribes. The clerk of courts of
Columbiana county, acting as the clerk of the Columbiana county
municipal court and assuming the duties of that office, shall
receive compensation payable from the county treasury in
semimonthly installments at one-fourth the rate that is prescribed
for the clerks of courts of common pleas as determined in
accordance with the population of the county and the rates set
forth in sections 325.08 and 325.18 of the Revised Code.

(3) During the temporary absence of the clerk due to illness,
vacation, or other proper cause, the court may appoint a temporary
clerk, who shall be paid the same compensation, have the same

authority, and perform the same duties as the clerk. 1890

(B) Except in the Hamilton county, Portage county, and Wayne 1891
county municipal courts, if a vacancy occurs in the office of the 1892
clerk of the Alliance, Lorain, Massillon, or Youngstown municipal 1893
court or occurs in the office of the clerk of a municipal court 1894
for which the population of the territory equals or exceeds one 1895
hundred thousand because the clerk ceases to hold the office 1896
before the end of the clerk's term or because a clerk-elect fails 1897
to take office, the vacancy shall be filled, until a successor is 1898
elected and qualified, by a person chosen by the residents of the 1899
territory of the court who are members of the county central 1900
committee of the political party by which the last occupant of 1901
that office or the clerk-elect was nominated. Not less than five 1902
nor more than fifteen days after a vacancy occurs, those members 1903
of that county central committee shall meet to make an appointment 1904
to fill the vacancy. At least four days before the date of the 1905
meeting, the chairperson or a secretary of the county central 1906
committee shall notify each such member of that county central 1907
committee by first class mail of the date, time, and place of the 1908
meeting and its purpose. A majority of all such members of that 1909
county central committee constitutes a quorum, and a majority of 1910
the quorum is required to make the appointment. If the office so 1911
vacated was occupied or was to be occupied by a person not 1912
nominated at a primary election, or if the appointment was not 1913
made by the committee members in accordance with this division, 1914
the court shall make an appointment to fill the vacancy. A 1915
successor shall be elected to fill the office for the unexpired 1916
term at the first municipal election that is held more than one 1917
hundred twenty days after the vacancy occurred. 1918

(C)(1) In a municipal court, other than the Auglaize county, 1919
the Brown county, the Columbiana county, and the Lorain municipal 1920
courts, for which the population of the territory is less than one 1921

hundred thousand, the clerk of the municipal court shall receive 1922
the annual compensation that the presiding judge of the court 1923
prescribes, if the revenue of the court for the preceding calendar 1924
year, as certified by the auditor or chief fiscal officer of the 1925
municipal corporation in which the court is located or, in the 1926
case of a county-operated municipal court, the county auditor, is 1927
equal to or greater than the expenditures, including any debt 1928
charges, for the operation of the court payable under this chapter 1929
from the city treasury or, in the case of a county-operated 1930
municipal court, the county treasury for that calendar year, as 1931
also certified by the auditor or chief fiscal officer. If the 1932
revenue of a municipal court, other than the Auglaize county, the 1933
Brown county, the Columbiana county, and the Lorain municipal 1934
courts, for which the population of the territory is less than one 1935
hundred thousand for the preceding calendar year as so certified 1936
is not equal to or greater than those expenditures for the 1937
operation of the court for that calendar year as so certified, the 1938
clerk of a municipal court shall receive the annual compensation 1939
that the legislative authority prescribes. As used in this 1940
division, "revenue" means the total of all costs and fees that are 1941
collected and paid to the city treasury or, in a county-operated 1942
municipal court, the county treasury by the clerk of the municipal 1943
court under division (F) of this section and all interest received 1944
and paid to the city treasury or, in a county-operated municipal 1945
court, the county treasury in relation to the costs and fees under 1946
division (G) of this section. 1947

(2) In a municipal court, other than the Hamilton county, 1948
Portage county, and Wayne county municipal courts, for which the 1949
population of the territory is one hundred thousand or more, and 1950
in the Lorain municipal court, the clerk of the municipal court 1951
shall receive annual compensation in a sum equal to eighty-five 1952
per cent of the salary of a judge of the court. 1953

(3) The compensation of a clerk described in division (C)(1) 1954
or (2) of this section is payable in semimonthly installments from 1955
the same sources and in the same manner as provided in section 1956
1901.11 of the Revised Code. 1957

(D) Before entering upon the duties of the clerk's office, 1958
the clerk of a municipal court shall give bond of not less than 1959
six thousand dollars to be determined by the judges of the court, 1960
conditioned upon the faithful performance of the clerk's duties. 1961

(E) The clerk of a municipal court may do all of the 1962
following: administer oaths, take affidavits, and issue executions 1963
upon any judgment rendered in the court, including a judgment for 1964
unpaid costs; issue, sign, and attach the seal of the court to all 1965
writs, process, subpoenas, and papers issuing out of the court; 1966
and approve all bonds, sureties, recognizances, and undertakings 1967
fixed by any judge of the court or by law. The clerk may refuse to 1968
accept for filing any pleading or paper submitted for filing by a 1969
person who has been found to be a vexatious litigator under 1970
section 2323.52 of the Revised Code and who has failed to obtain 1971
leave to proceed under that section. The clerk shall do all of the 1972
following: file and safely keep all journals, records, books, and 1973
papers belonging or appertaining to the court; record the 1974
proceedings of the court; perform all other duties that the judges 1975
of the court may prescribe; and keep a book showing all receipts 1976
and disbursements, which book shall be open for public inspection 1977
at all times. 1978

The clerk shall prepare and maintain a general index, a 1979
docket, and other records that the court, by rule, requires, all 1980
of which shall be the public records of the court. In the docket, 1981
the clerk shall enter, at the time of the commencement of an 1982
action, the names of the parties in full, the names of the 1983
counsel, and the nature of the proceedings. Under proper dates, 1984
the clerk shall note the filing of the complaint, issuing of 1985

summons or other process, returns, and any subsequent pleadings. 1986
The clerk also shall enter all reports, verdicts, orders, 1987
judgments, and proceedings of the court, clearly specifying the 1988
relief granted or orders made in each action. The court may order 1989
an extended record of any of the above to be made and entered, 1990
under the proper action heading, upon the docket at the request of 1991
any party to the case, the expense of which record may be taxed as 1992
costs in the case or may be required to be prepaid by the party 1993
demanding the record, upon order of the court. 1994

(F) The clerk of a municipal court shall receive, collect, 1995
and issue receipts for all costs, fees, fines, bail, and other 1996
moneys payable to the office or to any officer of the court. The 1997
clerk shall each month disburse to the proper persons or officers, 1998
and take receipts for, all costs, fees, fines, bail, and other 1999
moneys that the clerk collects. Subject to sections 3375.50 and 2000
4511.193 of the Revised Code and to any other section of the 2001
Revised Code that requires a specific manner of disbursement of 2002
any moneys received by a municipal court and except for the 2003
Hamilton county, Lawrence county, and Ottawa county municipal 2004
courts, the clerk shall pay all fines received for violation of 2005
municipal ordinances into the treasury of the municipal 2006
corporation the ordinance of which was violated and shall pay all 2007
fines received for violation of township resolutions adopted 2008
pursuant to Chapter 504. of the Revised Code into the treasury of 2009
the township the resolution of which was violated. Subject to 2010
sections 1901.024 and 4511.193 of the Revised Code, in the 2011
Hamilton county, Lawrence county, and Ottawa county municipal 2012
courts, the clerk shall pay fifty per cent of the fines received 2013
for violation of municipal ordinances and fifty per cent of the 2014
fines received for violation of township resolutions adopted 2015
pursuant to Chapter 504. of the Revised Code into the treasury of 2016
the county. Subject to sections 3375.50, 3375.53, 4511.19, and 2017

5503.04 of the Revised Code and to any other section of the
Revised Code that requires a specific manner of disbursement of
any moneys received by a municipal court, the clerk shall pay all
fines collected for the violation of state laws into the county
treasury. Except in a county-operated municipal court, the clerk
shall pay all costs and fees the disbursement of which is not
otherwise provided for in the Revised Code into the city treasury.
The clerk of a county-operated municipal court shall pay the costs
and fees the disbursement of which is not otherwise provided for
in the Revised Code into the county treasury. Moneys deposited as
security for costs shall be retained pending the litigation. The
clerk shall keep a separate account of all receipts and
disbursements in civil and criminal cases, which shall be a
permanent public record of the office. On the expiration of the
term of the clerk, the clerk shall deliver the records to the
clerk's successor. The clerk shall have other powers and duties as
are prescribed by rule or order of the court.

(G) All moneys paid into a municipal court shall be noted on
the record of the case in which they are paid and shall be
deposited in a state or national bank, or a domestic savings and
loan association, as defined in section 1151.01 of the Revised
Code, that is selected by the clerk. Any interest received upon
the deposits shall be paid into the city treasury, except that, in
a county-operated municipal court, the interest shall be paid into
the treasury of the county in which the court is located.

On the first Monday in January of each year, the clerk shall
make a list of the titles of all cases in the court that were
finally determined more than one year past in which there remains
unclaimed in the possession of the clerk any funds, or any part of
a deposit for security of costs not consumed by the costs in the
case. The clerk shall give notice of the moneys to the parties who
are entitled to the moneys or to their attorneys of record. All

the moneys remaining unclaimed on the first day of April of each 2050
year shall be paid by the clerk to the city treasurer, except 2051
that, in a county-operated municipal court, the moneys shall be 2052
paid to the treasurer of the county in which the court is located. 2053
The treasurer shall pay any part of the moneys at any time to the 2054
person who has the right to the moneys upon proper certification 2055
of the clerk. 2056

(H) Deputy clerks may be appointed by the clerk and shall 2057
receive the compensation, payable in semimonthly installments out 2058
of the city treasury, that the clerk may prescribe, except that 2059
the compensation of any deputy clerk of a county-operated 2060
municipal court shall be paid out of the treasury of the county in 2061
which the court is located. Each deputy clerk shall take an oath 2062
of office before entering upon the duties of the deputy clerk's 2063
office and, when so qualified, may perform the duties appertaining 2064
to the office of the clerk. The clerk may require any of the 2065
deputy clerks to give bond of not less than three thousand 2066
dollars, conditioned for the faithful performance of the deputy 2067
clerk's duties. 2068

(I) For the purposes of this section, whenever the population 2069
of the territory of a municipal court falls below one hundred 2070
thousand but not below ninety thousand, and the population of the 2071
territory prior to the most recent regular federal census exceeded 2072
one hundred thousand, the legislative authority of the municipal 2073
corporation may declare, by resolution, that the territory shall 2074
be considered to have a population of at least one hundred 2075
thousand. 2076

(J) The clerk or a deputy clerk shall be in attendance at all 2077
sessions of the municipal court, although not necessarily in the 2078
courtroom, and may administer oaths to witnesses and jurors and 2079
receive verdicts. 2080

Sec. 2961.01. (A) A person convicted of a felony under the laws of this or any other state or the United States, unless the conviction is reversed or annulled, is incompetent to be an elector or juror or to hold an office of honor, trust, or profit. When any person convicted of a felony under any law of that type is granted parole, judicial release, or a conditional pardon or is released under a non-jail community control sanction or a post-release control sanction, the person is competent to be an elector during the period of community control, parole, post-release control, or release or until the conditions of the pardon have been performed or have transpired and is competent to be an elector thereafter following final discharge. The full pardon of a ~~convict~~ person convicted of a felony restores the rights and privileges so forfeited under this ~~section~~ division, but a pardon shall not release a ~~convict~~ the person convicted of a felony from the costs of ~~the convict's~~ a conviction in this state, unless so specified.

(B) A person convicted of a felony under laws of this state or any other state or the United States is incompetent to circulate or serve as a witness for the signing of any declaration of candidacy and petition, voter registration application, or nominating, initiative, referendum, or recall petition.

(C) As used in this section:

(1) "Community control sanction" has the same meaning as in section 2929.01 of the Revised Code.

(2) "Non-jail community control sanction" means a community control sanction that is neither a term in a community-based correctional facility nor a term in a jail.

(3) "Post-release control" and "post-release control sanction" have the same meanings as in section 2967.01 of the

Revised Code. 2111

Sec. 2967.17. (A) The adult parole authority, in its 2112
discretion, may grant an administrative release to any of the 2113
following: 2114

(1) A parole violator or release violator serving another 2115
felony sentence in a correctional institution within or without 2116
this state for the purpose of consolidation of the records or if 2117
justice would best be served; 2118

(2) A parole violator at large or release violator at large 2119
whose case has been inactive for at least ten years following the 2120
date of declaration of the parole violation or the violation of a 2121
post-release control sanction; 2122

(3) A parolee taken into custody by the immigration and 2123
naturalization service of the United States department of justice 2124
and deported from the United States. 2125

(B) The adult parole authority shall not grant an 2126
administrative release except upon the concurrence of a majority 2127
of the parole board and approval of the chief of the adult parole 2128
authority. An administrative release does not restore for the 2129
person to whom it is granted the rights and privileges forfeited 2130
by conviction as provided in section 2961.01 of the Revised Code. 2131
Any person granted an administrative release under this section 2132
may subsequently apply for a commutation of sentence for the 2133
purpose of regaining the rights and privileges forfeited by 2134
conviction, except that the privilege of circulating or serving as 2135
a witness for the signing of any declaration of candidacy and 2136
petition, voter registration application, or nominating, 2137
initiative, referendum, or recall petition forfeited under section 2138
2961.01 of the Revised Code may not be restored under this 2139
section. 2140

Sec. 3311.21. (A) In addition to the resolutions authorized 2141
by sections 5705.194, 5705.21, 5705.212, and 5705.213 of the 2142
Revised Code, the board of education of a joint vocational or 2143
cooperative education school district by a vote of two-thirds of 2144
its full membership may at any time adopt a resolution declaring 2145
the necessity to levy a tax in excess of the ten-mill limitation 2146
for a period not to exceed ten years to provide funds for any one 2147
or more of the following purposes, which may be stated in the 2148
following manner in such resolution, the ballot, and the notice of 2149
election: purchasing a site or enlargement thereof and for the 2150
erection and equipment of buildings; for the purpose of enlarging, 2151
improving, or rebuilding thereof; for the purpose of providing for 2152
the current expenses of the joint vocational or cooperative school 2153
district; or for a continuing period for the purpose of providing 2154
for the current expenses of the joint vocational or cooperative 2155
education school district. The resolution shall specify the amount 2156
of the proposed rate and, if a renewal, whether the levy is to 2157
renew all, or a portion of, the existing levy, and shall specify 2158
the first year in which the levy will be imposed. If the levy 2159
provides for but is not limited to current expenses, the 2160
resolution shall apportion the annual rate of the levy between 2161
current expenses and the other purpose or purposes. Such 2162
apportionment may but need not be the same for each year of the 2163
levy, but the respective portions of the rate actually levied each 2164
year for current expenses and the other purpose or purposes shall 2165
be limited by such apportionment. The portion of any such rate 2166
actually levied for current expenses of a joint vocational or 2167
cooperative education school district shall be used in applying 2168
division (A) of section 3317.01 of the Revised Code. The portion 2169
of any such rate not apportioned to the current expenses of a 2170
joint vocational or cooperative education school district shall be 2171
used in applying division (B) of this section. On the adoption of 2172

such resolution, the joint vocational or cooperative education 2173
school district board of education shall certify the resolution to 2174
the board of elections of the county containing the most populous 2175
portion of the district, which board shall receive resolutions for 2176
filing and send them to the boards of elections of each county in 2177
which territory of the district is located, furnish all ballots 2178
for the election as provided in section 3505.071 of the Revised 2179
Code, and prepare the election notice; and the board of elections 2180
of each county in which the territory of such district is located 2181
shall make the other necessary arrangements for the submission of 2182
the question to the electors of the joint vocational or 2183
cooperative education school district at the next primary or 2184
general election occurring not less than seventy-five days after 2185
the resolution was received from the joint vocational or 2186
cooperative education school district board of education, or at a 2187
special election to be held at a time designated by the district 2188
board of education consistent with the requirements of section 2189
3501.01 of the Revised Code, which date shall not be earlier than 2190
seventy-five days after the adoption and certification of the 2191
resolution. 2192

The board of elections of the county or counties in which 2193
territory of the joint vocational or cooperative education school 2194
district is located shall cause to be published in one or more 2195
newspapers of general circulation in ~~such~~ that district an 2196
advertisement of the proposed tax levy question together with a 2197
statement of the amount of the proposed levy once ~~each~~ a week for 2198
~~three~~ two consecutive weeks, prior to the election at which the 2199
question is to appear on the ballot, and shall post a similar 2200
advertisement on its web site, or, if the board does not operate 2201
and maintain its own web site, on the web site it operates and 2202
maintains on free internet space under section 3501.24 of the 2203
Revised Code, for thirty days prior to that election. 2204

If a majority of the electors voting on the question of 2205
levying such tax vote in favor of the levy, the joint vocational 2206
or cooperative education school district board of education shall 2207
annually make the levy within the district at the rate specified 2208
in the resolution and ballot or at any lesser rate, and the county 2209
auditor of each affected county shall annually place the levy on 2210
the tax list and duplicate of each school district in ~~his~~ the 2211
county having territory in the joint vocational or cooperative 2212
education school district. The taxes realized from the levy shall 2213
be collected at the same time and in the same manner as other 2214
taxes on the duplicate, and the taxes, when collected, shall be 2215
paid to the treasurer of the joint vocational or cooperative 2216
education school district and deposited ~~by him~~ to a special fund, 2217
which shall be established by the joint vocational or cooperative 2218
education school district board of education for all revenue 2219
derived from any tax levied pursuant to this section and for the 2220
proceeds of anticipation notes which shall be deposited in such 2221
fund. After the approval of the levy, the joint vocational or 2222
cooperative education school district board of education may 2223
anticipate a fraction of the proceeds of the levy and from time to 2224
time, during the life of the levy, but in any year prior to the 2225
time when the tax collection from the levy so anticipated can be 2226
made for that year, issue anticipation notes in an amount not 2227
exceeding fifty per cent of the estimated proceeds of the levy to 2228
be collected in each year up to a period of five years after the 2229
date of the issuance of the notes, less an amount equal to the 2230
proceeds of the levy obligated for each year by the issuance of 2231
anticipation notes, provided that the total amount maturing in any 2232
one year shall not exceed fifty per cent of the anticipated 2233
proceeds of the levy for that year. Each issue of notes shall be 2234
sold as provided in Chapter 133. of the Revised Code, and shall, 2235
except for such limitation that the total amount of such notes 2236
maturing in any one year shall not exceed fifty per cent of the 2237

anticipated proceeds of the levy for that year, mature serially in 2238
substantially equal installments, during each year over a period 2239
not to exceed five years after their issuance. 2240

(B) Prior to the application of section 319.301 of the 2241
Revised Code, the rate of a levy that is limited to, or to the 2242
extent that it is apportioned to, purposes other than current 2243
expenses shall be reduced in the same proportion in which the 2244
district's total valuation increases during the life of the levy 2245
because of additions to such valuation that have resulted from 2246
improvements added to the tax list and duplicate. 2247

(C) The form of ballot cast at an election under division (A) 2248
of this section shall be as prescribed by section 5705.25 of the 2249
Revised Code. 2250

Sec. 3311.50. (A) As used in this section, "county school 2251
financing district" means a taxing district consisting of the 2252
following territory: 2253

(1) The territory that constitutes the educational service 2254
center on the date that the governing board of that educational 2255
service center adopts a resolution under division (B) of this 2256
section declaring that the territory of the educational service 2257
center is a county school financing district, exclusive of any 2258
territory subsequently withdrawn from the district under division 2259
(D) of this section; 2260

(2) Any territory that has been added to the county school 2261
financing district under this section. 2262

A county school financing district may include the territory 2263
of a city, local, or exempted village school district whose 2264
territory also is included in the territory of one or more other 2265
county school financing districts. 2266

(B) The governing board of any educational service center 2267

may, by resolution, declare that the territory of the educational
service center is a county school financing district. The
resolution shall state the purpose for which the county school
financing district is created which may be for any one or more of
the following purposes:

(1) To levy taxes for the provision of special education by
the school districts that are a part of the district, including
taxes for permanent improvements for special education;

(2) To levy taxes for the provision of specified educational
programs and services by the school districts that are a part of
the district, as identified in the resolution creating the
district, including the levying of taxes for permanent
improvements for those programs and services;

(3) To levy taxes for permanent improvements of school
districts that are a part of the district.

The governing board of the educational service center that
creates a county school financing district shall serve as the
taxing authority of the district and may use educational service
center governing board employees to perform any of the functions
necessary in the performance of its duties as a taxing authority.
A county school financing district shall not employ any personnel.

With the approval of a majority of the members of the board
of education of each school district within the territory of the
county school financing district, the taxing authority of the
financing district may amend the resolution creating the district
to broaden or narrow the purposes for which it was created.

A governing board of an educational service center may create
more than one county school financing district. If a governing
board of an educational service center creates more than one such
district, it shall clearly distinguish among the districts it
creates by including a designation of each district's purpose in

the district's name. 2299

(C) A majority of the members of a board of education of a 2300
city, local, or exempted village school district may adopt a 2301
resolution requesting that its territory be joined with the 2302
territory of any county school financing district. Copies of the 2303
resolution shall be filed with the state board of education and 2304
the taxing authority of the county school financing district. 2305
Within sixty days of its receipt of such a resolution, the county 2306
school financing district's taxing authority shall vote on the 2307
question of whether to accept the school district's territory as 2308
part of the county school financing district. If a majority of the 2309
members of the taxing authority vote to accept the territory, the 2310
school district's territory shall thereupon become a part of the 2311
county school financing district unless the county school 2312
financing district has in effect a tax imposed under section 2313
5705.211 of the Revised Code. If the county school financing 2314
district has such a tax in effect, the taxing authority shall 2315
certify a copy of its resolution accepting the school district's 2316
territory to the school district's board of education, which may 2317
then adopt a resolution, with the affirmative vote of a majority 2318
of its members, proposing the submission to the electors of the 2319
question of whether the district's territory shall become a part 2320
of the county school financing district and subject to the taxes 2321
imposed by the financing district. The resolution shall set forth 2322
the date on which the question shall be submitted to the electors, 2323
which shall be at a special election held on a date specified in 2324
the resolution, which shall not be earlier than seventy-five days 2325
after the adoption and certification of the resolution. A copy of 2326
the resolution shall immediately be certified to the board of 2327
elections of the proper county, which shall make arrangements for 2328
the submission of the proposal to the electors of the school 2329
district. The board of the joining district shall publish notice 2330

of the election in one or more newspapers of general circulation 2331
in the county once a week for ~~four~~ two consecutive weeks prior to 2332
the election. Additionally, the board of elections shall post 2333
notice of the election on its web site, or, if the board does not 2334
operate and maintain its own web site, on the web site it operates 2335
and maintains on free internet space under section 3501.24 of the 2336
Revised Code, for thirty days prior to the election. The question 2337
appearing on the ballot shall read: 2338

"Shall the territory within (name of the school 2339
district proposing to join the county school financing district) 2340
..... be added to (name) county school 2341
financing district, and a property tax for the purposes of 2342
..... (here insert purposes) at a rate of taxation 2343
not exceeding (here insert the outstanding tax rate) 2344
..... be in effect for (here insert the number of 2345
years the tax is to be in effect or "a continuing period of time," 2346
as applicable)?" 2347

If the proposal is approved by a majority of the electors 2348
voting on it, the joinder shall take effect on the first day of 2349
July following the date of the election, and the county board of 2350
elections shall notify the county auditor of each county in which 2351
the school district joining its territory to the county school 2352
financing district is located. 2353

(D) The board of any city, local, or exempted village school 2354
district whose territory is part of a county school financing 2355
district may withdraw its territory from the county school 2356
financing district thirty days after submitting to the governing 2357
board that is the taxing authority of the district and the state 2358
board a resolution proclaiming such withdrawal, adopted by a 2359
majority vote of its members, but any county school financing 2360
district tax levied in such territory on the effective date of the 2361
withdrawal shall remain in effect in such territory until such tax 2362

expires or is renewed. No board may adopt a resolution withdrawing 2363
from a county school financing district that would take effect 2364
during the forty-five days preceding the date of an election at 2365
which a levy proposed under section 5705.215 of the Revised Code 2366
is to be voted upon. 2367

(E) A city, local, or exempted village school district does 2368
not lose its separate identity or legal existence by reason of 2369
joining its territory to a county school financing district under 2370
this section and an educational service center does not lose its 2371
separate identity or legal existence by reason of creating a 2372
county school financing district that accepts or loses territory 2373
under this section. 2374

Sec. 3311.73. (A) No later than seventy-five days before the 2375
general election held in the first even-numbered year occurring at 2376
least four years after the date it assumed control of the 2377
municipal school district pursuant to division (B) of section 2378
3311.71 of the Revised Code, the board of education appointed 2379
under that division shall notify the board of elections of each 2380
county containing territory of the municipal school district of 2381
the referendum election required by division (B) of this section. 2382

(B) At the general election held in the first even-numbered 2383
year occurring at least four years after the date the new board 2384
assumed control of a municipal school district pursuant to 2385
division (B) of section 3311.71 of the Revised Code, the following 2386
question shall be submitted to the electors residing in the school 2387
district: 2388

"Shall the mayor of (here insert the name of the 2389
applicable municipal corporation),~~-----~~ continue to appoint the 2390
members of the board of education of the (here insert the 2391
name of the municipal school district),~~-----~~?" 2392

The board of elections of the county in which the majority of the school district's territory is located shall make all necessary arrangements for the submission of the question to the electors, and the election shall be conducted, canvassed, and certified in the same manner as regular elections in the district for the election of county officers, provided that in any such election in which only part of the electors of a precinct are qualified to vote, the board of elections may assign voters in such part to an adjoining precinct. Such an assignment may be made to an adjoining precinct in another county with the consent and approval of the board of elections of such other county. Notice of the election shall be published in a newspaper of general circulation in the school district once a week for ~~three~~ two consecutive weeks prior to the election ~~stating, and the board of elections shall post notice of the election on its web site, or, if the board does not operate and maintain its own web site, on the web site it operates and maintains on free internet space under section 3501.24 of the Revised Code, for thirty days prior to the election.~~ The notice shall state the question on which the election is being held. The ballot shall be in the form prescribed by the secretary of state. Costs of submitting the question to the electors shall be charged to the municipal school district in accordance with section 3501.17 of the Revised Code.

(C) If a majority of electors voting on the issue proposed in division (B) of this section approve the question, the mayor shall appoint a new board on the immediately following first day of July pursuant to division (F) of section 3311.71 of the Revised Code.

(D) If a majority of electors voting on the issue proposed in division (B) of this section disapprove the question, a new seven-member board of education shall be elected at the next regular election occurring in November of an odd-numbered year. At such election, four members shall be elected for terms of four

years and three members shall be elected for terms of two years. 2425
Thereafter, their successors shall be elected in the same manner 2426
and for the same terms as members of boards of education of a city 2427
school district. All members of the board of education of a 2428
municipal school district appointed pursuant to division (B) of 2429
section 3311.71 of the Revised Code shall continue to serve after 2430
the end of the terms to which they were appointed until their 2431
successors are qualified and assume office in accordance with 2432
section 3313.09 of the Revised Code. 2433

Sec. 3349.29. An agreement made pursuant to sections 3349.27 2434
and 3349.28 of the Revised Code is not effective unless it has 2435
been approved by the legislative authority of the municipal 2436
corporation with which the municipal university is identified, 2437
upon such legislative authority's determination that such 2438
agreement will be beneficial to the municipal corporation, and 2439
also approved by the Ohio board of regents, and, if required by 2440
any applicable appropriation measure, by the state controlling 2441
board, and any payment from state tax moneys provided for in the 2442
agreement will be subject to appropriations made by the general 2443
assembly. If provision is to be made under such agreement for the 2444
transfer of, or grant of the right to use, all or a substantial 2445
part of the assets of the municipal university to the state 2446
university and assumption by the state university of educational 2447
functions of the municipal university, such agreement shall not 2448
become effective, under sections 3349.27 to 3349.30, ~~inclusive~~, of 2449
the Revised Code until the electors of the municipal corporation 2450
have approved such transfer or grant. 2451

The legislative authority of the municipal corporation shall, 2452
by ordinance, submit the question to the electors at a general, 2453
primary, or a special election to be held on the date specified in 2454
~~said~~ the ordinance. ~~Such~~ The ordinance shall be certified to the 2455

board of elections not later than ~~on~~ the forty-fifth day preceding 2456
the date of ~~such~~ the election. Notice of ~~such~~ the election shall 2457
be published in one or more newspapers of general circulation in 2458
the municipal corporation once a week for ~~four~~ two consecutive 2459
weeks prior to the election and shall be posted on the board of 2460
elections' web site, or, if the board does not operate and 2461
maintain its own web site, on the web site it operates and 2462
maintains on free internet space under section 3501.24 of the 2463
Revised Code, for thirty days prior to the election. The form of 2464
the ballot to be used at ~~said~~ the election shall be substantially 2465
as follows, with such variations as may be appropriate to reflect 2466
the general nature of the transfer or grant of use of assets and 2467
the transfer of educational functions contemplated: 2468

"Shall assets of the municipal university known as 2469
..... be transferred to (make available for 2470
use by) a state university known as 2471
and the state university assume educational functions of the 2472
municipal university and provide higher education in (or in close 2473
proximity to) the city of to the 2474
residents of the city of and of the state 2475
of Ohio and such others as shall be admitted?" 2476

The favorable vote of a majority of those voting on the 2477
proposition constitutes such approval as is required by this 2478
section. 2479

Sec. 3354.12. (A) Upon the request by resolution approved by 2480
the board of trustees of a community college district, and upon 2481
certification to the board of elections not less than seventy-five 2482
days prior to the election, the boards of elections of the county 2483
or counties comprising such district shall place upon the ballot 2484
in their respective counties the question of levying a tax on all 2485
the taxable property in the community college district outside the 2486

ten-mill limitation, for a specified period of years or for a 2487
continuing period of time, to provide funds for any one or more of 2488
the following purposes: the acquisition of sites, the erection, 2489
furnishing, and equipment of buildings, the acquisition, 2490
construction, or improvement of any property which the board of 2491
trustees of a community college district is authorized to acquire, 2492
construct, or improve and which has an estimated life of 2493
usefulness of five years or more as certified by the fiscal 2494
officer, and the payment of operating costs. Not more than two 2495
special elections shall be held in any one calendar year. Levies 2496
for a continuing period of time adopted under this section may be 2497
reduced in accordance with section 5705.261 of the Revised Code. 2498

If such proposal is to be or include the renewal of an 2499
existing levy at the expiration thereof, the ballot for such 2500
election shall state whether it is a renewal of a tax; a renewal 2501
of a stated number of mills and an increase of a stated number of 2502
mills, or a renewal of a part of an existing levy with a reduction 2503
of a stated number of mills; the year of the tax duplicate on 2504
which such renewal will first be made; and if earlier, the year of 2505
the tax duplicate on which such additional levy will first be 2506
made, which may include the tax duplicate for the current year 2507
unless the election is to be held after the first Tuesday after 2508
the first Monday in November of the current tax year. The ballot 2509
shall also state the period of years for such levy or that it is 2510
for a continuing period of time. If a levy for a continuing period 2511
of time provides for but is not limited to current expenses, the 2512
resolution of the board of trustees providing for the election on 2513
such levy shall apportion the annual rate of the levy between 2514
current expenses and the other purpose or purposes. Such 2515
apportionment need not be the same for each year of the levy, but 2516
the respective portions of the rate actually levied each year for 2517
current expenses and the other purpose or purposes shall be 2518
limited by such apportionment. The portion of the rate apportioned 2519

to the other purpose or purposes shall be reduced as provided in 2520
division (B) of this section. 2521

If a majority of the electors in such district voting on such 2522
question approve thereof, the county auditor or auditors of the 2523
county or counties comprising such district shall annually, for 2524
the applicable years, place such levy on the tax duplicate in such 2525
district, in an amount determined by the board of trustees, but 2526
not to exceed the amount set forth in the proposition approved by 2527
the electors. 2528

The boards of trustees of a community college district shall 2529
establish a special fund for all revenue derived from any tax 2530
levied pursuant to this section. 2531

The boards of elections of the county or counties comprising 2532
the district shall cause to be published in a newspaper of general 2533
circulation in each such county, an advertisement of the proposed 2534
tax levy question, once ~~each~~ a week for three ~~two consecutive~~ 2535
~~weeks immediately preceding~~ prior to the election at which the 2536
question is to appear on the ballot and also shall post a similar 2537
advertisement on their web site, or, if a board does not operate 2538
and maintain its own web site, on the web site operated and 2539
maintained on free internet space under section 3501.24 of the 2540
Revised Code, for thirty days prior to that election. 2541

After the approval of such levy by vote, the board of 2542
trustees of a community college district may anticipate a fraction 2543
of the proceeds of such levy and from time to time issue 2544
anticipation notes having such maturity or maturities that the 2545
aggregate principal amount of all such notes maturing in any 2546
calendar year shall not exceed seventy-five per cent of the 2547
anticipated proceeds from such levy for such year, and that no 2548
note shall mature later than the thirty-first day of December of 2549
the tenth calendar year following the calendar year in which such 2550

note is issued. Each issue of notes shall be sold as provided in 2551
Chapter 133. of the Revised Code. 2552

The amount of bonds or anticipatory notes authorized pursuant 2553
to Chapter 3354. of the Revised Code, may include sums to repay 2554
moneys previously borrowed, advanced, or granted and expended for 2555
the purposes of such bond or anticipatory note issues, whether 2556
such moneys were advanced from the available funds of the 2557
community college district or by other persons, and the community 2558
college district may restore and repay to such funds or persons 2559
from the proceeds of such issues the moneys so borrowed, advanced 2560
or granted. 2561

All operating costs of such community college may be paid out 2562
of any gift or grant from the state, pursuant to division (K) of 2563
section 3354.09 of the Revised Code; out of student fees and 2564
tuition collected pursuant to division (G) of section 3354.09 of 2565
the Revised Code; or out of unencumbered funds from any other 2566
source of the community college income not prohibited by law. 2567

(B) Prior to the application of section 319.301 of the 2568
Revised Code, the rate of a levy that is limited to, or to the 2569
extent that it is apportioned to, purposes other than current 2570
expenses shall be reduced in the same proportion in which the 2571
district's total valuation increases during the life of the levy 2572
because of additions to such valuation that have resulted from 2573
improvements added to the tax list and duplicate. 2574

Sec. 3355.09. Upon receipt of a request from the university 2575
branch district managing authority, the boards of elections of the 2576
county or counties comprising such district shall place upon the 2577
ballot in the district at the next primary or general election 2578
occurring not less than seventy-five days after submission of such 2579
request by such managing authority, the question of levying a tax 2580
outside the ten-mill limitation, for a specified period of years, 2581

to provide funds for any of the following purposes: 2582

(A) Purchasing a site or enlargement thereof; 2583

(B) The erection and equipment of buildings; 2584

(C) Enlarging, improving, or rebuilding buildings; 2585

(D) The acquisition, construction, or improvement of any 2586
property which the university branch district managing authority 2587
is authorized to acquire, construct, or improve and which has been 2588
certified by the fiscal officer to have an estimated useful life 2589
of five or more years. 2590

If a majority of the electors in such district voting on such 2591
question approve, the county auditor of the county or counties 2592
comprising such district shall annually place such levy on the tax 2593
duplicate in such district, in the amount set forth in the 2594
proposition approved by the electors. 2595

The managing authority of the university branch district 2596
shall establish a special fund pursuant to section 3355.07 of the 2597
Revised Code for all revenue derived from any tax levied pursuant 2598
to provisions of this section. 2599

The boards of election of the county or counties comprising 2600
the district shall cause to be published in a newspaper of general 2601
circulation in each such county, an advertisement of the proposed 2602
tax levy question, once ~~each~~ a week for three two consecutive 2603
weeks immediately preceding prior to the election at which the 2604
question is to appear on the ballot and also shall post a similar 2605
advertisement on their web site, or, if a board does not operate 2606
and maintain its own web site, on the web site operated and 2607
maintained on free internet space under section 3501.24 of the 2608
Revised Code, for thirty days prior to the election. 2609

After the approval of such levy by vote, the managing 2610
authority of the university branch district may anticipate a 2611

fraction of the proceeds of such levy and from time to time, 2612
during the life of such levy, issue anticipation notes in an 2613
amount not to exceed seventy-five per cent of the estimated 2614
proceeds of such levy to be collected in each year over a period 2615
of five years after the date of the issuance of such notes, less 2616
an amount equal to the proceeds of such levy previously obligated 2617
for such year by the issuance of anticipation notes, provided, 2618
that the total amount maturing in any one year shall not exceed 2619
seventy-five per cent of the anticipated proceeds of such levy for 2620
that year. 2621

Each issue of notes shall be sold as provided in Chapter 133. 2622
of the Revised Code and shall mature serially in substantially 2623
equal amounts, during each remaining year of the levy, not to 2624
exceed five, after their issuance. 2625

Sec. 3375.03. Unless the transfer of certain library 2626
territory pursuant to division (G) of section 3375.01 of the 2627
Revised Code has been agreed to by the affected boards of library 2628
trustees, a referendum petition against the transfer of the 2629
territory to another library district, signed by qualified 2630
electors of the territory to be transferred ~~and~~ equal in number to 2631
at least ten per cent of ~~such~~ those electors who voted in the last 2632
gubernatorial election, may be filed with the library board of the 2633
territory's current library district within sixty days after 2634
certified copies of the boundary change order have been filed in 2635
final form with the secretary of state, and the order shall not 2636
become effective until after the outcome of the referendum 2637
procedure prescribed in this section. 2638

Each part of a petition filed pursuant to this section shall 2639
contain a full and correct title of the petition, a brief summary 2640
of its purpose, and a statement by the person soliciting 2641
signatures for the petition, made under penalty of election 2642

falsification, certifying that, to the best of the circulator's
knowledge and belief, each signature contained in the petition is
that of the person whose name it purports to be or of an attorney
in fact acting pursuant to section 3501.382 of the Revised Code,
that each person is an elector residing in the territory subject
to transfer entitled to sign the petition, and that each person
signed the petition with knowledge of its contents. The petition
may contain additional information that shall fairly and
accurately present the question to prospective petition signers.

The form of a petition calling for a referendum and the
statement of the circulator shall be substantially as follows:

"PETITION FOR REFERENDUM ON LIBRARY

DISTRICT TRANSFER

A petition against the transfer of territory currently
located in the library district and
proposed for transfer by the state library board to the
..... library district.

We, the undersigned, being electors residing in the area
proposed to be transferred, equal in number to not less than ten
per cent of the qualified electors in the area subject to transfer
who voted at the last general election, request the
..... library board to submit the question of
the transfer of territory to the library
district to the electors residing within the territory proposed to
be transferred for approval or rejection at the next primary or
general election.

	Street Address		Date of
Signature	or R.F.D.	Precinct	Signing
.....			
.....			

STATEMENT OF CIRCULATOR

I, (name of circulator) 2674
....., declare under penalty of election falsification 2675
that I am an elector of the state of Ohio and reside at the 2676
address appearing below my signature; that I am the circulator of 2677
the foregoing part petition containing 2678
.....(number)..... signatures; that I have witnessed the 2679
affixing of every signature; that all signers were to the best of 2680
my knowledge and belief qualified to sign; that every signature is 2681
to the best of my knowledge and belief the signature of the person 2682
whose signature it purports to be or of an attorney in fact acting 2683
pursuant to section 3501.382 of the Revised Code; and that such 2684
person signed the petition with knowledge of its contents. 2685
..... 2686
(Signature of circulator) 2687
..... 2688
(Address of circulator's permanent 2689
residence in this state) 2690
..... 2691
(City or village and zip code) 2692

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY 2693
OF THE FIFTH DEGREE." 2694

The person presenting a referendum petition under this 2695
section shall be given a receipt containing the time of day and 2696
the date on which the petition is filed with the library board and 2697
noting the purpose of and the number of signatures on the 2698
petition. The secretary of the library board shall cause the board 2699
of elections of the county or counties in which the territory to 2700
be transferred is located to check the sufficiency of signatures 2701
on ~~such~~ the petition, and, if these are found to be sufficient, 2702
the secretary shall present the petition to the library board at a 2703
meeting of the board, which shall occur not later than thirty days 2704
following the filing of the petition with the board. The board 2705

shall promptly certify the question to the board of elections of 2706
the county or counties in which the territory to be transferred is 2707
located for the purpose of having the proposal placed on the 2708
ballot within that territory at the next general or primary 2709
election occurring not less than sixty days after the 2710
certification. 2711

The form of the ballot to be used at the election on the 2712
question of the transfer shall be as follows: 2713

"Shall the territory (here insert its 2714
boundaries) which is currently within the 2715
..... (here insert the name of the current library district) 2716
library district be transferred to the 2717
(here insert the name of the library district to which the 2718
territory is proposed to be transferred) library district? 2719
..... For the transfer 2720
..... Against the transfer" 2721

The persons qualified to vote on the question are the 2722
electors residing in the territory proposed to be transferred. The 2723
costs of an election held under this section shall be paid by the 2724
board of library trustees of the current library district of the 2725
territory to be transferred. The board of elections shall certify 2726
the result of the election to the state library board and to the 2727
library boards of the affected library district. 2728

If a majority of electors voting on the question vote in 2729
favor of the transfer, the transfer shall take effect on the date 2730
of the certification of the election to the state library board. 2731
If a majority of the voters voting on the question do not vote for 2732
the transfer, the transfer shall not take place. 2733

Sec. 3501.01. As used in the sections of the Revised Code 2734
relating to elections and political communications: 2735

(A) "General election" means the election held on the first 2736
Tuesday after the first Monday in each November. 2737

(B) "Regular municipal election" means the election held on 2738
the first Tuesday after the first Monday in November in each 2739
odd-numbered year. 2740

(C) "Regular state election" means the election held on the 2741
first Tuesday after the first Monday in November in each 2742
even-numbered year. 2743

(D) "Special election" means any election other than those 2744
elections defined in other divisions of this section. A special 2745
election may be held only on the first Tuesday after the first 2746
Monday in February, May, August, or November, or on the day 2747
authorized by a particular municipal or county charter for the 2748
holding of a primary election, except that in any year in which a 2749
presidential primary election is held, no special election shall 2750
be held in February or May, except as authorized by a municipal or 2751
county charter, but may be held on the first Tuesday after the 2752
first Monday in March. 2753

(E)(1) "Primary" or "primary election" means an election held 2754
for the purpose of nominating persons as candidates of political 2755
parties for election to offices, and for the purpose of electing 2756
persons as members of the controlling committees of political 2757
parties and as delegates and alternates to the conventions of 2758
political parties. Primary elections shall be held on the first 2759
Tuesday after the first Monday in May of each year except in years 2760
in which a presidential primary election is held. 2761

(2) "Presidential primary election" means a primary election 2762
as defined by division (E)(1) of this section at which an election 2763
is held for the purpose of choosing delegates and alternates to 2764
the national conventions of the major political parties pursuant 2765
to section 3513.12 of the Revised Code. Unless otherwise 2766

specified, presidential primary elections are included in 2767
references to primary elections. In years in which a presidential 2768
primary election is held, all primary elections shall be held on 2769
the first Tuesday after the first Monday in March except as 2770
otherwise authorized by a municipal or county charter. 2771

(F) "Political party" means any group of voters meeting the 2772
requirements set forth in section 3517.01 of the Revised Code for 2773
the formation and existence of a political party. 2774

(1) "Major political party" means any political party 2775
organized under the laws of this state whose candidate for 2776
governor or nominees for presidential electors received no less 2777
than twenty per cent of the total vote cast for such office at the 2778
most recent regular state election. 2779

(2) "Intermediate political party" means any political party 2780
organized under the laws of this state whose candidate for 2781
governor or nominees for presidential electors received less than 2782
twenty per cent but not less than ten per cent of the total vote 2783
cast for such office at the most recent regular state election. 2784

(3) "Minor political party" means any political party 2785
organized under the laws of this state whose candidate for 2786
governor or nominees for presidential electors received less than 2787
ten per cent but not less than five per cent of the total vote 2788
cast for such office at the most recent regular state election or 2789
which has filed with the secretary of state, subsequent to any 2790
election in which it received less than five per cent of such 2791
vote, a petition signed by qualified electors equal in number to 2792
at least one per cent of the total vote cast for such office in 2793
the last preceding regular state election, except that a newly 2794
formed political party shall be known as a minor political party 2795
until the time of the first election for governor or president 2796
which occurs not less than twelve months subsequent to the 2797

formation of such party, after which election the status of such 2798
party shall be determined by the vote for the office of governor 2799
or president. 2800

(G) "Dominant party in a precinct" or "dominant political 2801
party in a precinct" means that political party whose candidate 2802
for election to the office of governor at the most recent regular 2803
state election at which a governor was elected received more votes 2804
than any other person received for election to that office in such 2805
precinct at such election. 2806

(H) "Candidate" means any qualified person certified in 2807
accordance with the provisions of the Revised Code for placement 2808
on the official ballot of a primary, general, or special election 2809
to be held in this state, or any qualified person who claims to be 2810
a write-in candidate, or who knowingly assents to being 2811
represented as a write-in candidate by another at either a 2812
primary, general, or special election to be held in this state. 2813

(I) "Independent candidate" means any candidate who claims 2814
not to be affiliated with a political party, and whose name has 2815
been certified on the office-type ballot at a general or special 2816
election through the filing of a statement of candidacy and 2817
nominating petition, as prescribed in section 3513.257 of the 2818
Revised Code. 2819

(J) "Nonpartisan candidate" means any candidate whose name is 2820
required, pursuant to section 3505.04 of the Revised Code, to be 2821
listed on the nonpartisan ballot, including all candidates for 2822
judicial office, for member of any board of education, for 2823
municipal or township offices in which primary elections are not 2824
held for nominating candidates by political parties, and for 2825
offices of municipal corporations having charters that provide for 2826
separate ballots for elections for these offices. 2827

(K) "Party candidate" means any candidate who claims to be a 2828

member of a political party, whose name has been certified on the
office-type ballot at a general or special election through the
filing of a declaration of candidacy and petition of candidate,
and who has won the primary election of the candidate's party for
the public office the candidate seeks or is selected by party
committee in accordance with section 3513.31 of the Revised Code.

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

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

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

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

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

(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.

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

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

Revised Code.	2859
(T) "Political subdivision" means a county, township, city, village, or school district.	2860 2861
(U) "Election officer" or "election official" means any of the following:	2862 2863
(1) Secretary of state;	2864
(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;	2865 2866 2867 2868
(3) Director of a board of elections;	2869
(4) Deputy director of a board of elections;	2870
(5) Member of a board of elections;	2871
(6) Employees of a board of elections;	2872
(7) Precinct polling place judges and clerks;	2873
(8) Employees appointed by the boards of elections on a temporary or part-time basis.	2874 2875
(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.	2876 2877 2878 2879 2880 2881 2882
(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.	2883 2884 2885 2886
(X) "Designated agency" means an office or agency in the	2887

state that provides public assistance or that provides 2888
state-funded programs primarily engaged in providing services to 2889
persons with disabilities and that is required by the National 2890
Voter Registration Act of 1993 to implement a program designed and 2891
administered by the secretary of state for registering voters, or 2892
any other public or government office or agency that implements a 2893
program designed and administered by the secretary of state for 2894
registering voters, including the department of job and family 2895
services, the program administered under section 3701.132 of the 2896
Revised Code by the department of health, the department of mental 2897
health, the department of mental retardation and developmental 2898
disabilities, the rehabilitation services commission, and any 2899
other agency the secretary of state designates. "Designated 2900
agency" does not include public high schools and vocational 2901
schools, public libraries, or the office of a county treasurer. 2902

(Y) "National Voter Registration Act of 1993" means the 2903
"National Voter Registration Act of 1993," 107 Stat. 77, 42 2904
U.S.C.A. 1973gg. 2905

(Z) "Voting Rights Act of 1965" means the "Voting Rights Act 2906
of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. 2907

(AA) "Photo identification" means a document that meets each 2908
of the following requirements: 2909

(1) It shows the name of the individual to whom it was 2910
issued, which shall conform to the name in the poll list or 2911
signature pollbook. 2912

(2) It shows the current address of the individual to whom it 2913
was issued, which shall conform to the address in the poll list or 2914
signature pollbook, except for a driver's license or a state 2915
identification card issued under section 4507.50 of the Revised 2916
Code, which may show either the current or former address of the 2917
individual to whom it was issued, regardless of whether that 2918

address conforms to the address in the poll list or signature 2919
pollbook. 2920

(3) It shows a photograph of the individual to whom it was 2921
issued. 2922

(4) It includes an expiration date that has not passed. 2923

(5) It was issued by the government of the United States or 2924
this state. 2925

Sec. 3501.05. The secretary of state shall do all of the 2926
following: 2927

(A) Appoint all members of boards of elections; 2928

(B) Issue instructions by directives and advisories to 2929
members of the boards as to the proper methods of conducting 2930
elections; In addition to any other publication of those 2931
directives and advisories, the secretary of state shall publish 2932
those directives and advisories on a web site of the office of the 2933
secretary of state as soon as is practicable after they are 2934
issued, but not later than the close of business on the same day 2935
as a directive or advisory is issued. The secretary of state shall 2936
not remove from the web site any directives and advisories so 2937
posted. The secretary of state shall provide on that web site 2938
access to all directives and advisories currently in effect and to 2939
an archive of all directives and advisories previously published 2940
on that web site. 2941

(C) Prepare rules and instructions for the conduct of 2942
elections; 2943

(D) Publish and furnish to the boards from time to time a 2944
sufficient number of indexed copies of all election laws then in 2945
force; 2946

(E) Edit and issue all pamphlets concerning proposed laws or 2947

amendments required by law to be submitted to the voters;	2948
(F) Prescribe the form of registration cards, blanks, and records;	2949 2950
(G) Determine and prescribe the forms of ballots and the forms of all blanks, cards of instructions, pollbooks, tally sheets, certificates of election, and forms and blanks required by law for use by candidates, committees, and boards;	2951 2952 2953 2954
(H) Prepare the ballot title or statement to be placed on the ballot for any proposed law or amendment to the constitution to be submitted to the voters of the state;	2955 2956 2957
(I) Certify to the several boards the forms of ballots and names of candidates for state offices, and the form and wording of state referendum questions and issues, as they shall appear on the ballot;	2958 2959 2960 2961
(J) Give final approval to ballot language for any local question or issue approved and transmitted by boards of elections under section 3501.11 of the Revised Code;	2962 2963 2964
(K) Receive all initiative and referendum petitions on state questions and issues and determine and certify to the sufficiency of those petitions;	2965 2966 2967
(L) Require such reports from the several boards as are provided by law, or as the secretary of state considers necessary;	2968 2969
(M) Compel the observance by election officers in the several counties of the requirements of the election laws;	2970 2971
(N)(1) Except as otherwise provided in division (N)(2) of this section, investigate the administration of election laws, frauds, and irregularities in elections in any county, and report violations of election laws to the attorney general or prosecuting attorney, or both, for prosecution;	2972 2973 2974 2975 2976
(2) On and after August 24, 1995, report a failure to comply	2977

with or a violation of a provision in sections 3517.08 to 3517.13, 2978
3517.17, 3517.18, 3517.20 to 3517.22, 3599.03, or 3599.031 of the 2979
Revised Code, whenever the secretary of state has or should have 2980
knowledge of a failure to comply with or a violation of a 2981
provision in one of those sections, by filing a complaint with the 2982
Ohio elections commission under section 3517.153 of the Revised 2983
Code; 2984

(O) Make an annual report to the governor containing the 2985
results of elections, the cost of elections in the various 2986
counties, a tabulation of the votes in the several political 2987
subdivisions, and other information and recommendations relative 2988
to elections the secretary of state considers desirable; 2989

(P) Prescribe and distribute to boards of elections a list of 2990
instructions indicating all legal steps necessary to petition 2991
successfully for local option elections under sections 4301.32 to 2992
4301.41, 4303.29, 4305.14, and 4305.15 of the Revised Code; 2993

(Q) ~~Prescribe a general program~~ Adopt rules pursuant to 2994
Chapter 119. of the Revised Code to require each board of 2995
elections to remove ineligible voters from official registration 2996
lists by reason of change of the statewide voter registration 2997
database and, if already prepared for a particular election, from 2998
the poll list or signature pollbook used in each precinct, which 2999
rules shall provide for all of the following: 3000

(1) A process for the removal of voters who have changed 3001
residence, which shall be uniform, nondiscriminatory, and in 3002
compliance with the Voting Rights Act of 1965 and the National 3003
Voter Registration Act of 1993, including a program that uses the 3004
national change of address service provided by the United States 3005
postal system through its licensees; 3006

(2) A process for the removal of ineligible voters under 3007
section 3503.21 of the Revised Code; 3008

(3) A uniform system for marking or removing the name of an 3009
ineligible voter from the statewide voter registration database 3010
and, if already prepared for a particular election, from the poll 3011
list or signature pollbook used in each precinct and noting the 3012
reason for that mark or removal. 3013

(R) Prescribe a general program for registering voters or 3014
updating voter registration information, such as name and 3015
residence changes, at designated agencies, the offices of deputy 3016
registrars of motor vehicles, public high schools and vocational 3017
schools, public libraries, and the offices of county treasurers, 3018
and prescribe a program of distribution of voter registration 3019
forms through those agencies, the offices of the registrar and 3020
deputy registrars of motor vehicles, public high schools and 3021
vocational schools, public libraries, and the offices of county 3022
treasurers; 3023

(S) To the extent feasible, provide copies, at no cost and 3024
upon request, of the voter registration form in post offices in 3025
this state; 3026

(T) Adopt rules pursuant to section 111.15 of the Revised 3027
Code for the purpose of implementing the program for registering 3028
voters at designated agencies and the offices of the registrar and 3029
deputy registrars of motor vehicles consistent with this chapter; 3030

~~(U) Specify, by a directive issued not later than thirty-five~~ 3031
~~days prior to the date of an election, the date by which the~~ 3032
~~boards shall complete the canvass of election returns under~~ 3033
~~section 3505.32 or 3513.22 of the Revised Code;~~ 3034

~~(V)~~ Establish the full-time position of Americans with 3035
Disabilities Act coordinator within the office of the secretary of 3036
state to do all of the following: 3037

(1) Assist the secretary of state with ensuring that there is 3038
equal access to polling places for persons with disabilities; 3039

(2) Assist the secretary of state with ensuring that each voter may cast the voter's ballot in a manner that provides the same opportunity for access and participation, including privacy and independence, as for other voters;

(3) Advise the secretary of state in the development of standards for the certification of voting machines, marking devices, and automatic tabulating equipment.

~~(W)~~(V) Establish a computerized statewide database of all legally registered voters under section 3503.15 of the Revised Code that complies with the requirements of the "Help America Vote Act of 2002," Pub. L. No. 107-252, 116 Stat. 1666, and provide training in the operation of that system;

(W) Ensure that all directives, advisories, other instructions, or decisions issued or made during or as a result of any conference or teleconference call with a board of elections to discuss the proper methods and procedures for conducting elections, to answer questions regarding elections, or to discuss the interpretation of directives, advisories, or other instructions issued by the secretary of state are posted on a web site of the office of the secretary of state as soon as is practicable after the completion of the conference or teleconference call, but not later than the close of business on the same day as the conference or teleconference call takes place.

(X) Publish a report on a web site of the office of the secretary of state not later than one month after the completion of the canvass of the election returns for each primary and general election, identifying, by county, the number of absent voter's ballots cast and the number of those ballots that were counted, and the number of provisional ballots cast and the number of those ballots that were counted, for that election. The secretary of state shall maintain the information on the web site

in an archive format for each subsequent election. 3071

(Y) Provide to each board of elections that does not operate 3072
and maintain its own web site free internet space to be used by 3073
the board for election-related purposes under section 3501.24 of 3074
the Revised Code; 3075

(Z) Conduct voter education outlining voter identification 3076
requirements; 3077

(AA) Perform other duties required by law. 3078

Whenever a primary election is held under section 3513.32 of 3079
the Revised Code or a special election is held under section 3080
3521.03 of the Revised Code to fill a vacancy in the office of 3081
representative to congress, the secretary of state shall establish 3082
a deadline, notwithstanding any other deadline required under the 3083
Revised Code, by which any or all of the following shall occur: 3084
the filing of a declaration of candidacy and petitions or a 3085
statement of candidacy and nominating petition together with the 3086
applicable filing fee; the filing of protests against the 3087
candidacy of any person filing a declaration of candidacy or 3088
nominating petition; the filing of a declaration of intent to be a 3089
write-in candidate; the filing of campaign finance reports; the 3090
preparation of, and the making of corrections or challenges to, 3091
precinct voter registration lists; the receipt of applications for 3092
absent voter's ballots or armed service absent voter's ballots; 3093
the supplying of election materials to precincts by boards of 3094
elections; the holding of hearings by boards of elections to 3095
consider challenges to the right of a person to appear on a voter 3096
registration list; and the scheduling of programs to instruct or 3097
reinstruct election officers. 3098

In the performance of the secretary of state's duties as the 3099
chief election officer, the secretary of state may administer 3100
oaths, issue subpoenas, summon witnesses, compel the production of 3101

books, papers, records, and other evidence, and fix the time and 3102
place for hearing any matters relating to the administration and 3103
enforcement of the election laws. 3104

In any controversy involving or arising out of the adoption 3105
of registration or the appropriation of funds for registration, 3106
the secretary of state may, through the attorney general, bring an 3107
action in the name of the state in the court of common pleas of 3108
the county where the cause of action arose or in an adjoining 3109
county, to adjudicate the question. 3110

In any action involving the laws in Title XXXV of the Revised 3111
Code wherein the interpretation of those laws is in issue in such 3112
a manner that the result of the action will affect the lawful 3113
duties of the secretary of state or of any board of elections, the 3114
secretary of state may, on the secretary of state's motion, be 3115
made a party. 3116

The secretary of state may apply to any court that is hearing 3117
a case in which the secretary of state is a party, for a change of 3118
venue as a substantive right, and the change of venue shall be 3119
allowed, and the case removed to the court of common pleas of an 3120
adjoining county named in the application or, if there are cases 3121
pending in more than one jurisdiction that involve the same or 3122
similar issues, the court of common pleas of Franklin county. 3123

Public high schools and vocational schools, public libraries, 3124
and the office of a county treasurer shall implement voter 3125
registration programs as directed by the secretary of state 3126
pursuant to this section. 3127

Sec. 3501.052. (A) The secretary of state shall not serve as 3128
campaign treasurer or in any other official capacity for any 3129
campaign committee for any state or local office other than an 3130
office to which the secretary of state is seeking election. 3131

(B) The secretary of state shall not serve as campaign 3132
treasurer or in any other official capacity for any principal 3133
campaign committee or other authorized committee for any federal 3134
office other than an office to which the secretary of state is 3135
seeking election. 3136

(C) The secretary of state shall not serve as a treasurer or 3137
in any other official capacity for any committee named in an 3138
initiative petition, any committee named in a referendum petition, 3139
any person making disbursements for the direct costs of producing 3140
or airing electioneering communications, or any other committee 3141
regulated under Chapter 3517. of the Revised Code. 3142

(D) The attorney general shall not serve as a treasurer or in 3143
any other official capacity for any committee named in an 3144
initiative petition or any committee named in a referendum 3145
petition. 3146

(E) As used in this section: 3147

(1) "Authorized committee" and "principal campaign committee" 3148
have the same meanings as in the Federal Election Campaign Act. 3149

(2) "Campaign committee," "campaign treasurer," and "Federal 3150
Election Campaign Act" have the same meanings as in section 3151
3517.01 of the Revised Code. 3152

(3) "Electioneering communication" has the same meaning as in 3153
section 3517.1011 of the Revised Code. 3154

Sec. 3501.10. (A) The board of elections shall, as an expense 3155
of the board, provide suitable rooms for its offices and records 3156
and the necessary and proper furniture and supplies for those 3157
rooms. The board may lease such offices and rooms, necessary to 3158
its operation, for the length of time and upon the terms the board 3159
deems in the best interests of the public, provided that the term 3160
of any such lease shall not exceed fifteen years. 3161

Thirty days prior to entering into such a lease, the board 3162
shall notify the board of county commissioners in writing of its 3163
intent to enter into the lease. The notice shall specify the terms 3164
and conditions of the lease. Prior to the thirtieth day after 3165
receiving that notice and before any lease is entered into, the 3166
board of county commissioners may reject the proposed lease by a 3167
majority vote. After receiving written notification of the 3168
rejection by the board of county commissioners, the board of 3169
elections shall not enter into the lease that was rejected, but 3170
may immediately enter into additional lease negotiations, subject 3171
to the requirements of this section. 3172

The board of elections in any county may, by resolution, 3173
request that the board of county commissioners submit to the 3174
electors of the county, in accordance with section 133.18 of the 3175
Revised Code, the question of issuing bonds for the acquisition of 3176
real estate and the construction on it of a suitable building with 3177
necessary furniture and equipment for the proper administration of 3178
the duties of the board of elections. The resolution declaring the 3179
necessity for issuing such bonds shall relate only to the 3180
acquisition of real estate and to the construction, furnishing, 3181
and equipping of a building as provided in this division. 3182

(B) The board of elections in each county shall keep its 3183
offices, or one or more of its branch registration offices, open 3184
for the performance of its duties until nine p.m. on the last day 3185
of registration before a general or primary election. At all other 3186
times during each week, the board shall keep its offices and rooms 3187
open for a period of time that the board considers necessary for 3188
the performance of its duties. 3189

(C) The board of elections may maintain permanent or 3190
temporary branch offices at any place within the county, provided 3191
that, if the board of elections permits electors to vote at a 3192
branch office, electors shall not be permitted to vote at any 3193

other branch office or any other office of the board of elections. 3194

Sec. 3501.11. Each board of elections shall exercise by a 3195
majority vote all powers granted to the board by Title XXXV of the 3196
Revised Code, shall perform all the duties imposed by law, and 3197
shall do all of the following: 3198

(A) Establish, define, provide, rearrange, and combine 3199
election precincts; 3200

(B) Fix and provide the places for registration and for 3201
holding primaries and elections; 3202

(C) Provide for the purchase, preservation, and maintenance 3203
of booths, ballot boxes, books, maps, flags, blanks, cards of 3204
instructions, and other forms, papers, and equipment used in 3205
registration, nominations, and elections; 3206

(D) Appoint and remove its director, deputy director, and 3207
employees and all registrars, judges, and other officers of 3208
elections, fill vacancies, and designate the ward or district and 3209
precinct in which each shall serve; 3210

(E) Make and issue rules and instructions, not inconsistent 3211
with law or the rules, directives, or advisories issued by the 3212
secretary of state, as it considers necessary for the guidance of 3213
election officers and voters; 3214

(F) Advertise and contract for the printing of all ballots 3215
and other supplies used in registrations and elections; 3216

(G) Provide for the issuance of all notices, advertisements, 3217
and publications concerning elections, except as otherwise 3218
provided in division (G) of section 3501.17 of the Revised Code; 3219

(H) Provide for the delivery of ballots, pollbooks, and other 3220
required papers and material to the polling places; 3221

(I) Cause the polling places to be suitably provided with 3222

voting machines, marking devices, automatic tabulating equipment, 3223
stalls, and other required supplies. In fulfilling this duty, 3224
each board of a county that uses voting machines, marking devices, 3225
or automatic tabulating equipment shall conduct a full vote of the 3226
board during a public session of the board on the allocation and 3227
distribution of voting machines, marking devices, and automatic 3228
tabulating equipment for each precinct in the county. 3229

(J) Investigate irregularities, nonperformance of duties, or 3230
violations of Title XXXV of the Revised Code by election officers 3231
and other persons; administer oaths, issue subpoenas, summon 3232
witnesses, and compel the production of books, papers, records, 3233
and other evidence in connection with any such investigation; and 3234
report the facts to the prosecuting attorney; 3235

(K) Review, examine, and certify the sufficiency and validity 3236
of petitions and nomination papers, and, after certification, 3237
return to the secretary of state all petitions and nomination 3238
papers that the secretary of state forwarded to the board; 3239

(L) Receive the returns of elections, canvass the returns, 3240
make abstracts of them, and transmit those abstracts to the proper 3241
authorities; 3242

(M) Issue certificates of election on forms to be prescribed 3243
by the secretary of state; 3244

(N) Make an annual report to the secretary of state, on the 3245
form prescribed by the secretary of state, containing a statement 3246
of the number of voters registered, elections held, votes cast, 3247
appropriations received, expenditures made, and other data 3248
required by the secretary of state; 3249

(O) Prepare and submit to the proper appropriating officer a 3250
budget estimating the cost of elections for the ensuing fiscal 3251
year; 3252

(P) Perform other duties as prescribed by law or the rules, 3253

directives, or advisories of the secretary of state; 3254

(Q) Investigate and determine the residence qualifications of 3255
electors; 3256

(R) Administer oaths in matters pertaining to the 3257
administration of the election laws; 3258

(S) Prepare and submit to the secretary of state, whenever 3259
the secretary of state requires, a report containing the names and 3260
residence addresses of all incumbent county, municipal, township, 3261
and board of education officials serving in their respective 3262
counties; 3263

(T) Establish and maintain a voter registration of all 3264
qualified electors in the county who offer to register; 3265

(U) Maintain voter registration records, make reports 3266
concerning voter registration as required by the secretary of 3267
state, and remove ineligible electors from voter registration 3268
lists in accordance with law and directives of the secretary of 3269
state; 3270

~~(V) At least annually, on a schedule and in a format 3271
prescribed by the secretary of state, submit to the secretary of 3272
state an accurate and current list of all registered voters in the 3273
county for the purpose of assisting the secretary of state to 3274
maintain a master list of registered voters pursuant to section 3275
3503.27 of the Revised Code; 3276~~

~~(W)~~ Give approval to ballot language for any local question 3277
or issue and transmit the language to the secretary of state for 3278
the secretary of state's final approval; 3279

~~(X)~~~~(W)~~ Prepare and cause the following notice to be displayed 3280
in a prominent location in every polling place: 3281

"NOTICE 3282

Ohio law prohibits any person from voting or attempting to 3283

vote more than once at the same election. 3284

Violators are guilty of a felony of the fourth degree and 3285
shall be imprisoned and additionally may be fined in accordance 3286
with law." 3287

(X) In all cases of a tie vote or a disagreement in the 3288
board, if no decision can be arrived at, the director or 3289
chairperson shall submit the matter in controversy, not later than 3290
fourteen days after the tie vote or the disagreement, to the 3291
secretary of state, who shall summarily decide the question, and 3292
the secretary of state's decision shall be final. 3293

(Y) Assist each designated agency, deputy registrar of motor 3294
vehicles, public high school and vocational school, public 3295
library, and office of a county treasurer in the implementation of 3296
a program for registering voters at all voter registration 3297
locations as prescribed by the secretary of state. Under this 3298
program, each board of elections shall direct to the appropriate 3299
board of elections any voter registration applications for persons 3300
residing outside the county where the board is located within five 3301
days after receiving the applications. 3302

(Z) On any day on which an elector may vote in person at the 3303
office of the board or at another site designated by the board, 3304
consider the board or other designated site ~~shall be considered~~ a 3305
polling place for that day, ~~and all~~. All requirements or 3306
prohibitions of law that apply to a polling place shall apply to 3307
the office of the board or other designated site on that day. 3308

Sec. 3501.13. (A) The director of the board of elections 3309
shall keep a full and true record of the proceedings of the board 3310
and of all moneys received and expended; file and preserve in ~~its~~ 3311
the board's office all orders and records pertaining to the 3312
administration of registrations, primaries, and elections; receive 3313

and have the custody of all books, papers, and property belonging 3314
to the board; and ~~shall~~ perform ~~such~~ other duties in connection 3315
with ~~his~~ the office of director and the proper conduct of 3316
elections as the board determines. 3317

(B) Before entering upon the duties of ~~his~~ the office, the 3318
director shall subscribe to an oath that ~~he~~ the director will 3319
support the ~~constitutions~~ Constitution of the United States and ~~of~~ 3320
~~this state~~ the Ohio Constitution, perform all the duties of the 3321
~~director office~~ to the best of ~~his~~ the director's ability, enforce 3322
the election laws, and preserve all records, documents, and other 3323
property pertaining to the conduct of elections placed in ~~his~~ the 3324
director's custody. 3325

(C) The director may administer oaths to ~~such~~ persons ~~as are~~ 3326
required by law to file certificates or other papers with the 3327
board, to judges ~~and clerks~~ of elections, to witnesses who are 3328
called to testify before the board, and to voters filling out 3329
blanks at the board's offices. Except as otherwise provided by 3330
state or federal law, the records of the board and papers and 3331
books filed in its office are public records and open to 3332
inspection under such reasonable regulations as shall be 3333
established by the board. The following notice shall be posted in 3334
a prominent place at each board office: 3335

"Except as otherwise provided by state or federal law, 3336
records filed in this office of the board of elections are open to 3337
public inspection during normal office hours, pursuant to the 3338
following reasonable regulations: (the board shall here list its 3339
regulations). Whoever prohibits any person from inspecting the 3340
public records of this board is subject to the penalties of 3341
section 3599.161 of the Revised Code." 3342

(D) Upon receipt of a written declaration of intent to retire 3343
as provided for in section 145.38 of the Revised Code, the 3344
director shall provide a copy to each member of the board of 3345

elections. 3346

Sec. 3501.19. (A) Except as otherwise provided in division 3347
(C) of this section, on the sixtieth day before the day of each 3348
general election in an even-numbered year, the board of elections 3349
shall send by nonforwardable mail to each elector who is 3350
registered to vote in a precinct in which an election will be 3351
conducted a notice that includes each of the following: 3352

(1) The day of the election; 3353

(2) The location of the polling place for the precinct in 3354
which the elector is registered to vote; 3355

(3) A reminder, which shall be indicated in bold type, 3356
stating as follows: 3357

"Voters must bring identification to the polls in order to 3358
verify identity. Identification may include a current and valid 3359
photo identification, or a copy of a current utility bill, bank 3360
statement, government check, paycheck, or other government 3361
document, other than this reminder, that shows the voter's name 3362
and current address. Voters who do not provide one of these 3363
documents will still be able to vote by providing the last four 3364
digits of the voter's social security number and by casting a 3365
provisional ballot. Voters who do not have any of the above forms 3366
of identification, including a social security number, will still 3367
be able to vote by signing an affirmation swearing to the voter's 3368
identity under penalty of election falsification and by casting a 3369
provisional ballot." 3370

(B) If the notice sent under division (A) of this section is 3371
returned undelivered to the board, the board shall cause the 3372
elector's name in the official registration list and in the poll 3373
list or signature pollbook for that elector's precinct to be 3374
marked to indicate that the notice was returned to the board. 3375

At the first election at which an elector whose name has been 3376
so marked appears to vote, the elector shall be required to 3377
provide identification to the election officials and to vote by 3378
provisional ballot under section 3505.181 of the Revised Code. If 3379
the provisional ballot is counted pursuant to division (B)(3) of 3380
section 3505.183 of the Revised Code, the board shall correct that 3381
elector's registration, if needed, and shall remove the indication 3382
that the elector's notice was returned from that elector's name on 3383
the official registration list and on the poll list or signature 3384
pollbook. 3385

(C) No board of elections shall be required to mail a notice 3386
under division (A) of this section to any elector who registered 3387
to vote within thirty days prior to the date for mailing the 3388
notice under that division. 3389

Sec. 3501.24. Each board of elections that does not operate 3390
and maintain its own web site shall operate and maintain a web 3391
site using the free internet space provided by the secretary of 3392
state under division (Y) of section 3501.05 of the Revised Code. 3393
Among other election-related purposes for which that internet 3394
space may be used, the board shall use that internet space to post 3395
the required notices of elections on questions or issues for 3396
thirty days prior to the election under sections 306.70, 307.791, 3397
322.021, 324.021, 503.162, 504.02, 504.03, 511.28, 511.34, 513.14, 3398
745.07, 747.11, 3311.21, 3311.50, 3311.73, 3349.29, 3354.12, 3399
3355.09, 4504.021, 5705.191, 5705.194, 5705.196, 5705.21, 3400
5705.218, 5705.25, 5705.251, 5705.261, 5705.71, 5739.022, 5748.02, 3401
5748.04, 5748.08, and 6119.18 of the Revised Code. The board may 3402
include in that internet space a feature that allows any person in 3403
that county to enter the person's address and promptly receive 3404
notification of the person's correct precinct number and polling 3405
place, regardless of whether the person is listed on the statewide 3406

voter registration list as being registered to vote in that 3407
county. 3408

Sec. 3501.26. When the polls are closed after a primary, 3409
general, or special election, the receiving officials shall, in 3410
the presence of the counting officials and attending ~~witnesses~~ 3411
observers, proceed as follows: 3412

(A) Count the number of electors who voted, as shown on the 3413
poll books~~;~~ 3414

(B) Count the unused ballots without removing stubs~~;~~ 3415

(C) Count the soiled and defaced ballots~~;~~ 3416

(D) Insert the totals of divisions (A), (B), and (C) of this 3417
section on the report forms provided therefor in the poll books~~;~~ 3418

(E) Count the voted ballots. If the number of voted ballots 3419
exceeds the number of voters whose names appear upon the poll 3420
books, the presiding judge shall enter on the poll books an 3421
explanation of ~~such~~ that discrepancy, and ~~such~~ that explanation, 3422
if agreed to, shall be subscribed to by all of the judges. Any 3423
judge having a different explanation shall enter it in the poll 3424
books and subscribe to it. 3425

(F) Put the unused ballots with stubs attached, and soiled 3426
and defaced ballots with stubs attached, in the envelopes or 3427
containers provided therefor, and certify the number. 3428

The receiving officials shall deliver to and place in the 3429
custody of the counting officials all the supplies provided for 3430
the conduct of ~~such~~ that election and the ballots ~~which~~ that are 3431
to be counted and tallied, and take a receipt for the same, which 3432
receipt shall appear in and be a part of the poll books of such 3433
precinct. Having performed their duties, the receiving officials 3434
shall immediately depart. 3435

Having receipted for the ballots, the counting officials 3436
shall proceed to count and tally the vote as cast in the manner 3437
prescribed by section 3505.27 of the Revised Code and certify the 3438
result of the election to the board of elections. 3439

Sec. 3501.30. (A) The board of elections shall provide for 3440
each polling place the necessary ballot boxes, official ballots, 3441
cards of instructions, registration forms, pollbooks or poll 3442
lists, tally sheets, forms on which to make summary statements, 3443
writing implements, paper, and all other supplies necessary for 3444
casting and counting the ballots and recording the results of the 3445
voting at the polling place. The pollbooks or poll lists shall 3446
have certificates appropriately printed on them for the signatures 3447
of all the precinct officials, by which they shall certify that, 3448
to the best of their knowledge and belief, the pollbooks or poll 3449
lists correctly show the names of all electors who voted in the 3450
polling place at the election indicated in the ~~pollbook~~ pollbooks 3451
or poll ~~list~~ lists. 3452

All of the following shall be included among the supplies 3453
provided to each polling place: 3454

(1) A large map of each appropriate precinct, which shall be 3455
displayed prominently to assist persons who desire to register or 3456
vote on election day. Each map shall show all streets within the 3457
precinct and contain identifying symbols of the precinct in bold 3458
print. 3459

(2) Any materials, postings, or instructions required to 3460
comply with state or federal laws; 3461

(3) A flag of the United States approximately two and 3462
one-half feet in length along the top, which shall be displayed 3463
outside the entrance to the polling place during the time it is 3464
open for voting; 3465

(4) Two or more small flags of the United States 3466
approximately fifteen inches in length along the top, which shall 3467
be placed at a distance of one hundred feet from the polling place 3468
on the thoroughfares or walkways leading to the polling place, to 3469
mark the distance within which persons other than election 3470
officials, ~~witnesses, challengers~~ observers, police officers, and 3471
electors waiting to mark, marking, or casting their ballots shall 3472
not loiter, congregate, or engage in any kind of election 3473
campaigning. Where small flags cannot reasonably be placed one 3474
hundred feet from the polling place, the presiding election judge 3475
shall place the flags as near to one hundred feet from the 3476
entrance to the polling place as is physically possible. Police 3477
officers and all election officials shall see that this 3478
prohibition against loitering and congregating is enforced. 3479

When the period of time during which the polling place is 3480
open for voting expires, all of the flags described in this 3481
division shall be taken into the polling place, and shall be 3482
returned to the board together with all other election supplies 3483
required to be delivered to the board. 3484

(B) The board of elections shall follow the instructions and 3485
advisories of the secretary of state in the production and use of 3486
polling place supplies. 3487

Sec. 3501.33. All judges of election shall enforce peace and 3488
good order in and about the place of registration or election. 3489
They shall especially keep the place of access of the electors to 3490
the polling place open and unobstructed and prevent and stop any 3491
improper practices or attempts tending to obstruct, intimidate, or 3492
interfere with any elector in registering or voting. They shall 3493
protect ~~challengers and witnesses~~ observers against molestation 3494
and violence in the performance of their duties, and may eject 3495
from the polling place any ~~such challenger or witness~~ observer for 3496

violation of any provision of Title XXXV of the Revised Code. They 3497
shall prevent riots, violence, tumult, or ~~the~~ disorder. In the 3498
discharge of these duties, they may call upon the sheriff, police, 3499
or other peace officers to aid them in enforcing the law. They may 3500
order the arrest of any person violating ~~such title~~ Title XXXV of 3501
the Revised Code, but such an arrest shall not prevent ~~such the~~ 3502
person from registering or voting if ~~he~~ the person is entitled to 3503
do so. The sheriff, all constables, police officers, and other 3504
officers of the peace shall immediately obey and aid in the 3505
enforcement of any lawful order made by the precinct election 3506
officials in the enforcement of ~~such title~~ Title XXXV of the 3507
Revised Code. 3508

Sec. 3501.35. (A) During an election and the counting of the 3509
ballots, no person shall ~~loiter or~~ do any of the following: 3510

(1) Loiter, congregate, or engage in any kind of election 3511
campaigning within the area between the polling place and the 3512
small flags of the United States placed on the thoroughfares and 3513
walkways leading to the polling place, and if the line of electors 3514
waiting to vote extends beyond those small flags, within ten feet 3515
of any elector in that line; ~~in~~ 3516

(2) In any manner hinder or delay an elector in reaching or 3517
leaving the place fixed for casting ~~his~~ the elector's ballot; 3518
~~within such distance give,~~ 3519

(3) Give, tender, or exhibit any ballot or ticket to any 3520
person other than ~~his~~ the elector's own ballot to the judge of 3521
election within the area between the polling place and the small 3522
flags of the United States placed on the thoroughfares and 3523
walkways leading to the polling place, and if the line of electors 3524
waiting to vote extends beyond those small flags, within ten feet 3525
of any elector in that line; ~~exhibit~~ 3526

(4) Exhibit any ticket or ballot which ~~he~~ the elector intends 3527

to cast; ~~or solicit~~ 3528

(5) Solicit or in any manner attempt to influence any elector 3529
in casting ~~his~~ the elector's vote. ~~No~~ 3530

(B) Except as otherwise provided in division (C) of section 3531
3503.23 of the Revised Code, no person, who is not an election 3532
official, employee, witness, challenger observer, or police 3533
officer, shall be allowed to enter the polling place during the 3534
election, except for the purpose of voting or assisting another 3535
person to vote as provided in section 3505.24 of the Revised Code. 3536
~~No~~ 3537

(C) No more electors shall be allowed to approach the voting 3538
shelves at any time than there are voting shelves provided. ~~The~~ 3539

(D) The judges of election and the police officer shall 3540
strictly enforce the observance of this section. 3541

Sec. 3501.38. All declarations of candidacy, nominating 3542
petitions, or other petitions presented to or filed with the 3543
secretary of state or a board of elections or with any other 3544
public office for the purpose of becoming a candidate for any 3545
nomination or office or for the holding of an election on any 3546
issue shall, in addition to meeting the other specific 3547
requirements prescribed in the sections of the Revised Code 3548
relating to them, be governed by the following rules: 3549

(A) Only electors qualified to vote on the candidacy or issue 3550
which is the subject of the petition shall sign a petition. Each 3551
signer shall be a registered elector pursuant to section 3503.11 3552
of the Revised Code. The facts of qualification shall be 3553
determined as of the date when the petition is filed. 3554

(B) Signatures shall be affixed in ink. Each signer may also 3555
print the signer's name, so as to clearly identify the signer's 3556
signature. 3557

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

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

(E)(1) On each petition paper, the circulator shall indicate
the number of signatures contained on it, and shall sign a
statement made under penalty of election falsification that the
circulator witnessed the affixing of every signature, that all
signers were to the best of the circulator's knowledge and belief
qualified to sign, and that every signature is to the best of the
circulator's knowledge and belief the signature of the person
whose signature it purports to be or of an attorney in fact acting
pursuant to section 3501.382 of the Revised Code. On the
circulator's statement for a declaration of candidacy, or
~~nominating petition, or declaration of intent to be a write-in~~
~~candidate~~ for a person seeking to become a statewide candidate or
for a statewide initiative or a statewide referendum petition, the
circulator shall identify the circulator's name, the address of
the circulator's permanent resident, and the name and address of
the person employing the circulator to circulate the petition, if
any.

(2) As used in division (E) of this section, "statewide

candidate" means the joint candidates for the offices of governor 3590
and lieutenant governor or a candidate for the office of secretary 3591
of state, auditor of state, treasurer of state, or attorney 3592
general. 3593

(F) ~~If~~ Except as otherwise provided in section 3501.382 of 3594
the Revised Code, if a circulator knowingly permits an unqualified 3595
person to sign a petition paper or permits a person to write a 3596
name other than the person's own on a petition paper, that 3597
petition paper is invalid; otherwise, the signature of a person 3598
not qualified to sign shall be rejected but shall not invalidate 3599
the other valid signatures on the paper. 3600

(G) The circulator of a petition may, before filing it in a 3601
public office, strike from it any signature the circulator does 3602
not wish to present as a part of the petition. 3603

(H) Any signer of a petition or an attorney in fact acting 3604
pursuant to section 3501.382 of the Revised Code on behalf of a 3605
signer may remove the signer's signature from that petition at any 3606
time before the petition is filed in a public office by striking 3607
the signer's name from the petition; no signature may be removed 3608
after the petition is filed in any public office. 3609

(I)(1) No alterations, corrections, or additions may be made 3610
to a petition after it is filed in a public office. 3611

(2) No petition may be withdrawn after it is filed in a 3612
public office. Nothing in this division prohibits a person from 3613
withdrawing as a candidate as otherwise provided by law. 3614

(J) All declarations of candidacy, nominating petitions, or 3615
other petitions under this section shall be accompanied by the 3616
following statement in boldface capital letters: WHOEVER COMMITS 3617
ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. 3618

(K) All separate petition papers shall be filed at the same 3619

time, as one instrument.

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

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Sec. 3501.382. (A)(1) A registered voter who, by reason of
physical disability, is unable to sign the voter's name as a
candidate, signer, or circulator on a declaration of candidacy and
petition, nominating petition, other petition, or other document
under Title XXXV of the Revised Code may authorize a legally
competent resident of this state who is eighteen years of age or
older as an attorney in fact to sign that voter's name to the
petition or other election document, at the voter's direction and
in the voter's presence, in accordance with this division. The
voter shall file with the board of elections of the voter's county
of residence a notarized form that includes or has attached all of
the following:

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(a) The name of the voter who is authorizing an attorney in
fact to sign petitions or other election documents on that voter's
behalf, at the voter's direction and in the voter's presence;

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(b) An attestation of the voter that the voter, by reason of
physical disability, is unable to sign petitions or other election
documents and that the voter desires the attorney in fact to sign
them on the voter's behalf, at the direction of the voter and in
the voter's presence;

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(c) An attestation from a licensed physician that the voter 3651
is physically disabled and, by reason of that disability, is 3652
unable to sign petitions or other election documents; 3653

(d) The name, residence address, date of birth, and, if 3654
applicable, Ohio supreme court registration number of the attorney 3655
in fact authorized to sign on the voter's behalf, at the voter's 3656
direction and in the voter's presence. A photocopy of the attorney 3657
in fact's driver's license or state identification card issued 3658
under section 4507.50 of the Revised Code shall be attached to the 3659
notarized form. 3660

(e) The form of the signature that the attorney in fact will 3661
use in signing petitions or other election documents on the 3662
voter's behalf, at the voter's direction and in the voter's 3663
presence. 3664

(2) In addition to performing customary notarial acts with 3665
respect to the power of attorney form described in division (A)(1) 3666
of this section, the notary public shall acknowledge that the 3667
voter in question orally affirmed in the presence of the notary 3668
public the information listed in divisions (A)(1)(a), (b), and (d) 3669
of this section. A notary public shall not perform any notarial 3670
acts with respect to such a power of attorney form unless the 3671
voter first gives such an oral affirmation. Only a notary public 3672
satisfying the requirements of section 147.01 of the Revised Code 3673
may perform notarial acts with respect to such a power of attorney 3674
form. 3675

(B) A board of elections that receives a notarized form under 3676
division (A)(1)(e) of this section from a voter shall do both of 3677
the following: 3678

(1) Use the signature provided in accordance with division 3679
(A)(1)(e) of this section for the purpose of verifying the voter's 3680
signature on all declarations of candidacy and petitions, 3681

nominating petitions, other petitions, or other documents signed 3682
by that voter under Title XXXV of the Revised Code; 3683

(2) Cause the poll list or signature pollbook for the 3684
relevant precinct to identify the voter in question as having 3685
authorized an attorney in fact to sign petitions or other election 3686
documents on the voter's behalf, at the voter's direction and in 3687
the voter's presence. 3688

(C) Notwithstanding division (D) of section 3501.38 or any 3689
other provision of the Revised Code to the contrary, an attorney 3690
in fact authorized to sign petitions or other election documents 3691
on a physically disabled voter's behalf, at the direction of and 3692
in the presence of that voter, in accordance with division (A) of 3693
this section may sign that voter's name to any petition or other 3694
election document under Title XXXV of the Revised Code after the 3695
power of attorney has been filed with the board of elections in 3696
accordance with division (A) of this section. The signature shall 3697
be deemed to be that of the physically disabled voter, and the 3698
voter shall be deemed to be the signer. 3699

(D)(1) Notwithstanding division (F) of section 3501.38 or any 3700
other provision of the Revised Code to the contrary, the 3701
circulator of a petition may knowingly permit an attorney in fact 3702
to sign the petition on a physically disabled voter's behalf, at 3703
the direction of and in the presence of that voter, in accordance 3704
with division (A) of this section. 3705

(2) Notwithstanding division (F) of section 3501.38 or any 3706
other provision of the Revised Code to the contrary, no petition 3707
paper shall be invalidated on the ground that the circulator 3708
knowingly permitted an attorney in fact to write a name other than 3709
the attorney in fact's own name on a petition paper, if that 3710
attorney in fact signed the petition on a physically disabled 3711
voter's behalf, at the direction of and in the presence of that 3712

voter, in accordance with division (C) of this section. 3713

(E) The secretary of state shall prescribe the form and 3714
content of the form for the power of attorney prescribed under 3715
division (A) of this section and also shall prescribe the form and 3716
content of a distinct form to revoke such a power of attorney. 3717

Sec. 3501.39. (A) The secretary of state or a board of 3718
elections shall accept any petition described in section 3501.38 3719
of the Revised Code unless one of the following occurs: 3720

(1) A written protest against the petition or candidacy, 3721
naming specific objections, is filed, a hearing is held, and a 3722
determination is made by the election officials with whom the 3723
protest is filed that the petition is invalid, in accordance with 3724
any section of the Revised Code providing a protest procedure. 3725

(2) A written protest against the petition or candidacy, 3726
naming specific objections, is filed, a hearing is held, and a 3727
determination is made by the election officials with whom the 3728
protest is filed that the petition violates any requirement 3729
established by law. 3730

(3) The candidate's candidacy or the petition violates the 3731
requirements of this chapter, Chapter 3513. of the Revised Code, 3732
or any other requirements established by law. 3733

(B) Except as otherwise provided in division (C) of this 3734
section or section 3513.052 of the Revised Code, a board of 3735
elections shall not invalidate any declaration of candidacy or 3736
nominating petition under division (A)(3) of this section after 3737
the fiftieth day prior to the election at which the candidate 3738
seeks nomination to office, if the candidate filed a declaration 3739
of candidacy, or election to office, if the candidate filed a 3740
nominating petition. 3741

(C)(1) If a petition is filed for the nomination or election 3742

of a candidate in a charter municipal corporation with a filing 3743
deadline that occurs after the seventy-fifth day before the day of 3744
the election, a board of elections may invalidate the petition 3745
within fifteen days after the date of that filing deadline. 3746

(2) If a petition for the nomination or election of a 3747
candidate is invalidated under division (C)(1) of this section, 3748
that person's name shall not appear on the ballots for any office 3749
for which the person's petition has been invalidated. If the 3750
ballots have already been prepared, the board of elections shall 3751
remove the name of that person from the ballots to the extent 3752
practicable in the time remaining before the election. If the name 3753
is not removed from the ballots before the day of the election, 3754
the votes for that person are void and shall not be counted. 3755

Sec. 3501.90. (A) As used in this section: 3756

(1) "Harassment in violation of the election law" means 3757
either of the following: 3758

(a) Any of the following types of conduct in or about a 3759
polling place or a place of registration or election: obstructing 3760
access of an elector to a polling place; another improper practice 3761
or attempt tending to obstruct, intimidate, or interfere with an 3762
elector in registering or voting at a place of registration or 3763
election; molesting or otherwise engaging in violence against 3764
observers in the performance of their duties at a place of 3765
registration or election; or participating in a riot, violence, 3766
tumult, or disorder in and about a place of registration or 3767
election; 3768

(b) A violation of division (A)(1), (2), (3), or (5) or 3769
division (B) of section 3501.35 of the Revised Code. 3770

(2) "Person" has the same meaning as in division (C) of 3771
section 1.59 of the Revised Code and also includes any 3772

organization that is not otherwise covered by that division. 3773

(3) "Trier of fact" means the jury or, in a nonjury action, 3774
the court. 3775

(B) An elector who has experienced harassment in violation of 3776
the election law has a cause of action against each person that 3777
committed the harassment in violation of the election law. In any 3778
civil action based on this cause of action, the elector may seek a 3779
declaratory judgment, an injunction, or other appropriate 3780
equitable relief. The civil action may be commenced by an elector 3781
who has experienced harassment in violation of the election law 3782
either alone or as a party to a class action under Civil Rule 23. 3783

(C)(1) In addition to the equitable relief authorized by 3784
division (B) of this section, an elector who has experienced 3785
harassment in violation of the election law may be entitled to 3786
relief under division (C)(2) or (3) of this section. 3787

(2) If the harassment in violation of the election law 3788
involved intentional or reckless threatening or causing of bodily 3789
harm to the elector while the elector was attempting to register 3790
to vote, to obtain an absent voter's ballot, or to vote, the 3791
elector may seek, in a civil action based on the cause of action 3792
created by division (B) of this section, monetary damages as 3793
prescribed in this division. The civil action may be commenced by 3794
the elector who has experienced harassment in violation of the 3795
election law either alone or as a party to a class action under 3796
Civil Rule 23. Upon proof by a preponderance of the evidence in 3797
the civil action that the harassment in violation of the election 3798
law involved intentional or reckless threatening or causing of 3799
bodily harm to the elector, the trier of fact shall award the 3800
elector the greater of three times of the amount of the elector's 3801
actual damages or one thousand dollars. The court also shall award 3802
a prevailing elector reasonable attorney's fees and court costs. 3803

(3) Whether a civil action on the cause of action created by 3804
division (B) of this section is commenced by an elector who has 3805
experienced harassment in violation of the election law alone or 3806
as a party to a class action under Civil Rule 23, if the defendant 3807
in the action is an organization that has previously been 3808
determined in a court of this state to have engaged in harassment 3809
in violation of the election law, the elector may seek an order of 3810
the court granting any of the following forms of relief upon proof 3811
by a preponderance of the evidence: 3812

(a) Divestiture of the organization's interest in any 3813
enterprise or in any real property; 3814

(b) Reasonable restrictions upon the future activities or 3815
investments of the organization, including, but not limited to, 3816
prohibiting the organization from engaging in any harassment in 3817
violation of the election law; 3818

(c) The dissolution or reorganization of the organization; 3819

(d) The suspension or revocation of any license, permit, or 3820
prior approval granted to the organization by any state agency; 3821

(e) The revocation of the organization's authorization to do 3822
business in this state if the organization is a foreign 3823
corporation or other form of foreign entity. 3824

(D) It shall not be a defense in a civil action based on the 3825
cause of action created by division (B) of this section, whether 3826
commenced by an elector who has experienced harassment in 3827
violation of the election law alone or as a party to a class 3828
action under Civil Rule 23, that no criminal prosecution was 3829
commenced or conviction obtained in connection with the conduct 3830
alleged to be the basis of the civil action. 3831

(E) In a civil action based on the cause of action created by 3832
division (B) of this section, whether commenced by an elector who 3833

has experienced harassment in violation of the election law alone 3834
or as a party to a class action under Civil Rule 23, the elector 3835
may name as defendants each individual who engaged in conduct 3836
constituting harassment in violation of the election law as well 3837
as any person that employs, sponsors, or uses as an agent any such 3838
individual or that has organized a common scheme to cause 3839
harassment in violation of the election law. 3840

Sec. 3503.06. (A) No person shall be entitled to vote at any 3841
election, or to sign or circulate any declaration of candidacy or 3842
any nominating, ~~initiative, referendum,~~ or recall petition, unless 3843
the person is registered as an elector and will have resided in 3844
the county and precinct where the person is registered for at 3845
least thirty days at the time of the next election. 3846

(B)(1) No person shall be entitled to circulate any 3847
initiative or referendum petition unless the person is a resident 3848
of this state. 3849

(2) All election officials, in determining the residence of a 3850
person circulating a petition under division (B)(1) of this 3851
section, shall be governed by the following rules: 3852

(a) That place shall be considered the residence of a person 3853
in which the person's habitation is fixed and to which, whenever 3854
the person is absent, the person has the intention of returning. 3855

(b) A person shall not be considered to have lost the 3856
person's residence who leaves the person's home and goes into 3857
another state for temporary purposes only, with the intention of 3858
returning. 3859

(c) A person shall not be considered to have gained a 3860
residence in any county of this state into which the person comes 3861
for temporary purposes only, without the intention of making that 3862
county the permanent place of abode. 3863

(d) If a person removes to another state with the intention 3864
of making that state the person's residence, the person shall be 3865
considered to have lost the person's residence in this state. 3866

(e) Except as otherwise provided in division (B)(2)(f) of 3867
this section, if a person removes from this state and continuously 3868
resides outside this state for a period of four years or more, the 3869
person shall be considered to have lost the person's residence in 3870
this state, notwithstanding the fact that the person may entertain 3871
an intention to return at some future period. 3872

(f) If a person removes from this state to engage in the 3873
services of the United States government, the person shall not be 3874
considered to have lost the person's residence in this state 3875
during the period of that service, and likewise should the person 3876
enter the employment of the state, the place where that person 3877
resided at the time of the person's removal shall be considered to 3878
be the person's place of residence. 3879

(g) If a person goes into another state and, while there, 3880
exercises the right of a citizen by voting, the person shall be 3881
considered to have lost the person's residence in this state. 3882

(C) No person shall be entitled to sign any initiative or 3883
referendum petition unless the person is registered as an elector 3884
and will have resided in the county and precinct where the person 3885
is registered for at least thirty days at the time of the next 3886
election. 3887

Sec. 3503.11. When any person applies for a driver's license, 3888
commercial driver's license, a state of Ohio identification card 3889
issued under section 4507.50 of the Revised Code, or motorcycle 3890
operator's license or endorsement, or the renewal or duplicate of 3891
any license or endorsement under Chapter 4506. or 4507. of the 3892
Revised Code, the registrar of motor vehicles or deputy registrar 3893

shall offer the applicant the opportunity to register to vote or 3894
to update ~~his or her~~ the applicant's voter registration. The 3895
registrar of motor vehicles or deputy registrar also shall make 3896
available to all other customers voter registration applications 3897
~~or~~ and change of residence ~~or~~ and change of name ~~applications,~~ 3898
forms, but is not required to offer assistance to these customers 3899
in completing ~~the~~ a voter registration application or other form. 3900

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The registrar or deputy registrar shall send any completed 3902
registration application or any completed change of residence ~~and~~ 3903
or change of name ~~notice form~~ to the board of elections of the 3904
county in which the office of the registrar or deputy registrar is 3905
located, within five days after accepting the application or 3906
~~notice~~ other form. 3907

The registrar shall collect from each deputy registrar 3908
through the reports filed under division (J) of section 4503.03 of 3909
the Revised Code and transmit to the secretary of state 3910
information on the number of voter registration applications and 3911
change of residence or change of name ~~notices~~ forms completed or 3912
declined, and any additional information required by the secretary 3913
of state to comply with the National Voter Registration Act of 3914
1993. No information relating to an applicant's decision to 3915
decline to register or update ~~his or her~~ the applicant's voter 3916
registration at the office of the registrar or deputy registrar 3917
may be used for any purpose other than voter registration 3918
record-keeping required by the secretary of state, and all such 3919
information shall be kept confidential. 3920

The secretary of state shall prescribe voter registration 3921
applications and change of residence and change of name ~~notices~~ 3922
forms for use by the bureau of motor vehicles. The bureau of motor 3923
vehicles shall supply all of its deputy registrars with a 3924
sufficient number of voter registration applications and change of 3925

residence and change of name ~~notices~~ forms. 3926

The bureau of motor vehicles, in consultation with a 3927
committee consisting of the directors of the boards of elections 3928
of the four counties in the state with the highest number of 3929
registered voters and the four counties in the state with the 3930
lowest number of registered voters as of the effective date of 3931
this amendment, shall develop and review, not later than thirty 3932
days after that effective date and annually thereafter, a system 3933
to make the information from each voter registration application 3934
completed pursuant to this section available to all boards of 3935
elections via electronic means, subject to each of the following: 3936

(A) There shall not be a direct connection between the bureau 3937
of motor vehicles and the offices of a deputy registrar. 3938

(B) The system shall employ sufficient security measures so 3939
as to prohibit unauthorized access to data. 3940

(C) The system shall employ a means by which each voter's 3941
data can be matched with each voter's original voter registration 3942
form. 3943

(D) Notwithstanding any provision of the Revised Code to the 3944
contrary, voter registration data provided to a board of elections 3945
pursuant to this section that cannot be matched to an original 3946
voter registration form with the voter's original signature shall 3947
not be considered sufficient to properly register the voter. 3948

(E) Nothing in this section shall be construed to alleviate a 3949
voter of the responsibility to provide the voter's original 3950
signature on the voter registration form. 3951

(F) Nothing in this section shall be construed to require the 3952
bureau of motor vehicles to perform the data entry functions of 3953
the boards of elections in performing their duty to register 3954
voters or to alleviate the bureau of its responsibility to 3955
otherwise transmit completed voter registration forms under this 3956

section.

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Sec. 3503.13. (A) ~~Except as provided in division (C) of this~~
~~section, registration forms shall consist of original and~~
~~duplicate cards or loose-leaf pages as prescribed by the secretary~~
~~of state. When such registration forms have been filled out and~~
~~filed in the office of the board of elections, the original forms~~
~~shall be filed together in one file and the duplicate forms shall~~
~~be filed together in another file. Except as otherwise provided in~~
~~division (D) of this section, the original forms shall be filed by~~
~~precincts and shall constitute the precinct register for use in~~
~~polling places on election day. The duplicate forms shall be filed~~
~~alphabetically and shall constitute the permanent office record of~~
~~the board. It shall not be removed from the office of the board~~
~~except upon the order of a court.~~

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~~(B)~~ Except as otherwise provided by state or federal law, the
registration ~~records~~ forms submitted by applicants and the
statewide voter registration database established under section
3503.15 of the Revised Code shall be open to public inspection at
all times when the office of the board of elections is open for
business, under such regulations as the board adopts, provided
that no person shall be permitted to inspect ~~such records~~ voter
registration forms except in the presence of an employee of the
board.

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~~(C)~~ The board of elections of a county that adopts or has
adopted electronic data processing for the registration of
qualified electors of the county may use a single registration
form complying with the requirements of division (A) of this
section. The information contained on the form may be duplicated
on punch cards, magnetic tape, discs, diskettes, or such other
media as are compatible with the data processing system adopted by
the board and may constitute the permanent office record in lieu

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~~of the duplicate registration card.~~ 3988

~~(D) Instead of using the original registration forms as the~~ 3989
~~precinct register in the polling places on election day as~~ 3990
~~provided in division (A) of this section, a~~ 3991

~~(B) A board of elections that has adopted electronic data~~ 3992
~~processing may use a legible digitized signature list of voter~~ 3993
~~signatures, copied from the signatures on the registration forms~~ 3994
~~in a form and manner prescribed by the secretary of state,~~ 3995
~~provided that the board continues to record and maintain at the~~ 3996
~~board office the information obtained from the form prescribed~~ 3997
~~under section 3503.14 includes the required voter registration~~ 3998
~~information in the statewide voter registration database~~ 3999
~~established under section 3503.15 of the Revised Code, and~~ 4000
~~provided that the precinct election officials have computer~~ 4001
~~printouts at the polls containing any necessary information~~ 4002
~~specified by the secretary of state that would otherwise be~~ 4003
~~available to them on the registration forms prepared in the manner~~ 4004
~~required under section 3503.23 of the Revised Code.~~ 4005

Sec. 3503.14. (A) The secretary of state shall prescribe the 4006
form and content of the registration and, change of residence, and 4007
change of name ~~form~~ forms used in this state. The ~~form~~ forms shall 4008
~~set forth the eligibility requirements needed to qualify as an~~ 4009
~~elector and~~ meet the requirements of the National Voter 4010
Registration Act of 1993 and shall include spaces for all of the 4011
following: 4012

(1) The voter's name; 4013

(2) The voter's address; 4014

(3) The current date; 4015

(4) The voter's date of birth; 4016

(5) The voter to provide one or more of the following: 4017

(a) The voter's driver's license number, if any; 4018

(b) The last four digits of the voter's social security 4019
number, if any; 4020

(c) A copy of a current and valid photo identification or a 4021
copy of a current utility bill, bank statement, government check, 4022
paycheck, or other government document, other than a notice of an 4023
election mailed by a board of elections under section 3501.19 of 4024
the Revised Code or a notice of voter registration mailed by a 4025
board of elections under section 3503.19 of the Revised Code, that 4026
shows the voter's name and address. 4027

(6) The voter's signature. The 4028

The registration form shall include a space on which the 4029
person registering an applicant shall sign the person's name and 4030
provide the person's address and a space on which the person 4031
registering an applicant shall name the employer who is employing 4032
that person to register the applicant. ~~No election official or~~ 4033
~~employee of a designated agency who is~~ 4034

Except for forms prescribed by the secretary of state under 4035
section 3503.11 of the Revised Code, the secretary of state shall 4036
permit boards of elections to produce forms that have subdivided 4037
spaces for each individual alphanumeric character of the 4038
information provided by the voter so as to accommodate the 4039
electronic reading and conversion of the voter's information to 4040
data and the subsequent electronic transfer of that data to the 4041
statewide voter registration database established under section 4042
3503.15 of the Revised Code. 4043

(B) None of the following persons who are registering an 4044
applicant in the course of that official's or employee's normal 4045
duties shall ~~be required to sign the election official's or~~ 4046
~~employee's~~ person's name, provide the person's address, or to name 4047
the employer who is employing the ~~election official or employee~~ 4048

person to register an applicant on a form prepared under this 4049
section: 4050

(1) An election official; 4051

(2) A county treasurer; 4052

(3) A deputy registrar of motor vehicles; 4053

(4) An employee of a designated agency; 4054

(5) An employee of a public high school; 4055

(6) An employee of a public vocational school; 4056

(7) An employee of a public library; 4057

(8) An employee of the office of a county treasurer; 4058

(9) An employee of the bureau of motor vehicles; 4059

(10) An employee of a deputy registrar of motor vehicles; 4060

(11) An employee of an election official. 4061

~~(B)~~ (C) Except as provided in section 3501.382 of the 4062
Revised Code, any applicant who is unable to sign the applicant's 4063
own name shall make an "X," if possible, which shall be certified 4064
by the signing of the name of the applicant by the person filling 4065
out the form, who shall add the person's own signature. If an 4066
applicant is unable to make an "X," the applicant shall indicate 4067
in some manner that the applicant desires to register to vote or 4068
to change the applicant's name or residence. The person 4069
registering the applicant shall sign the form and attest that the 4070
applicant indicated that the applicant desired to register to vote 4071
or to change the applicant's name or residence. 4072

~~(C)~~ (D) No registration and, change of residence and, or 4073
change of name form shall be rejected solely on the basis that a 4074
person registering an applicant failed to sign the person's name 4075
or failed to name the employer who is employing that person to 4076
register the applicant as required under division (A) of this 4077

section. 4078

~~(D)~~(E) As used in this section, "registering an applicant" 4079
includes any effort, for compensation, to provide voter 4080
registration forms or to assist persons in completing or returning 4081
those forms ~~or returning them to the board of elections, the~~ 4082
~~office of the secretary of state, or another appropriate public~~ 4083
~~office.~~ 4084

Sec. 3503.15. (A) The secretary of state shall establish and 4085
maintain a statewide voter registration database that shall be 4086
continuously available to each board of elections and to other 4087
agencies as authorized by law. 4088

(B) The statewide voter registration database established 4089
under this section shall be the official list of registered voters 4090
for all elections conducted in this state. 4091

(C) The statewide voter registration database established 4092
under this section shall, at a minimum, include all of the 4093
following: 4094

(1) An electronic network that connects all board of 4095
elections offices with the office of the secretary of state and 4096
with the offices of all other boards of elections; 4097

(2) A computer program that harmonizes the records contained 4098
in the database with records maintained by each board of 4099
elections; 4100

(3) An interactive computer program that allows access to the 4101
records contained in the database by each board of elections and 4102
by any persons authorized by the secretary of state to add, 4103
delete, modify, or print database records, and to conduct updates 4104
of the database; 4105

(4) A search program capable of verifying registered voters 4106
and their registration information by name, driver's license 4107

number, birth date, social security number, or current address; 4108

(5) Safeguards and components to ensure that the integrity, 4109
security, and confidentiality of the voter registration 4110
information is maintained. 4111

(D) The secretary of state shall adopt rules pursuant to 4112
Chapter 119. of the Revised Code doing all of the following: 4113

(1) Specifying the manner in which existing voter 4114
registration records maintained by boards of elections shall be 4115
converted to electronic files for inclusion in the statewide voter 4116
registration database; 4117

(2) Establishing a uniform method for entering voter 4118
registration records into the statewide voter registration 4119
database on an expedited basis, but not less than once per day, if 4120
new registration information is received; 4121

(3) Establishing a uniform method for purging canceled voter 4122
registration records from the statewide voter registration 4123
database in accordance with section 3503.21 of the Revised Code; 4124

(4) Specifying the persons authorized to add, delete, modify, 4125
or print records contained in the statewide voter registration 4126
database and to make updates of that database. 4127

(E) A board of elections promptly shall purge a voter's name 4128
and voter registration information from the statewide voter 4129
registration database in accordance with the rules adopted by the 4130
secretary of state under division (D)(3) of this section after the 4131
cancellation of a voter's registration under section 3503.21 of 4132
the Revised Code. 4133

(F) The secretary of state shall provide training in the 4134
operation of the statewide voter registration database to each 4135
board of elections and to any persons authorized by the secretary 4136
of state to add, delete, modify, or print database records, and to 4137

conduct updates of the database.

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

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

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(B)(1)(a) Any registered elector who moves within a precinct ~~or changes the name of that registered elector and remains within a precinct~~ on or prior to the day of a general, primary, or special election and has not filed a notice of change of residence or change of name, whichever is appropriate, with the board of elections may vote in that election by going to that registered elector's assigned polling place, completing and signing a notice of change of residence ~~or change of name, whichever is appropriate,~~ showing identification in the form of a current and valid photo identification or a copy of a current utility bill,

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bank statement, government check, paycheck, or other government 4169
document, other than a notice of an election mailed by a board of 4170
elections under section 3501.19 of the Revised Code or a notice of 4171
voter registration mailed by a board of elections under section 4172
3503.19 of the Revised Code, that shows the name and current 4173
address of the elector, and casting a ballot. If the elector 4174
provides either a driver's license or a state identification card 4175
issued under section 4507.50 of the Revised Code that does not 4176
contain the elector's current residence address, the elector shall 4177
provide the last four digits of the elector's driver's license 4178
number or state identification card number, and the precinct 4179
election official shall mark the poll list or signature pollbook 4180
to indicate that the elector has provided a driver's license or 4181
state identification card number with a former address and record 4182
the last four digits of the elector's driver's license number or 4183
state identification card number. 4184

(b) Any registered elector who changes the name of that 4185
registered elector and remains within a precinct on or prior to 4186
the day of a general, primary, or special election and has not 4187
filed a notice of change of name with the board of elections may 4188
vote in that election by going to that registered elector's 4189
assigned polling place, completing and signing a notice of a 4190
change of name, and casting a provisional ballot under section 4191
3505.181 of the Revised Code. 4192

(2) Any registered elector who moves from one precinct to 4193
another within a county or moves from one precinct to another and 4194
changes the name of that registered elector on or prior to the day 4195
of a general, primary, or special election and has not filed a 4196
notice of change of residence or change of name, whichever is 4197
appropriate, with the board of elections may vote in that election 4198
if that registered elector complies with division (G) of this 4199
section or does all of the following: 4200

(a) Appears at anytime during regular business hours on or 4201
after the twenty-eighth day prior to the election in which that 4202
registered elector wishes to vote, ~~or, if the election is held on~~ 4203
~~the day of a presidential primary election, the twenty-fifth day~~ 4204
~~prior to the election, through noon of the Saturday prior to the~~ 4205
~~election or at the office of the board of elections, appears at~~ 4206
any time during regular business hours on the Monday prior to the 4207
election at the office of the board of elections, or appears on 4208
the day of the election at either of the following locations: 4209

(i) The polling place in the precinct in which that 4210
registered elector resides; 4211

(ii) ~~The location designated by the board of elections, which~~ 4212
~~shall be the office of the board or another appropriate site~~ 4213
~~designated by the board in the county in which that registered~~ 4214
~~elector resides of elections or, if pursuant to division (C) of~~ 4215
~~section 3501.10 of the Revised Code the board has designated~~ 4216
~~another location in the county at which registered electors may~~ 4217
~~vote, at that other location instead of the office of the board of~~ 4218
~~elections.~~ 4219

(b) Completes and signs, under penalty of election 4220
falsification, a notice of change of residence or change of name, 4221
whichever is appropriate, and files it with election officials at 4222
the polling place, at the office of the board of elections, ~~or at~~ 4223
~~the site designated by the board or, if pursuant to division (C)~~ 4224
~~of section 3501.10 of the Revised Code the board has designated~~ 4225
~~another location in the county at which registered electors may~~ 4226
~~vote, at that other location instead of the office of the board of~~ 4227
~~elections, whichever is appropriate;~~ 4228

(c) Votes a provisional ballot under section 3505.181 of the 4229
Revised Code at the polling place, at the office of the board of 4230
elections, ~~or at the site designated by the board or, if pursuant~~ 4231

to division (C) of section 3501.10 of the Revised Code the board 4232
has designated another location in the county at which registered 4233
electors may vote, at that other location instead of the office of 4234
the board of elections, whichever is appropriate, ~~by absent~~ 4235
~~voter's ballots~~ using the address to which that registered elector 4236
has moved or the name of that registered elector as changed, 4237
whichever is appropriate; 4238

(d) Completes and signs, under penalty of election 4239
falsification, a statement attesting that that registered elector 4240
moved or had a change of name, whichever is appropriate, on or 4241
prior to the day of the election, has voted a provisional ballot 4242
at the polling place in the precinct in which that registered 4243
elector resides, at the office of the board of elections, ~~or at~~ 4244
~~the site designated by the board or, if pursuant to division (C)~~ 4245
of section 3501.10 of the Revised Code the board has designated 4246
another location in the county at which registered electors may 4247
vote, at that other location instead of the office of the board of 4248
elections, whichever is appropriate, and will not vote or attempt 4249
to vote at any other location for that particular election. The 4250
statement required under division (B)(2)(d) of this section shall 4251
be included on the notice of change of residence or change of 4252
name, whichever is appropriate, required under division (B)(2)(b) 4253
of this section. 4254

(C) Any registered elector who moves from one county to 4255
another county within the state on or prior to the day of a 4256
general, primary, or special election and has not registered to 4257
vote in the county to which that registered elector moved may vote 4258
in that election if that registered elector complies with division 4259
(G) of this section or does all of the following: 4260

(1) Appears at any time during regular business hours on or 4261
after the twenty-eighth day prior to the election in which that 4262
registered elector wishes to vote, ~~or, if the election is held on~~ 4263

the day of a presidential primary election, the twenty-fifth day 4264
prior to the election, through noon of the Saturday prior to the 4265
election ~~or at the office of the board of elections or, if~~ 4266
pursuant to division (C) of section 3501.10 of the Revised Code 4267
the board has designated another location in the county at which 4268
registered electors may vote, at that other location instead of 4269
the office of the board of elections, appears during regular 4270
business hours on the Monday prior to the election at the office 4271
of the board of elections or, if pursuant to division (C) of 4272
section 3501.10 of the Revised Code the board has designated 4273
another location in the county at which registered electors may 4274
vote, at that other location instead of the office of the board of 4275
elections, or appears on the day of the election at the location 4276
~~designated by the board of elections, which shall be either the~~ 4277
~~office of the board or another appropriate site designated by the~~ 4278
~~board in the county in which that registered elector resides of~~ 4279
elections or, if pursuant to division (C) of section 3501.10 of 4280
the Revised Code the board has designated another location in the 4281
county at which registered electors may vote, at that other 4282
location instead of the office of the board of elections; 4283

(2) Completes and signs, under penalty of election 4284
falsification, a notice of change of residence and files it with 4285
election officials at the board ~~or at the site designated by the~~ 4286
~~board, whichever is appropriate of elections or, if pursuant to~~ 4287
division (C) of section 3501.10 of the Revised Code the board has 4288
designated another location in the county at which registered 4289
electors may vote, at that other location instead of the office of 4290
the board of elections; 4291

(3) Votes a provisional ballot under section 3505.181 of the 4292
Revised Code at the office of the board of elections ~~or at a site~~ 4293
~~designated by the board by absent voter's ballots or, if pursuant~~ 4294
to division (C) of section 3501.10 of the Revised Code the board 4295

has designated another location in the county at which registered 4296
electors may vote, at that other location instead of the office of 4297
the board of elections, using the address to which that registered 4298
elector has moved; 4299

(4) Completes and signs, under penalty of election 4300
falsification, a statement attesting that that registered elector 4301
has moved from one county to another county within the state on or 4302
prior to the day of the election, has voted at the office of the 4303
board of elections ~~or at the site designated by the board,~~ 4304
~~whichever is appropriate or, if pursuant to division (C) of~~ 4305
section 3501.10 of the Revised Code the board has designated 4306
another location in the county at which registered electors may 4307
vote, at that other location instead of the office of the board of 4308
elections, and will not vote or attempt to vote at any other 4309
location for that particular election. The statement required 4310
under division (C)(4) of this section shall be included on the 4311
notice of change of residence required under division (C)(2) of 4312
this section. 4313

(D) A person who votes by absent voter's ballots pursuant to 4314
division ~~(B), (C), or~~ (G) of this section shall not make written 4315
application for the ballots pursuant to Chapter 3509. of the 4316
Revised Code. Ballots cast pursuant to division ~~(B), (C), or~~ (G) 4317
of this section shall be set aside in a special envelope and 4318
counted during the official canvass of votes in the manner 4319
provided for in sections 3505.32 and 3509.06 of the Revised Code 4320
insofar as that manner is applicable. The board shall examine the 4321
pollbooks to verify that no ballot was cast at the polls or by 4322
absent voter's ballots under Chapter 3509. or 3511. of the Revised 4323
Code by an elector who has voted by absent voter's ballots 4324
pursuant to division ~~(B), (C), or~~ (G) of this section. Any ballot 4325
determined to be insufficient for any of the reasons stated above 4326
or stated in section 3509.07 of the Revised Code shall not be 4327

counted. 4328

A Subject to division (C) of section 3501.10 of the Revised 4329
Code, a board of elections may lease or otherwise acquire a site 4330
different from the office of the board at which registered 4331
electors may vote pursuant to division (B) or (C) of this section. 4332

(E) Upon receiving a change of residence or change of name 4333
form, the board of elections shall immediately send the registrant 4334
an acknowledgment notice. If the change of residence or change of 4335
name form is valid, the board shall update the voter's 4336
registration as appropriate. If that form is incomplete, the board 4337
shall inform the registrant in the acknowledgment notice specified 4338
in this division of the information necessary to complete or 4339
update that registrant's registration. 4340

(F) Change of residence and change of name forms shall be 4341
available at each polling place, and when these forms are 4342
completed, noting changes of residence or name, as appropriate, 4343
they shall be filed with election officials at the polling place. 4344
Election officials shall return completed forms, together with the 4345
pollbooks and tally sheets, to the board of elections. 4346

The board of elections shall provide change of residence and 4347
change of name forms to the probate court and court of common 4348
pleas. The court shall provide the forms to any person eighteen 4349
years of age or older who has a change of name by order of the 4350
court or who applies for a marriage license. The court shall 4351
forward all completed forms to the board of elections within five 4352
days after receiving them. 4353

(G) A registered elector who otherwise would qualify to vote 4354
under division (B) or (C) of this section but is unable to appear 4355
at the office of the board ~~or other location designated by the~~ 4356
~~board~~ of elections or, if pursuant to division (C) of section 4357
3501.10 of the Revised Code the board has designated another 4358

location in the county at which registered electors may vote, at 4359
that other location, on account of personal illness, physical 4360
disability, or infirmity, may vote on the day of the election if 4361
that registered elector does all of the following: 4362

(1) Makes a written application that includes all of the 4363
information required under section 3509.03 of the Revised Code to 4364
the appropriate board for an absent voter's ballot on or after the 4365
twenty-seventh day prior to the election in which the registered 4366
elector wishes to vote through noon of the Saturday prior to that 4367
election and requests that the absent voter's ballot be sent to 4368
the address to which the registered elector has moved if the 4369
registered elector has moved, or to the address of that registered 4370
elector who has not moved but has had a change of name; 4371

(2) Declares that the registered elector has moved or had a 4372
change of name, whichever is appropriate, and otherwise is 4373
qualified to vote under the circumstances described in division 4374
(B) or (C) of this section, whichever is appropriate, but that the 4375
registered elector is unable to appear at the board ~~or other~~ 4376
~~location designated by the board of elections~~ because of personal 4377
illness, physical disability, or infirmity; 4378

(3) Completes and returns along with the completed absent 4379
voter's ballot a notice of change of residence indicating the 4380
address to which the registered elector has moved, or a notice of 4381
change of name, whichever is appropriate; 4382

(4) Completes and signs, under penalty of election 4383
falsification, a statement attesting that the registered elector 4384
has moved or had a change of name on or prior to the day before 4385
the election, has voted by absent voter's ballot because of 4386
personal illness, physical disability, or infirmity that prevented 4387
the registered elector from appearing at the board ~~or other~~ 4388
~~location designated by the board of elections,~~ and will not vote 4389
or attempt to vote at any other location or by absent voter's 4390

ballot mailed to any other location or address for that particular 4391
election. 4392

Sec. 3503.19. (A) Persons qualified to register or to change 4393
their registration because of a change of address or change of 4394
name may register or change their registration in person at any 4395
state or local office of a designated agency, at the office of the 4396
registrar or any deputy registrar of motor vehicles, at a public 4397
high school or vocational school, at a public library, at the 4398
office of a county treasurer, or at a branch office established by 4399
the board of elections, or in person, through another person, or 4400
by mail at the office of the secretary of state or at the office 4401
of a board of elections. A registered elector may also change the 4402
elector's registration on election day at any polling place where 4403
the elector is eligible to vote, ~~on election day~~ in the manner 4404
provided under section 3503.16 of the Revised Code. 4405

Any state or local office of a designated agency, the office 4406
of the registrar or any deputy registrar of motor vehicles, a 4407
public high school or vocational school, a public library, or the 4408
office of a county treasurer shall transmit any voter registration 4409
application or change of registration form that it receives to the 4410
board of elections of the county in which the state or local 4411
office is located, within five days after receiving the voter 4412
registration application or change of registration form. 4413

An otherwise valid voter registration application that is 4414
returned to the appropriate office other than by mail must be 4415
received by a state or local office of a designated agency, the 4416
office of the registrar or any deputy registrar of motor vehicles, 4417
a public high school or vocational school, a public library, the 4418
office of a county treasurer, the office of the secretary of 4419
state, or the office of a board of elections no later than the 4420
thirtieth day preceding a primary, special, or general election 4421

for the person to qualify as an elector eligible to vote at that 4422
election. An otherwise valid registration application received 4423
after that day entitles the elector to vote at all subsequent 4424
elections. 4425

Any state or local office of a designated agency, the office 4426
of the registrar or any deputy registrar of motor vehicles, a 4427
public high school or vocational school, a public library, or the 4428
office of a county treasurer shall date stamp a registration 4429
application or change of name or change of address form it 4430
receives using a date stamp that does not disclose the identity of 4431
the state or local office that receives the registration. 4432

Voter registration applications, if otherwise valid, that are 4433
returned by mail to the office of the secretary of state or to the 4434
office of a board of elections must be postmarked no later than 4435
the thirtieth day preceding a primary, special, or general 4436
election in order for the person to qualify as an elector eligible 4437
to vote at that election. If an otherwise valid voter registration 4438
application that is returned by mail does not bear a postmark or a 4439
legible postmark, the registration shall be valid for that 4440
election if received by the office of the secretary of state or 4441
the office of a board of elections no later than twenty-five days 4442
preceding any special, primary, or general election. 4443

(B)(1) Any person may apply in person, by telephone, by mail, 4444
or through another person for voter registration forms to the 4445
office of the secretary of state or the office of a board of 4446
elections. ~~Completed~~ 4447

(2)(a) An applicant may return the applicant's completed 4448
registration forms may be returned form in person ~~or through~~ 4449
~~another person or by mail~~ to any state or local office of a 4450
designated agency, to a public high school or vocational school, 4451
to a public library, ~~or~~ to the office of a county treasurer, ~~or in~~ 4452

person, ~~through another person, or by mail~~ to the office of the 4453
secretary of state, ~~or to~~ the office of a board of elections. 4454

(b) Subject to division (B)(2)(c) of this section, an 4455
applicant may return the applicant's completed registration form 4456
through another person to any board of elections or the office of 4457
the secretary of state. 4458

(c) A person who receives compensation for registering a 4459
voter shall return any registration form entrusted to that person 4460
by an applicant to any board of elections or to the office of the 4461
secretary of state. 4462

(d) If a board of elections or the office of the secretary of 4463
state receives a registration form under division (B)(2)(b) or (c) 4464
of this section before the thirtieth day before an election, the 4465
board or the office of the secretary of state, as applicable, 4466
shall forward the registration to the board of elections of the 4467
county in which the applicant is seeking to register to vote 4468
within ten days after receiving the application. If a board of 4469
elections or the office of the secretary of state receives a 4470
registration form under division (B)(2)(b) or (c) of this section 4471
on or after the thirtieth day before an election, the board or the 4472
office of the secretary of state, as applicable, shall forward the 4473
registration to the board of elections of the county in which the 4474
applicant is seeking to register to vote within thirty days after 4475
that election. 4476

(C)(1) A board of elections that receives a voter 4477
registration application and is satisfied as to the truth of the 4478
statements made in the registration form shall register the 4479
applicant and not later than twenty business days after receiving 4480
the application, unless that application is received during the 4481
thirty days immediately preceding the day of an election. The 4482
board shall promptly notify the applicant in writing of each of 4483
the following: 4484

(a) The applicant's registration and the; 4485

(b) The precinct in which the applicant is to vote. The; 4486

(c) In bold type as follows: 4487

"Voters must bring identification to the polls in order to 4488
verify identity. Identification may include a current and valid 4489
photo identification, or a copy of a current utility bill, bank 4490
statement, government check, paycheck, or other government 4491
document, other than this notification or a notification of an 4492
election mailed by a board of elections, that shows the voter's 4493
name and current address. Voters who do not provide one of these 4494
documents will still be able to vote by providing the last four 4495
digits of the voter's social security number and by casting a 4496
provisional ballot. Voters who do not have any of the above forms 4497
of identification, including a social security number, will still 4498
be able to vote by signing an affirmation swearing to the voter's 4499
identity under penalty of election falsification and by casting a 4500
provisional ballot." 4501

The notification shall be by nonforwardable mail, and if. If 4502
the mail is returned to the board, it shall investigate and cause 4503
the notification to be delivered to the correct address; or if it 4504
determines that the voter is not eligible to vote for residency 4505
reasons it shall cancel the registration and notify the 4506
registrant, at the last known address, of a need to reregister. If 4507
the board does not accept the application for registration, it 4508
shall immediately notify the applicant of the reasons for 4509
rejecting the application and request the applicant to provide 4510
whatever information or verification is necessary to complete the 4511
application. 4512

(2) If, after investigating as required under division (C)(1) 4513
of this section, the board is unable to verify the voter's correct 4514
address, it shall cause the voter's name in the official 4515

registration list and in the poll list or signature pollbook to be
marked to indicate that the voter's notification was returned to
the board.

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

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

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

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(1) The filing by a registered elector of a written request
with a board of elections, on a form prescribed by the secretary

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of state and signed by the elector, that ~~his~~ the registration be 4547
canceled. The filing of such a request does not prohibit an 4548
otherwise qualified elector from reregistering to vote at any 4549
time. 4550

(2) The filing of a notice of the death of the registered 4551
elector as provided in section 3503.18 of the Revised Code; 4552

(3) The conviction of the registered elector of a felony 4553
under the laws of this state, any other state, or the United 4554
States as provided in section 2961.01 of the Revised Code; 4555

(4) The adjudication of incompetency of the registered 4556
elector for the purpose of voting as provided in section 5122.301 4557
of the Revised Code; 4558

(5) The change of residence of the registered elector to a 4559
location outside the county of registration in accordance with 4560
division (B) of this section; 4561

(6) The failure of the registered elector, after ~~he has~~ 4562
having been mailed a confirmation notice, to do either of the 4563
following: 4564

(a) Respond to such a notice and vote at least once during a 4565
period of four consecutive years, which period shall include two 4566
general federal elections; 4567

(b) Update ~~his~~ the elector's registration and vote at least 4568
once during a period of four consecutive years, which period shall 4569
include two general federal elections. 4570

(B)(1) The secretary of state shall prescribe procedures to 4571
identify and cancel the registration in a prior county of 4572
residence of any registrant who changes ~~his~~ the registrant's 4573
voting residence to a location outside ~~his~~ the registrant's 4574
current county of registration. Any procedures prescribed in this 4575
division shall be uniform and nondiscriminatory, and shall comply 4576

with the Voting Rights Act of 1965. The secretary of state may 4577
prescribe procedures under this division that include the use of 4578
the national change of address service provided by the United 4579
States postal system through its licensees. Any program so 4580
prescribed shall be completed not later than ninety days prior to 4581
the date of any primary or general election for federal office. 4582

(2) The registration of any elector identified as having 4583
changed ~~his~~ the elector's voting residence to a location outside 4584
~~his~~ the elector's current county of registration shall not be 4585
canceled unless the registrant is sent a confirmation notice on a 4586
form prescribed by the secretary of state and the registrant fails 4587
to respond to the confirmation notice or otherwise update ~~his~~ the 4588
registration and fails to vote in any election during the period 4589
of two federal elections subsequent to the mailing of the 4590
confirmation notice. 4591

(C) The registration of a registered elector shall not be 4592
canceled except as provided in this section, division (Q) of 4593
section 3501.05 of the Revised Code, division (C)(2) of section 4594
3503.19 of the Revised Code, or division (C) of section 3503.24 of 4595
the Revised Code. 4596

(D) Boards of elections shall send their voter registration 4597
~~lists~~ information to the secretary of state ~~semiannually as~~ 4598
required under section 3503.15 of the Revised Code. In the first 4599
quarter of each odd-numbered year, the secretary of state shall 4600
send the information ~~contained in these lists~~ to the national 4601
change of address service described in division (B) of this 4602
section and request that service to provide the secretary of state 4603
with a list of any voters ~~on the lists~~ sent by the secretary of 4604
state who have moved within the last thirty-six months. The 4605
secretary of state shall transmit to each appropriate board of 4606
elections whatever lists ~~he~~ the secretary of state receives from 4607
that service. The board shall send a notice to each person on the 4608

list transmitted by the secretary of state requesting confirmation 4609
of the person's change of address, together with a postage 4610
prepaid, preaddressed return envelope containing a form on which 4611
the voter may verify or correct the change of address information. 4612

(E) The registration of a registered elector described in 4613
division (A)(6) or (B)(2) of this section shall be canceled not 4614
later than one hundred twenty days after the date of the second 4615
general federal election in which the elector fails to vote or not 4616
later than one hundred twenty days after the expiration of the 4617
four-year period in which the elector fails to vote or respond to 4618
a confirmation notice, whichever is later. 4619

Sec. 3503.23. (A) ~~At least fifteen~~ Fourteen days before an 4620
election, ~~the board of elections~~ shall cause to be prepared from 4621
~~the registration cards~~ statewide voter registration database 4622
established under section 3503.15 of the Revised Code a complete 4623
and official registration list for each precinct, containing the 4624
names, addresses, and political party whose ballot the elector 4625
voted in the most recent primary election within the current year 4626
and the immediately preceding two calendar years, of all qualified 4627
registered voters in the precinct. All the names, insofar as 4628
practicable, shall be arranged ~~either~~ in alphabetical order, ~~or in~~ 4629
~~geographical order according to streets in the precincts.~~ All the 4630
~~The lists shall~~ may be prepared either in sheet form ~~and~~ on one 4631
side of the paper or in electronic form, at the discretion of the 4632
board. Each precinct list shall be headed "Register of Voters," 4633
and under the heading shall be indicated the district or ward and 4634
precinct ~~followed by the statement:~~ 4635

~~"Any voter of the county on or before the seventh day prior 4636~~
~~to the election may file with the board of elections at the 4637~~
~~board's offices located at objections to the 4638~~
~~registration of any person on this list who, he has reason to 4639~~

~~believe, is not eligible to vote, or a request for the addition to~~ 4640
~~the list of registered voters whose names have been omitted or who~~ 4641
~~have been erroneously dropped from the registration list of the~~ 4642
~~precinct."~~ 4643

Appended to each precinct list shall be attached the names of 4644
the members of the board and the name of the director. A 4645
sufficient number of such lists ~~may~~ shall be provided for 4646
distribution to the candidates, political parties, or organized 4647
groups that apply for them. The board shall have each precinct 4648
list available at the board for viewing by the public during 4649
normal business hours. The board shall ensure that, by the opening 4650
of the polls on the day of a general or primary election, each 4651
precinct has a paper copy of the registration list of voters in 4652
that precinct. 4653

(B) On the day of a general or primary election, precinct 4654
election officials shall do both of the following: 4655

(1) By the time the polls open, conspicuously post and 4656
display at the polling place one copy of the registration list of 4657
voters in that precinct in an area of the polling place that is 4658
easily accessible; 4659

(2) At 11 a.m. and 4 p.m. place a mark, on the official 4660
registration list posted at the polling place, before the name of 4661
those registered voters who have voted. 4662

(C) Notwithstanding division (B) of section 3501.35 of the 4663
Revised Code, any person may enter the polling place for the sole 4664
purpose of reviewing the official registration list posted in 4665
accordance with division (B) of this section, provided that the 4666
person does not engage in conduct that would constitute harassment 4667
in violation of the election law, as defined in section 3501.90 of 4668
the Revised Code. 4669

Sec. 3503.24. (A) Application for the correction of any 4670
precinct registration list or a challenge of the right to vote of 4671
any registered elector may be made by any qualified elector of the 4672
county at the office of the board of elections not later than 4673
~~eleven~~ twenty days prior to the election. The applications or 4674
challenges, with the reasons for the application or challenge, 4675
shall be filed with the board on a form prescribed by the 4676
secretary of state and shall be signed under penalty of election 4677
falsification. 4678

(B) On receiving an application or challenge filed under this 4679
section, the board of elections promptly shall review the board's 4680
records. If the board is able to determine that an application or 4681
challenge should be granted or denied solely on the basis of the 4682
records maintained by the board, the board immediately shall vote 4683
to grant or deny that application or challenge. 4684

If the board is not able to determine whether an application 4685
or challenge should be granted or denied solely on the basis of 4686
the records maintained by the board, the director shall promptly 4687
set a time and date for a hearing before the board. ~~The~~ Except as 4688
otherwise provided in division (D) of this section, the hearing 4689
shall be held, and the application or challenge shall be decided, 4690
no later than ~~two~~ ten days prior to any election after the board 4691
receives the application or challenge. The director shall send 4692
written notice to any elector whose right to vote is challenged 4693
and to any person whose name is alleged to have been omitted from 4694
a registration list. The notice shall inform the person of the 4695
time and date of the hearing, and of the person's right to appear 4696
and testify, call witnesses, and be represented by counsel. The 4697
notice shall be sent by first class mail no later than three days 4698
before the day of any scheduled hearing. The director shall also 4699
provide the person who filed the application or challenge with 4700

such written notice of the date and time of the hearing. 4701

At the request of either party or any member of the board, 4702
the board shall issue subpoenas to witnesses to appear and testify 4703
before the board at a hearing held under this section. All 4704
witnesses shall testify under oath. The board shall reach a 4705
decision on all applications and challenges immediately after 4706
hearing. 4707

(C) If the board decides that any such person is not entitled 4708
to have the person's name on the registration list, the person's 4709
name shall be removed from the list and the person's registration 4710
forms canceled. If the board decides that the name of any such 4711
person should appear on ~~such~~ the registration list, it shall be 4712
added ~~thereto~~ to the list, and the person's registration forms 4713
placed in the proper registration files. All such corrections and 4714
additions shall be made on a copy of the precinct lists, which 4715
shall constitute the poll lists, to be furnished to the respective 4716
precincts with other election supplies on the day preceding the 4717
election, to be used by the ~~clerks~~ election officials in receiving 4718
the signatures of voters and in checking against the registration 4719
forms. 4720

(D)(1) If an application or challenge for which a hearing is 4721
required to be conducted under division (B) of this section is 4722
filed after the thirtieth day before the day of an election, the 4723
board of elections, in its discretion, may postpone that hearing 4724
and any notifications of that hearing until after the day of the 4725
election. Any hearing postponed under this division shall be 4726
conducted not later than ten days after the day of the election. 4727

(2) The board of elections shall cause the name of any 4728
registered elector whose registration is challenged and whose 4729
challenge hearing is postponed under division (D)(1) of this 4730
section to be marked in the official registration list and in the 4731
poll list or signature pollbook for that elector's precinct to 4732

indicate that the elector's registration is subject to challenge. 4733

(3) Any elector who is the subject of an application or 4734
challenge hearing that is postponed under division (D)(1) of this 4735
section shall be permitted to vote a provisional ballot under 4736
section 3505.181 of the Revised Code. The validity of a 4737
provisional ballot cast pursuant to this section shall be 4738
determined in accordance with section 3505.183 of the Revised 4739
Code, except that no such provisional ballot shall be counted 4740
unless the hearing conducted under division (B) of this section 4741
after the day of the election results in the elector's inclusion 4742
in the official registration list. 4743

Sec. 3503.28. (A) The secretary of state shall develop an 4744
information brochure regarding voter registration. The brochure 4745
shall include, but is not limited to, all of the following 4746
information: 4747

(1) The applicable deadlines for registering to vote or for 4748
returning an applicant's completed registration form; 4749

(2) The applicable deadline for returning an applicant's 4750
completed registration form if the person returning the form is 4751
being compensated for registering voters; 4752

(3) The locations to which a person may return an applicant's 4753
completed registration form; 4754

(4) The location to which a person who is compensated for 4755
registering voters may return an applicant's completed 4756
registration form; 4757

(5) The registration and affirmation requirements applicable 4758
to persons who are compensated for registering voters under 4759
section 3503.29 of the Revised Code; 4760

(6) A notice, which shall be written in bold type, stating as 4761
follows: 4762

"Voters must bring identification to the polls in order to 4763
verify identity. Identification may include a current and valid 4764
photo identification, or a copy of a current utility bill, bank 4765
statement, government check, paycheck, or other government 4766
document, other than a notice of an election or a voter 4767
registration notification sent by a board of elections, that shows 4768
the voter's name and current address. Voters who do not provide 4769
one of these documents will still be able to vote by providing the 4770
last four digits of the voter's social security number and by 4771
casting a provisional ballot. Voters who do not have any of the 4772
above forms of identification, including a social security number, 4773
will still be able to vote by signing an affirmation swearing to 4774
the voter's identity under penalty of election falsification and 4775
by casting a provisional ballot." 4776

(B) Except as otherwise provided in division (D) of this 4777
section, a board of elections, designated agency, public high 4778
school, public vocational school, public library, office of a 4779
county treasurer, or deputy registrar of motor vehicles shall 4780
distribute a copy of the brochure developed under division (A) of 4781
this section to any person who requests more than two voter 4782
registration forms at one time. 4783

(C)(1) The secretary of state shall provide the information 4784
required to be included in the brochure developed under division 4785
(A) of this section to any person who prints a voter registration 4786
form that is made available on a web site of the office of the 4787
secretary of state. 4788

(2) A board of elections shall provide the information 4789
required to be included in the brochure developed under division 4790
(A) of this section to any person who prints a voter registration 4791
form that is made available on the board of elections' web site 4792
or, if the board does not operate and maintain its own web site, 4793
on the web site it operates and maintains on free internet space 4794

under section 3501.24 of the Revised Code. 4795

(D) A board of elections shall not be required to distribute 4796
a copy of a brochure under division (B) of this section to any of 4797
the following officials or employees who are requesting more than 4798
two voter registration forms at one time in the course of the 4799
official's or employee's normal duties: 4800

(1) An election official; 4801

(2) A county treasurer; 4802

(3) A deputy registrar of motor vehicles; 4803

(4) An employee of a designated agency; 4804

(5) An employee of a public high school; 4805

(6) An employee of a public vocational school; 4806

(7) An employee of a public library; 4807

(8) An employee of the office of a county treasurer; 4808

(9) An employee of the bureau of motor vehicles; 4809

(10) An employee of a deputy registrar of motor vehicles; 4810

(11) An employee of an election official. 4811

(E) As used in this section, "registering voters" includes 4812
any effort, for compensation, to provide voter registration forms 4813
or to assist persons in completing or returning those forms. 4814

Sec. 3503.29. (A) The secretary of state shall develop and 4815
make available through a web site of the office of the secretary 4816
of state a training program for any person who receives or expects 4817
to receive compensation for registering a voter. The secretary of 4818
state shall specify, by rule adopted pursuant to Chapter 119. of 4819
the Revised Code, the information to be included in the online 4820
training program developed under this division. 4821

(B) Except as otherwise provided in division (E) of this 4822
section, the secretary of state, by rules adopted pursuant to 4823
Chapter 119. of the Revised Code, shall prescribe a program under 4824
which each board of elections shall register any person who 4825
receives or expects to receive compensation for registering a 4826
voter in the county. 4827

(C) Except as otherwise provided in division (E) of this 4828
section, in each year in which a person receives or expects to 4829
receive compensation for registering a voter, that person, prior 4830
to registering a voter, shall do all of the following: 4831

(1) Register with the board of elections of each county in 4832
which the person intends to register a voter in accordance with 4833
the program prescribed under division (B) of this section; 4834

(2) Complete the training program established by the 4835
secretary of state under division (A) of this section. 4836

(3) Sign an affirmation that includes all of the following: 4837

(a) The person's name; 4838

(b) The person's date of birth; 4839

(c) The person's permanent address; 4840

(d) A statement that the person has registered, as required 4841
under division (C)(1) of this section, with the board of elections 4842
of the county in which the person intends to register voters; 4843

(e) A statement that the person has completed the training 4844
program required under division (C)(2) of this section; 4845

(f) A statement that the person will follow all applicable 4846
laws of this state while registering voters. 4847

(D) Except as otherwise provided in division (E) of this 4848
section, each time a person who receives or expects to receive 4849
compensation for registering a voter submits a completed 4850

registration form that has been entrusted to that person to a 4851
board of elections, the person also shall submit, with the voter 4852
registration form, a copy of the affirmation signed by the person 4853
under division (C)(3) of this section. A single copy of the signed 4854
affirmation may be submitted with all voter registration forms 4855
that are returned by that person at one time. 4856

(E) None of the following officials or employees who are 4857
registering voters in the course of the official's or employee's 4858
normal duties shall be required to comply with divisions (C) and 4859
(D) of this section: 4860

- (1) An election official; 4861
- (2) A county treasurer; 4862
- (3) A deputy registrar of motor vehicles; 4863
- (4) An employee of a designated agency; 4864
- (5) An employee of a public high school; 4865
- (6) An employee of a public vocational school; 4866
- (7) An employee of a public library; 4867
- (8) An employee of the office of a county treasurer; 4868
- (9) An employee of the bureau of motor vehicles; 4869
- (10) An employee of a deputy registrar of motor vehicles; 4870
- (11) An employee of an election official. 4871

(F) As used in this section, "registering a voter" and 4872
"registering voters" includes any effort, for compensation, to 4873
provide voter registration forms or to assist persons in 4874
completing or returning those forms. 4875

Sec. 3505.062. The Ohio ballot board shall do all of the 4876
following: 4877

(A) Examine, within ten days after its receipt, each written 4878
initiative petition received from the attorney general under 4879
section 3519.01 of the Revised Code to determine whether it 4880
contains only one proposed law or constitutional amendment so as 4881
to enable the voters to vote on a proposal separately. If the 4882
board so determines, it shall certify its approval to the attorney 4883
general, who then shall file with the secretary of state in 4884
accordance with division (A) of section 3519.01 of the Revised 4885
Code a verified copy of the proposed law or constitutional 4886
amendment together with its summary and the attorney general's 4887
certification of it. 4888

If the board determines that the initiative petition contains 4889
more than one proposed law or constitutional amendment, the board 4890
shall divide the initiative petition into individual petitions 4891
containing only one proposed law or constitutional amendment so as 4892
to enable the voters to vote on each proposal separately and 4893
certify its approval to the attorney general. If the board so 4894
divides an initiative petition and so certifies its approval to 4895
the attorney general, the petitioners shall resubmit to the 4896
attorney general appropriate summaries for each of the individual 4897
petitions arising from the board's division of the initiative 4898
petition, and the attorney general then shall review the 4899
resubmissions as provided in division (A) of section 3519.01 of 4900
the Revised Code. 4901

(B) Prescribe the ballot language for constitutional 4902
amendments proposed by the general assembly to be printed on the 4903
questions and issues ballot, which language shall properly 4904
identify the substance of the proposal to be voted upon; 4905

~~(B)~~(C) Prepare an explanation of each constitutional 4906
amendment proposed by the general assembly, which explanation may 4907
include the purpose and effects of the proposed amendment; 4908

~~(C)~~(D) Certify the ballot language and explanation, if any, 4909
to the secretary of state no later than ~~eighty~~ seventy-five days 4910
before the election at which the proposed question or issue is to 4911
be submitted to the voters; 4912

~~(D)~~(E) Prepare, or designate a group of persons to prepare, 4913
arguments in support of or in opposition to a constitutional 4914
amendment proposed by a resolution of the general assembly, a 4915
constitutional amendment or state law proposed by initiative 4916
petition, or a state law, or section or item of state law, subject 4917
to a referendum petition, if the persons otherwise responsible for 4918
the preparation of those arguments fail to timely prepare and file 4919
them; 4920

~~(E)~~(F) Direct the means by which the secretary of state shall 4921
disseminate information concerning proposed constitutional 4922
amendments to the voters; 4923

~~(F)~~(G) Direct the chairperson to reimburse county boards of 4924
elections for public notice costs associated with statewide ballot 4925
issues, to the extent that the general assembly appropriates money 4926
for that purpose. 4927

Sec. 3505.063. (A) When the general assembly adopts a 4928
resolution proposing a constitutional amendment, it may, by 4929
resolution, designate a group of members who voted in support of 4930
the resolution to prepare arguments for the proposed amendment, 4931
and a group of members who voted in opposition to the resolution 4932
to prepare arguments against the proposed amendment. If no members 4933
voted in opposition to the resolution, or if the general assembly 4934
chooses not to designate a group of members to prepare arguments 4935
for the proposed amendment or chooses not to designate a group of 4936
members to prepare arguments against the proposed amendment, the 4937
Ohio ballot board shall prepare or designate a group of persons to 4938
prepare the relevant arguments. All arguments prepared under this 4939

division shall be filed with the secretary of state ~~no~~ not later 4940
than ~~seventy-five~~ eighty days before the date of the election. No 4941
argument shall exceed three hundred words. 4942

(B)(1) If the group of members of the general assembly or 4943
other group of persons designated under division (A) of this 4944
section fail to prepare and file their arguments in support of or 4945
in opposition to the proposed amendment by the ~~seventy-fifth~~ 4946
eightieth day before the date of the election, the secretary of 4947
state shall notify the Ohio ballot board that those arguments have 4948
not been so prepared and filed. The board then shall prepare the 4949
missing arguments or designate a group of persons to prepare those 4950
arguments. All arguments prepared under this division shall be 4951
filed with the secretary of state ~~no~~ not later than ~~seventy~~ 4952
seventy-five days before the date of the election. No argument 4953
shall exceed three hundred words. 4954

(2) If the Ohio ballot board fails to provide for the 4955
preparation of missing arguments under division (B)(1) of this 4956
section after being notified by the secretary of state that one or 4957
more arguments have not been timely prepared and filed, the 4958
positions of the four appointed members of the board shall be 4959
considered vacant, and new members shall be appointed in the 4960
manner provided for original appointments. 4961

(C) The secretary of state shall disseminate information, 4962
which may include part or all of the official explanation and 4963
arguments concerning proposed amendments, by means of direct mail 4964
or other written publication, broadcast, or other means or 4965
combination of means, as the Ohio ballot board may direct, in 4966
order to inform the voters as fully as possible concerning 4967
proposed amendments. 4968

Sec. 3505.16. Before the opening of the polls, the package of 4969
supplies and the ballot boxes shall be opened in the presence of 4970

the precinct officials. The ballot boxes, the package of ballots, 4971
registration forms, and other supplies shall at all times be in 4972
full sight of the ~~challenger or witnesses~~ observers, and no ballot 4973
box or unused ballots during the balloting or counting shall be 4974
removed or screened from their full sight until the counting has 4975
been closed and the final returns completed and the certificate 4976
signed by the judges ~~and clerks~~. 4977

Sec. 3505.18. (A)(1) When an elector appears in a polling 4978
place to vote he, the elector shall announce his to the precinct 4979
election officials the elector's full name and current address to 4980
the precinct election officials. He and provide proof of the 4981
elector's identity in the form of either a current and valid photo 4982
identification or a copy of a current utility bill, bank 4983
statement, government check, paycheck, or other government 4984
document, other than a notice of an election mailed by a board of 4985
elections under section 3501.19 of the Revised Code or a notice of 4986
voter registration mailed by a board of elections under section 4987
3503.19 of the Revised Code, that shows the name and current 4988
address of the elector. If the elector provides either a driver's 4989
license or a state identification card issued under section 4990
4507.50 of the Revised Code that does not contain the elector's 4991
current residence address, the elector shall provide the last four 4992
digits of the elector's driver's license number or state 4993
identification card number, and the precinct election official 4994
shall mark the poll list or signature pollbook to indicate that 4995
the elector has provided a driver's license or state 4996
identification card number with a former address and record the 4997
last four digits of the elector's driver's license number or state 4998
identification card number. 4999

(2) If an elector has but is unable to provide to the 5000
precinct election officials any of the forms of identification 5001
required under division (A)(1) of this section, but has a social 5002

security number, the elector may provide the last four digits of 5003
the elector's social security number. Upon providing the social 5004
security number information, the elector may cast a provisional 5005
ballot under section 3505.181 of the Revised Code, the envelope of 5006
which ballot shall include that social security number 5007
information. 5008

(3) If an elector has but is unable to provide to the 5009
precinct election officials any of the forms of identification 5010
required under division (A)(1) of this section and if the elector 5011
has a social security number but is unable to provide the last 5012
four digits of the elector's social security number, the elector 5013
may cast a provisional ballot under section 3505.181 of the 5014
Revised Code. 5015

(4) If an elector does not have any of the forms of 5016
identification required under division (A)(1) of this section and 5017
cannot provide the last four digits of the elector's social 5018
security number because the elector does not have a social 5019
security number, the elector may execute an affirmation under 5020
penalty of election falsification that the elector cannot provide 5021
the identification required under that division or the last four 5022
digits of the elector's social security number for those reasons. 5023
Upon signing the affirmation, the elector may cast a provisional 5024
ballot under section 3505.181 of the Revised Code. The secretary 5025
of state shall prescribe the form of the affirmation, which shall 5026
include spaces for all of the following: 5027

- (a) The elector's name; 5028
- (b) The elector's address; 5029
- (c) The current date; 5030
- (d) The elector's date of birth; 5031
- (e) The elector's signature. 5032

(5) If an elector does not have any of the forms of 5033
identification required under division (A)(1) of this section and 5034
cannot provide the last four digits of the elector's social 5035
security number because the elector does not have a social 5036
security number, and if the elector declines to execute an 5037
affirmation under division (A)(4) of this section, the elector may 5038
cast a provisional ballot under section 3505.181 of the Revised 5039
Code, the envelope of which ballot shall include the elector's 5040
name. 5041

(6) If an elector has but declines to provide to the precinct 5042
election officials any of the forms of identification required 5043
under division (A)(1) of this section or the elector has a social 5044
security number but declines to provide to the precinct election 5045
officials the last four digits of the elector's social security 5046
number, the elector may cast a provisional ballot under section 5047
3505.181 of the Revised Code. 5048

(B) After the elector has announced the elector's full name 5049
and current address and provided any of the forms of 5050
identification required under division (A)(1) of this section, the 5051
elector shall then write his the elector's name and address at the 5052
proper place in the poll lists list or signature pollbooks 5053
pollbook provided therefor for the purpose, except that if, for 5054
any reason, an elector shall be is unable to write his the 5055
elector's name and current address in the poll list or signature 5056
pollbook, the elector may make his the elector's mark at the place 5057
intended for his the elector's name, and a precinct election 5058
official shall write the name of the elector at the proper place 5059
on the poll list or signature pollbook following the elector's 5060
mark, upon the presentation of proper identification. The making 5061
of such a mark shall be attested by the precinct election 5062
official, who shall evidence the same by signing his the precinct 5063
election official's name on the poll list or signature pollbook as 5064

a witness to ~~such~~ the mark. Alternatively, if applicable, an 5065
attorney in fact acting pursuant to section 3501.382 of the 5066
Revised Code may sign the elector's signature in the poll list or 5067
signature pollbook in accordance with that section. 5068

The elector's signature in the poll ~~lists~~ list or signature 5069
~~pollbooks shall~~ pollbook then shall be compared with ~~his~~ the 5070
elector's signature on ~~his~~ the elector's registration form or a 5071
digitized signature list as provided for in section 3503.13 of the 5072
Revised Code, and if, in the opinion of a majority of the precinct 5073
election officials, the signatures are the signatures of the same 5074
person, the ~~clerk~~ election officials shall enter the date of the 5075
election on the registration form or shall record the date by ~~such~~ 5076
other means ~~as may be~~ prescribed by the secretary of state. ~~If~~ The 5077
validity of an attorney in fact's signature on behalf of an 5078
elector shall be determined in accordance with section 3501.382 of 5079
the Revised Code. 5080

If the right of the elector to vote is not then challenged, 5081
or, if being challenged, ~~he~~ the elector establishes ~~his~~ the 5082
elector's right to vote, ~~he~~ the elector shall be allowed to 5083
~~proceed into~~ to use the voting machine. If voting machines are not 5084
being used in that precinct, the judge in charge of ballots shall 5085
then detach the next ballots to be issued to the elector from Stub 5086
B attached to each ballot, leaving Stub A attached to each ballot, 5087
hand the ballots to the elector, and call ~~his~~ the elector's name 5088
and the stub number on each of the ballots. The ~~clerk~~ judge shall 5089
enter the stub numbers opposite the signature of the elector in 5090
the pollbook. The elector shall then retire to one of the voting 5091
compartments to mark ~~his~~ the elector's ballots. No mark shall be 5092
made on any ballot which would in any way enable any person to 5093
identify the person who voted the ballot. 5094

Sec. 3505.181. (A) All of the following individuals shall be 5095

permitted to cast a provisional ballot at an election: 5096

(1) An individual who declares that the individual is a 5097
registered voter in the jurisdiction in which the individual 5098
desires to vote and that the individual is eligible to vote in an 5099
election, but the name of the individual does not appear on the 5100
official list of eligible voters for the polling place or an 5101
election official asserts that the individual is not eligible to 5102
vote; 5103

(2) An individual who has a social security number and 5104
provides to the election officials the last four digits of the 5105
individual's social security number as permitted by division 5106
(A)(2) of section 3505.18 of the Revised Code; 5107

(3) An individual who has but is unable to provide to the 5108
election officials any of the forms of identification required 5109
under division (A)(1) of section 3505.18 of the Revised Code and 5110
who has a social security number but is unable to provide the last 5111
four digits of the individual's social security number as 5112
permitted under division (A)(2) of that section; 5113

(4) An individual who does not have any of the forms of 5114
identification required under division (A)(1) of section 3505.18 5115
of the Revised Code, who cannot provide the last four digits of 5116
the individual's social security number under division (A)(2) of 5117
that section because the individual does not have a social 5118
security number, and who has executed an affirmation as permitted 5119
under division (A)(4) of that section; 5120

(5) An individual whose name in the poll list or signature 5121
pollbook has been marked under section 3509.09 or 3511.13 of the 5122
Revised Code as having requested an absent voter's ballot or an 5123
armed service absent voter's ballot for that election and who 5124
appears to vote at the polling place; 5125

(6) An individual whose notification of registration has been 5126
returned undelivered to the board of elections and whose name in 5127
the official registration list and in the poll list or signature 5128
pollbook has been marked under division (C)(2) of section 3503.19 5129
of the Revised Code; 5130

(7) An individual who is challenged under section 3505.20 of 5131
the Revised Code and the election officials determine that the 5132
person is ineligible to vote or are unable to determine the 5133
person's eligibility to vote; 5134

(8) An individual whose application or challenge hearing has 5135
been postponed until after the day of the election under division 5136
(D)(1) of section 3503.24 of the Revised Code; 5137

(9) An individual whose notice of election has been returned 5138
undelivered to the board of elections and whose name in the 5139
official registration list and poll list or signature pollbook has 5140
been marked under division (B) of section 3501.19 of the Revised 5141
Code; 5142

(10) An individual who changes the individual's name and 5143
remains within the precinct, moves from one precinct to another 5144
within a county, moves from one precinct to another and changes 5145
the individual's name, or moves from one county to another within 5146
the state, and completes and signs the required forms and 5147
statements under division (B) or (C) of section 3503.16 of the 5148
Revised Code; 5149

(11) An individual whose signature, in the opinion of the 5150
precinct officers under section 3505.22 of the Revised Code, is 5151
not that of the person who signed that name in the registration 5152
forms; 5153

(12) An individual who is challenged under section 3513.20 of 5154
the Revised Code who refuses to make the statement required under 5155
that section, who a majority of the precinct officials find lacks 5156

any of the qualifications to make the individual a qualified 5157
elector, or who a majority of the precinct officials find is not 5158
affiliated with or a member of the political party whose ballot 5159
the individual desires to vote; 5160

(13) An individual who does not have any of the forms of 5161
identification required under division (A)(1) of section 3505.18 5162
of the Revised Code, who cannot provide the last four digits of 5163
the individual's social security number under division (A)(2) of 5164
that section because the person does not have a social security 5165
number, and who declines to execute an affirmation as permitted 5166
under division (A)(4) of that section; 5167

(14) An individual who has but declines to provide to the 5168
precinct election officials any of the forms of identification 5169
required under division (A)(1) of section 3501.18 of the Revised 5170
Code or who has a social security number but declines to provide 5171
to the precinct election officials the last four digits of the 5172
individual's social security number. 5173

(B) An individual who is eligible to cast a provisional 5174
ballot under division (A) of this section shall be permitted to 5175
cast a provisional ballot as follows: 5176

(1) An election official at the polling place shall notify 5177
the individual that the individual may cast a provisional ballot 5178
in that election. 5179

(2) The individual shall be permitted to cast a provisional 5180
ballot at that polling place upon the execution of a written 5181
affirmation by the individual before an election official at the 5182
polling place stating that the individual is both of the 5183
following: 5184

(a) A registered voter in the jurisdiction in which the 5185
individual desires to vote; 5186

(b) Eligible to vote in that election. 5187

(3) An election official at the polling place shall transmit 5188
the ballot cast by the individual, the voter information contained 5189
in the written affirmation executed by the individual under 5190
division (B)(2) of this section, or the individual's name if the 5191
individual declines to execute such an affirmation to an 5192
appropriate local election official for verification under 5193
division (B)(4) of this section. 5194

(4) If the appropriate local election official to whom the 5195
ballot or voter or address information is transmitted under 5196
division (B)(3) of this section determines that the individual is 5197
eligible to vote, the individual's provisional ballot shall be 5198
counted as a vote in that election. 5199

(5)(a) At the time that an individual casts a provisional 5200
ballot, the appropriate local election official shall give the 5201
individual written information that states that any individual who 5202
casts a provisional ballot will be able to ascertain under the 5203
system established under division (B)(5)(b) of this section 5204
whether the vote was counted, and, if the vote was not counted, 5205
the reason that the vote was not counted. 5206

(b) The appropriate state or local election official shall 5207
establish a free access system, in the form of a toll-free 5208
telephone number, that any individual who casts a provisional 5209
ballot may access to discover whether the vote of that individual 5210
was counted, and, if the vote was not counted, the reason that the 5211
vote was not counted. The free access system established under 5212
this division also shall provide to an individual whose 5213
provisional ballot was not counted information explaining how that 5214
individual may contact the board of elections to register to vote 5215
or to resolve problems with the individual's voter registration. 5216

The appropriate state or local election official shall 5217

establish and maintain reasonable procedures necessary to protect 5218
the security, confidentiality, and integrity of personal 5219
information collected, stored, or otherwise used by the free 5220
access system established under this division. Access to 5221
information about an individual ballot shall be restricted to the 5222
individual who cast the ballot. 5223

(6) If, at the time that an individual casts a provisional 5224
ballot, the individual provides identification in the form of a 5225
current and valid photo identification or in the form of a copy of 5226
a current utility bill, bank statement, government check, 5227
paycheck, or other government document, other than a notice of an 5228
election mailed by a board of elections under section 3501.19 of 5229
the Revised Code or a notice of voter registration mailed by a 5230
board of elections under section 3503.19 of the Revised Code, that 5231
shows the individual's name and current address, or provides the 5232
last four digits of the individual's social security number, or 5233
executes an affirmation that the elector does not have any of 5234
those forms of identification or the last four digits of the 5235
individual's social security number because the individual does 5236
not have a social security number, or declines to execute such an 5237
affirmation, the appropriate local election official shall record 5238
the type of identification provided, the social security number 5239
information, the fact that the affirmation was executed, or the 5240
fact that the individual declined to execute such an affirmation 5241
and include that information with the transmission of the ballot 5242
or voter or address information under division (B)(3) of this 5243
section. If the individual declines to execute such an 5244
affirmation, the appropriate local election official shall record 5245
the individual's name and include that information with the 5246
transmission of the ballot under division (B)(3) of this section. 5247

(7) If an individual casts a provisional ballot pursuant to 5248
division (A)(3), (7), (8), (13), or (14) of this section, the 5249

election official shall indicate, on the provisional ballot 5250
verification statement required under section 3505.182 of the 5251
Revised Code, that the individual is required to provide 5252
additional information to the board of elections or that an 5253
application or challenge hearing has been postponed with respect 5254
to the individual, such that additional information is required 5255
for the board of elections to determine the eligibility of the 5256
individual who cast the provisional ballot. 5257

(8) During the ten days after the day of an election, an 5258
individual who casts a provisional ballot pursuant to division 5259
(A)(3), (7), (13), or (14) of this section shall appear at the 5260
office of the board of elections and provide to the board any 5261
additional information necessary to determine the eligibility of 5262
the individual who cast the provisional ballot. 5263

(a) For a provisional ballot cast pursuant to division 5264
(A)(3), (13), or (14) of this section to be eligible to be 5265
counted, the individual who cast that ballot, within ten days 5266
after the day of the election, shall do any of the following: 5267

(i) Provide to the board of elections proof of the 5268
individual's identity in the form of a current and valid photo 5269
identification or a copy of a current utility bill, bank 5270
statement, government check, paycheck, or other government 5271
document, other than a notice of an election mailed by a board of 5272
elections under section 3501.19 of the Revised Code or a notice of 5273
voter registration mailed by a board of elections under section 5274
3503.19 of the Revised Code, that shows the individual's name and 5275
current address; 5276

(ii) Provide to the board of elections the last four digits 5277
of the individual's social security number; 5278

(iii) In the case of a provisional ballot executed pursuant 5279
to division (A)(13) of this section, execute an affirmation as 5280

permitted under division (A)(4) of section 3505.18 of the Revised 5281
Code. 5282

(b) For a provisional ballot cast pursuant to division (A)(7) 5283
of this section to be eligible to be counted, the individual who 5284
cast that ballot, within ten days after the day of that election, 5285
shall provide to the board of elections any identification or 5286
other documentation required to be provided by the applicable 5287
challenge questions asked of that individual under section 3505.20 5288
of the Revised Code. 5289

(C)(1) If an individual declares that the individual is 5290
eligible to vote in a jurisdiction other than the jurisdiction in 5291
which the individual desires to vote, or if, upon review of the 5292
precinct voting location guide using the residential street 5293
address provided by the individual, an election official at the 5294
polling place at which the individual desires to vote determines 5295
that the individual is not eligible to vote in that jurisdiction, 5296
the election official shall direct the individual to the polling 5297
place for the jurisdiction in which the individual appears to be 5298
eligible to vote, explain that the individual may cast a 5299
provisional ballot at the current location but the ballot will not 5300
be counted if it is cast in the wrong precinct, and provide the 5301
telephone number of the board of elections in case the individual 5302
has additional questions. 5303

(2) If the individual refuses to travel to the polling place 5304
for the correct jurisdiction or to the office of the board of 5305
elections to cast a ballot, the individual shall be permitted to 5306
vote a provisional ballot at that jurisdiction in accordance with 5307
division (B) of this section. If any of the following apply, the 5308
provisional ballot cast by that individual shall not be opened or 5309
counted: 5310

(a) The individual is not properly registered in that 5311

<u>jurisdiction.</u>	5312
<u>(b) The individual is not eligible to vote in that election</u>	5313
<u>in that jurisdiction.</u>	5314
<u>(c) The individual's eligibility to vote in that jurisdiction</u>	5315
<u>in that election cannot be established upon examination of the</u>	5316
<u>records on file with the board of elections.</u>	5317
<u>(D) The appropriate local election official shall cause</u>	5318
<u>voting information to be publicly posted at each polling place on</u>	5319
<u>the day of each election.</u>	5320
<u>(E) As used in this section and sections 3505.182 and</u>	5321
<u>3505.183 of the Revised Code:</u>	5322
<u>(1) "Jurisdiction" means the precinct in which a person is a</u>	5323
<u>legally qualified elector.</u>	5324
<u>(2) "Precinct voting location guide" means either of the</u>	5325
<u>following:</u>	5326
<u>(a) An electronic or paper record that lists the correct</u>	5327
<u>jurisdiction and polling place for either each specific</u>	5328
<u>residential street address in the county or the range of</u>	5329
<u>residential street addresses located in each neighborhood block in</u>	5330
<u>the county;</u>	5331
<u>(b) Any other method that a board of elections creates that</u>	5332
<u>allows a precinct election official or any elector who is at a</u>	5333
<u>polling place in that county to determine the correct jurisdiction</u>	5334
<u>and polling place of any qualified elector who resides in the</u>	5335
<u>county.</u>	5336
<u>(3) "Voting information" means all of the following:</u>	5337
<u>(a) A sample version of the ballot that will be used for that</u>	5338
<u>election;</u>	5339
<u>(b) Information regarding the date of the election and the</u>	5340

<u>hours during which polling places will be open;</u>	5341
<u>(c) Instructions on how to vote, including how to cast a vote</u>	5342
<u>and how to cast a provisional ballot;</u>	5343
<u>(d) Instructions for mail-in registrants and first-time</u>	5344
<u>voters under applicable federal and state laws;</u>	5345
<u>(e) General information on voting rights under applicable</u>	5346
<u>federal and state laws, including information on the right of an</u>	5347
<u>individual to cast a provisional ballot and instructions on how to</u>	5348
<u>contact the appropriate officials if these rights are alleged to</u>	5349
<u>have been violated;</u>	5350
<u>(f) General information on federal and state laws regarding</u>	5351
<u>prohibitions against acts of fraud and misrepresentation.</u>	5352
 <u>Sec. 3505.182. Each individual who casts a provisional ballot</u>	5353
<u>under section 3505.181 of the Revised Code shall execute a written</u>	5354
<u>affirmation. The form of the written affirmation shall be printed</u>	5355
<u>upon the face of the provisional ballot envelope and shall be</u>	5356
<u>substantially as follows:</u>	5357
 <u>"Provisional Ballot Affirmation</u>	5358
 <u>STATE OF OHIO</u>	5359
 <u>I, (Name of provisional voter), solemnly</u>	5360
<u>swear or affirm that I am a registered voter in the jurisdiction</u>	5361
<u>in which I am voting this provisional ballot and that I am</u>	5362
<u>eligible to vote in the election in which I am voting this</u>	5363
<u>provisional ballot.</u>	5364
 <u>I understand that, if the above-provided information is not</u>	5365
<u>fully completed and correct, if the board of elections determines</u>	5366
<u>that I am not registered to vote, a resident of this precinct, or</u>	5367
<u>eligible to vote in this election, or if the board of elections</u>	5368
<u>determines that I have already voted in this election, my</u>	5369
<u>provisional ballot will not be counted. I further understand that</u>	5370

knowingly providing false information is a violation of law and 5371
subjects me to possible criminal prosecution. 5372

I hereby declare, under penalty of election falsification, 5373
that the above statements are true and correct to the best of my 5374
knowledge and belief. 5375

..... 5376

(Signature of Voter) 5377

..... 5378

(Voter's date of birth) 5379

The last four digits of the 5380
voter's social security number

..... 5381

(To be provided if the voter is 5382
unable to provide a current and
valid photo identification or a
current utility bill, bank
statement, government check,
paycheck, or other government
document, other than a notice of
an election mailed by a board of
elections under section 3501.19
of the Revised Code or a notice
of voter registration mailed by a
board of elections under section
3503.19 of the Revised Code, that
shows the voter's name and
current address but is able to
provide these last four digits)

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY 5383
OF THE FIFTH DEGREE. 5384

Additional Information For Determining Ballot Validity 5385

(May be completed at voter's discretion) 5386

Voter's current address: 5387

Voter's former address if 5388

photo identification does

not contain voter's current

address

Voter's driver's license 5389

number or, if not provided

above, the last four digits

of voter's social security

number

(Please circle number type) 5390

(Voter may attach a copy of any of the following for 5391

identification purposes: a current and valid photo identification

or a current utility bill, bank statement, government check,

paycheck, or other government document, other than a notice of an

election mailed by a board of elections under section 3501.19 of

the Revised Code or a notice of voter registration mailed by a

board of elections under section 3503.19 of the Revised Code, that

shows the voter's name and current address.)

Reason for voting provisional ballot (Check one): 5392

..... Requested, but did not receive, absent voter's ballot 5393

..... Other 5394

Verification Statement 5395

(To be completed by election official) 5396

The Provisional Ballot Affirmation printed above was 5397

subscribed and affirmed before me this day of 5398

..... (Month), (Year). 5399

(If applicable, the election official must check the 5400

following true statement concerning additional information needed 5401

to determine the eligibility of the provisional voter.) 5402

..... The provisional voter is required to provide 5403

additional information to the board of elections. 5404

..... An application or challenge hearing regarding this 5405
voter has been postponed until after the election. 5406

(The election official must check the following true 5407
statement concerning identification provided by the provisional 5408
voter, if any.) 5409

..... The provisional voter provided a current and valid 5410
photo identification. 5411

..... The provisional voter provided a current valid photo 5412
identification, other than a driver's license or a state 5413
identification card, with the voter's former address instead of 5414
current address and has provided the election official both the 5415
current and former addresses. 5416

..... The provisional voter provided a copy of a current 5417
utility bill, bank statement, government check, paycheck, or other 5418
government document, other than a notice of an election mailed by 5419
a board of elections under section 3501.19 of the Revised Code or 5420
a notice of voter registration mailed by a board of elections 5421
under section 3503.19 of the Revised Code, with the voter's name 5422
and current address. 5423

..... The provisional voter provided the last four digits of 5424
the voter's social security number. 5425

..... The provisional voter is not able to provide a current 5426
and valid photo identification or a copy of a current utility 5427
bill, bank statement, government check, paycheck, or other 5428
government document, other than a notice of an election mailed by 5429
a board of elections under section 3501.19 of the Revised Code or 5430
a notice of voter registration mailed by a board of elections 5431
under section 3503.19 of the Revised Code, with the voter's name 5432
and current address but does have one of these forms of 5433
identification. The provisional voter must provide one of the 5434
foregoing items of identification to the board of elections within 5435

ten days after the election. 5436

..... The provisional voter is not able to provide a current 5437
and valid photo identification or a copy of a current utility 5438
bill, bank statement, government check, paycheck, or other 5439
government document, other than a notice of an election mailed by 5440
a board of elections under section 3501.19 of the Revised Code or 5441
a notice of voter registration mailed by a board of elections 5442
under section 3503.19 of the Revised Code, with the voter's name 5443
and current address but does have one of these forms of 5444
identification. Additionally, the provisional voter does have a 5445
social security number but is not able to provide the last four 5446
digits of the voter's social security number before voting. The 5447
provisional voter must provide one of the foregoing items of 5448
identification or the last four digits of the voter's social 5449
security number to the board of elections within ten days after 5450
the election. 5451

..... The provisional voter does not have a current and valid 5452
photo identification, a copy of a current utility bill, bank 5453
statement, government check, paycheck, or other government 5454
document with the voter's name and current address, or a social 5455
security number, but has executed an affirmation. 5456

..... The provisional voter does not have a current and valid 5457
photo identification, a copy of a current utility bill, bank 5458
statement, government check, paycheck, or other government 5459
document with the voter's name and current address, or a social 5460
security number, and has declined to execute an affirmation. 5461

..... The provisional voter declined to provide a current and 5462
valid photo identification, a copy of a current utility bill, bank 5463
statement, government check, paycheck, or other government 5464
document with the voter's name and current address, or the last 5465
four digits of the voter's social security number but does have 5466

one of these forms of identification or a social security number. 5467
The provisional voter must provide one of the foregoing items of 5468
identification or the last four digits of the voter's social 5469
security number to the board of elections within ten days after 5470
the election. 5471

..... 5472
(Signature of Election Official)" 5473

In addition to any information required to be included on the 5474
written affirmation, an individual casting a provisional ballot 5475
may provide additional information to the election official to 5476
assist the board of elections in determining the individual's 5477
eligibility to vote in that election, including the date and 5478
location at which the individual registered to vote, if known. 5479

If the individual declines to execute the affirmation, an 5480
appropriate local election official shall comply with division 5481
(B)(6) of section 3505.181 of the Revised Code. 5482

Sec. 3505.183. (A) When the ballot boxes are delivered to the 5483
board of elections from the precincts, the board shall separate 5484
the provisional ballot envelopes from the rest of the ballots. 5485
Teams of employees of the board consisting of one member of each 5486
major political party shall place the sealed provisional ballot 5487
envelopes in a secure location within the office of the board. The 5488
sealed provisional ballot envelopes shall remain in that secure 5489
location until the validity of those ballots is determined under 5490
division (B) of this section. While the provisional ballot is 5491
stored in that secure location, and prior to the counting of the 5492
provisional ballots, if the board receives information regarding 5493
the validity of a specific provisional ballot under division (B) 5494
of this section, the board may note, on the sealed provisional 5495
ballot envelope for that ballot, whether the ballot is valid and 5496
entitled to be counted. 5497

(B)(1) To determine whether a provisional ballot is valid and 5498
entitled to be counted, the board shall examine its records and 5499
determine whether the individual who cast the provisional ballot 5500
is registered and eligible to vote in the applicable election. The 5501
board shall examine the information contained in the written 5502
affirmation executed by the individual who cast the provisional 5503
ballot under division (B)(2) of section 3505.181 of the Revised 5504
Code. If the individual declines to execute such an affirmation, 5505
the individual's name, written by either the individual or the 5506
election official at the direction of the individual, shall be 5507
included in a written affirmation in order for the provisional 5508
ballot to be eligible to be counted; otherwise, the following 5509
information shall be included in the written affirmation in order 5510
for the provisional ballot to be eligible to be counted: 5511

(a) The individual's name and signature; 5512

(b) A statement that the individual is a registered voter in 5513
the jurisdiction in which the provisional ballot is being voted; 5514

(c) A statement that the individual is eligible to vote in 5515
the election in which the provisional ballot is being voted. 5516

(2) In addition to the information required to be included in 5517
an affirmation under division (B)(1) of this section, in 5518
determining whether a provisional ballot is valid and entitled to 5519
be counted, the board also shall examine any additional 5520
information for determining ballot validity provided by the 5521
provisional voter on the affirmation, provided by the provisional 5522
voter to an election official under section 3505.182 of the 5523
Revised Code, or provided to the board of elections during the ten 5524
days after the day of the election under division (B)(8) of 5525
section 3505.181 of the Revised Code, to assist the board in 5526
determining the individual's eligibility to vote. 5527

(3) If, in examining a provisional ballot affirmation and 5528

additional information under divisions (B)(1) and (2) of this 5529
section, the board determines that all of the following apply, the 5530
provisional ballot envelope shall be opened, and the ballot shall 5531
be placed in a ballot box to be counted: 5532

(a) The individual named on the affirmation is properly 5533
registered to vote. 5534

(b) The individual named on the affirmation is eligible to 5535
cast a ballot in the precinct and for the election in which the 5536
individual cast the provisional ballot. 5537

(c) The individual provided all of the information required 5538
under division (B)(1) of this section in the affirmation that the 5539
individual executed at the time the individual cast the 5540
provisional ballot. 5541

(d) If applicable, the individual provided any additional 5542
information required under division (B)(8) of section 3505.181 of 5543
the Revised Code within ten days after the day of the election. 5544

(e) If applicable, the hearing conducted under division (B) 5545
of section 3503.24 of the Revised Code after the day of the 5546
election resulted in the individual's inclusion in the official 5547
registration list. 5548

(4)(a) If, in examining a provisional ballot affirmation and 5549
additional information under divisions (B)(1) and (2) of this 5550
section, the board determines that any of the following applies, 5551
the provisional ballot envelope shall not be opened, and the 5552
ballot shall not be counted: 5553

(i) The individual named on the affirmation is not qualified 5554
or is not properly registered to vote. 5555

(ii) The individual named on the affirmation is not eligible 5556
to cast a ballot in the precinct or for the election in which the 5557
individual cast the provisional ballot. 5558

(iii) The individual did not provide all of the information 5559
required under division (B)(1) of this section in the affirmation 5560
that the individual executed at the time the individual cast the 5561
provisional ballot. 5562

(iv) The individual has already cast a ballot for the 5563
election in which the individual cast the provisional ballot. 5564

(v) If applicable, the individual did not provide any 5565
additional information required under division (B)(8) of section 5566
3505.181 of the Revised Code within ten days after the day of the 5567
election. 5568

(vi) If applicable, the hearing conducted under division (B) 5569
of section 3503.24 of the Revised Code after the day of the 5570
election did not result in the individual's inclusion in the 5571
official registration list. 5572

(vii) The individual failed to provide a current and valid 5573
photo identification, a copy of a current utility bill, bank 5574
statement, government check, paycheck, or other government 5575
document, other than a notice of an election mailed by a board of 5576
elections under section 3501.19 of the Revised Code or a notice of 5577
voter registration mailed by a board of elections under section 5578
3503.19 of the Revised Code, with the voter's name and current 5579
address, or the last four digits of the individual's social 5580
security number or to execute an affirmation under division (A) of 5581
section 3505.18 or division (B) of section 3505.181 of the Revised 5582
Code. 5583

(b) If, in examining a provisional ballot affirmation and 5584
additional information under divisions (B)(1) and (2) of this 5585
section, the board is unable to determine either of the following, 5586
the provisional ballot envelope shall not be opened, and the 5587
ballot shall not be counted: 5588

(i) Whether the individual named on the affirmation is 5589

qualified or properly registered to vote; 5590

(ii) Whether the individual named on the affirmation is 5591
eligible to cast a ballot in the precinct or for the election in 5592
which the individual cast the provisional ballot. 5593

(C)(1) For each provisional ballot rejected under division 5594
(B)(4) of this section, the board shall record the name of the 5595
provisional voter who cast the ballot, the identification number 5596
of the provisional ballot envelope, the names of the election 5597
officials who determined the validity of that ballot, the date and 5598
time that the determination was made, and the reason that the 5599
ballot was not counted. 5600

(2) Provisional ballots that are rejected under division 5601
(B)(4) of this section shall not be counted but shall be preserved 5602
in their provisional ballot envelopes unopened until the time 5603
provided by section 3505.31 of the Revised Code for the 5604
destruction of all other ballots used at the election for which 5605
ballots were provided, at which time they shall be destroyed. 5606

(D) Provisional ballots that the board determines are 5607
eligible to be counted under division (B)(3) of this section shall 5608
be counted in the same manner as provided for other ballots under 5609
section 3505.27 of the Revised Code. No provisional ballots shall 5610
be counted in a particular county until the board determines the 5611
eligibility to be counted of all provisional ballots cast in that 5612
county under division (B) of this section for that election. 5613
Observers, as provided in section 3505.21 of the Revised Code, may 5614
be present at all times that the board is determining the 5615
eligibility of provisional ballots to be counted and counting 5616
those provisional ballots determined to be eligible. No person 5617
shall recklessly disclose the count or any portion of the count of 5618
provisional ballots in such a manner as to jeopardize the secrecy 5619
of any individual ballot. 5620

(E)(1) Except as otherwise provided in division (E)(2) of 5621
this section, nothing in this section shall prevent a board of 5622
elections from examining provisional ballot affirmations and 5623
additional information under divisions (B)(1) and (2) of this 5624
section to determine the eligibility of provisional ballots to be 5625
counted during the ten days after the day of an election. 5626

(2) A board of elections shall not examine the provisional 5627
ballot affirmation and additional information under divisions 5628
(B)(1) and (2) of this section of any provisional ballot for which 5629
an election official has indicated under division (B)(7) of 5630
section 3505.181 of the Revised Code that additional information 5631
is required for the board of elections to determine the 5632
eligibility of the individual who cast that provisional ballot 5633
until the individual provides any information required under 5634
division (B)(8) of section 3505.181 of the Revised Code, until any 5635
hearing required to be conducted under section 3503.24 of the 5636
Revised Code with regard to the provisional voter is held, or 5637
until the eleventh day after the day of the election, whichever is 5638
earlier. 5639

Sec. 3505.19. Any person registered as an elector may be 5640
challenged by any qualified elector as to ~~his~~ the registered 5641
elector's right to vote ~~at any prior to the nineteenth day before~~ 5642
the day of an election. Such qualified elector may, ~~at any time~~ 5643
~~during the year,~~ either by appearing in person at the office of 5644
the board of elections, or by letter addressed to the board, 5645
challenge the right of such registered elector to vote. Any such 5646
challenge must state the ground upon which the challenge is made, 5647
and must be signed by the challenger giving ~~his~~ the challenger's 5648
address and voting precinct. If, ~~after public hearing, of which~~ 5649
~~both the challenger and challenged shall be notified,~~ the board is 5650
satisfied, in accordance with division (B) of section 3503.24 of 5651

the Revised Code, that the challenge is well taken, the director 5652
shall so indicate on the registration cards and ~~he~~ shall so notify 5653
in writing the judges ~~and clerks~~ of the precinct. If such 5654
challenged person offers to vote at such election ~~he~~, the 5655
challenged person shall be examined as in the case of an original 5656
challenge. If such person establishes, to the satisfaction of the 5657
judges ~~and clerks~~, that ~~his~~ the person's disabilities have been 5658
removed and that ~~he~~ the person has a right to vote, ~~he~~ the person 5659
shall be permitted to vote. 5660

Sec. 3505.20. Any person offering to vote may be challenged 5661
at the polling place ~~by any challenger, any elector then lawfully~~ 5662
~~in the polling place, or~~ by any judge ~~or clerk~~ of elections. If 5663
the board of elections has ruled on the question presented by a 5664
challenge prior to election day, its finding and decision shall be 5665
final, and the presiding judge shall be notified in writing. If 5666
the board has not ruled, the question shall be determined as set 5667
forth in this section. If any person is so challenged as 5668
unqualified to vote, the presiding judge shall tender the person 5669
the following oath: "You do swear or affirm under penalty of 5670
election falsification that you will fully and truly answer all of 5671
the following questions put to you, ~~touching your place of~~ 5672
~~residence and~~ concerning your qualifications as an elector at this 5673
election." 5674

(A) If the person is challenged as unqualified on the ground 5675
that the person is not a citizen, the judges shall put the 5676
following questions: 5677

(1) Are you a citizen of the United States? 5678

(2) Are you a native or naturalized citizen? 5679

(3) Where were you born? 5680

(4) What official documentation do you possess to prove your 5681

citizenship? Please provide that documentation. 5682

If the person offering to vote claims to be a naturalized 5683
citizen of the United States, the person shall, before the vote is 5684
received, ~~either~~ produce for inspection of the judges a 5685
certificate of naturalization and declare under oath that the 5686
person is the identical person named therein, ~~or state under oath~~ 5687
~~when and where the person was naturalized, that the person has had~~ 5688
~~a certificate of the person's naturalization, and that it is lost,~~ 5689
~~destroyed, or beyond the person's power to produce to the judges~~ 5690
in the certificate. If the person states under oath that, by 5691
reason of the naturalization of the person's parents or one of 5692
them, the person has become a citizen of the United States, and 5693
when or where the person's parents were naturalized, the 5694
certificate of naturalization need not be produced. If the person 5695
is unable to provide a certificate of naturalization on the day of 5696
the election, the judges shall provide to the person, and the 5697
person may vote, a provisional ballot under section 3505.181 of 5698
the Revised Code. The provisional ballot shall not be counted 5699
unless it is properly completed and the board of elections 5700
determines that the voter is properly registered and eligible to 5701
vote in the election. 5702

(B) If the person is challenged as unqualified on the ground 5703
that the person has not resided in this state for thirty days 5704
immediately preceding the election, the judges shall put the 5705
following questions: 5706

(1) Have you resided in this state for thirty days 5707
immediately preceding this election? If so, where have you 5708
resided? ~~Name two persons who know of your place of residence.~~ 5709

(2) ~~Have you been absent from this state within the thirty~~ 5710
~~days immediately preceding this election? If yes, then the~~ 5711
~~following questions:~~ 5712

(a) Have you continuously resided outside this state for a	5713
period of four years or more?	5714
(b) Did you, while absent, look upon and regard this state as	5715
your home?	5716
(c) Did you, while absent, vote in any other state? Did you	5717
properly register to vote?	5718
<u>(3) Can you provide some form of identification containing</u>	5719
<u>your current mailing address in this precinct? Please provide that</u>	5720
<u>identification.</u>	5721
<u>(4) Have you voted or attempted to vote at any other location</u>	5722
<u>in this or in any other state at this election?</u>	5723
<u>(5) Have you applied for an absent voter's ballot in any</u>	5724
<u>state for this election?</u>	5725
<u>If the judges are unable to verify the person's eligibility</u>	5726
<u>to cast a ballot in the election, the judges shall provide to the</u>	5727
<u>person, and the person may vote, a provisional ballot under</u>	5728
<u>section 3505.181 of the Revised Code. The provisional ballot shall</u>	5729
<u>not be counted unless it is properly completed and the board of</u>	5730
<u>elections determines that the voter is properly registered and</u>	5731
<u>eligible to vote in the election.</u>	5732
(C) If the person is challenged as unqualified on the ground	5733
that the person is not a resident of the county or precinct where	5734
he <u>the person</u> offers to vote, the judges shall put the following	5735
questions:	5736
(1) Do you now reside in this county?	5737
(2) Do you now reside in this precinct?	5738
<u>(2) When did you move into this precinct?</u>	5739
(3) When you came into this precinct, did you come for a	5740
temporary purpose merely or for the purpose of making it your	5741

home? 5742

(4) What is your current mailing address? 5743

(5) Do you have some official identification containing your 5744
current address in this precinct? Please provide that 5745
identification. 5746

(6) Have you voted or attempted to vote at any other location 5747
in this or in any other state at this election? 5748

(7) Have you applied for any absent voter's ballot in any 5749
state for this election? 5750

The judges shall direct an individual who is not in the 5751
appropriate polling place to the appropriate polling place. If the 5752
individual refuses to go to the appropriate polling place, or if 5753
the judges are unable to verify the person's eligibility to cast a 5754
ballot in the election, the judges shall provide to the person, 5755
and the person may vote, a provisional ballot under section 5756
3505.181 of the Revised Code. The provisional ballot shall not be 5757
counted unless it is properly completed and the board of elections 5758
determines that the voter is properly registered and eligible to 5759
vote in the election. 5760

(D) If the person is challenged as unqualified on the ground 5761
that the person is not of legal voting age, the judges shall put 5762
the following ~~question~~ questions: 5763

(1) Are you eighteen years of age or more to the best of your 5764
knowledge and belief? 5765

(2) What is your date of birth? 5766

(3) Do you have some official identification verifying your 5767
age? Please provide that identification. 5768

If the judges are unable to verify the person's age and 5769
eligibility to cast a ballot in the election, the judges shall 5770
provide to the person, and the person may vote, a provisional 5771

ballot under section 3505.181 of the Revised Code. The provisional 5772
ballot shall not be counted unless it is properly completed and 5773
the board of elections determines that the voter is properly 5774
registered and eligible to vote in the election. 5775

The presiding judge shall put such other questions to the 5776
person challenged ~~under respective heads designated by this~~ 5777
~~section,~~ as are necessary to ~~test~~ determine the person's 5778
qualifications as an elector at the election. If a person 5779
challenged refuses to answer fully any question put to the person, 5780
is unable to answer the questions as they were answered on the 5781
registration form by the person under whose name the person offers 5782
to vote, or refuses to sign the person's name or make the person's 5783
mark, or if for any other reason a majority of the judges believes 5784
the person is not entitled to vote, the judges shall ~~refuse the~~ 5785
~~person a ballot. If a person is disqualified under division (C) of~~ 5786
~~this section because the person does not now reside in the county~~ 5787
~~or precinct, the presiding judge shall inform the person of the~~ 5788
~~person's right to vote in the person's proper county or precinct~~ 5789
~~of residence and instruct the person to contact the appropriate~~ 5790
~~board of elections for information concerning the location of the~~ 5791
~~person's voting precinct~~ provide to the person, and the person may 5792
vote, a provisional ballot under section 3505.181 of the Revised 5793
Code. The provisional ballot shall not be counted unless it is 5794
properly completed and the board of elections determines that the 5795
voter is properly registered and eligible to vote in the election. 5796

A qualified citizen who has certified the citizen's intention 5797
to vote for president and vice-president as provided by Chapter 5798
3504. of the Revised Code shall be eligible to receive only the 5799
ballot containing presidential and vice-presidential candidates. 5800

~~The decision of said judges shall be final as to the right of~~ 5801
~~the person challenged to vote at such election.~~ 5802

However, prior to the nineteenth day before the day of an 5803
election and in accordance with section 3503.24 of the Revised 5804
Code, any person qualified to vote may challenge the right of any 5805
other person to be registered as a voter, or the right to cast an 5806
absent voter's ballot, or to make application for such ballot. 5807
Such challenge shall be made in accordance with section 3503.24 of 5808
the Revised Code, and the board of elections of the county in 5809
which the voting residence of the challenged voter is situated 5810
shall make a final determination relative to the legality of such 5811
registration or application. 5812

Sec. 3505.21. At any primary, special, or general election, 5813
any political party supporting candidates to be voted upon at such 5814
election and any group of five or more candidates may appoint to 5815
the board of elections or to any of the polling places precincts 5816
in the county or city one person, a qualified elector, who shall 5817
serve as ~~challenger~~ observer for such party or such candidates 5818
during the casting of the ballots, and ~~one person, a qualified~~ 5819
~~elector, who shall serve as witness during the counting of the~~ 5820
ballots; provided that ~~one such person~~ separate observers may be 5821
appointed to serve as ~~both challenger and witness during the~~ 5822
casting and during the counting of the ballots. No candidate, no 5823
uniformed peace officer as defined by section 2935.01 of the 5824
Revised Code, no uniformed state highway patrol trooper, no 5825
uniformed member of any fire department, no uniformed member of 5826
the armed services, no uniformed member of the organized militia, 5827
no person wearing any other uniform, and no person carrying a 5828
firearm or other deadly weapon shall serve as ~~a witness or~~ 5829
~~challenger~~ an observer, nor shall any candidate be represented by 5830
more than one ~~challenger and one witness~~ observer at any one 5831
~~polling place precinct~~ except that a candidate who is a member of 5832
a party controlling committee, as defined in section 3517.03 of 5833
the Revised Code, may serve as ~~a witness or challenger~~ an 5834

. Any political party or group of candidates appointing ~~witnesses~~ 5835
~~or challengers~~ observers shall notify the board of elections of 5836
the names and addresses of its appointees and the ~~polling places~~ 5837
precincts at which they shall serve. Notification shall take place 5838
not less than eleven days before the election on forms prescribed 5839
by the secretary of state and may be amended by filing an 5840
amendment with the board of elections at any time until four p.m. 5841
of the day before the election. The ~~challenger and witness~~ 5842
observer serving on behalf of a political party shall be appointed 5843
in writing by the ~~chairman~~ chairperson and secretary of the 5844
respective controlling party ~~committees~~ committee. ~~Challengers and~~ 5845
~~witnesses~~ Observers serving for any five or more candidates shall 5846
have their certificates signed by ~~such~~ those candidates. 5847
~~Challengers and witnesses so~~ Observers appointed to a precinct may 5848
file their certificates of appointment with the presiding judge of 5849
the precinct at the meeting on the evening prior to the election, 5850
or with the presiding judge of the precinct on the day of the 5851
election. ~~Witnesses shall not be admitted to the booths before the~~ 5852
~~closing of the polls except for the purpose of filing their~~ 5853
~~certificates.~~ Upon the filing of a certificate, the person named 5854
as ~~challenger therein~~ observer in the certificate shall be 5855
permitted to be in and about the polling place for the precinct 5856
during the casting of the ballots and shall be permitted to watch 5857
every proceeding of the judges ~~and clerks~~ of elections from the 5858
time of the opening until the closing of the polls. ~~Any such~~ 5859
~~witnesses so appointed~~ The observer also may inspect the counting 5860
of the all ballots in the ~~precinct~~ polling place or board of 5861
elections from the time of the closing of the polls until the 5862
counting is completed and the final returns are certified and 5863
signed. Observers appointed to the board of elections under this 5864
section may observe at the board of elections and may observe at 5865
any precinct in the county. The judges of elections shall protect 5866
such ~~challengers and witnesses~~ observers in all of the rights and 5867

privileges granted to them by Title XXXV of the Revised Code. 5868

No persons other than the judges ~~and clerks~~ of elections, the 5869
~~witnesses~~ observers, a police officer, other persons who are 5870
detailed to any precinct on request of the board of elections, or 5871
the secretary of state or ~~his~~ the secretary of state's legal 5872
representative shall be admitted to the polling place, or any room 5873
in which a board of elections is counting ballots, after the 5874
closing of the polls until the counting, certifying, and signing 5875
of the final returns of each election have been completed. 5876

Not later than ~~eleven days~~ four p.m. of the twentieth day 5877
prior to an election at which questions are to be submitted to a 5878
vote of the people, any committee ~~which~~ that in good faith 5879
advocates or opposes a measure may file a petition with the board 5880
of any county asking that ~~such~~ the petitioners be recognized as 5881
the committee entitled to appoint ~~witnesses~~ observers to the count 5882
at ~~such~~ the election. If more than one committee alleging 5883
themselves to advocate or oppose the same measure file such 5884
~~petitions~~ a petition, the board shall decide and announce by 5885
registered mail to each committee not less than ~~three~~ twelve days 5886
immediately preceding the election which committee is recognized 5887
as being entitled to appoint ~~such witnesses~~ observers. ~~Such~~ The 5888
decision shall not be final, but any aggrieved party may institute 5889
mandamus proceedings in the court of common pleas of the county 5890
~~wherein such~~ in which the board has jurisdiction to compel the 5891
judges of elections to accept the appointees of such aggrieved 5892
party. Any such recognized committee may appoint ~~a challenger and~~ 5893
~~a witness~~ an observer to the count in each precinct. Committees 5894
appointing ~~witnesses or challengers~~ observers shall notify the 5895
board of elections of the names and addresses of its appointees 5896
and the ~~polling places~~ precincts at which they shall serve. 5897
Notification shall take place not less than eleven days before the 5898
election on forms prescribed by the secretary of state and may be 5899

amended by filing an amendment with the board of elections at any 5900
time until four p.m. on the day before the election. A person so 5901
appointed shall file ~~his~~ the person's certificate of appointment 5902
with the presiding judge in the precinct in which ~~he~~ the person 5903
has been appointed to serve. ~~Witnesses~~ Observers shall file their 5904
certificates before the polls are closed. In no case shall more 5905
than six ~~such challengers and six witnesses~~ observers be appointed 5906
for any one election in any one precinct. If more than three 5907
questions are to be voted on, the committees which have appointed 5908
~~challengers and witnesses~~ observers may agree upon not to exceed 5909
six ~~challengers and six witnesses~~ observers, and the judges of 5910
elections shall appoint such ~~challengers and witnesses~~ observers. 5911
If such committees fail to agree, the judges of elections shall 5912
appoint six ~~challengers and six witnesses~~ observers from the 5913
appointees so certified, in such manner that each side of the 5914
several questions shall be represented. 5915

No person shall serve as ~~a witness or challenger~~ an observer 5916
at any ~~polling place~~ precinct unless the board of elections of the 5917
county in which such ~~witness or challenger~~ observer is to serve 5918
has first been notified of the name, address, and ~~polling place~~ 5919
precinct at which such ~~witness or challenger~~ observer is to serve. 5920
Notification to the board of elections shall be given by the 5921
political party, group of candidates, or committee appointing such 5922
~~witness or challenger~~ observer as prescribed in this section. No 5923
such ~~challengers and witnesses~~ observers shall receive any 5924
compensation from the county, municipal corporation, or township, 5925
and they shall take the following oath, to be administered by one 5926
of the judges of elections: 5927

"You do solemnly swear that you will faithfully and 5928
impartially discharge the duties as an official ~~challenger and~~ 5929
~~witness~~ observer, assigned by law; that you will not cause any 5930
delay to persons offering to vote, ~~further than is necessary to~~ 5931

~~procure satisfactory information of their qualification as~~ 5932
~~electors; and that you will not disclose or communicate to any~~ 5933
~~person how any elector has voted at such election."~~ 5934

Sec. 3505.22. If any precinct officer, ~~challenger, or other~~ 5935
~~elector~~ has reason to believe that a person is impersonating an 5936
elector, ~~then such~~ that person, before ~~he is~~ being given a ballot, 5937
shall be questioned as to ~~his~~ the person's right to vote, and 5938
shall be required to sign ~~his~~ the person's name or make ~~his~~ the 5939
person's mark in ink on a card to be provided ~~therefor~~. If, in the 5940
opinion of a majority of the precinct officers, the signature is 5941
not that of the person who signed ~~such~~ the name in the 5942
registration forms, ~~then such~~ that person ~~may~~ shall be ~~refused~~ 5943
permitted to cast a provisional ballot under section 3505.181 of 5944
the Revised Code. ~~Such person may appeal to the board of elections~~ 5945
~~and if the board finds that he is eligible to vote, an order~~ 5946
~~instructing the precinct officer to permit him to vote shall be~~ 5947
~~given to such person. Such order shall be recognized by such~~ 5948
~~precinct officers when presented and signed and such person shall~~ 5949
~~be permitted to vote.~~ 5950

Sec. 3505.25. No judge ~~or~~ clerk of elections, ~~challenger~~ 5951
observer, or police officer admitted into the polling rooms at the 5952
election, at any time while the polls are open, shall have in ~~his~~ 5953
the individual's possession, distribute, or give out any ballot or 5954
ticket to any person on any pretense during the receiving, 5955
counting, or certifying of the votes, or have any ballot or ticket 5956
in ~~his~~ the individual's possession or control, except in the 5957
proper discharge of ~~his~~ the individual's official duty in 5958
receiving, counting, or canvassing the votes. This section does 5959
not prevent the lawful exercise by a judge ~~or~~ clerk of elections, 5960
~~witness, or challenger~~ observer of ~~his~~ the individual right to 5961
vote at such election. 5962

Sec. 3505.26. At the time for closing the polls, the 5963
presiding judge shall by proclamation announce that the polls are 5964
closed. 5965

The judges ~~and clerks~~ shall then in the presence of ~~witnesses~~ 5966
observers proceed as follows: 5967

(A) Count the number of electors who voted, as shown on the 5968
pollbooks~~;~~ 5969

(B) Count the unused ballots without removing stubs~~;~~ 5970

(C) Count the soiled and defaced ballots~~;~~ 5971

(D) Insert the totals of (A), (B), and (C) on the report 5972
forms provided therefor in the pollbook~~;~~ 5973

(E) Count the voted ballots. If the number of voted ballots 5974
exceeds the number of voters whose names appear upon the 5975
pollbooks, the presiding judge shall enter on the pollbooks an 5976
explanation of ~~such~~ that discrepancy, and ~~such~~ that explanation, 5977
if agreed to, shall be subscribed to by all of the judges ~~and~~ 5978
~~clerks~~. Any judge ~~or clerk~~ having a different explanation shall 5979
enter it in the pollbooks and subscribe to it. 5980

(F) Put the unused ballots with stubs attached, and soiled 5981
and defaced ballots with stubs attached, in the envelopes or 5982
containers provided therefor, certify the number, and then proceed 5983
to count and tally the votes in the manner prescribed by section 5984
3505.27 of the Revised Code and certify the result of the election 5985
to the board of elections. 5986

Sec. 3505.27. Unless otherwise ordered by the secretary of 5987
state or the board of elections, the counting and tallying of 5988
ballots shall be conducted according to procedures prescribed by 5989
the board of elections that assure an accurate count of all votes 5990
cast and that include all of the following: 5991

(A) The counting and tallying of ballots at the appropriate 5992
office, as designated by the board, in the full view of members of 5993
the board and ~~witnesses~~ observers; 5994

(B) The recording on a worksheet or other appropriate 5995
document of the number of votes cast for each candidate and the 5996
number of votes cast for and against each question or issue; 5997

(C) The periodic reporting to the public and the office of 5998
the secretary of state of the number of votes cast for each 5999
candidate and the number of votes cast for and against each 6000
question or issue as tallied at the time of the report; 6001

(D) An examination and verification by the appropriate 6002
authority, as designated by the board, of the votes so tallied and 6003
recorded in the pollbook under section 3505.26 of the Revised 6004
Code. 6005

The board shall prescribe additional procedures as necessary 6006
to assure an accurate count of all votes cast. These procedures 6007
shall be followed until all of the ballots that are required to be 6008
counted on the day of the election after the close of the polls 6009
have been counted. 6010

All work sheets that are prepared at the polling locations 6011
shall be preserved and placed inside the pollbook and returned to 6012
the board. 6013

If there is any disagreement as to how a ballot should be 6014
counted, it shall be submitted to the members of the board for a 6015
decision on whether or to what extent the ballot should be 6016
counted. If three of the members do not agree as to how any part 6017
of the ballot shall be counted, only that part of ~~such~~ the ballot 6018
on which three of the members do agree shall be counted. A 6019
notation shall be made upon the ballot indicating what part has 6020
not been counted, and the ballot shall be placed in an envelope 6021
marked "Disputed Ballots." 6022

Sec. 3505.32. (A) Except as otherwise provided in division 6023
(D) of this section, not earlier than the eleventh day or later 6024
than the fifteenth day after a general or special election or, if 6025
a special election was held on the day of a presidential primary 6026
election, not earlier than the twenty-first day or later than the 6027
twenty-fifth day after the special election, the board of 6028
elections shall begin to canvass the election returns from the 6029
precincts in which electors were entitled to vote at that 6030
election. It shall continue the canvass daily until it is 6031
completed and the results of the voting in that election in each 6032
of the precincts are determined. 6033

The board shall complete the canvass not later than the ~~date~~ 6034
~~set by the secretary of state under division (U) of section~~ 6035
~~3501.05 of the Revised Code~~ twenty-first day after the day of the 6036
election, or if a special election was held on the day of a 6037
presidential primary election, not later than the thirty-first day 6038
after the day of the special election. ~~Sixty~~ Eighty-one days after 6039
the ~~date set by~~ day of the ~~secretary of state for the completion~~ 6040
~~of the canvass~~ election, or ninety-one days after the day of a 6041
special election held on the day of the presidential primary 6042
election, the canvass of election returns shall be deemed final, 6043
and no amendments to the canvass may be made after that date. The 6044
secretary of state may specify an earlier date upon which the 6045
canvass of election returns shall be deemed final, and after which 6046
amendments to the final canvass may not be made, if so required by 6047
federal law. 6048

(B) The county executive committee of each political party, 6049
each committee designated in a petition nominating an independent 6050
or nonpartisan candidate for election at an election, each 6051
committee designated in a petition to represent the petitioners 6052
pursuant to which a question or issue was submitted at an 6053

election, and any committee opposing a question or issue submitted 6054
at an election that was permitted by section 3505.21 of the 6055
Revised Code to have a qualified elector serve as a ~~witness~~ an 6056
observer during the counting of the ballots at each polling place 6057
at an election may designate a qualified elector who may be 6058
present and may ~~witness~~ observe the making of the official 6059
canvass. 6060

(C) The board shall first open all envelopes containing 6061
uncounted ballots and shall count and tally them. 6062

In connection with its investigation of any apparent or 6063
suspected error or defect in the election returns from a polling 6064
place, the board may cause subpoenas to be issued and served 6065
requiring the attendance before it of the election officials of 6066
that polling place, and it may examine them under oath regarding 6067
the manner in which the votes were cast and counted in that 6068
polling place, or the manner in which the returns were prepared 6069
and certified, or as to any other matters bearing upon the voting 6070
and the counting of the votes in that polling place at that 6071
election. 6072

Finally, the board shall open the sealed container containing 6073
the ballots that were counted in the polling place at the election 6074
and count those ballots, during the official canvass, in the 6075
presence of all of the members of the board and any other persons 6076
who are entitled to witness the official canvass. 6077

(D) Prior to the tenth day after a primary, general, or 6078
special election, the board may examine the pollbooks, poll lists, 6079
and tally sheets received from each polling place for its files 6080
and may compare the results of the voting in any polling place 6081
with the summary statement received from the polling place. If the 6082
board finds that any of these records or any portion of them is 6083
missing, or that they are incomplete, not properly certified, or 6084

ambiguous, or that the results of the voting in the polling place 6085
as shown on the summary statement from the polling place are 6086
different from the results of the voting in the polling place as 6087
shown by the pollbook, poll list, or tally sheet from the polling 6088
place, or that there is any other defect in the records, the board 6089
may make whatever changes to the pollbook, poll list, or tally 6090
sheet it determines to be proper in order to correct the errors or 6091
defects. 6092

Sec. 3506.01. As used in this chapter and Chapters 3501., 6093
3503., 3505., 3509., 3511., 3513., 3515., 3517., 3519., 3521., 6094
3523., and 3599. of the Revised Code: 6095

(A) "Marking device" means an apparatus operated by a voter 6096
to record the voter's choices through the piercing or marking of 6097
ballots enabling them to be examined and counted by automatic 6098
tabulating equipment. 6099

(B) "Ballot" means the official election presentation of 6100
offices and candidates, including write-in candidates, and of 6101
questions and issues, and the means by which votes are recorded. 6102

(C) "Automatic tabulating equipment" means a machine or 6103
electronic device, or interconnected or interrelated machines or 6104
electronic devices, that will automatically examine and count 6105
votes recorded on ballots. 6106

(D) "Central counting station" means a location, or one of a 6107
number of locations, designated by the board of elections for the 6108
automatic examining, sorting, or counting of ballots. 6109

(E) "Voting machines" means mechanical or electronic 6110
equipment for the direct recording and tabulation of votes. 6111

(F) "Direct recording electronic voting machine" means a 6112
voting machine that records votes by means of a ballot display 6113
provided with mechanical or electro-optical components that can be 6114

actuated by the voter, that processes the data by means of a 6115
computer program, and that records voting data and ballot images 6116
in internal or external memory components. A "direct recording 6117
electronic voting machine" produces a tabulation of the voting 6118
data stored in a removable memory component and in printed copy. 6119

(G) "Help America Vote Act of 2002" means the "Help America 6120
Vote Act of 2002," ~~Public Law~~ Pub. L. No. 107-252, 116 Stat. 1666. 6121

(H) "Voter verified paper audit trail" means a physical paper 6122
printout on which the voter's ballot choices, as registered by a 6123
direct recording electronic voting machine, are recorded. The 6124
voter shall be permitted to visually or audibly inspect the 6125
contents of the physical paper printout. The physical paper 6126
printout shall be securely retained at the polling place until the 6127
close of the polls on the day of the election; the secretary of 6128
state shall adopt rules under Chapter 119. of the Revised Code 6129
specifying the manner of storing the physical paper printout at 6130
the polling place. After the physical paper printout is produced, 6131
but before the voter's ballot is recorded, the voter shall have an 6132
opportunity to accept or reject the contents of the printout as 6133
matching the voter's ballot choices. If a voter rejects the 6134
contents of the physical paper printout, the system that produces 6135
the voter verified paper audit trail shall invalidate the printout 6136
and permit the voter to recast the voter's ballot. On and after 6137
the first federal election that occurs after January 1, 2006, 6138
unless required sooner by the Help America Vote Act of 2002, any 6139
system that produces a voter verified paper audit trail shall be 6140
accessible to disabled voters, including visually impaired voters, 6141
in the same manner as the direct recording electronic voting 6142
machine that produces it. 6143

Sec. 3506.05. (A) As used in this section, except when used 6144
as part of the phrase "tabulating equipment" or "automatic 6145

tabulating equipment": 6146

(1) "Equipment" means a voting machine, marking device, 6147
automatic tabulating equipment, or software. 6148

(2) "Vendor" means the person that owns, manufactures, 6149
distributes, or has the legal right to control the use of 6150
equipment, or the person's agent. 6151

(B) No voting machine, marking device, automatic tabulating 6152
equipment, or software for the purpose of casting or tabulating 6153
votes or for communications among systems involved in the 6154
tabulation, storage, or casting of votes shall be purchased, 6155
leased, put in use, or continued to be used, except for 6156
experimental use as provided in division (B) of section 3506.04 of 6157
the Revised Code, unless it, a manual of procedures governing its 6158
use, and training materials, service, and other support 6159
arrangements have been certified by the secretary of state and 6160
unless the board of elections of each county where the equipment 6161
will be used has assured that a demonstration of the use of the 6162
equipment has been made available to all interested electors. The 6163
secretary of state shall appoint a board of voting machine 6164
examiners to examine and approve equipment and its related manuals 6165
and support arrangements. The board shall consist of one competent 6166
and experienced election officer and two persons who are 6167
knowledgeable about the operation of such equipment, who shall 6168
serve during the secretary of state's term. 6169

For the member's service, each member of the board shall 6170
receive three hundred dollars per day for each combination of 6171
marking device, tabulating equipment, and voting machine examined 6172
and reported, but in no event shall a member receive more than six 6173
hundred dollars to examine and report on any one marking device, 6174
item of tabulating equipment, or voting machine. Each member of 6175
the board shall be reimbursed for expenses the member incurs 6176
during an examination or during the performance of any related 6177

duties that may be required by the secretary of state. 6178
Reimbursement of these expenses shall be made in accordance with, 6179
and shall not exceed, the rates provided for under section 126.31 6180
of the Revised Code. 6181

Neither the secretary of state nor the board, nor any public 6182
officer who participates in the authorization, examination, 6183
testing, or purchase of equipment, shall have any pecuniary 6184
interest in the equipment or any affiliation with the vendor. 6185

(C)(1) A vendor who desires to have the secretary of state 6186
certify equipment shall first submit the equipment, all current 6187
related procedural manuals, and a current description of all 6188
related support arrangements to the board of voting machine 6189
examiners for examination, testing, and approval. The submission 6190
shall be accompanied by a fee of eighteen hundred dollars and a 6191
detailed explanation of the construction and method of operation 6192
of the equipment, a full statement of its advantages, and a list 6193
of the patents and copyrights used in operations essential to the 6194
processes of vote recording and tabulating, vote storage, system 6195
security, and other crucial operations of the equipment as may be 6196
determined by the board. An additional fee, in an amount to be set 6197
by rules promulgated by the board, may be imposed to pay for the 6198
costs of alternative testing or testing by persons other than 6199
board members, record-keeping, and other extraordinary costs 6200
incurred in the examination process. Moneys not used shall be 6201
returned to the person or entity submitting the equipment for 6202
examination. 6203

(2) Fees collected by the secretary of state under this 6204
section shall be deposited into the state treasury to the credit 6205
of the board of voting machine examiners fund, which is hereby 6206
created. All moneys credited to this fund shall be used solely for 6207
the purpose of paying for the services and expenses of each member 6208
of the board or for other expenses incurred relating to the 6209

examination, testing, reporting, or certification of voting 6210
machine devices, the performance of any related duties as required 6211
by the secretary of state, or the reimbursement of any person 6212
submitting an examination fee as provided in this chapter. 6213

(D) Within sixty days after the submission of the equipment 6214
and payment of the fee, or as soon thereafter as is reasonably 6215
practicable, but in any event within not more than ninety days 6216
after the submission and payment, the board of voting machine 6217
examiners shall examine the equipment and file with the secretary 6218
of state a written report on the equipment with its 6219
recommendations and its determination or condition of approval 6220
regarding whether the equipment, manual, and other related 6221
materials or arrangements meet the criteria set forth in sections 6222
3506.07 and 3506.10 of the Revised Code and can be safely used by 6223
the voters at elections under the conditions prescribed in Title 6224
XXXV of the Revised Code, or a written statement of reasons for 6225
which testing requires a longer period. The board may grant 6226
temporary approval for the purpose of allowing experimental use of 6227
equipment. If the board finds that the equipment meets the 6228
criteria set forth in sections 3506.06, 3506.07, and 3506.10 of 6229
the Revised Code, can be used safely and can be depended upon to 6230
record and count accurately and continuously the votes of 6231
electors, and has the capacity to be warranted, maintained, and 6232
serviced, it shall approve the equipment and recommend that the 6233
secretary of state certify the equipment. The secretary of state 6234
shall notify all boards of elections of any such certification. 6235
Equipment of the same model and make, if it provides for recording 6236
of voter intent, system security, voter privacy, retention of 6237
vote, and communication of voting records in an identical manner, 6238
may then be adopted for use at elections. 6239

(E) The vendor shall notify the secretary of state, who shall 6240
then notify the board of voting machine examiners, of any 6241

enhancement and any significant adjustment to the hardware or 6242
software that could result in a patent or copyright change or that 6243
significantly alters the methods of recording voter intent, system 6244
security, voter privacy, retention of the vote, communication of 6245
voting records, and connections between the system and other 6246
systems. The vendor shall provide the secretary of state with an 6247
updated operations manual for the equipment, and the secretary of 6248
state shall forward the manual to the board. Upon receiving such a 6249
notification and manual, the board may require the vendor to 6250
submit the equipment to an examination and test in order for the 6251
equipment to remain certified. The board or the secretary of state 6252
shall periodically examine, test, and inspect certified equipment 6253
to determine continued compliance with the requirements of this 6254
chapter and the initial certification. Any examination, test, or 6255
inspection conducted for the purpose of continuing certification 6256
of any equipment in which a significant problem has been uncovered 6257
or in which a record of continuing problems exists shall be 6258
performed pursuant to divisions (C) and (D) of this section, in 6259
the same manner as the examination, test, or inspection is 6260
performed for initial approval and certification. 6261

(F) If, at any time after the certification of equipment, the 6262
board of voting machine examiners or the secretary of state is 6263
notified by a board of elections of any significant problem with 6264
the equipment or determines that the equipment fails to meet the 6265
requirements necessary for approval or continued compliance with 6266
the requirements of this chapter, or if the board of voting 6267
machine examiners determines that there are significant 6268
enhancements or adjustments to the hardware or software, or if 6269
notice of such enhancements or adjustments has not been given as 6270
required by division (E) of this section, the secretary of state 6271
shall notify the users and vendors of that equipment that 6272
certification of the equipment may be withdrawn. 6273

(G)(1) The notice given by the secretary of state under 6274
division (F) of this section shall be in writing and shall specify 6275
both of the following: 6276

(a) The reasons why the certification may be withdrawn; 6277

(b) The date on which certification will be withdrawn unless 6278
the vendor takes satisfactory corrective measures or explains why 6279
there are no problems with the equipment or why the enhancements 6280
or adjustments to the equipment are not significant. 6281

(2) A vendor who receives a notice under division (F) of this 6282
section shall, within thirty days after receiving it, submit to 6283
the board of voting machine examiners in writing a description of 6284
the corrective measures taken and the date on which they were 6285
taken, or the explanation required under division (G)(1)(b) of 6286
this section. 6287

(3) Not later than fifteen days after receiving a written 6288
description or explanation under division (G)(2) of this section 6289
from a vendor, the board shall determine whether the corrective 6290
measures taken or the explanation is satisfactory to allow 6291
continued certification of the equipment, and the secretary of 6292
state shall send the vendor a written notice of the board's 6293
determination, specifying the reasons for it. If the board has 6294
determined that the measures taken or the explanation given is 6295
unsatisfactory, the notice shall include the effective date of 6296
withdrawal of the certification. This date may be different from 6297
the date originally specified in division (G)(1)(b) of this 6298
section. 6299

(4) A vendor who receives a notice under division (G)(3) of 6300
this section indicating a decision to withdraw certification may, 6301
within thirty days after receiving it, request in writing that the 6302
board hold a hearing to reconsider its decision. Any interested 6303
party shall be given the opportunity to submit testimony or 6304

documentation in support of or in opposition to the board's 6305
recommendation to withdraw certification. Failure of the vendor to 6306
take appropriate steps as described in division (G)(1)(b) or to 6307
comply with division (G)(2) of this section results in a waiver of 6308
the vendor's rights under division (G)(4) of this section. 6309

(H)(1) The secretary of state, in consultation with the board 6310
of voting machine examiners, shall establish, by rule, guidelines 6311
for the approval, certification, and continued certification of 6312
the voting machines, marking devices, and tabulating equipment to 6313
be used under Title XXXV of the Revised Code. The guidelines shall 6314
establish procedures requiring vendors or computer software 6315
developers to place in escrow with an independent escrow agent 6316
approved by the secretary of state a copy of all source code and 6317
related documentation, together with periodic updates as they 6318
become known or available. The secretary of state shall require 6319
that the documentation include a system configuration and that the 6320
source code include all relevant program statements in low- or 6321
high-level languages. As used in this division, "source code" does 6322
not include variable codes created for specific elections. 6323

(2) Nothing in any rule adopted under division (H) of this 6324
section shall be construed to limit the ability of the secretary 6325
of state to follow or adopt, or to preclude the secretary of state 6326
from following or adopting, any guidelines proposed by the federal 6327
election commission, any entity authorized by the federal election 6328
commission to propose guidelines, the election assistance 6329
commission, or any entity authorized by the election assistance 6330
commission to propose guidelines. 6331

(3)(a) Before the initial certification of any direct 6332
recording electronic voting machine with a voter verified paper 6333
audit trail, and as a condition for the continued certification 6334
and use of those machines, the secretary of state shall establish, 6335
by rule, standards for the certification of those machines. Those 6336

standards shall include, but are not limited to, all of the 6337
following: 6338

(i) A definition of a voter verified paper audit trail as a 6339
paper record of the voter's choices that is verified by the voter 6340
prior to the casting of the voter's ballot and that is securely 6341
retained by the board of elections; 6342

(ii) Requirements that the voter verified paper audit trail 6343
shall not be retained by any voter and shall not contain 6344
individual voter information; 6345

(iii) A prohibition against the production by any direct 6346
recording electronic voting machine of anything that legally could 6347
be removed by the voter from the polling place, such as a receipt 6348
or voter confirmation; 6349

(iv) A requirement that paper used in producing a voter 6350
verified paper audit trail be sturdy, clean, and resistant to 6351
degradation; 6352

(v) A requirement that the voter verified paper audit trail 6353
shall be capable of being optically scanned for the purpose of 6354
conducting a recount or other audit of the voting machine and 6355
shall be readable in a manner that makes the voter's ballot 6356
choices obvious to the voter without the use of computer or 6357
electronic codes; 6358

(vi) A requirement, for office-type ballots, that the voter 6359
verified paper audit trail include the name of each candidate 6360
selected by the voter; 6361

(vii) A requirement, for questions and issues ballots, that 6362
the voter verified paper audit trail include the title of the 6363
question or issue, the name of the entity that placed the question 6364
or issue on the ballot, and the voter's ballot selection on that 6365
question or issue, but not the entire text of the question or 6366

issue. 6367

(b) The secretary of state, by rule adopted under Chapter 6368
119. of the Revised Code, may waive the requirement under division 6369
(H)(3)(a)(v) of this section, if the secretary of state determines 6370
that the requirement is cost prohibitive. 6371

Sec. 3506.12. In counties where marking devices, automatic 6372
tabulating equipment, voting machines, or any combination of these 6373
are in use or are to be used, the board of elections: 6374

(A) May combine, rearrange, and enlarge precincts; but the 6375
board shall arrange for a sufficient number of these devices to 6376
accommodate the number of electors in each precinct as determined 6377
by the number of votes cast in that precinct at the most recent 6378
election for the office of governor, taking into consideration the 6379
size and location of each selected polling place, available 6380
parking, handicap accessibility and other accessibility to the 6381
polling place, and the number of candidates and issues to be voted 6382
on. Notwithstanding section 3501.22 of the Revised Code, the board 6383
may appoint more than four precinct officers to each precinct if 6384
this is made necessary by the number of voting machines to be used 6385
in that precinct. 6386

(B) Except as otherwise provided in this division, shall 6387
establish one or more counting stations to receive voted ballots 6388
and other precinct election supplies after the polling precincts 6389
are closed. Those stations shall be under the supervision and 6390
direction of the board of elections. Processing and counting of 6391
voted ballots, and the preparation of summary sheets, shall be 6392
done in the presence of ~~witnesses~~ observers approved by the board. 6393
A certified copy of the summary sheet for the precinct shall be 6394
posted at each counting station immediately after completion of 6395
the summary sheet. 6396

In counties where punch card ballots are used, one or more
counting stations, located at the board of elections, shall be
established, at which location all punch card ballots shall be
counted.

As used in this division, "punch card ballot" has the same
meaning as in section 3506.16 of the Revised Code.

Sec. 3506.13. In precincts where marking devices, automatic
tabulating equipment, voting machines, or any combination of these
are used, ~~challengers and witnesses~~ observers may be appointed as
prescribed in section 3505.21 of the Revised Code. The duties and
privileges of ~~challengers~~ observers in such precincts during the
hours the polls are open, shall be as provided in section 3505.21
of the Revised Code.

~~Challengers~~ Observers shall be allowed to remain in the
polling place after the polls close and may observe the processing
of the ballots and the sealing and signing of the envelopes or
containers or both containing the voted ballots.

~~Witnesses shall not be allowed in the polling place, but
shall file their certificates of appointment at the proper
counting station after the polls close, and may observe all
functions there.~~

Sec. 3506.18. (A) For any recount of an election in which
ballots are cast using a direct recording electronic voting
machine with a voter verified paper audit trail, the voter
verified paper audit trail shall serve as the official ballot to
be recounted.

(B) Voter verified paper audit trails shall be preserved in
the same manner and for the same time period as paper ballots are
preserved under section 3505.31 of the Revised Code.

(C) A voter verified paper audit trail shall be treated as 6426
are other ballots for purposes of section 149.43 of the Revised 6427
Code and shall be retained in accordance with the county records 6428
retention schedule established under section 149.38 of the Revised 6429
Code after the relevant time period prescribed for its 6430
preservation in section 3505.31 of the Revised Code, or as ordered 6431
by the secretary of state or a court of competent jurisdiction. 6432

(D) If a voter verified paper audit trail is made available 6433
to the public, any information on that voter verified paper audit 6434
trail that identifies the particular direct recording electronic 6435
voting machine that produced it shall be redacted. 6436

Sec. 3506.20. (A) As used in this section, "ballots on demand 6437
voting system" means a system that utilizes ballots printed as 6438
needed by election officials at the board of elections for 6439
distribution to electors, either in person or by mail. 6440

(B) No board of elections shall use a ballots on demand 6441
voting system unless each ballot printed by the system includes a 6442
tracking number. 6443

Sec. 3506.21. (A) As used in this section, "optical scan 6444
ballot" means a ballot that is marked by using a specified writing 6445
instrument to fill in a designated position to record a voter's 6446
candidate, question, or issue choice and that can be scanned and 6447
electronically read in order to tabulate the vote. 6448

(B)(1) In addition to marks that can be scanned and 6449
electronically read by automatic tabulating equipment, any of the 6450
following marks, if a majority of those marks are made in a 6451
consistent manner throughout an optical scan ballot, shall be 6452
counted as a valid vote: 6453

(a) A candidate, question, or issue choice that has been 6454
circled by the voter; 6455

(b) An oval beside the candidate, question, or issue choice 6456
that has been circled by the voter; 6457

(c) An oval beside the candidate, question, or issue choice 6458
that has been marked by the voter with an "x," a check mark, or 6459
other recognizable mark; 6460

(d) A candidate, question, or issue choice that has been 6461
marked with a writing instrument that cannot be recognized by 6462
automatic tabulating equipment. 6463

(2) Marks made on an optical scan ballot in accordance with 6464
division (B)(1) of this section shall be counted as valid votes 6465
only if that optical scan ballot contains no marks that can be 6466
scanned and electronically read by automatic tabulating equipment. 6467

(C) The secretary of state may adopt rules under Chapter 119. 6468
of the Revised Code to authorize additional types of optical scan 6469
ballots and to specify the types of marks on those ballots that 6470
shall be counted as a valid vote to ensure consistency in the 6471
counting of ballots throughout the state. 6472

Sec. 3506.22. (A) Beginning in the year 2013 and thereafter, 6473
a county that selects direct recording electronic voting machines 6474
as the primary voting system to be used in the county and not only 6475
for accessibility for individuals with disabilities as required 6476
under the Help America Vote Act of 2002 and section 3506.19 of the 6477
Revised Code shall acquire, if needed, sufficient direct recording 6478
electronic voting machines to meet the minimum number of direct 6479
recording electronic voting machines required to be established by 6480
the secretary of state under division (B) of this section. 6481

(B) Beginning in the year 2013 and every eight years 6482
thereafter, the secretary of state shall establish, for each 6483
county, a minimum number of direct recording electronic voting 6484
machines that the county shall be required to have if it elects to 6485

use direct recording electronic voting machines as the primary 6486
voting system in the county. The minimum number for each county 6487
shall be calculated as follows: 6488

(1) The total number of registered voters in the county as of 6489
the October deadline for voter registration for the last 6490
presidential election or the average of the total number of 6491
registered voters in the county as of the October deadline for 6492
voter registration for the last two presidential elections, 6493
whichever number is higher, shall be determined. 6494

(2) The number resulting from the determination under 6495
division (B)(1) of this section shall be divided by one hundred 6496
seventy-five. 6497

(3) Any fraction resulting from the calculation under 6498
division (B)(2) of this section shall be rounded up to the next 6499
whole number. 6500

(C) A county that selects direct recording electronic voting 6501
machines as the primary voting system to be used in the county and 6502
not only for accessibility for individuals with disabilities as 6503
required under the Help America Vote Act of 2002 and section 6504
3506.19 of the Revised Code after the effective date of this 6505
section but before the year 2013 shall do so in accordance with 6506
the formula set forth in Section 514.03 of Am. Sub. H.B. 66 of the 6507
126th general assembly. 6508

Sec. 3506.23. A voting machine shall not be connected to the 6509
internet. 6510

Sec. 3509.02. (A) Any qualified elector may vote by absent 6511
voter's ballots at an election. 6512

(B) Any qualified elector who is unable to appear at the 6513
office of the board of elections ~~or other location designated by~~ 6514

the board or, if pursuant to division (C) of section 3501.10 of 6515
the Revised Code the board has designated another location in the 6516
county at which registered electors may vote, at that other 6517
location on account of personal illness, physical disability, or 6518
infirmity, and who moves from one precinct to another within a 6519
county, changes the elector's name and moves from one precinct to 6520
another within a county, or moves from one county to another 6521
county within the state, on or prior to the day of a general, 6522
primary, or special election and has not filed a notice of change 6523
of residence or change of name may vote by absent voter's ballots 6524
in that election as specified in division (G) of section 3503.16 6525
of the Revised Code. 6526

Sec. 3509.06. (A) The board of elections shall determine 6527
whether absent voter's ballots shall be counted in each precinct, 6528
at the office of the board, or at some other location designated 6529
by the board, and shall proceed accordingly under division (B) or 6530
(C) of this section. 6531

(B) When the board of elections determines that absent 6532
voter's ballots shall be counted in each precinct, the director 6533
shall deliver to the presiding judge of each precinct on election 6534
day identification envelopes purporting to contain absent voter's 6535
ballots of electors whose voting residence appears from the 6536
statement of voter on the outside of each of those envelopes, to 6537
be located in such presiding judge's precinct, and which were 6538
received by the director not later than the close of the polls on 6539
election day. The director shall deliver to such presiding judge a 6540
list containing the name and voting residence of each person whose 6541
voting residence is in such precinct to whom absent voter's 6542
ballots were mailed. 6543

(C) When the board of elections determines that absent 6544
voter's ballots shall be counted at the office of the board of 6545

elections or at another location designated by the board, special
election judges shall be appointed by the board for that purpose
having the same authority as is exercised by precinct judges. The
votes so cast shall be added to the vote totals by the board, and
the absent voter's ballots shall be preserved separately by the
board, in the same manner and for the same length of time as
provided by section 3505.31 of the Revised Code.

(D) Each of the identification envelopes purporting to
contain absent voter's ballots delivered to the presiding judge of
the precinct or the special judge appointed by the board of
elections shall be handled as follows: The election officials
shall compare the signature of the elector on the outside of the
identification envelope with the signature of that elector on the
elector's registration form and verify that the absent voter's
ballot is eligible to be counted under section 3509.07 of the
Revised Code. Any of the precinct officials may challenge the
right of the elector named on the identification envelope to vote
the absent voter's ballots upon the ground that the signature on
the envelope is not the same as the signature on the registration
form, or upon any other of the grounds upon which the right of
persons to vote may be lawfully challenged. If no such challenge
is made, or if such a challenge is made and not sustained, the
presiding judge shall open the envelope without defacing the
statement of voter and without mutilating the ballots in it, and
shall remove the ballots contained in it and proceed to count
them.

The name of each person voting who is entitled to vote only
an absent voter's presidential ballot shall be entered in a
pollbook or poll list or signature pollbook followed by the words
"Absentee Presidential Ballot." The name of each person voting an
absent voter's ballot, other than such persons entitled to vote
only a presidential ballot, shall be entered in the pollbook or

poll list or signature pollbook and the person's registration card 6578
marked to indicate that the person has voted. 6579

The date of such election shall also be entered on the 6580
elector's registration form. If any such challenge is made and 6581
sustained, the identification envelope of such elector shall not 6582
be opened, shall be endorsed "Not Counted" with the reasons the 6583
ballots were not counted, and shall be delivered to the board. 6584

(E) Special election judges ~~or~~ employees or members of the 6585
board of elections, or observers shall not disclose the count or 6586
any portion of the count of absent voter's ballots prior to the 6587
time of the closing of the polling places. No person shall 6588
recklessly disclose the count or any portion of the count of 6589
absent voter's ballots in such a manner as to jeopardize the 6590
secrecy of any individual ballot. 6591

(F) Observers may be appointed under section 3505.21 of the 6592
Revised Code to witness the examination and opening of 6593
identification envelopes and the counting of absent voters' 6594
ballots under this section. 6595

Sec. 3509.08. (A) Any qualified elector, who, on account of 6596
the elector's own personal illness, physical disability, or 6597
infirmary, or on account of the elector's confinement in a jail or 6598
workhouse under sentence for a misdemeanor or awaiting trial on a 6599
felony or misdemeanor, will be unable to travel from the elector's 6600
home or place of confinement to the voting booth in the elector's 6601
precinct on the day of any general, special, or primary election 6602
may make application in writing for an absent voter's ballot to 6603
the director of the board of elections of the elector's county. 6604
The application shall include all of the information required 6605
under section 3509.03 of the Revised Code and shall state the 6606
nature of the elector's illness, physical disability, or 6607
infirmary, or the fact that the elector is confined in a jail or 6608

workhouse and the elector's resultant inability to travel to the 6609
election booth in the elector's precinct on election day. The 6610
application shall not be valid if it is delivered to the director 6611
before the ninetieth day or after twelve noon of the third day 6612
before the day of the election at which the ballot is to be voted. 6613

The absent voter's ballot may be mailed directly to the 6614
applicant at the applicant's voting residence or place of 6615
confinement as stated in the applicant's application, or the board 6616
may designate two board employees belonging to the two major 6617
political parties for the purpose of delivering the ballot to the 6618
disabled or confined elector and returning it to the board, unless 6619
the applicant is confined to a public or private institution 6620
within the county, in which case the board shall designate two 6621
~~such~~ board employees belonging to the two major political parties 6622
for the purpose of delivering the ballot to the disabled or 6623
confined elector and returning it to the board. In all other 6624
instances, the ballot shall be returned to the office of the board 6625
in the manner prescribed in section 3509.05 of the Revised Code. 6626

Any disabled or confined elector who declares to the two 6627
board employees belonging to the two major political parties that 6628
the elector is unable to mark the elector's ballot by reason of 6629
physical infirmity that is apparent to the employees to be 6630
sufficient to incapacitate the voter from marking the elector's 6631
ballot properly, may receive, upon request, the assistance of the 6632
~~two~~ employees in marking the elector's ballot, and they shall 6633
thereafter give no information in regard to this matter. Such 6634
assistance shall not be rendered for any other cause. 6635

When two board employees belonging to the two major political 6636
parties deliver a ballot to a disabled or confined elector, each 6637
of the employees shall be present when the ballot is delivered, 6638
when assistance is given, and when the ballot is returned to the 6639

office of the board, and shall subscribe to the declaration on the 6640
identification envelope. 6641

The secretary of state shall prescribe the form of 6642
application for absent voter's ballots under this division. 6643

This chapter applies to disabled and confined absent voter's 6644
ballots except as otherwise provided in this section. 6645

(B)(1) Any qualified elector who is unable to travel to the 6646
voting booth in the elector's precinct on the day of any general, 6647
special, or primary election because of being confined in a 6648
hospital as a result of an accident or unforeseeable medical 6649
emergency occurring before the election, may apply to the director 6650
of the board of elections of the county where the elector is a 6651
qualified elector to vote in the election by absent voter's 6652
ballot. This application shall be made in writing, shall include 6653
all of the information required under section 3509.03 of the 6654
Revised Code, and shall be delivered to the director not later 6655
than three p.m. on the day of the election. The application shall 6656
indicate the hospital where the applicant is confined, the date of 6657
the applicant's admission to the hospital, and the offices for 6658
which the applicant is qualified to vote. The applicant may also 6659
request that a member of the applicant's family, as listed in 6660
section 3509.05 of the Revised Code, deliver the absent voter's 6661
ballot to the applicant. The director, after establishing to the 6662
director's satisfaction the validity of the circumstances claimed 6663
by the applicant, shall supply an absent voter's ballot to be 6664
delivered to the applicant. When the applicant is in a hospital in 6665
the county where the applicant is a qualified elector and no 6666
request is made for a member of the family to deliver the ballot, 6667
the director shall arrange for the delivery of an absent voter's 6668
ballot to the applicant, and for its return to the office of the 6669
board, by two board employees belonging to the two major political 6670
parties according to the procedures prescribed in division (A) of 6671

this section. When the applicant is in a hospital outside the 6672
county where the applicant is a qualified elector and no request 6673
is made for a member of the family to deliver the ballot, the 6674
director shall arrange for the delivery of an absent voter's 6675
ballot to the applicant by mail, and the ballot shall be returned 6676
to the office of the board in the manner prescribed in section 6677
3509.05 of the Revised Code. 6678

(2) Any qualified elector who is eligible to vote under 6679
division (B) or (C) of section 3503.16 of the Revised Code but is 6680
unable to do so because of the circumstances described in division 6681
(B)(1) of this section may vote in accordance with division (B)(1) 6682
of this section if that qualified elector states in the 6683
application for absent voter's ballots that that qualified elector 6684
moved or had a change of name under the circumstances described in 6685
division (B) or (C) of section 3503.16 of the Revised Code and if 6686
that qualified elector complies with divisions (G)(1) to (4) of 6687
section 3503.16 of the Revised Code. 6688

(C) Any qualified elector described in division (A) or (B)(1) 6689
of this section who needs no assistance to vote or to return 6690
absent voter's ballots to the board of elections may apply for 6691
absent voter's ballots under section 3509.03 of the Revised Code 6692
instead of applying for them under this section. 6693

Sec. 3509.09. (A) The poll list or signature pollbook for 6694
each precinct shall identify each registered elector in that 6695
precinct who has requested an absent voter's ballot for that 6696
election. 6697

(B)(1) If a registered elector appears to vote in that 6698
precinct and that elector has requested an absent voter's ballot 6699
for that election but the director has not received a sealed 6700
identification envelope purporting to contain that elector's voted 6701
absent voter's ballots for that election, the elector shall be 6702

permitted to cast a provisional ballot, ~~generally in the manner~~ 6703
~~prescribed in division (B) of~~ under section ~~3503.16~~ 3505.181 of 6704
the Revised Code, in that precinct on the day of that election. 6705

(2) If a registered elector appears to vote in that precinct 6706
and that elector has requested an absent voter's ballot for that 6707
election and the director has received a sealed identification 6708
envelope purporting to contain that elector's voted absent voter's 6709
ballots for that election, the elector shall be permitted to cast 6710
a provisional ballot, ~~generally in the manner prescribed in~~ 6711
~~division (B) of~~ under section ~~3503.16~~ 3505.181 of the Revised 6712
Code, in that precinct on the day of that election. 6713

(C)(1) In counting absent voter's ballots under section 6714
3509.06 of the Revised Code, the board of elections or the 6715
precinct election officials shall compare the poll list or the 6716
signature pollbook for each precinct with the name of each elector 6717
in that precinct from whom the director has received a sealed 6718
identification envelope purporting to contain that elector's voted 6719
absent voter's ballots for that election. Except as otherwise 6720
provided in division (C)(2) of this section, if the board of 6721
elections determines that an elector who cast a provisional 6722
ballot, ~~generally in the manner prescribed in division (B) of~~ 6723
~~section 3503.16 of the Revised Code,~~ in the precinct on the day of 6724
the election also returned a sealed identification envelope for 6725
that election, the absent voter's ballot in the sealed 6726
identification envelope shall be counted, and the provisional 6727
ballot cast in the precinct on the day of the election shall not 6728
be counted. 6729

(2) The board of elections shall count the provisional ballot 6730
~~cast in the precinct on the day of the election,~~ instead of the 6731
absent voter's ballot ~~in the returned sealed identification~~ 6732
~~envelope of an elector,~~ if both of the following apply: 6733

(a) The board of elections determines that the signature of the elector on the outside of the identification envelope in which the absent voter's ballots are enclosed does not match the signature of the elector on the elector's registration form;

(b) The elector cast a provisional ballot, ~~generally in the manner prescribed in division (B) of section 3503.16 of the Revised Code,~~ in the precinct on the day of the election.

If the board of elections counts ~~the~~ a provisional ballot cast ~~in the precinct on the day of the election~~ under this division, the identification envelope of that elector shall not be opened, and the ballot within that envelope shall not be counted. The identification envelope shall be endorsed "Not Counted" with the reason the ballot was not counted.

Sec. 3511.13. (A) The poll list or signature pollbook for each precinct shall identify each registered elector in that precinct who has requested an armed ~~services~~ service absent voter's ballot for that election.

(B)(1) If a registered elector appears to vote in that precinct and that elector has requested an armed service absent voter's ballot for that election but the director has not received a sealed identification envelope purporting to contain that elector's voted armed service absent voter's ballots for that election, the elector shall be permitted to cast a provisional ballot, ~~generally in the manner prescribed in division (B) of~~ under section ~~3503.16~~ 3505.181 of the Revised Code, in that precinct on the day of that election.

(2) If a registered elector appears to vote in that precinct and that elector has requested an armed service absent voter's ballot for that election and the director has received a sealed identification envelope purporting to contain that elector's voted

armed service absent voter's ballots for that election, the 6764
elector shall be permitted to cast a provisional ballot, ~~generally~~ 6765
~~in the manner prescribed in division (B) of~~ under section ~~3503.16~~ 6766
3505.181 of the Revised Code, in that precinct on the day of that 6767
election. 6768

(C)(1) In counting armed service absent voter's ballots under 6769
section 3511.11 of the Revised Code, the board of elections or the 6770
precinct election officials shall compare the poll list or the 6771
signature pollbook for each precinct with the name of each elector 6772
in that precinct from whom the director has received a sealed 6773
identification envelope purporting to contain that elector's voted 6774
armed service absent voter's ballots for that election. Except as 6775
otherwise provided in division (C)(2) of this section, if the 6776
board of elections determines that an elector who cast a 6777
provisional ballot, ~~generally in the manner prescribed in division~~ 6778
~~(B) of section 3503.16 of the Revised Code,~~ in the precinct on the 6779
day of the election also returned a sealed identification envelope 6780
for that election, the armed service absent voter's ballot in the 6781
sealed identification envelope shall be counted, and the 6782
provisional ballot cast in the precinct on the day of the election 6783
shall not be counted. 6784

(2) The board of elections shall count the provisional ballot 6785
~~cast in the precinct on the day of the election,~~ instead of the 6786
armed service absent voter's ballot, of an elector from whom the 6787
director has received an identification envelope purporting to 6788
contain that elector's voted armed service absent voter's ballots, 6789
if both of the following apply: 6790

(a) The board of elections determines that the signature of 6791
the elector on the outside of the identification envelope in which 6792
the armed service absent voter's ballots are enclosed does not 6793
match the signature of the elector on the elector's registration 6794
form; 6795

(b) The elector cast a provisional ballot, ~~generally in the~~ 6796
~~manner prescribed in division (B) of section 3503.16 of the~~ 6797
~~Revised Code,~~ in the precinct on the day of the election. 6798

If the board of elections counts ~~the~~ a provisional ballot 6799
~~cast in the precinct on the day of the election~~ under this 6800
division, the identification envelope of that elector shall not be 6801
opened, and the ballot within that envelope shall not be counted. 6802
The identification envelope shall be endorsed "Not Counted" with 6803
the reason the ballot was not counted. 6804

Sec. 3513.04. Candidates for party nominations to state, 6805
district, county, and municipal offices or positions, for which 6806
party nominations are provided by law, and for election as members 6807
of party controlling committees shall have their names printed on 6808
the official primary ballot by filing a declaration of candidacy 6809
and paying the fees specified for the office under divisions (A) 6810
and (B) of section 3513.10 of the Revised Code, except that the 6811
joint candidates for party nomination to the offices of governor 6812
and lieutenant governor shall, for the two of them, file one 6813
declaration of candidacy. The joint candidates also shall pay the 6814
fees specified for the joint candidates under divisions (A) and 6815
(B) of section 3513.10 of the Revised Code. 6816

The secretary of state shall not accept for filing the 6817
declaration of candidacy of a candidate for party nomination to 6818
the office of governor unless the declaration of candidacy also 6819
shows a joint candidate for the same party's nomination to the 6820
office of lieutenant governor, shall not accept for filing the 6821
declaration of candidacy of a candidate for party nomination to 6822
the office of lieutenant governor unless the declaration of 6823
candidacy also shows a joint candidate for the same party's 6824
nomination to the office of governor, and shall not accept for 6825
filing a declaration of candidacy that shows a candidate for party 6826

nomination to the office of governor or lieutenant governor who, 6827
for the same election, has already filed a declaration of 6828
candidacy or a declaration of intent to be a write-in candidate, 6829
or has become a candidate by the filling of a vacancy under 6830
section 3513.30 of the Revised Code for any other state office or 6831
any ~~federal or~~ federal or county office. 6832

No person who seeks party nomination for an office or 6833
position at a primary election by declaration of candidacy or by 6834
declaration of intent to be a write-in candidate and no person who 6835
is a first choice for president of candidates seeking election as 6836
delegates and alternates to the national conventions of the 6837
different major political parties who are chosen by direct vote of 6838
the electors as provided in this chapter shall be permitted to 6839
become a candidate by nominating petition or by declaration of 6840
intent to be a write-in candidate at the following general 6841
election for any office other than the office of member of the 6842
state board of education, office of member of a city, local, or 6843
exempted village board of education, office of member of a 6844
governing board of an educational service center, or office of 6845
township trustee. 6846

Sec. 3513.041. A write-in space shall be provided on the 6847
ballot for every office, except in an election for which the board 6848
of elections has received no valid declarations of intent to be a 6849
write-in candidate under this section. Write-in votes shall not be 6850
counted for any candidate who has not filed a declaration of 6851
intent to be a write-in candidate pursuant to this section. A 6852
qualified person who has filed a declaration of intent may receive 6853
write-in votes at either a primary or general election. Any 6854
candidate shall file a declaration of intent to be a write-in 6855
candidate before four p.m. of the ~~fiftieth~~ sixty-second day 6856
preceding the election at which such candidacy is to be 6857

considered. If the election is to be determined by electors of a 6858
county or a district or subdivision within the county, such 6859
declaration shall be filed with the board of elections of that 6860
county. If the election is to be determined by electors of a 6861
subdivision located in more than one county, such declaration 6862
shall be filed with the board of elections of the county in which 6863
the major portion of the population of such subdivision is 6864
located. If the election is to be determined by electors of a 6865
district comprised of more than one county but less than all of 6866
the counties of the state, such declaration shall be filed with 6867
the board of elections of the most populous county in such 6868
district. Any candidate for an office to be voted upon by electors 6869
throughout the entire state shall file a declaration of intent to 6870
be a write-in candidate with the secretary of state before four 6871
p.m. of the ~~fiftieth~~ sixty-second day preceding the election at 6872
which such candidacy is to be considered. In addition, candidates 6873
for president and vice-president of the United States shall also 6874
file with the secretary of state by ~~said fiftieth~~ that 6875
sixty-second day a slate of presidential electors sufficient in 6876
number to satisfy the requirements of the United States 6877
constitution. 6878

A board of elections shall not accept for filing the 6879
declaration of intent to be a write-in candidate of a person 6880
seeking to become a candidate if that person, for the same 6881
election, has already filed a declaration of candidacy, a 6882
declaration of intent to be a write-in candidate, or a nominating 6883
petition, or has become a candidate through party nomination at a 6884
primary election or by the filling of a vacancy under section 6885
3513.30 or 3513.31 of the Revised Code, for any ~~federal, federal,~~ 6886
state_{7L} or county office, if the declaration of intent to be a 6887
write-in candidate is for a state or county office, or for any 6888
municipal or township office, for member of a city, local, or 6889
exempted village board of education, or for member of a governing 6890

board of an educational service center, if the declaration of 6891
intent to be a write-in candidate is for a municipal or township 6892
office, or for member of a city, local, or exempted village board 6893
of education, or for member of a governing board of an educational 6894
service center. 6895

No person shall file a declaration of intent to be a write-in 6896
candidate for the office of governor unless the declaration also 6897
shows the intent of another person to be a write-in candidate for 6898
the office of lieutenant governor. No person shall file a 6899
declaration of intent to be a write-in candidate for the office of 6900
lieutenant governor unless the declaration also shows the intent 6901
of another person to be a write-in candidate for the office of 6902
governor. No person shall file a declaration of intent to be a 6903
write-in candidate for the office of governor or lieutenant 6904
governor if the person has previously filed a declaration of 6905
intent to be a write-in candidate to the office of governor or 6906
lieutenant governor at the same primary or general election. A 6907
write-in vote for the two candidates who file such a declaration 6908
shall be counted as a vote for them as joint candidates for the 6909
offices of governor and lieutenant governor. 6910

The secretary of state shall not accept for filing the 6911
declaration of intent to be a write-in candidate of a person for 6912
the office of governor unless the declaration also shows the 6913
intent of another person to be a write-in candidate for the office 6914
of lieutenant governor, shall not accept for filing the 6915
declaration of intent to be a write-in candidate of a person for 6916
the office of lieutenant governor unless the declaration also 6917
shows the intent of another person to be a write-in candidate for 6918
the office of governor, and shall not accept for filing the 6919
declaration of intent to be a write-in candidate of a person to 6920
the office of governor or lieutenant governor if that person, for 6921
the same election, has already filed a declaration of candidacy, a 6922

declaration of intent to be a write-in candidate, or a nominating
petition, or has become a candidate through party nomination at a
primary election or by the filling of a vacancy under section
3513.30 or 3513.31 of the Revised Code, for any other state office
or any ~~federal or~~ federal or county office.

Protests against the candidacy of any person filing a
declaration of intent to be a write-in candidate may be filed by
any qualified elector who is eligible to vote in the election at
which the candidacy is to be considered. The protest shall be in
writing and shall be filed not later than four p.m. of the
~~forty-fifth~~ fifty-seventh day before the day of the election. The
protest shall be filed with the board of elections with which the
declaration of intent to be a write-in candidate was filed. Upon
the filing of the protest, the board with which it is filed shall
promptly fix the time for hearing it and shall proceed in regard
to the hearing in the same manner as for hearings set for protests
filed under section 3513.05 of the Revised Code. At the time
fixed, the board shall hear the protest and determine the validity
or invalidity of the declaration of intent to be a write-in
candidate. If the board finds that the candidate is not an elector
of the state, district, county, or political subdivision in which
the candidate seeks election to office or has not fully complied
with the requirements of Title XXXV of the Revised Code in regard
to the candidate's candidacy, the candidate's declaration of
intent to be a write-in candidate shall be determined to be
invalid and shall be rejected; otherwise, it shall be determined
to be valid. The determination of the board is final.

The secretary of state shall prescribe the form of the
declaration of intent to be a write-in candidate.

Sec. 3513.05. Each person desiring to become a candidate for
a party nomination or for election to an office or position to be

voted for at a primary election, except persons desiring to become
joint candidates for the offices of governor and lieutenant
governor and except as otherwise provided in section 3513.051 of
the Revised Code, shall, not later than four p.m. of the
seventy-fifth day before the day of the primary election, or if
the primary election is a presidential primary election, not later
than four p.m. of the sixtieth day before the day of the
presidential primary election, file a declaration of candidacy and
petition and pay the fees required under divisions (A) and (B) of
section 3513.10 of the Revised Code. The declaration of candidacy
and all separate petition papers shall be filed at the same time
as one instrument. When the offices are to be voted for at a
primary election, persons desiring to become joint candidates for
the offices of governor and lieutenant governor shall, not later
than four p.m. of the seventy-fifth day before the day of the
primary election, comply with section 3513.04 of the Revised Code.
The prospective joint candidates' declaration of candidacy and all
separate petition papers of candidacies shall be filed at the same
time as one instrument. The secretary of state or a board of
elections shall not accept for filing a declaration of candidacy
and petition of a person seeking to become a candidate if that
person, for the same election, has already filed a declaration of
candidacy or a declaration of intent to be a write-in candidate,
or has become a candidate by the filling of a vacancy under
section 3513.30 of the Revised Code for any ~~federal~~, federal,
state⁷⁴ or county office, if the declaration of candidacy is for a
state or county office, or for any municipal or township office,
if the declaration of candidacy is for a municipal or township
office.

If the declaration of candidacy declares a candidacy which is
to be submitted to electors throughout the entire state, the
petition, including a petition for joint candidates for the
offices of governor and lieutenant governor, shall be signed by at

least one thousand qualified electors who are members of the same
political party as the candidate or joint candidates, and the
declaration of candidacy and petition shall be filed with the
secretary of state; provided that the secretary of state shall not
accept or file any such petition appearing on its face to contain
signatures of more than three thousand electors.

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

No such petition, except the petition for a candidacy that is
to be submitted to electors throughout the entire state, shall be
accepted for filing if it appears to contain on its face
signatures of more than three times the minimum number of
signatures. When a petition of a candidate has been accepted for
filing by a board of elections, the petition shall not be deemed
invalid if, upon verification of signatures contained in the
petition, the board of elections finds the number of signatures
accepted exceeds three times the minimum number of signatures
required. A board of elections may discontinue verifying
signatures on petitions when the number of verified signatures
equals the minimum required number of qualified signatures.

If the declaration of candidacy declares a candidacy for
party nomination or for election as a candidate of an intermediate
or minor party, the minimum number of signatures on such petition

is one-half the minimum number provided in this section, except
that, when the candidacy is one for election as a member of the
state central committee or the county central committee of a
political party, the minimum number shall be the same for an
intermediate or minor party as for a major party.

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

For purposes of signing or circulating a petition of
candidacy for party nomination or election, an elector is
considered to be a member of a political party if the elector
voted in that party's primary election within the preceding two
calendar years, or if the elector did not vote in any other
party's primary election within the preceding two calendar years.

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

A petition shall consist of separate petition papers, each of
which shall contain signatures of electors of only one county.
Petitions or separate petition papers containing signatures of

electors of more than one county shall not thereby be declared 7050
invalid. In case petitions or separate petition papers containing 7051
signatures of electors of more than one county are filed, the 7052
board shall determine the county from which the majority of 7053
signatures came, and only signatures from such county shall be 7054
counted. Signatures from any other county shall be invalid. 7055

Each separate petition paper shall be circulated by one 7056
person only, who shall be the candidate or a joint candidate or a 7057
member of the same political party as the ~~candidate or joint~~ 7058
candidate or joint candidates, and each separate petition paper 7059
shall be governed by the rules set forth in section 3501.38 of the 7060
Revised Code. 7061

The secretary of state shall promptly transmit to each board 7062
such separate petition papers of each petition accompanying a 7063
declaration of candidacy filed with the secretary of state as 7064
purport to contain signatures of electors of the county of such 7065
board. The board of the most populous county of a district shall 7066
promptly transmit to each board within such district such separate 7067
petition papers of each petition accompanying a declaration of 7068
candidacy filed with it as purport to contain signatures of 7069
electors of the county of each such board. The board of a county 7070
within which the major portion of the population of a subdivision, 7071
situated in more than one county, is located, shall promptly 7072
transmit to the board of each other county within which a portion 7073
of such subdivision is located such separate petition papers of 7074
each petition accompanying a declaration of candidacy filed with 7075
it as purport to contain signatures of electors of the portion of 7076
such subdivision in the county of each such board. 7077

All petition papers so transmitted to a board and all 7078
petitions accompanying declarations of candidacy filed with a a 7079
board shall, under proper regulations, be open to public 7080
inspection until four p.m. of the seventieth day before the day of 7081

the next primary election, or if that next primary election is a 7082
presidential primary election, the fifty-fifth day before that 7083
presidential primary election. Each board shall, not later than 7084
the sixty-eighth day before the day of ~~that~~ that primary election, 7085
or if the primary election is a presidential primary election, not 7086
later than the fifty-third day before such presidential primary 7087
election, examine and determine the validity or invalidity of the 7088
signatures on the petition papers so transmitted to or filed with 7089
it and shall return to the secretary of state all petition papers 7090
transmitted to it by the secretary of state, together with its 7091
certification of its determination as to the validity or 7092
invalidity of signatures thereon, and shall return to each other 7093
board all petition papers transmitted to it by such board, 7094
together with its certification of its determination as to the 7095
validity or invalidity of the signatures thereon. All other 7096
matters affecting the validity or invalidity of such petition 7097
papers shall be determined by the secretary of state or the board 7098
with whom such petition papers were filed. 7099

Protests against the candidacy of any person filing a 7100
declaration of candidacy for party nomination or for election to 7101
an office or position, as provided in this section, may be filed 7102
by any qualified elector who is a member of the same political 7103
party as the candidate and who is eligible to vote at the primary 7104
election for the candidate whose declaration of candidacy the 7105
elector objects to, or by the controlling committee of ~~that~~ 7106
~~political~~ that political party. ~~The~~ The protest ~~shall~~ shall be in 7107
writing, and ~~shall~~ shall be filed not later than four p.m. of the 7108
sixty-fourth day before the day of the primary election, or if the 7109
primary election is a presidential primary election, not later 7110
than four p.m. of the forty-ninth day before the day of the 7111
presidential primary election. ~~The~~ The protest shall be filed with 7112
the election officials with whom the declaration of candidacy and 7113
petition was filed. Upon the filing of ~~the~~ the protest, the 7114

election officials with whom it is filed shall promptly fix the 7115
time for hearing it, and shall forthwith mail notice of the filing 7116
of ~~the~~ the protest and the time fixed for hearing to the person 7117
whose candidacy is so protested. They shall also forthwith mail 7118
notice of the time fixed for such hearing to the person who filed 7119
the protest. At the time fixed, such election officials shall hear 7120
the protest and determine the validity or invalidity of the 7121
declaration of candidacy and petition. If they find that such 7122
candidate is not an elector of the state, district, county, or 7123
political subdivision in which the candidate seeks a party 7124
nomination or election to an office or position, or has not fully 7125
complied with this chapter, the candidate's declaration of 7126
candidacy and petition shall be determined to be invalid and shall 7127
be rejected; otherwise, ~~it~~ it shall be determined to be valid. ~~That~~ 7128
That determination shall be final. 7129

A protest against the candidacy of any persons filing a 7130
declaration of candidacy for joint party nomination to the offices 7131
of governor and lieutenant governor shall be filed, heard, and 7132
determined in the same manner as a protest against the candidacy 7133
of any person filing a declaration of candidacy singly. 7134

The secretary of state shall, on the sixtieth day before the 7135
day of a primary election, or if the primary election is a 7136
presidential primary election, on the forty-fifth day before the 7137
day of the presidential primary election, certify to each board in 7138
the state the forms of the official ballots to be used at ~~the~~ the 7139
primary election, together with the names of the candidates to be 7140
printed ~~on the ballots~~ on the ballots whose nomination or election 7141
is to be determined by electors throughout the entire state and 7142
who filed valid declarations of candidacy and petitions. 7143

The board of the most populous county in a district comprised 7144
of more than one county but less than all of the counties of the 7145
state shall ~~on~~ on the sixtieth day before the day of a primary 7146

election, or if the primary election is a presidential primary 7147
election, on the forty-fifth day before the day of a presidential 7148
primary election, certify to the board of each county in the 7149
district the names of the candidates to be printed on the official 7150
ballots to be used at ~~the~~ the primary election, whose nomination 7151
or election is to be determined only by electors within ~~the~~ the 7152
district and who filed valid declarations of candidacy and 7153
petitions. 7154

The board of a county within which the major portion of the 7155
population of a subdivision smaller than the county and situated 7156
in more than one county is located shall, on the sixtieth day 7157
before the day of a primary election, or if the primary election 7158
is a presidential primary election, on the forty-fifth day before 7159
the day of a presidential primary election, certify to the board 7160
of each county in which a portion of ~~that~~ that subdivision is 7161
located the names of the candidates to be printed on the official 7162
ballots to be used at ~~the~~ the primary election, whose nomination 7163
or election is to be determined only by electors within ~~that~~ that 7164
subdivision and who filed valid declarations of candidacy and 7165
petitions. 7166

Sec. 3513.052. (A) No person shall seek nomination or 7167
election to any of the following offices or positions at the same 7168
election by filing a declaration of candidacy and petition, a 7169
declaration of intent to be a write-in candidate, or a nominating 7170
petition, or by becoming a candidate through party nomination in a 7171
primary election, or by the filling of a vacancy under section 7172
3513.30 or 3513.31 of the Revised Code: 7173

- (1) Two or more state offices; 7174
- (2) Two or more county offices; 7175
- (3) A state office and a county office; 7176

(4) ~~A federal office and a state or county office;~~ 7177

~~(5) A federal office and a state or county office;~~ 7178

(5) Any combination of two or more municipal or township 7179
offices, positions as a member of a city, local, or exempted 7180
village board of education, or positions as a member of a 7181
governing board of an educational service center. 7182

(B) The secretary of state or a board of elections shall not 7183
accept for filing a declaration of candidacy and petition, a 7184
declaration of intent to be a write-in candidate, or a nominating 7185
petition of a person seeking to become a candidate if that person, 7186
for the same election, has already filed a declaration of 7187
candidacy, a declaration of intent to be a write-in candidate, or 7188
a nominating petition, or has become a candidate through party 7189
nomination at a primary election or by the filling of a vacancy 7190
under section 3513.30 or 3513.31 of the Revised Code for: 7191

(1) Any ~~federal~~, federal, state, or county office, if the 7192
declaration of candidacy, declaration of intent to be a write-in 7193
candidate, or nominating petition is for a state or county office; 7194

(2) Any municipal or township office, or for member of a 7195
city, local, or exempted village board of education, or for member 7196
of a governing board of an educational service center, if the 7197
declaration of candidacy, declaration of intent to be a write-in 7198
candidate, or nominating petition is for a municipal or township 7199
office, or for member of a city, local, or exempted village board 7200
of education, or for member of a governing board of an educational 7201
service center. 7202

(C)(1) If the secretary of state determines, before the day 7203
of the primary election, that a person is seeking nomination to 7204
more than one office at that election in violation of division (A) 7205
of this section, the secretary of state shall do one of the 7206
following: 7207

(a) If each office or the district for each office for which 7208
the person is seeking nomination is wholly within a single county 7209
~~and none of those offices is a federal office~~ and none of those 7210
offices is a federal office, the secretary of state shall notify 7211
the board of elections of that county. The board then shall 7212
determine the date on which the person first sought to become a 7213
candidate for each of those offices by filing a declaration of 7214
candidacy or a declaration of intent to be a write-in candidate or 7215
by the filling of a vacancy under section 3513.30 of the Revised 7216
Code. The board shall vote promptly to disqualify that person as a 7217
candidate for each office for which the person sought to become a 7218
candidate after the date on which the person first sought to 7219
become a candidate for any of those offices. If the board 7220
determines that the person sought to become a candidate for more 7221
than one of those offices on the same date, the board shall vote 7222
promptly to disqualify that person as a candidate for each office 7223
that would be listed on the ballot below the highest office for 7224
which that person seeks nomination, according to the ballot order 7225
prescribed under section 3505.03 of the Revised Code. 7226

(b) If one or more of the offices for which the person is 7227
seeking nomination is a state office or an office with a district 7228
larger than a single county ~~and none of the offices for which the~~ 7229
~~person is seeking nomination is a federal office~~ and none of the 7230
offices for which the person is seeking nomination is a federal 7231
office, the secretary of state shall determine the date on which 7232
the person first sought to become a candidate for each of those 7233
offices by filing a declaration of candidacy or a declaration of 7234
intent to be a write-in candidate or by the filling of a vacancy 7235
under section 3513.30 of the Revised Code. The secretary of state 7236
shall order the board of elections of each county in which the 7237
person is seeking to appear on the ballot to disqualify that 7238
person as a candidate for each office for which the person sought 7239

to become a candidate after the date on which the person first 7240
sought to become a candidate for any of those offices. If the 7241
secretary of state determines that the person sought to become a 7242
candidate for more than one of those offices on the same date, the 7243
secretary of state shall order the board of elections of each 7244
county in which the person is seeking to appear on the ballot to 7245
disqualify that person as a candidate for each office that would 7246
be listed on the ballot below the highest office for which that 7247
person seeks nomination, according to the ballot order prescribed 7248
under section 3505.03 of the Revised Code. Each board of elections 7249
so notified shall vote promptly to disqualify the person as a 7250
candidate in accordance with the order of the secretary of state. 7251

~~(c) If each office or the district for each office for which 7252
the person is seeking nomination is wholly within a single county 7253
and any of those offices is a federal office, the secretary of 7254
state shall notify the board of elections of that county. The 7255
board then shall vote promptly to disqualify that person as a 7256
candidate for each office that is not a federal office. 7257~~

~~(d) If one or more of the offices for which the person is 7258
seeking nomination is a state office and any of the offices for 7259
which the person is seeking nomination is a federal office, the 7260
secretary of state shall order the board of elections of each 7261
county in which the person is seeking to appear on the ballot to 7262
disqualify that person as a candidate for each office that is not 7263
a federal office. Each board of elections so notified shall vote 7264
promptly to disqualify the person as a candidate in accordance 7265
with the order of the secretary of state. 7266~~

(c) If each office or the district for each office for which 7267
the person is seeking nomination is wholly within a single county 7268
and any of those offices is a federal office, the secretary of 7269
state shall notify the board of elections of that county. The 7270
board then shall vote promptly to disqualify that person as a 7271

candidate for each office that is not a federal office. 7272

(d) If one or more of the offices for which the person is 7273
seeking nomination is a state office and any of the offices for 7274
which the person is seeking nomination is a federal office, the 7275
secretary of state shall order the board of elections of each 7276
county in which the person is seeking to appear on the ballot to 7277
disqualify that person as a candidate for each office that is not 7278
a federal office. Each board of elections so notified shall vote 7279
promptly to disqualify the person as a candidate in accordance 7280
with the order of the secretary of state. 7281

(2) If a board of elections determines, before the day of the 7282
primary election, that a person is seeking nomination to more than 7283
one office at that election in violation of division (A) of this 7284
section, the board shall do one of the following: 7285

(a) If each office or the district for each office for which 7286
the person is seeking nomination is wholly within that county ~~and~~ 7287
~~none of those offices is a federal office~~ and none of those 7288
offices is a federal office, the board shall determine the date on 7289
which the person first sought to become a candidate for each of 7290
those offices by filing a declaration of candidacy or a 7291
declaration of intent to be a write-in candidate or by the filling 7292
of a vacancy under section 3513.30 of the Revised Code. The board 7293
shall vote promptly to disqualify that person as a candidate for 7294
each office for which the person sought to become a candidate 7295
after the date on which the person first sought to become a 7296
candidate for any of those offices. If the board determines that 7297
the person sought to become a candidate for more than one of those 7298
offices on the same date, the board shall vote promptly to 7299
disqualify that person as a candidate for each office that would 7300
be listed on the ballot below the highest office for which that 7301
person seeks nomination, according to the ballot order prescribed 7302
under section 3505.03 of the Revised Code. 7303

(b) If one or more of the offices for which the person is seeking nomination is a state office or an office with a district larger than a single county ~~and none of the offices for which the person is seeking nomination is a federal office~~ and none of the offices for which the person is seeking nomination is a federal office, the board shall notify the secretary of state. The secretary of state then shall determine the date on which the person first sought to become a candidate for each of those offices by filing a declaration of candidacy or a declaration of intent to be a write-in candidate or by the filling of a vacancy under section 3513.30 of the Revised Code. The secretary of state shall order the board of elections of each county in which the person is seeking to appear on the ballot to disqualify that person as a candidate for each office for which the person sought to become a candidate after the date on which the person first sought to become a candidate for any of those offices. If the secretary of state determines that the person sought to become a candidate for more than one of those offices on the same date, the secretary of state shall order the board of elections of each county in which the person is seeking to appear on the ballot to disqualify that person as a candidate for each office that would be listed on the ballot below the highest office for which that person seeks nomination, according to the ballot order prescribed under section 3505.03 of the Revised Code. Each board of elections so notified shall vote promptly to disqualify the person as a candidate in accordance with the order of the secretary of state.

~~(c) If each office or the district for each office for which the person is seeking nomination is wholly within a single county and any of those offices is a federal office, the board shall vote promptly to disqualify that person as a candidate for each office that is not a federal office.~~

~~(d) If one or more of the offices for which the person is~~

~~seeking nomination is a state office and any of the offices for~~ 7336
~~which the person is seeking nomination is a federal office, the~~ 7337
~~board shall notify the secretary of state. The secretary of state~~ 7338
~~then shall order the board of elections of each county in which~~ 7339
~~the person is seeking to appear on the ballot to disqualify that~~ 7340
~~person as a candidate for each office that is not a federal~~ 7341
~~office. Each board of elections so notified shall vote promptly to~~ 7342
~~disqualify the person as a candidate in accordance with the order~~ 7343
~~of the secretary of state.~~ 7344

(c) If each office or the district for each office for which 7345
the person is seeking nomination is wholly within a single county 7346
and any of those offices is a federal office, the board shall vote 7347
promptly to disqualify that person as a candidate for each office 7348
that is not a federal office. 7349

(d) If one or more of the offices for which the person is 7350
seeking nomination is a state office and any of the offices for 7351
which the person is seeking nomination is a federal office, the 7352
board shall notify the secretary of state. The secretary of state 7353
then shall order the board of elections of each county in which 7354
the person is seeking to appear on the ballot to disqualify that 7355
person as a candidate for each office that is not a federal 7356
office. Each board of elections so notified shall vote promptly to 7357
disqualify the person as a candidate in accordance with the order 7358
of the secretary of state. 7359

(D)(1) If the secretary of state determines, after the day of 7360
the primary election and before the day of the general election, 7361
that a person is seeking election to more than one office at that 7362
election in violation of division (A) of this section, the 7363
secretary of state shall do one of the following: 7364

(a) If each office or the district for each office for which 7365
the person is seeking election is wholly within a single county 7366

~~and none of those offices is a federal office~~ and none of those 7367
offices is a federal office, the secretary of state shall notify 7368
the board of elections of that county. The board then shall 7369
determine the offices for which the person seeks to appear as a 7370
candidate on the ballot. The board shall vote promptly to 7371
disqualify that person as a candidate for each office that would 7372
be listed on the ballot below the highest office for which that 7373
person seeks election, according to the ballot order prescribed 7374
under section 3505.03 of the Revised Code. If the person sought 7375
nomination at a primary election and has not yet been issued a 7376
certificate of nomination, the board shall not issue that 7377
certificate for that person for any office that would be listed on 7378
the ballot below the highest office for which that person seeks 7379
election, according to the ballot order prescribed under section 7380
3505.03 of the Revised Code. 7381

(b) If one or more of the offices for which the person is 7382
seeking election is a state office or an office with a district 7383
larger than a single county ~~and none of the offices for which the~~ 7384
~~person is seeking election is a federal office~~ and none of the 7385
offices for which the person is seeking election is a federal 7386
office, the secretary of state shall promptly investigate and 7387
determine the offices for which the person seeks to appear as a 7388
candidate on the ballot. The secretary of state shall order the 7389
board of elections of each county in which the person is seeking 7390
to appear on the ballot to disqualify that person as a candidate 7391
for each office that would be listed on the ballot below the 7392
highest office for which that person seeks election, according to 7393
the ballot order prescribed under section 3505.03 of the Revised 7394
Code. Each board of elections so notified shall vote promptly to 7395
disqualify the person as a candidate in accordance with the order 7396
of the secretary of state. If the person sought nomination at a 7397
primary election and has not yet been issued a certificate of 7398
nomination, the board shall not issue that certificate for that 7399

person for any office that would be listed on the ballot below the
highest office for which that person seeks election, according to
the ballot order prescribed under section 3505.03 of the Revised
Code.

~~(c) If each office or the district for each office for which
the person is seeking election is wholly within a single county
and any of those offices is a federal office, the secretary of
state shall notify the board of elections of that county. The
board then shall vote promptly to disqualify that person as a
candidate for each office that is not a federal office. If the
person sought nomination at a primary election and has not yet
been issued a certificate of nomination, the board shall not issue
that certificate for that person for any office that is not a
federal office.~~

~~(d) If one or more of the offices for which the person is
seeking election is a state office and any of the offices for
which the person is seeking election is a federal office, the
secretary of state shall order the board of elections of each
county in which the person is seeking to appear on the ballot to
disqualify that person as a candidate for each office that is not
a federal office. Each board of elections so notified shall vote
promptly to disqualify the person as a candidate in accordance
with the order of the secretary of state. If the person sought
nomination at a primary election and has not yet been issued a
certificate of nomination, the board shall not issue that
certificate for that person for any office that is not a federal
office.~~

(c) If each office or the district for each office for which
the person is seeking election is wholly within a single county
and any of those offices is a federal office, the secretary of
state shall notify the board of elections of that county. The
board then shall vote promptly to disqualify that person as a

candidate for each office that is not a federal office. If the
person sought nomination at a primary election and has not yet
been issued a certificate of nomination, the board shall not issue
that certificate for that person for any office that is not a
federal office.

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(d) If one or more of the offices for which the person is
seeking election is a state office and any of the offices for
which the person is seeking election is a federal office, the
secretary of state shall order the board of elections of each
county in which the person is seeking to appear on the ballot to
disqualify that person as a candidate for each office that is not
a federal office. Each board of elections so notified shall vote
promptly to disqualify the person as a candidate in accordance
with the order of the secretary of state. If the person sought
nomination at a primary election and has not yet been issued a
certificate of nomination, the board shall not issue that
certificate for that person for any office that is not a federal
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(2) If a board of elections determines, after the day of the
primary election and before the day of the general election, that
a person is seeking election to more than one office at that
election in violation of division (A) of this section, the board
of elections shall do one of the following:

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(a) If each office or the district for each office for which
the person is seeking election is wholly within that county ~~and~~
~~none of those offices is a federal office~~ and none of those
offices is a federal office, the board shall determine the offices
for which the person seeks to appear as a candidate on the ballot.
The board shall vote promptly to disqualify that person as a
candidate for each office that would be listed on the ballot below
the highest office for which that person seeks election, according
to the ballot order prescribed under section 3505.03 of the

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Revised Code. If the person sought nomination at a primary 7464
election and has not yet been issued a certificate of nomination, 7465
the board shall not issue that certificate for that person for any 7466
office that would be listed on the ballot below the highest office 7467
for which that person seeks election, according to the ballot 7468
order prescribed under section 3505.03 of the Revised Code. 7469

(b) If one or more of the offices for which the person is 7470
seeking election is a state office or an office with a district 7471
larger than a single county ~~and none of the offices for which the~~ 7472
~~person is seeking election is a federal office and none of the~~ 7473
~~offices for which the person is seeking election is a federal~~ 7474
~~office,~~ the board shall notify the secretary of state. The 7475
secretary of state promptly shall investigate and determine the 7476
offices for which the person seeks to appear as a candidate on the 7477
ballot. The secretary of state shall order the board of elections 7478
of each county in which the person is seeking to appear on the 7479
ballot to disqualify that person as a candidate for each office 7480
that would be listed on the ballot below the highest office for 7481
which that person seeks election, according to the ballot order 7482
prescribed under section 3505.03 of the Revised Code. Each board 7483
of elections so notified shall vote promptly to disqualify the 7484
person as a candidate in accordance with the order of the 7485
secretary of state. If the person sought nomination at a primary 7486
election and has not yet been issued a certificate of nomination, 7487
the board shall not issue that certificate for that person for any 7488
office that would be listed on the ballot below the highest office 7489
for which that person seeks election, according to the ballot 7490
order prescribed under section 3505.03 of the Revised Code. 7491

~~(c) If each office or the district for each office for which~~ 7492
~~the person is seeking election is wholly within that county and~~ 7493
~~any of those offices is a federal office, the board shall vote~~ 7494
~~promptly to disqualify that person as a candidate for each office~~ 7495

~~that is not a federal office. If the person sought nomination at a
primary election and has not yet been issued a certificate of
nomination, the board shall not issue that certificate for that
person for any office that is not a federal office.~~

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~~(d) If one or more of the offices for which the person is
seeking election is a state office and any of the offices for
which the person is seeking election is a federal office, the
board shall notify the secretary of state. The secretary of state
shall order the board of elections of each county in which the
person is seeking to appear on the ballot to disqualify that
person as a candidate for each office that is not a federal
office. Each board of elections so notified shall vote promptly to
disqualify the person as a candidate in accordance with the order
of the secretary of state. If the person sought nomination at a
primary election and has not yet been issued a certificate of
nomination, the board shall not issue that certificate for that
person for any office that is not a federal office.~~

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(c) If each office or the district for each office for which
the person is seeking election is wholly within that county and
any of those offices is a federal office, the board shall vote
promptly to disqualify that person as a candidate for each office
that is not a federal office. If the person sought nomination at a
primary election and has not yet been issued a certificate of
nomination, the board shall not issue that certificate for that
person for any office that is not a federal office.

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(d) If one or more of the offices for which the person is
seeking election is a state office and any of the offices for
which the person is seeking election is a federal office, the
board shall notify the secretary of state. The secretary of state
shall order the board of elections of each county in which the
person is seeking to appear on the ballot to disqualify that
person as a candidate for each office that is not a federal

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office. Each board of elections so notified shall vote promptly to 7528
disqualify the person as a candidate in accordance with the order 7529
of the secretary of state. If the person sought nomination at a 7530
primary election and has not yet been issued a certificate of 7531
nomination, the board shall not issue that certificate for that 7532
person for any office that is not a federal office. 7533

(E) When a person is disqualified as a candidate under 7534
division (C) or (D) of this section, ~~that person's name shall not~~ 7535
~~appear on the ballots on or before the sixtieth day before the day~~ 7536
~~of the applicable election, or, if the election is a presidential~~ 7537
~~primary election, on or before the forty-fifth day before the day~~ 7538
~~of the presidential primary election, the board of elections shall~~ 7539
~~remove the person's name from the ballot for any office for which~~ 7540
~~that person has been disqualified as a candidate. If the ballots~~ 7541
~~have already been prepared, the board of elections shall remove~~ 7542
~~the name of the disqualified candidate from the ballots to the~~ 7543
~~extent practicable in the time remaining before the election and~~ 7544
according to the directions of the secretary of state. When a 7545
person is disqualified as a candidate under division (C) or (D) of 7546
this section after the sixtieth day before the day of the 7547
applicable election, or, if the election is a presidential primary 7548
election, after the forty-fifth day before the day of the 7549
presidential primary election, the board of elections shall not 7550
remove the person's name from the ballot for any office for which 7551
that person has been disqualified as a candidate. The board of 7552
elections shall post a notice at each polling location on the day 7553
of the applicable election, and shall enclose with each absent 7554
voter's ballot given or mailed after the candidate is 7555
disqualified, a notice that votes for the person for the office 7556
for which the person has been disqualified as a candidate will be 7557
void and will not be counted. If the name is not removed from the 7558
ballots before the day of the election, the votes for the 7559

disqualified candidate are void and shall not be counted. 7560

(F) Any vacancy created by the disqualification of a person 7561
as a candidate under division (C) or (D) of this section may be 7562
filled in the manner provided for in sections 3513.30 and 3513.31 7563
of the Revised Code. 7564

(G) Nothing in this section or section 3513.04, 3513.041, 7565
3513.05, 3513.251, 3513.253, 3513.254, 3513.255, 3513.257, 7566
3513.259, or 3513.261 of the Revised Code prohibits, and the 7567
secretary of state or a board of elections shall not disqualify, a 7568
person from being a candidate for an office, if that person timely 7569
withdraws as a candidate for any offices specified in division (A) 7570
of this section for which that person first sought to become a 7571
candidate by filing a declaration of candidacy and petition, a 7572
declaration of intent to be a write-in candidate, or a nominating 7573
petition, by party nomination in a primary election, or by the 7574
filling of a vacancy under section 3513.30 or 3513.31 of the 7575
Revised Code. 7576

(H) As used in this section: 7577

(1) "State office" means the offices of governor, lieutenant 7578
governor, secretary of state, auditor of state, treasurer of 7579
state, attorney general, member of the state board of education, 7580
member of the general assembly, chief justice of the supreme 7581
court, and justice of the supreme court. 7582

(2) "Timely withdraws" means either of the following: 7583

(a) Withdrawing as a candidate before the applicable deadline 7584
for filing a declaration of candidacy, declaration of intent to be 7585
a write-in candidate, or nominating petition for the subsequent 7586
office for which the person is seeking to become a candidate at 7587
the same election; 7588

(b) Withdrawing as a candidate before the applicable deadline 7589
for the filling of a vacancy under section 3513.30 or 3513.31 of 7590

the Revised Code, if the person is seeking to become a candidate 7591
for a subsequent office at the same election under either of those 7592
sections. 7593

Sec. 3513.07. The form of declaration of candidacy and 7594
petition of a person desiring to be a candidate for a party 7595
nomination or a candidate for election to an office or position to 7596
be voted for at a primary election shall be substantially as 7597
follows: 7598

"DECLARATION OF CANDIDACY PARTY PRIMARY ELECTION 7599

I, (Name of Candidate), the 7600
undersigned, hereby declare under penalty of election 7601
falsification that my voting residence is in 7602
precinct of the (Township) or (Ward 7603
and City or Village) in the county of, Ohio; that 7604
my voting residence is (Street and Number, if any, 7605
or Rural Route and Number) of the 7606
(City or Village) of, Ohio; and that I am a 7607
qualified elector in the precinct in which my voting residence is 7608
located. I am a member of the Party. I hereby declare 7609
that I desire to be (a candidate for 7610
nomination as a candidate of the Party for election to the office 7611
of) (a candidate for election to the office or 7612
position of) for the in the state, 7613
district, (Full term or unexpired term ending) 7614
county, city, or village of, at the primary 7615
election to be held on the day of,, 7616
and I hereby request that my name be printed upon the official 7617
primary election ballot of the said Party as a 7618
candidate for (such nomination) or (such election) as 7619
provided by law. 7620

I further declare that, if elected to said office or 7621

position, I will qualify therefor, and that I will support and 7622
abide by the principles enunciated by the Party. 7623

Dated this day of, 7624
..... 7625
(Signature of candidate) 7626

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY 7627
OF THE FIFTH DEGREE. 7628

PETITION OF CANDIDATE 7629

We, the undersigned, qualified electors of the state of Ohio, 7630
whose voting residence is in the county, city, village, ward, 7631
township, or school district, and precinct set opposite our names, 7632
and members of the Party, 7633
hereby certify that (Name of 7634
candidate) whose declaration of candidacy is filed herewith, is a 7635
member of the Party, and is, in our opinion, well 7636
qualified to perform the duties of the office or position to which 7637
that candidate desires to be elected. 7638

Street City, 7639
and Village or 7640
Signature Number Township Ward Precinct County Date 7641
(Must use address on file with the board of elections) 7642

..... 7643

..... 7644

..... 7645

..... (Name of circulator 7646
of petition), declares under penalty of election falsification 7647
that the circulator of the petition is a qualified elector of the 7648
state of Ohio and resides at the address appearing below the 7649
signature of that circulator; that the circulator is a member of 7650
the Party; that the circulator is the circulator of 7651

the foregoing petition paper containing (Number) 7652
signatures; that the circulator witnessed the affixing of every 7653
signature; that all signers were to the best of the circulator's 7654
knowledge and belief qualified to sign; and that every signature 7655
is to the best of the circulator's knowledge and belief the 7656
signature of the person whose signature it purports to be or of an 7657
attorney in fact acting pursuant to section 3501.382 of the 7658
Revised Code. 7659

..... 7660
(Signature of circulator) 7661
..... 7662
(Address of circulator's 7663
permanent residence 7664
in this state) 7665
..... 7666
(If petition is for a statewide 7667
candidate, the name and address 7668
of person employing 7669
circulator to circulate 7670
petition, if any) 7671

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY 7672
OF THE FIFTH DEGREE." 7673

The secretary of state shall prescribe a form of declaration 7674
of candidacy and petition, and the form shall be substantially 7675
similar to the declaration of candidacy and petition set forth in 7676
this section, that will be suitable for joint candidates for the 7677
offices of governor and lieutenant governor. 7678

The petition provided for in this section shall be circulated 7679
only by a member of the same political party as the candidate. 7680

Sec. 3513.09. If the petition₇ required by section 3513.07 of 7681
the Revised Code to be filed with a declaration of candidacy₇ 7682

consists of more than one separate petition paper, the declaration 7683
of candidacy of the candidate named need be signed by the 7684
candidate, or of an attorney in fact acting pursuant to section 7685
3501.382 of the Revised Code, on only one of such separate 7686
petition papers, but the declaration of candidacy so signed shall 7687
be copied on each other separate petition paper before the 7688
signature of electors are placed ~~thereon~~ on it. 7689

Sec. 3513.19. (A) It is the duty of ~~any witness or challenger~~ 7690
~~and~~ of any judge of elections ~~and the right of any elector,~~ 7691
whenever any ~~such person~~ judge of elections doubts that ~~another a~~ 7692
person attempting to vote at a primary election is legally 7693
entitled to vote at ~~such~~ that election, to challenge the right of 7694
that ~~other~~ person to vote. The right of a person to vote at a 7695
primary election may be challenged upon the following grounds: 7696

(1) That the person whose right to vote is challenged is not 7698
a legally qualified elector; 7699

(2) That the person has received or has been promised some 7700
valuable reward or consideration for the person's vote; 7701

(3) That the person is not affiliated with or is not a member 7702
of the political party whose ballot the person desires to vote. 7703
Such party affiliation shall be determined by examining the 7704
elector's voting record for the current year and the immediately 7705
preceding two calendar years as shown on the voter's registration 7706
card, using the standards of affiliation specified in the seventh 7707
paragraph of section 3513.05 of the Revised Code. Division (A)(3) 7708
of this section and the seventh paragraph of section 3513.05 of 7709
the Revised Code do not prohibit a person who holds an elective 7710
office for which candidates are nominated at a party primary 7711
election from doing any of the following: 7712

(a) If the person voted as a member of a different political 7713

party at any primary election within the current year and the 7714
immediately preceding two calendar years, being a candidate for 7715
nomination at a party primary held during the times specified in 7716
division (C)(2) of section 3513.191 of the Revised Code provided 7717
that the person complies with the requirements of that section; 7718

(b) Circulating the person's own petition of candidacy for 7719
party nomination in the primary election. 7720

(B) When the right of a person to vote is challenged upon the 7721
ground set forth in division (A)(3) of this section, membership in 7722
or political affiliation with a political party shall be 7723
determined by the person's statement, made under penalty of 7724
election falsification, that the person desires to be affiliated 7725
with and supports the principles of the political party whose 7726
primary ballot the person desires to vote. 7727

Sec. 3513.20. Before any challenged person shall be allowed 7728
to vote at a primary election ~~he~~, the person shall make a 7729
statement, under penalty of election falsification, before one of 7730
the precinct officials, blanks for which shall be furnished by the 7731
board of elections, giving name, age, residence, length of 7732
residence in the precinct, county, and state; stating that the 7733
person desires to be affiliated with and supports the principles 7734
of the political party whose ballot the person desires to vote; 7735
and giving all other facts necessary to determine whether ~~he~~ the 7736
person is entitled to vote in ~~such~~ that primary election. ~~Such~~ The 7737
statement shall be returned to the office of the board with the 7738
pollbooks and tally sheets. 7739

If a person challenged refuses to make ~~such~~ that statement 7740
under penalty of election falsification, ~~he~~ the person shall be 7741
~~refused~~ permitted to vote a provisional ballot under section 7742
3505.181 of the Revised Code. If a majority of the precinct 7743
officials finds that the statements of a person challenged or ~~his~~ 7744

the person's voting record or other evidence shows that ~~he~~ the 7745
person lacks any of the qualifications required to make ~~him~~ the 7746
person a qualified elector at ~~such~~ the primary election or that ~~he~~ 7747
the person is not affiliated with or is not a member of the 7748
political party whose ballot ~~he~~ the person desires to vote, ~~he~~ the 7749
person shall be ~~refused~~ permitted to vote a provisional ballot 7750
under section 3505.181 of the Revised Code. 7751

Sec. 3513.22. (A) Not earlier than the eleventh day or later 7752
than the fifteenth day after a primary election, the board of 7753
elections shall begin to canvass the election returns from the 7754
precincts in which electors were entitled to vote at that election 7755
and shall continue the canvass daily until it is completed. 7756

The board shall complete the canvass not later than the date 7757
~~set by the secretary of state under division (U) of section~~ 7758
~~3501.05 of the Revised Code~~ twenty-first day after the day of the 7759
election. ~~Sixty~~ Eighty-one days after the ~~date set by~~ day of the 7760
~~secretary of state for the completion of the canvass~~ election, the 7761
canvass of election returns shall be deemed final, and no 7762
amendments to the canvass may be made after that date. The 7763
secretary of state may specify an earlier date upon which the 7764
canvass of election returns shall be deemed final, and after which 7765
amendments to the final canvass may not be made, if so required by 7766
federal law. 7767

(B) The county executive committee of each political party 7768
that participated in the election, and each committee designated 7769
in a petition to represent the petitioners pursuant to which a 7770
question or issue was submitted at the election, may designate a 7771
qualified elector who may be present at and may ~~witness~~ observe 7772
the making of the canvass. Each person for whom votes were cast in 7773
the election may also be present at and ~~witness~~ observe the making 7774
of the canvass. 7775

(C) When the canvass of the election returns from all of the 7776
precincts in the county in which electors were entitled to vote at 7777
the election has been completed, the board shall determine and 7778
declare the results of the elections determined by the electors of 7779
the county or of a district or subdivision within the county. If 7780
more than the number of persons to be nominated for or elected to 7781
an office received the largest and an equal number of votes, the 7782
tie shall be resolved by lot by the chairperson of the board in 7783
the presence of a majority of the members of the board. The 7784
declaration shall be in writing and shall be signed by at least a 7785
majority of the members of the board. It shall bear the date of 7786
the day upon which it is made, and a copy of it shall be posted by 7787
the board in a conspicuous place in its office. The board shall 7788
keep the copy posted for a period of at least five days. 7789

The board shall promptly certify abstracts of the results of 7790
the elections within its county upon forms the secretary of state 7791
prescribes. One certified copy of each abstract shall be kept in 7792
the office of the board, and one certified copy of each abstract 7793
shall promptly be sent to the secretary of state. The board shall 7794
also promptly send a certified copy of that part of an abstract 7795
that pertains to an election in which only electors of a district 7796
comprised of more than one county but less than all of the 7797
counties of the state voted to the board of the most populous 7798
county in the district. It shall also promptly send a certified 7799
copy of that part of an abstract that pertains to an election in 7800
which only electors of a subdivision located partly within the 7801
county voted to the board of the county in which the major portion 7802
of the population of the subdivision is located. 7803

If, after certifying and sending abstracts and parts of 7804
abstracts, a board finds that any abstract or part of any abstract 7805
is incorrect, it shall promptly prepare, certify, and send a 7806
corrected abstract or part of an abstract to take the place of 7807

each incorrect abstract or part of an abstract previously 7808
certified and sent. 7809

(D)(1) When certified copies of abstracts are received by the 7810
secretary of state, the secretary of state shall canvass those 7811
abstracts and determine and declare the results of all elections 7812
in which electors throughout the entire state voted. If more than 7813
the number of persons to be nominated for or elected to an office 7814
received the largest and an equal number of votes, the tie shall 7815
be resolved by lot by the secretary of state in the presence of 7816
the governor, the auditor of state, and the attorney general, who 7817
at the request of the secretary of state shall assemble to witness 7818
the drawing of the lot. The declaration of results by the 7819
secretary of state shall be in writing and shall be signed by the 7820
secretary of state. It shall bear the date of the day upon which 7821
it is made, and a copy of it shall be posted by the secretary of 7822
state in a conspicuous place in the secretary of state's office. 7823
The secretary of state shall keep the copy posted for a period of 7824
at least five days. 7825

(2) When certified copies of parts of abstracts are received 7826
by the board of the most populous county in a district from the 7827
boards of all of the counties in the district, the board receiving 7828
those abstracts shall canvass them and determine and declare the 7829
results of the elections in which only electors of the district 7830
voted. If more than the number of persons to be nominated for or 7831
elected to an office received the largest and equal number of 7832
votes, the tie shall be resolved by lot by the chairperson of the 7833
board in the presence of a majority of the members of the board. 7834
The declaration of results by the board shall be in writing and 7835
shall be signed by at least a majority of the members of the 7836
board. It shall bear the date of the day upon which it is made, 7837
and a copy of it shall be posted by the board in a conspicuous 7838
place in its office. The board shall keep the copy posted for a 7839

period of at least five days. 7840

(3) When certified copies of parts of abstracts are received 7841
by the board of a county in which the major portion of the 7842
population of a subdivision located in more than one county is 7843
located from the boards of each county in which other portions of 7844
that subdivision are located, the board receiving those abstracts 7845
shall canvass them and determine and declare the results of the 7846
elections in which only electors of that subdivision voted. If 7847
more than the number of persons to be nominated for or elected to 7848
an office received the largest and an equal number of votes, the 7849
tie shall be resolved by lot by the chairperson of the board in 7850
the presence of a majority of the members of the board. The 7851
declaration of results by the board shall be in writing and shall 7852
be signed by at least a majority of the members of the board. It 7853
shall bear the date of the day upon which it is made, and a copy 7854
of it shall be posted by the board in a conspicuous place in its 7855
office. The board shall keep the copy posted for a period of at 7856
least five days. 7857

(E) Election officials, who are required to declare the 7858
results of primary elections, shall issue to each person declared 7859
nominated for or elected to an office, an appropriate certificate 7860
of nomination or election, provided that the boards required to 7861
determine and declare the results of the elections for candidates 7862
for nomination to the office of representative to congress from a 7863
congressional district shall, in lieu of issuing a certificate of 7864
nomination, certify to the secretary of state the names of the 7865
candidates nominated, and the secretary of state, upon receipt of 7866
that certification, shall issue a certificate of nomination to 7867
each person whose name is so certified. Certificates of nomination 7868
or election issued by boards to candidates and certifications to 7869
the secretary of state shall not be issued before the expiration 7870
of the time within which applications for recounts of votes may be 7871

filed or before recounts of votes, which have been applied for, 7872
are completed. 7873

Sec. 3513.257. Each person desiring to become an independent 7874
candidate for an office for which candidates may be nominated at a 7875
primary election, except persons desiring to become independent 7876
joint candidates for the offices of governor and lieutenant 7877
governor and for the offices of president and vice-president of 7878
the United States, shall file no later than four p.m. of the day 7879
before the day of the primary election immediately preceding the 7880
general election at which such candidacy is to be voted for by the 7881
voters, a statement of candidacy and nominating petition as 7882
provided in section 3513.261 of the Revised Code. Persons desiring 7883
to become independent joint candidates for the offices of governor 7884
and lieutenant governor shall file, not later than four p.m. of 7885
the day before the day of the primary election, one statement of 7886
candidacy and one nominating petition for the two of them. Persons 7887
desiring to become independent joint candidates for the offices of 7888
president and vice-president of the United States shall file, not 7889
later than four p.m. of the seventy-fifth day before the day of 7890
the general election at which the president and vice-president are 7891
to be elected, one statement of candidacy and one nominating 7892
petition for the two of them. The prospective independent joint 7893
candidates' statement of candidacy shall be filed with the 7894
nominating petition as one instrument. 7895

The statement of candidacy and separate petition papers of 7896
each candidate or pair of joint candidates shall be filed at the 7897
same time as one instrument. 7898

The nominating petition shall contain signatures of qualified 7899
electors of the district, political subdivision, or portion of a 7900
political subdivision in which the candidacy is to be voted on in 7901
an amount to be determined as follows: 7902

(A) If the candidacy is to be voted on by electors throughout the entire state, the nominating petition, including the nominating petition of independent joint candidates for the offices of governor and lieutenant governor, shall be signed by no less than five thousand qualified electors, provided that no petition shall be accepted for filing if it purports to contain more than fifteen thousand signatures.

(B) If the candidacy is to be voted on by electors in any district, political subdivision, or part thereof in which less than five thousand electors voted for the office of governor at the most recent election for that office, the nominating petition shall contain signatures of not less than twenty-five qualified electors of the district, political subdivision, or part thereof, or a number of qualified signatures equal to at least five per cent of that vote, if this number is less than twenty-five.

(C) If the candidacy is to be voted on by electors in any district, political subdivision, or part thereof in which five thousand or more electors voted for the office of governor at the most recent election for that office, the nominating petition shall contain a number of signatures equal to at least one per cent of those electors.

All nominating petitions of candidates for offices to be voted on by electors throughout the entire state shall be filed in the office of the secretary of state. No nominating petition for the offices of president and vice-president of the United States shall be accepted for filing unless there is submitted to the secretary of state, at the time of filing the petition, a slate of presidential electors sufficient in number to satisfy the requirement of the United States Constitution. The secretary of state shall not accept for filing the statement of candidacy of a person who desires to be an independent candidate for the office of governor unless it also shows the joint candidacy of a person

who desires to be an independent candidate for the office of 7935
lieutenant governor, shall not accept for filing the statement of 7936
candidacy of a person who desires to be an independent candidate 7937
for the office of lieutenant governor unless it also shows the 7938
joint candidacy of a person who desires to be an independent 7939
candidate for the office of governor, and shall not accept for 7940
filing the statement of candidacy of a person who desires to be an 7941
independent candidate to the office of governor or lieutenant 7942
governor who, for the same election, has already filed a 7943
declaration of candidacy, a declaration of intent to be a write-in 7944
candidate, or a statement of candidacy, or has become a candidate 7945
by the filling of a vacancy under section 3513.30 of the Revised 7946
Code for any other state office or any ~~federal or~~ federal or 7947
county office. 7948

Nominating petitions of candidates for offices to be voted on 7949
by electors within a district or political subdivision comprised 7950
of more than one county but less than all counties of the state 7951
shall be filed with the boards of elections of that county or part 7952
of a county within the district or political subdivision which had 7953
a population greater than that of any other county or part of a 7954
county within the district or political subdivision according to 7955
the last federal decennial census. 7956

Nominating petitions for offices to be voted on by electors 7957
within a county or district smaller than a county shall be filed 7958
with the board of elections for such county. 7959

No petition other than the petition of a candidate whose 7960
candidacy is to be considered by electors throughout the entire 7961
state shall be accepted for filing if it appears on its face to 7962
contain more than three times the minimum required number of 7963
signatures. A board of elections shall not accept for filing a 7964
nominating petition of a person seeking to become a candidate if 7965
that person, for the same election, has already filed a 7966

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declaration of candidacy, a declaration of intent to be a write-in
candidate, or a nominating petition, or has become a candidate by
the filling of a vacancy under section 3513.30 of the Revised Code
for any ~~federal~~, federal, state, or county office, if the
nominating petition is for a state or county office, or for any
municipal or township office, for member of a city, local, or
exempted village board of education, or for member of a governing
board of an educational service center, if the nominating petition
is for a municipal or township office, or for member of a city,
local, or exempted village board of education, or for member of a
governing board of an educational service center. When a petition
of a candidate has been accepted for filing by a board of
elections, the petition shall not be deemed invalid if, upon
verification of signatures contained in the petition, the board of
elections finds the number of signatures accepted exceeds three
times the minimum number of signatures required. A board of
elections may discontinue verifying signatures when the number of
verified signatures on a petition equals the minimum required
number of qualified signatures.

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Any nonjudicial candidate who files a nominating petition may
request, at the time of filing, that the candidate be designated
on the ballot as a nonparty candidate or as an other-party
candidate, or may request that the candidate's name be placed on
the ballot without any designation. Any such candidate who fails
to request a designation either as a nonparty candidate or as an
other-party candidate shall have the candidate's name placed on
the ballot without any designation.

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The purpose of establishing a filing deadline for independent
candidates prior to the primary election immediately preceding the
general election at which the candidacy is to be voted on by the
voters is to recognize that the state has a substantial and
compelling interest in protecting its electoral process by

encouraging political stability, ensuring that the winner of the
election will represent a majority of the community, providing the
electorate with an understandable ballot, and enhancing voter
education, thus fostering informed and educated expressions of the
popular will in a general election. The filing deadline for
independent candidates required in this section prevents
splintered parties and unrestrained factionalism, avoids political
fragmentation, and maintains the integrity of the ballot. The
deadline, one day prior to the primary election, is the least
drastic or restrictive means of protecting these state interests.
The general assembly finds that the filing deadline for
independent candidates in primary elections required in this
section is reasonably related to the state's purpose of ensuring
fair and honest elections while leaving unimpaired the political,
voting, and associational rights secured by the first and
fourteenth amendments to the United States Constitution.

Sec. 3513.259. Nominations of candidates for the office of
member of the state board of education shall be made only by
nominating petition. The nominating petition of a candidate for
the office of member of the state board of education shall be
signed by not less than one hundred qualified electors.

No such nominating petition shall be accepted for filing if
it appears on its face to contain signatures aggregating in number
more than three times the minimum number of signatures required by
this section. A board of elections shall not accept for filing a
nominating petition of a person if that person, for the same
election, has already filed a declaration of candidacy, a
declaration of intent to be a write-in candidate, or a nominating
petition, or has become a candidate through party nomination at a
primary election or by the filling of a vacancy under section
3513.30 or 3513.31 of the Revised Code, to be a candidate for any

other state office or any ~~federal or~~ federal or county office. 8030
When a petition of a candidate has been accepted for filing by a 8031
board of elections, the petition shall not be deemed invalid if, 8032
upon verification of signatures contained in the petition, the 8033
board of elections finds the number of signatures accepted exceeds 8034
three times the minimum number of signatures required. A board of 8035
elections may discontinue verifying signatures when the number of 8036
verified signatures equals the minimum required number of 8037
signatures. Such petition shall be filed with the board of 8038
elections of the most populous county in such district not later 8039
than four p.m. of the seventy-fifth day before the day of the 8040
general election at which state board of education members are 8041
elected. 8042

Each nominating petition shall be signed by qualified 8043
electors residing in the district in which the candidate 8044
designated therein would be a candidate for election to the office 8045
of member of the state board of education. Each candidate shall be 8046
a qualified elector residing in the district in which the 8047
candidate seeks election to such office. 8048

As the word "district" is used in this section, it refers to 8049
a district created under section 3301.01 of the Revised Code. 8050

Sec. 3513.261. A nominating petition may consist of one or 8051
more separate petition papers, each of which shall be 8052
substantially in the form prescribed in this section. If the 8053
petition consists of more than one separate petition paper, the 8054
statement of candidacy of the candidate or joint candidates named 8055
need be signed by the candidate or joint candidates on only one of 8056
such separate petition papers, but the statement of candidacy so 8057
signed shall be copied on each other separate petition paper 8058
before the signatures of electors are placed on it. Each 8059
nominating petition containing signatures of electors of more than 8060

one county shall consist of separate petition papers each of which 8061
shall contain signatures of electors of only one county; provided 8062
that petitions containing signatures of electors of more than one 8063
county shall not thereby be declared invalid. In case petitions 8064
containing signatures of electors of more than one county are 8065
filed, the board of elections shall determine the county from 8066
which the majority of the signatures came, and only signatures 8067
from this county shall be counted. Signatures from any other 8068
county shall be invalid. 8069

All signatures on nominating petitions shall be written in 8070
ink or indelible pencil. 8071

At the time of filing a nominating petition, the candidate 8072
designated in the nominating petition, and joint candidates for 8073
governor and lieutenant governor, shall pay to the election 8074
officials with whom it is filed the fees specified for the office 8075
under divisions (A) and (B) of section 3513.10 of the Revised 8076
Code. The fees shall be disposed of by those election officials in 8077
the manner that is provided in section 3513.10 of the Revised Code 8078
for the disposition of other fees, and in no case shall a fee 8079
required under that section be returned to a candidate. 8080

Candidates or joint candidates whose names are written on the 8081
ballot, and who are elected, shall pay the same fees under section 8082
3513.10 of the Revised Code that candidates who file nominating 8083
petitions pay. Payment of these fees shall be a condition 8084
precedent to the granting of their certificates of election. 8085

Each nominating petition shall contain a statement of 8086
candidacy that shall be signed by the candidate or joint 8087
candidates named in it or by an attorney in fact acting pursuant 8088
to section 3501.382 of the Revised Code. Such statement of 8089
candidacy shall contain a declaration made under penalty of 8090
election falsification that the candidate desires to be a 8091
candidate for the office named in it, and that the candidate is an 8092

elector qualified to vote for the office the candidate seeks. 8093

The form of the nominating petition and statement of 8094
candidacy shall be substantially as follows: 8095

"STATEMENT OF CANDIDACY 8096

I, (Name of candidate), 8097
the undersigned, hereby declare under penalty of election 8098
falsification that my voting residence is in 8099
..... Precinct of the (Township) or 8100
(Ward and City, or Village) in the county of Ohio; 8101
that my post-office address is 8102
(Street and Number, if any, or Rural Route and Number) of the 8103
..... (City, Village, or post office) of 8104
....., Ohio; and that I am a qualified elector in 8105
the precinct in which my voting residence is located. I hereby 8106
declare that I desire to be a candidate for election to the office 8107
of in the (State, 8108
District, County, City, Village, Township, or School District) for 8109
the (Full term or unexpired 8110
term ending) at the General Election to be held 8111
on the day of, 8112

I further declare that I am an elector qualified to vote for 8113
the office I seek. Dated this day of, 8114
..... 8115
(Signature of candidate) 8116

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY 8117
OF THE FIFTH DEGREE. 8118

I,, hereby constitute the 8119
persons named below a committee to represent me: 8120

Name	Residence
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..... 8124
..... 8125
..... 8126
NOMINATING PETITION 8127
We, the undersigned, qualified electors of the state of Ohio, 8128
whose voting residence is in the County, City, Village, Ward, 8129
Township or Precinct set opposite our names, hereby nominate 8130
..... as a candidate for election to the office of 8131
..... in the 8132
(State, District, County, City, Village, Township, or School 8133
District) for the (Full term or unexpired term 8134
ending) to be voted for at the general 8135
election next hereafter to be held, and certify that this person 8136
is, in our opinion, well qualified to perform the duties of the 8137
office or position to which the person desires to be elected. 8138
8139
Street 8140
Address 8141
or R.F.D. 8142
(Must use 8143
address on City, 8144
file with Village 8145
the board of or Date of 8146
Signature elections) Township Ward Precinct County Signing 8147
8148
..... 8149
..... 8150
..... 8151
....., declares under penalty of election 8152
falsification that such person is a qualified elector of the state 8153
of Ohio and resides at the address appearing below such person's 8154
signature hereto; that such person is the circulator of the 8155

foregoing petition paper containing signatures; 8156
that such person witnessed the affixing of every signature; that 8157
all signers were to the best of such person's knowledge and belief 8158
qualified to sign; and that every signature is to the best of such 8159
person's knowledge and belief the signature of the person whose 8160
signature it purports to be or of an attorney in fact acting 8161
pursuant to section 3501.382 of the Revised Code. 8162
..... 8163
(Signature of circulator) 8164
..... 8165
(Address of circulator's 8166
permanent residence 8167
in this state) 8168
..... 8169
(If petition is for a statewide 8170
candidate, the name and address 8171
of person employing circulator 8172
to circulate petition, if any) 8173

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY 8174
OF THE FIFTH DEGREE." 8175

The secretary of state shall prescribe a form of nominating 8176
petition for a group of candidates for the office of member of a 8177
board of education, township office, and offices of municipal 8178
corporations of under two thousand population. 8179

The secretary of state shall prescribe a form of statement of 8180
candidacy and nominating petition, which shall be substantially 8181
similar to the form of statement of candidacy and nominating 8182
petition set forth in this section, that will be suitable for 8183
joint candidates for the offices of governor and lieutenant 8184
governor. 8185

If such petition nominates a candidate whose election is to 8186

be determined by the electors of a county or a district or 8187
subdivision within the county, it shall be filed with the board of 8188
such county. If the petition nominates a candidate whose election 8189
is to be determined by the voters of a subdivision located in more 8190
than one county, it shall be filed with the board of the county in 8191
which the major portion of the population of such subdivision is 8192
located. 8193

If the petition nominates a candidate whose election is to be 8194
determined by the electors of a district comprised of more than 8195
one county but less than all of the counties of the state, it 8196
shall be filed with the board of elections of the most populous 8197
county in such district. If the petition nominates a candidate 8198
whose election is to be determined by the electors of the state at 8199
large, it shall be filed with the secretary of state. 8200

The secretary of state or a board of elections shall not 8201
accept for filing a nominating petition of a person seeking to 8202
become a candidate if that person, for the same election, has 8203
already filed a declaration of candidacy, a declaration of intent 8204
to be a write-in candidate, or a nominating petition, or has 8205
become a candidate through party nomination at a primary election 8206
or by the filling of a vacancy under section 3513.30 or 3513.31 of 8207
the Revised Code for any ~~federal~~, federal, state, or county 8208
office, if the nominating petition is for a state or county 8209
office, or for any municipal or township office, for member of a 8210
city, local, or exempted village board of education, or for member 8211
of a governing board of an educational service center, if the 8212
nominating petition is for a municipal or township office, or for 8213
member of a city, local, or exempted village board of education, 8214
or for member of a governing board of an educational service 8215
center. 8216

Sec. 3513.30. (A)(1) ~~where~~ If only one valid declaration of 8217

candidacy is filed for nomination as a candidate of a political 8218
party for an office and ~~such~~ that candidate dies prior to the 8219
tenth day before the primary election, both of the following may 8220
occur: 8221

(a) The political party whose candidate died may fill the 8222
vacancy so created as provided in division (A)(2) of this section. 8223

(b) Any major political party other than the one whose 8224
candidate died may select a candidate as provided in division 8225
(A)(2) of this section under either of the following 8226
circumstances: 8227

(i) No person has filed a valid declaration of candidacy for 8228
nomination as that party's candidate at the primary election. 8229

(ii) Only one person has filed a valid declaration of 8230
candidacy for nomination as that party's candidate at the primary 8231
election, that person has withdrawn, died, or been disqualified 8232
under section 3513.052 of the Revised Code, and the vacancy so 8233
created has not been filled. 8234

(2) A vacancy may be filled under division (A)(1)(a) and a 8235
selection may be made under division (A)(1)(b) of this section by 8236
the appropriate committee of the political party in the same 8237
manner as provided in divisions (A) to (E) of section 3513.31 of 8238
the Revised Code for the filling of similar vacancies created by 8239
withdrawals or disqualifications under section 3513.052 of the 8240
Revised Code after the primary election, except that the 8241
certification required under that section may not be filed with 8242
the secretary of state, or with a board of the most populous 8243
county of a district, or with the board of a county in which the 8244
major portion of the population of a subdivision is located, later 8245
than four p.m. of the tenth day before the day of such primary 8246
election, or with any other board later than four p.m. of the 8247
fifth day before the day of such primary election. 8248

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

(B) Any person filing a declaration of candidacy may withdraw as such candidate at any time prior to the primary election, or, if the primary election is a presidential primary election, at any time prior to the fiftieth day before the presidential primary election. The withdrawal shall be effected and the statement of withdrawal shall be filed in accordance with the procedures prescribed in division (D) of this section for the withdrawal of persons nominated in a primary election or by nominating petition.

(C) A person who is the first choice for president of the United States by a candidate for delegate or alternate to a national convention of a political party may withdraw consent for the selection of the person as such first choice no later than four p.m. of the thirtieth day before the day of the presidential primary election. Withdrawal of consent shall be for the entire slate of candidates for delegates and alternates who named such person as their presidential first choice and shall constitute withdrawal from the primary election by such delegates and alternates. The withdrawal shall be made in writing and delivered to the secretary of state. The If the withdrawal is delivered to the secretary of state on or before the sixtieth day before the day of the primary election, or, if the election is a presidential primary election, on or before the forty-fifth day before the day of the presidential primary election, the boards of elections shall remove both the name of the withdrawn first choice and the

names of such withdrawn candidates from the ballots ~~to the extent~~ 8281
~~practicable in the time remaining before the election and~~ 8282
according to the directions of the secretary of state. If the 8283
withdrawal is delivered to the secretary of state after the 8284
sixtieth day before the day of the primary election, or, if the 8285
election is a presidential primary election, after the forty-fifth 8286
day before the day of the presidential primary election, the board 8287
of elections shall not remove the name of the withdrawn first 8288
choice and the names of the withdrawn candidates from the ballots. 8289
The board of elections shall post a notice at each polling 8290
location on the day of the primary election, and shall enclose 8291
with each absent voter's ballot given or mailed after the 8292
candidate withdraws, a notice that votes for the withdrawn first 8293
choice or the withdrawn candidates will be void and will not be 8294
counted. If such names are not removed from all ballots before the 8295
day of the election, the votes for the withdrawn first choice or 8296
the withdrawn candidates are void and shall not be counted. 8297

(D) Any person nominated in a primary election or by 8298
nominating petition as a candidate for election at the next 8299
general election may withdraw as such candidate at any time prior 8300
to the general election. Such withdrawal may be effected by the 8301
filing of a written statement by such candidate announcing the 8302
candidate's withdrawal and requesting that the candidate's name 8303
not be printed on the ballots. If such candidate's declaration of 8304
candidacy or nominating petition was filed with the secretary of 8305
state, the candidate's statement of withdrawal shall be addressed 8306
to and filed with the secretary of state. If such candidate's 8307
declaration of candidacy or nominating petition was filed with a 8308
board of elections, the candidate's statement of withdrawal shall 8309
be addressed to, and filed with such board. 8310

(E) When a person withdraws under division (B) or (D) of this 8311
section on or before the sixtieth day before the day of the 8312

primary election, or, if the election is a presidential primary 8313
election, on or before the forty-fifth day before the day of the 8314
presidential primary election, the board of elections shall remove 8315
the name of the withdrawn candidate from the ballots ~~to the extent~~ 8316
~~practicable in the time remaining before the election and~~ 8317
according to the directions of the secretary of state. When a 8318
person withdraws under division (B) or (D) of this section after 8319
the sixtieth day before the day of the primary election, or, if 8320
the election is a presidential primary election, after the 8321
forty-fifth day before the day of the presidential primary 8322
election, the board of elections shall not remove the name of the 8323
withdrawn candidate from the ballots. The board of elections shall 8324
post a notice at each polling place on the day of the primary 8325
election, and shall enclose with each absent voter's ballot given 8326
or mailed after the candidate withdraws, a notice that votes for 8327
the withdrawn candidate will be void and will not be counted. If 8328
the name is not removed from all ballots before the day of the 8329
election, the votes for the withdrawn candidate are void and shall 8330
not be counted. 8331

Sec. 3515.03. Each application for recount shall separately 8332
list each precinct as to which a recount of the votes ~~therein~~ is 8333
requested, and the person filing ~~an~~ the application shall, at the 8334
same time, ~~deposit~~ deposit with the board of elections ~~ten~~ fifty dollars 8335
in currency, bank money order, bank cashier's check, or certified 8336
check for each precinct so listed ~~in such application~~ as security 8337
for the payment of charges for making the recount ~~therein~~ applied 8338
for, which charges shall be fixed by the board as provided in 8339
section 3515.07 of the Revised Code. 8340

Upon the filing of an application, or upon declaration by the 8341
board or secretary of state that the number of votes cast in any 8342
election for the declared winning nominee, candidate, question, or 8343
issue does not exceed the number of votes cast for the defeated 8344

nominee, candidate, question, or issue, by the margins set forth 8345
in section 3515.011 of the Revised Code, the board shall promptly 8346
fix the time, method, and the place at which the recount will be 8347
made, which time shall be not later than ten days after the day 8348
upon which such application is filed or such declaration is made. 8349
If the recount involves a candidate for election to an office 8350
comprising more than one county, the director of the board shall 8351
promptly mail notice of the time and place for such recount to the 8352
board of the most populous county of the district. If the contest 8353
involves a state office, the director shall promptly notify the 8354
secretary of state of the filing for such recount. 8355

The director of the board shall mail notice of the time and 8356
place so fixed to any applicant and to each person for whom votes 8357
were cast for such nomination or election. Such notice shall be 8358
mailed by certified mail not later than the fifth day before the 8359
day fixed for the commencement of the recount. Persons entitled to 8360
have such notice mailed to them may waive their right to have it 8361
mailed by filing with the director a written waiver to that 8362
effect. Each person entitled to receive such notice may attend and 8363
~~witness~~ observe the recount and may have any person whom the 8364
candidate designates attend and ~~witness~~ observe the recount. At 8365
any time after a winning nominee or candidate is declared but 8366
before the time for a recount pursuant to section 3515.011 of the 8367
Revised Code commences, the declared losing nominee or candidate 8368
may file with the board a written request to stop the recount from 8369
commencing. In the case of more than one declared losing candidate 8370
or nominee, each of whom is entitled to a recount pursuant to 8371
section 3515.011 of the Revised Code, each such declared losing 8372
candidate or nominee must file with the board such written request 8373
to stop the recount from commencing. The board shall grant such 8374
request and shall not commence the recount. 8375

In the case of a recount of votes cast upon a question or 8376

issue, any group of five or more qualified electors, who voted 8377
upon such question or issue and whose votes were in opposition to 8378
the votes of the members of the group of electors who applied for 8379
such the recount, or for whom such the recount was required by 8380
section 3515.011 of the Revised Code, may file with the board a 8381
written statement to that effect, shall designate ~~therein~~ in it 8382
one of their number as ~~chairman~~ chairperson of such group and, may 8383
appoint an attorney at law as their legal counsel, and may request 8384
that the persons so designated be permitted to attend and ~~witness~~ 8385
observe the recount. Thereupon, the persons so designated may 8386
attend and ~~witness~~ observe the recount. 8387

Sec. 3515.04. At the time and place fixed for making a 8388
recount, the board of elections, in the presence of all ~~witnesses~~ 8389
observers who may be in attendance, shall open the sealed 8390
containers containing the ballots to be recounted, and shall 8391
recount them. If a county used punch card ballots and if a chad is 8392
attached to a punch card ballot by three or four corners, the 8393
voter shall be deemed by the board not to have recorded a 8394
candidate, question, or issue choice at the particular position on 8395
the ballot, and a vote shall not be counted at that particular 8396
position on the ballot in the recount. Ballots shall be handled 8397
only by the members of the board or by the director or other 8398
employees of the board. ~~Witnesses~~ Observers shall be permitted to 8399
see the ballots, but they shall not be permitted to touch them, 8400
and the board shall not permit the counting or tabulation of votes 8401
shown on the ballots for any nomination, or for election to any 8402
office or position, or upon any question or issue, other than the 8403
votes shown on such ballots for the nomination, election, 8404
question, or issue concerning which a recount of ballots was 8405
applied for. 8406

At any time before the ballots from all of the precincts 8407

listed in an application for the recount or involved in a recount 8408
pursuant to section 3515.011 of the Revised Code have been 8409
recounted, the applicant or declared losing candidate or nominee 8410
or each of the declared losing candidates or nominees entitled to 8411
file a request prior to the commencement of a recount, as provided 8412
in section 3515.03 of the Revised Code, may file with the board a 8413
written request to stop the recount and not recount the ballots 8414
from the precincts so listed that have not been recounted prior to 8415
the time of the request. If, upon the request, the board finds 8416
that results of the votes in the precincts recounted, if 8417
substituted for the results of the votes in those precincts as 8418
shown in the abstract of the votes in those precincts, would not 8419
cause the applicant, if a person for whom votes were cast for 8420
nomination or election, to be declared nominated or elected or if 8421
an election upon a question or issue would not cause a result 8422
contrary to the result as declared prior to such recount, it shall 8423
grant the request and shall not recount the ballots of the 8424
precincts listed in the application for recount that have not been 8425
recounted prior to that time. If the board finds otherwise, it 8426
shall deny the request and shall continue to recount ballots until 8427
the ballots from all of the precincts listed in the application 8428
for recount have been recounted; provided that, if the request is 8429
denied, it may be renewed from time to time. Upon any such 8430
renewal, the board shall consider and act upon the request in the 8431
same manner as provided in this section in connection with an 8432
original request. 8433

As used in this section, "chad" and "punch card ballot" have 8434
the same meanings as in section 3506.16 of the Revised Code. 8435

Sec. 3515.041. As required by 3 U.S.C. 5, any recount of 8436
votes conducted under this chapter for the election of 8437
presidential electors shall be completed not later than six days 8438

before the time fixed under federal law for the meeting of those
presidential electors.

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Sec. 3515.07. The charges for making a recount of votes of
precincts listed in an application for a recount filed with the
board of elections shall be fixed by the board and shall include
all expenses incurred by ~~such~~ the board because of ~~such~~ the
application other than the regular operating expenses ~~which~~ that
the board would have incurred if the application had not been
filed. The total amount of charges so fixed divided by the number
of precincts listed in ~~such~~ the application, the votes of which
were recounted, shall be the charge per precinct for the recount
of the votes of the precincts listed in ~~such~~ the application, the
votes of which were recounted; provided that the charges per
precinct so fixed shall not be more than ~~ten nor~~ fifty or less
than five dollars for each precinct the votes of which were
recounted.

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Such charge per precinct shall be deducted by the board from
the money deposited with the board by the applicant for the
recount at the time of filing ~~his~~ the application, and the balance
of the money so deposited shall be returned to ~~such~~ the applicant;
provided that no such charge per precinct shall be deducted by the
board from the money deposited for a recount of votes cast for a
nomination or for an election to an office or position in any
precinct, if the total number of votes cast in such precinct for
the applicant, as recorded by ~~such~~ the recount, is more than four
per cent larger than the number of votes for ~~such~~ the applicant in
~~such~~ that precinct recorded in the original certified abstract
~~thereof~~, nor shall any charge per precinct be deducted for a
recount of votes cast in any precinct upon a question or issue if
the total number of votes in ~~such~~ that precinct on the same side
of ~~such~~ that question or issue as the side represented by the

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applicant, as recorded by ~~such~~ the recount, is more than four per 8470
cent larger than the number of votes in ~~such~~ that precinct on the 8471
same side of ~~such~~ that question or issue recorded in the original 8472
certified abstract ~~thereof~~. No such charge per precinct shall be 8473
deducted if upon the completion of a recount concerning a 8474
nomination or election the applicant is declared nominated or 8475
elected, or if upon the completion of a recount concerning a 8476
question or issue the result of ~~such~~ that election is declared to 8477
be opposite to the original declaration of the result of ~~such~~ that 8478
election. ~~All~~ 8479

All moneys deposited with a board by an applicant shall be 8480
deposited in a special depository fund with the county treasurer. 8481
The expenses of the recount and refunds shall be paid from ~~said~~ 8482
that fund upon order of the board of elections. Any balance 8483
remaining in ~~such~~ that fund shall be paid into the general fund of 8484
the county. 8485

Sec. 3515.072. (A) In January of each odd-numbered year, the 8486
secretary of state, in accordance with this division and division 8487
(B) of this section, shall adjust each amount specified in 8488
sections 3515.03 and 3515.07 of the Revised Code. The adjustment 8489
shall be based on the yearly average of the previous two years of 8490
the Consumer Price Index for All Urban Consumers or its successive 8491
equivalent, as determined by the United States department of 8492
labor, bureau of labor statistics, or its successor in 8493
responsibility, for all items, Series A. Using the 2005 yearly 8494
average as the base year, the secretary of state shall compare the 8495
most current average consumer price index with that determined in 8496
the preceding odd-numbered year, and shall determine the 8497
percentage increase or decrease. The percentage increase or 8498
decrease shall be multiplied by each actual dollar figure 8499
specified in sections 3515.03 and 3515.07 of the Revised Code as 8500
determined in the previous odd-numbered year, and the product 8501

shall be added to or subtracted from its corresponding actual 8502
dollar figure, as necessary, for that previous odd-numbered year. 8503

If the resulting amount is less than five dollars, the 8504
secretary of state shall retain a record of the resulting amount 8505
and the manner in which it was calculated, but shall not make an 8506
adjustment unless the resulting amount, when added to the 8507
resulting amount calculated in each prior odd-numbered year since 8508
the last adjustment was made, equals or exceeds five dollars. 8509

(B)(1) The secretary of state shall calculate the adjustment 8510
under division (A) of this section and shall report the 8511
calculations and necessary materials to the auditor of state, on 8512
or before the thirty-first day of January of each odd-numbered 8513
year. The secretary of state shall base the adjustment on the most 8514
current consumer price index that is described in division (A) of 8515
this section and that is in effect as of the first day of January 8516
of each odd-numbered year. 8517

(2) The calculations made by the secretary of state under 8518
divisions (A) and (B)(1) of this section shall be certified by the 8519
auditor of state on or before the fifteenth day of February of 8520
each odd-numbered year. 8521

(3) On or before the twenty-fifth day of February of each 8522
odd-numbered year, the secretary of state shall prepare a report 8523
setting forth the amount required to be deposited with a board of 8524
elections at the time a recount application is filed for each 8525
precinct to be recounted under section 3515.03 of the Revised Code 8526
and the minimum and maximum per precinct charge for a recount 8527
under section 3515.07 of the Revised Code. The report and all 8528
documents relating to the calculations contained in the report are 8529
public records. The report shall contain an indication of the 8530
period in which the deposit amounts and the minimum and maximum 8531
per precinct charges apply, a summary of how the deposit amounts 8532

and the minimum and maximum per precinct charges were calculated, 8533
and a statement that the report and all related documents are 8534
available for inspection and copying at the office of the 8535
secretary of state. 8536

(4) On or before the twenty-fifth day of February of each 8537
odd-numbered year, the secretary of state shall transmit the 8538
report to the general assembly and shall send the report by 8539
electronic mail or other form of electronic communication to the 8540
board of elections of each county. 8541

Sec. 3515.08. The (A) Except as otherwise provided in this 8542
division, the nomination or election of any person to any public 8543
office or party position or the approval or rejection of any issue 8544
or question, submitted to the voters, may be contested by 8545
qualified electors of the state or a political subdivision. The 8546
nomination or election of any person to any federal office, 8547
including the office of elector for president and vice president 8548
and the office of member of congress, shall not be subject to a 8549
contest of election conducted under this chapter. Contests of the 8550
nomination or election of any person to any federal office shall 8551
be conducted in accordance with the applicable provisions of 8552
federal law. 8553

(B) In the case of an office to be filled or an issue to be 8554
determined by the voters of the entire state, or ~~for the office of~~ 8555
~~members of congress,~~ or for judicial offices higher than that of 8556
court of common pleas, or for an office to be filled or an issue 8557
to be determined by the voters of a district larger than a county, 8558
~~said~~ a contest shall be heard and determined by the chief justice 8559
of the supreme court or a justice of the supreme court assigned 8560
for that purpose by the chief justice; except that, in a contest 8561
for the office of chief justice of the supreme court, ~~such~~ the 8562
contest shall be heard by a justice of ~~such~~ the supreme court 8563

designated by the governor. 8564

(C) In the case of all other offices or issues, except 8565
judicial offices, ~~such~~ contests shall be heard and determined by a 8566
judge of the court of common pleas of the county in which the 8567
contest arose. In the case of a contest for a judicial office 8568
within a county, ~~such~~ the contest shall be heard by the court of 8569
appeals of the district in which ~~such~~ that county is located. If 8570
any contestant alleges prejudice on the part of the judges of the 8571
court of appeals or the court of common pleas, assigned to hear 8572
~~such appeal~~ a contest, ~~then~~ the chief justice of the supreme 8573
court, upon application of any such ~~contestants~~ contestant and for 8574
good cause shown, may assign judges from another court to hear 8575
~~such~~ the contest. 8576

Sec. 3515.13. If any contest of election involves a recount 8577
of the ballots in any precincts, the court shall immediately order 8578
the ballots of the precincts in which the recount is demanded to 8579
be sent to the court in such manner as the court designates, and 8580
such court may appoint two master commissioners of opposite 8581
political parties to supervise the making of the recount. The 8582
attorneys representing the contestor and the prosecuting attorney 8583
of the county or the attorney general or one of ~~his~~ the attorney 8584
general's assistants representing the contestee shall be present 8585
at all hearings on such recount. Such commissioners shall receive 8586
ten dollars each per day and their actual traveling expenses when 8587
approved by the presiding judges. The compensation of such clerks 8588
as are deemed necessary by the court shall be determined by the 8589
court on the basis of similar compensation in other public offices 8590
for like work. Both the contestor and contestee may appoint one 8591
~~inspector~~ observer who shall be allowed to see all ballots and 8592
tally sheets and ~~witness~~ observe the recount. If the court finds 8593
that the difference in the count from the original count by the 8594
election authorities was the result of fraud, gross negligence, or 8595

willfulness on the part of any election officer or other person, 8596
~~such~~ the court shall forthwith transmit a copy of its decision and 8597
of the evidence to the prosecuting attorney of the county ~~wherein~~ 8598
~~such~~ in which the fraud or gross negligence was found with 8599
directions to present the same to the next grand jury in the 8600
county or to the attorney general, in the case of state or federal 8601
offices, with directions to prosecute the cases on behalf of the 8602
state. 8603

Sec. 3517.01. (A)(1) A political party within the meaning of 8604
Title XXXV of the Revised Code is any group of voters that, at the 8605
most recent regular state election, polled for its candidate for 8606
governor in the state or nominees for presidential electors at 8607
least five per cent of the entire vote cast for that office or 8608
that filed with the secretary of state, subsequent to any election 8609
in which it received less than five per cent of that vote, a 8610
petition signed by qualified electors equal in number to at least 8611
one per cent of the total vote for governor or nominees for 8612
presidential electors at the most recent election, declaring their 8613
intention of organizing a political party, the name of which shall 8614
be stated in the declaration, and of participating in the 8615
succeeding primary election, held in even-numbered years, that 8616
occurs more than one hundred twenty days after the date of filing. 8617
No such group of electors shall assume a name or designation that 8618
is similar, in the opinion of the secretary of state, to that of 8619
an existing political party as to confuse or mislead the voters at 8620
an election. If any political party fails to cast five per cent of 8621
the total vote cast at an election for the office of governor or 8622
president, it shall cease to be a political party. 8623

(2) A campaign committee shall be legally liable for any 8624
debts, contracts, or expenditures incurred or executed in its 8625
name. 8626

(B) Notwithstanding the definitions found in section 3501.01 8627
of the Revised Code, as used in this section and sections 3517.08 8628
to 3517.14, 3517.99, and 3517.992 of the Revised Code: 8629

(1) "Campaign committee" means ~~an entity that is formed by a~~ 8630
candidate or a combination of two or more persons authorized by a 8631
candidate under section 3517.081 of the Revised Code to receive 8632
contributions and make expenditures ~~and that is legally liable for~~ 8633
~~any debts, contracts, or expenditures incurred or executed in its~~ 8634
~~name.~~ 8635

(2) "Campaign treasurer" means an individual appointed by a 8636
candidate under section 3517.081 of the Revised Code. 8637

(3) "Candidate" has the same meaning as in division (H) of 8638
section 3501.01 of the Revised Code and also includes any person 8639
who, at any time before or after an election, receives 8640
contributions or makes expenditures or other use of contributions, 8641
has given consent for another to receive contributions or make 8642
expenditures or other use of contributions, or appoints a campaign 8643
treasurer, for the purpose of bringing about the person's 8644
nomination or election to public office. When two persons jointly 8645
seek the offices of governor and lieutenant governor, "candidate" 8646
means the pair of candidates jointly. "Candidate" does not include 8647
candidates for election to the offices of member of a county or 8648
state central committee, presidential elector, and delegate to a 8649
national convention or conference of a political party. 8650

(4) "Continuing association" means an association, other than 8651
a campaign committee, political party, legislative campaign fund, 8652
political contributing entity, or labor organization, that is 8653
intended to be a permanent organization that has a primary purpose 8654
other than supporting or opposing specific candidates, political 8655
parties, or ballot issues, and that functions on a regular basis 8656
throughout the year. "Continuing association" includes 8657

organizations that are determined to be not organized for profit 8658
under subsection 501 and that are described in subsection 8659
501(c)(3), 501(c)(4), or 501(c)(6) of the Internal Revenue Code. 8660

(5) "Contribution" means a loan, gift, deposit, forgiveness 8661
of indebtedness, donation, advance, payment, or transfer of funds 8662
or anything of value, including a transfer of funds from an inter 8663
vivos or testamentary trust or decedent's estate, and the payment 8664
by any person other than the person to whom the services are 8665
rendered for the personal services of another person, which 8666
contribution is made, received, or used for the purpose of 8667
influencing the results of an election. Any loan, gift, deposit, 8668
forgiveness of indebtedness, donation, advance, payment, or 8669
transfer of funds or of anything of value, including a transfer of 8670
funds from an inter vivos or testamentary trust or decedent's 8671
estate, and the payment by any campaign committee, political 8672
action committee, legislative campaign fund, political party, 8673
political contributing entity, or person other than the person to 8674
whom the services are rendered for the personal services of 8675
another person, that is made, received, or used by a state or 8676
county political party, other than moneys a state or county 8677
political party receives from the Ohio political party fund 8678
pursuant to section 3517.17 of the Revised Code and the moneys a 8679
state or county political party may receive under sections 8680
3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be 8681
considered to be a "contribution" for the purpose of section 8682
3517.10 of the Revised Code and shall be included on a statement 8683
of contributions filed under that section. 8684

"Contribution" does not include any of the following: 8685

(a) Services provided without compensation by individuals 8686
volunteering a portion or all of their time on behalf of a person; 8687

(b) Ordinary home hospitality; 8688

(c) The personal expenses of a volunteer paid for by that 8689
volunteer campaign worker; 8690

(d) Any gift given to a state or county political party 8691
pursuant to section 3517.101 of the Revised Code. As used in 8692
division (B)(5)(d) of this section, "political party" means only a 8693
major political party; 8694

(e) Any contribution as defined in section 3517.1011 of the 8695
Revised Code that is made, received, or used to pay the direct 8696
costs of producing or airing an electioneering communication; 8697

(f) Any gift given to a state or county political party for 8698
the party's restricted fund under division (A)(2) of section 8699
3517.1012 of the Revised Code; 8700

(g) Any gift given to a state political party for deposit in 8701
a Levin account pursuant to section 3517.1013 of the Revised Code. 8702
As used in this division, "Levin account" has the same meaning as 8703
in that section. 8704

(6) "Expenditure" means the disbursement or use of a 8705
contribution for the purpose of influencing the results of an 8706
election or of making a charitable donation under division (G) of 8707
section 3517.08 of the Revised Code. Any disbursement or use of a 8708
contribution by a state or county political party is an 8709
expenditure and shall be considered either to be made for the 8710
purpose of influencing the results of an election or to be made as 8711
a charitable donation under division (G) of section 3517.08 of the 8712
Revised Code and shall be reported on a statement of expenditures 8713
filed under section 3517.10 of the Revised Code. During the thirty 8714
days preceding a primary or general election, any disbursement to 8715
pay the direct costs of producing or airing a broadcast, cable, or 8716
satellite communication that refers to a clearly identified 8717
candidate shall be considered to be made for the purpose of 8718
influencing the results of that election and shall be reported as 8719

an expenditure or as an independent expenditure under section 8720
3517.10 or 3517.105 of the Revised Code, as applicable, except 8721
that the information required to be reported regarding 8722
contributors for those expenditures or independent expenditures 8723
shall be the same as the information required to be reported under 8724
divisions (D)(1) and (2) of section 3517.1011 of the Revised Code. 8725

As used in this division, "broadcast, cable, or satellite 8726
communication" and "refers to a clearly identified candidate" have 8727
the same meanings as in section 3517.1011 of the Revised Code. 8728

(7) "Personal expenses" includes, but is not limited to, 8729
ordinary expenses for accommodations, clothing, food, personal 8730
motor vehicle or airplane, and home telephone. 8731

(8) "Political action committee" means a combination of two 8732
or more persons, the primary or major purpose of which is to 8733
support or oppose any candidate, political party, or issue, or to 8734
influence the result of any election through express advocacy, and 8735
that is not a political party, a campaign committee, a political 8736
contributing entity, or a legislative campaign fund. "Political 8737
action committee" does not include a either of the following: 8738

(a) A continuing association that makes disbursements for the 8739
direct costs of producing or airing electioneering communications 8740
and that does not engage in express advocacy; 8741

(b) A political club that is formed primarily for social 8742
purposes and that consists of one hundred members or less, has 8743
officers and periodic meetings, has less than two thousand five 8744
hundred dollars in its treasury at all times, and makes an 8745
aggregate total contribution of one thousand dollars or less per 8746
calendar year. 8747

(9) "Public office" means any state, county, municipal, 8748
township, or district office, except an office of a political 8749
party, that is filled by an election and the offices of United 8750

States senator and representative. 8751

(10) "Anything of value" has the same meaning as in section 8752
1.03 of the Revised Code. 8753

(11) "Beneficiary of a campaign fund" means a candidate, a 8754
public official or employee for whose benefit a campaign fund 8755
exists, and any other person who has ever been a candidate or 8756
public official or employee and for whose benefit a campaign fund 8757
exists. 8758

(12) "Campaign fund" means money or other property, including 8759
contributions. 8760

(13) "Public official or employee" has the same meaning as in 8761
section 102.01 of the Revised Code. 8762

(14) "Caucus" means all of the members of the house of 8763
representatives or all of the members of the senate of the general 8764
assembly who are members of the same political party. 8765

(15) "Legislative campaign fund" means a fund that is 8766
established as an auxiliary of a state political party and 8767
associated with one of the houses of the general assembly. 8768

(16) "In-kind contribution" means anything of value other 8769
than money that is used to influence the results of an election or 8770
is transferred to or used in support of or in opposition to a 8771
candidate, campaign committee, legislative campaign fund, 8772
political party, political action committee, or political 8773
contributing entity and that is made with the consent of, in 8774
coordination, cooperation, or consultation with, or at the request 8775
or suggestion of the benefited candidate, committee, fund, party, 8776
or entity. The financing of the dissemination, distribution, or 8777
 republication, in whole or part, of any broadcast or of any 8778
written, graphic, or other form of campaign materials prepared by 8779
the candidate, the candidate's campaign committee, or their 8780

authorized agents is an in-kind contribution to the candidate and 8781
an expenditure by the candidate. 8782

(17) "Independent expenditure" means an expenditure by a 8783
person advocating the election or defeat of an identified 8784
candidate or candidates, that is not made with the consent of, in 8785
coordination, cooperation, or consultation with, or at the request 8786
or suggestion of any candidate or candidates or of the campaign 8787
committee or agent of the candidate or candidates. As used in 8788
division (B)(17) of this section: 8789

(a) "Person" means an individual, partnership, unincorporated 8790
business organization or association, political action committee, 8791
political contributing entity, separate segregated fund, 8792
association, or other organization or group of persons, but not a 8793
labor organization or a corporation unless the labor organization 8794
or corporation is a political contributing entity. 8795

(b) "Advocating" means any communication containing a message 8796
advocating election or defeat. 8797

(c) "Identified candidate" means that the name of the 8798
candidate appears, a photograph or drawing of the candidate 8799
appears, or the identity of the candidate is otherwise apparent by 8800
unambiguous reference. 8801

(d) "Made in coordination, cooperation, or consultation with, 8802
or at the request or suggestion of, any candidate or the campaign 8803
committee or agent of the candidate" means made pursuant to any 8804
arrangement, coordination, or direction by the candidate, the 8805
candidate's campaign committee, or the candidate's agent prior to 8806
the publication, distribution, display, or broadcast of the 8807
communication. An expenditure is presumed to be so made when it is 8808
any of the following: 8809

(i) Based on information about the candidate's plans, 8810
projects, or needs provided to the person making the expenditure 8811

by the candidate, or by the candidate's campaign committee or 8812
agent, with a view toward having an expenditure made; 8813

(ii) Made by or through any person who is, or has been, 8814
authorized to raise or expend funds, who is, or has been, an 8815
officer of the candidate's campaign committee, or who is, or has 8816
been, receiving any form of compensation or reimbursement from the 8817
candidate or the candidate's campaign committee or agent; 8818

(iii) Except as otherwise provided in division (D) of section 8819
3517.105 of the Revised Code, made by a political party in support 8820
of a candidate, unless the expenditure is made by a political 8821
party to conduct voter registration or voter education efforts. 8822

(e) "Agent" means any person who has actual oral or written 8823
authority, either express or implied, to make or to authorize the 8824
making of expenditures on behalf of a candidate, or means any 8825
person who has been placed in a position with the candidate's 8826
campaign committee or organization such that it would reasonably 8827
appear that in the ordinary course of campaign-related activities 8828
the person may authorize expenditures. 8829

(18) "Labor organization" means a labor union; an employee 8830
organization; a federation of labor unions, groups, locals, or 8831
other employee organizations; an auxiliary of a labor union, 8832
employee organization, or federation of labor unions, groups, 8833
locals, or other employee organizations; or any other bona fide 8834
organization in which employees participate and that exists for 8835
the purpose, in whole or in part, of dealing with employers 8836
concerning grievances, labor disputes, wages, hours, and other 8837
terms and conditions of employment. 8838

(19) "Separate segregated fund" means a separate segregated 8839
fund established pursuant to the Federal Election Campaign Act. 8840

(20) "Federal Election Campaign Act" means the "Federal 8841
Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et 8842

seq., as amended. 8843

(21) "Restricted fund" means the fund a state or county 8844
political party must establish under division (A)(1) of section 8845
3517.1012 of the Revised Code. 8846

(22) "Electioneering communication" has the same meaning as 8847
in section 3517.1011 of the Revised Code. 8848

(23) "Express advocacy" means a communication that contains 8849
express words advocating the nomination, election, or defeat of a 8850
candidate or that contains express words advocating the adoption 8851
or defeat of a question or issue, as determined by a final 8852
judgment of a court of competent jurisdiction. 8853

(24) "Political committee" has the same meaning as in section 8854
3517.1011 of the Revised Code. 8855

(25) "Political contributing entity" means any entity, 8856
including a corporation or labor organization, that may lawfully 8857
make contributions and expenditures and that is not an individual 8858
or a political action committee, continuing association, campaign 8859
committee, political party, legislative campaign fund, designated 8860
state campaign committee, or state candidate fund. For purposes of 8861
this division, "lawfully" means not prohibited by any section of 8862
the Revised Code, or authorized by a final judgment of a court of 8863
competent jurisdiction. 8864

Sec. 3517.081. (A) Each candidate shall have no more than one 8865
campaign committee for purposes of receiving contributions and 8866
making expenditures. No campaign committee shall receive any 8867
contribution or make any expenditure other than through the 8868
campaign treasurer. The campaign treasurer shall file all 8869
statements required of a candidate or campaign committee under 8870
section 3517.10 of the Revised Code. 8871

The candidate shall designate ~~himself~~ the candidate or a 8872

member of ~~his~~ the candidate's campaign committee as ~~his~~ the 8873
candidate's campaign treasurer as required by division (D) of 8874
section 3517.10 of the Revised Code. The campaign treasurer may 8875
appoint deputy campaign treasurers as required. Deputy campaign 8876
treasurers may exercise any of the powers and duties of a campaign 8877
treasurer when specifically authorized to do so by the campaign 8878
treasurer or the candidate. 8879

Each candidate shall file a written statement, as required by 8880
division (D) of section 3517.10 of the Revised Code, setting forth 8881
the full name and address of the campaign treasurer and also of 8882
each deputy treasurer. Each candidate shall file supplemental 8883
statements giving the full name and address of each deputy 8884
treasurer at the time of appointment. 8885

A candidate may remove the campaign treasurer or any deputy 8886
campaign treasurer at any time. In the case of death, resignation, 8887
or removal of the treasurer or deputy treasurer before compliance 8888
with all obligations of a campaign treasurer, the candidate shall 8889
fill the vacancy thus created in the same manner as provided in 8890
the case of an original appointment. 8891

(B)(1) Two or more candidates may be the beneficiaries of a 8892
single campaign committee if all of the following apply: 8893

(a) Each candidate is seeking nomination or election to the 8894
same office at the same election. 8895

(b) The office for which each candidate is seeking nomination 8896
or election is the office of member of a board, commission, or 8897
other similar body of elected officials to which multiple members 8898
are nominated or elected at the same election. 8899

(c) The number of candidates who will be the beneficiaries of 8900
the campaign committee does not exceed the number of open 8901
positions on the board, commission, or other similar body of 8902
elected officials to which the candidates are seeking nomination 8903

or election. 8904

(d) The candidates jointly designate one of the candidates or 8905
one member of the campaign committee as the treasurer of that 8906
campaign committee as required under division (A) of this section. 8907

(e) The candidates jointly file the written statements 8908
required under division (A) of this section. 8909

(2) Except as otherwise provided in this division, any 8910
penalty that may be imposed on a candidate under section 3517.992 8911
of the Revised Code for a violation of this chapter shall be 8912
imposed jointly and severally on each beneficiary of a 8913
multi-beneficiary campaign committee. If the Ohio elections 8914
commission or the appropriate prosecutor is able to determine that 8915
a specific beneficiary of a multi-beneficiary campaign committee 8916
violated this chapter, the applicable penalty under section 8917
3517.992 of the Revised Code shall be imposed only on that 8918
candidate and not on the other beneficiaries of that 8919
multi-beneficiary campaign committee. 8920

(3)(a) If any of the following occur after a 8921
multi-beneficiary campaign committee is established, that campaign 8922
committee shall be terminated: 8923

(i) The beneficiaries of the campaign committee disagree as 8924
to the designation or removal of a campaign treasurer. 8925

(ii) Any beneficiary of the campaign committee desires to end 8926
the beneficiary's candidacy for the office for which the 8927
beneficiaries are seeking nomination or election. 8928

(iii) Any beneficiary of the campaign committee desires to 8929
form an individual campaign committee. 8930

(b) Prior to the termination of a multi-beneficiary campaign 8931
committee in accordance with division (B)(3)(a) of this section, 8932
any contributions received by that campaign committee that have 8933

not been expended shall be disposed of in the manner provided in 8934
division (C) of section 3517.109 of the Revised Code. No 8935
contributions from the multi-beneficiary campaign committee shall 8936
be contributed or transferred into any candidate's individual 8937
campaign committee. 8938

(4) No candidate who has a campaign committee for which that 8939
candidate is the sole beneficiary shall become the beneficiary of 8940
a campaign committee with multiple beneficiaries under division 8941
(B)(1) of this section unless the candidate first terminates the 8942
candidate's individual campaign committee. Prior to the 8943
termination of that individual campaign committee, any 8944
contributions received by that campaign committee that have not 8945
been expended shall be disposed of in the manner provided in 8946
division (C) of section 3517.109 of the Revised Code. No 8947
contributions from the candidate's individual campaign committee 8948
shall be contributed or transferred into the multi-beneficiary 8949
campaign committee. 8950

Sec. 3517.092. (A) As used in this section: 8951

(1) "Appointing authority" has the same meaning as in section 8952
124.01 of the Revised Code. 8953

(2) "State elected officer" means any person appointed or 8954
elected to a state elective office. 8955

(3) "State elective office" means any of the offices of 8956
governor, lieutenant governor, secretary of state, auditor of 8957
state, treasurer of state, attorney general, member of the state 8958
board of education, member of the general assembly, and justice 8959
and chief justice of the supreme court. 8960

(4) "County elected officer" means any person appointed or 8961
elected to a county elective office. 8962

(5) "County elective office" means any of the offices of 8963

county auditor, county treasurer, clerk of the court of common
pleas, sheriff, county recorder, county engineer, county
commissioner, prosecuting attorney, and coroner.

(6) "Contribution" includes a contribution to any political
party, campaign committee, political action committee, political
contributing entity, or legislative campaign fund.

(7) "Municipal elected officer" means any person appointed or
elected to a municipal elective office.

(8) "Municipal elective office" means any office of a
municipal corporation to which persons are generally elected,
notwithstanding the fact that a particular holder of that office
may be appointed.

(9) "Township elected officer" means any person appointed or
elected to a township elective office.

(10) "Township elective office" means any of the offices of
member of a board of township trustees and township clerk.

(11) "Election cycle" means the period of time ending on the
last day of December of the year in which the regular general
election is held to elect candidates to the county elective
office, municipal elective office, or township elective office for
which the person is a current office holder or candidate and
beginning on the applicable date determined as follows:

(a) For a current holder of that office who was elected at a
regularly scheduled general election for that office, the first
day of January of the year following the election in which that
office was last on the ballot at a regular general election;

(b) For a current holder of that office who was appointed to
that office, the date on which the person was appointed to that
office;

(c) For any other candidate for that office, the latest of

<u>the following:</u>	8994
<u>(i) The first day of January of the year following the</u>	8995
<u>general election in which the person was last a candidate for any</u>	8996
<u>office;</u>	8997
<u>(ii) The first day of the month following the primary</u>	8998
<u>election in which the person was last a candidate for any office;</u>	8999
<u>(iii) The first day of January of the year following the</u>	9000
<u>election in which that office was last on the ballot at a regular</u>	9001
<u>general election.</u>	9002
<u>(d) Notwithstanding divisions (A)(11)(a), (b), and (c) of</u>	9003
<u>this section, the beginning date for any election period for any</u>	9004
<u>office shall be no earlier than the effective date of this</u>	9005
<u>amendment.</u>	9006
<u>(12) "County employee" does not include any person appointed</u>	9007
<u>to a board, commission, or other public body of the county unless</u>	9008
<u>that person is otherwise employed by the county.</u>	9009
<u>(13) "Municipal employee" does not include any person</u>	9010
<u>appointed to a board, commission, or other public body of the</u>	9011
<u>municipal corporation unless that person is otherwise employed by</u>	9012
<u>the municipal corporation.</u>	9013
<u>(14) "Township employee" does not include any person</u>	9014
<u>appointed to a board, commission, or other public body of the</u>	9015
<u>township unless that person is otherwise employed by the township.</u>	9016
<u>(B)(1) No state elected officer, no campaign committee of</u>	9017
<u>such an officer, and no other person or entity shall knowingly</u>	9018
<u>solicit or accept a contribution on behalf of that officer or that</u>	9019
<u>officer's campaign committee from any of the following:</u>	9020
<u>{1}(a) A state employee whose appointing authority is the</u>	9021
<u>state elected officer;</u>	9022
<u>{2}(b) A state employee whose appointing authority is</u>	9023

authorized or required by law to be appointed by the state elected officer; 9024
9025

~~(3)(c)~~ A state employee who functions in or is employed in or by the same public agency, department, division, or office as the state elected officer. 9026
9027
9028

~~(C)(2)~~ No candidate for a state elective office, no campaign committee of such a candidate, and no other person or entity shall knowingly solicit or accept a contribution on behalf of that candidate or that candidate's campaign committee from any of the following: 9029
9030
9031
9032
9033

~~(1)(a)~~ A state employee at the time of the solicitation, whose appointing authority will be the candidate, if elected; 9034
9035

~~(2)(b)~~ A state employee at the time of the solicitation, whose appointing authority will be appointed by the candidate, if elected, as authorized or required by law; 9036
9037
9038

~~(3)(c)~~ A state employee at the time of the solicitation, who will function in or be employed in or by the same public agency, department, division, or office as the candidate, if elected. 9039
9040
9041

~~(D)(C)(1)~~ No county elected officer, no campaign committee of such an officer, and no other person or entity shall knowingly solicit any contribution or accept a contribution of more than two hundred dollars in an election cycle on behalf of that officer or that officer's campaign committee from any of the following: 9042
9043
9044
9045
9046

~~(1)(a)~~ A county employee whose appointing authority is the county elected officer; 9047
9048

~~(2)(b)~~ A county employee whose appointing authority is authorized or required by law to be appointed solely by the county elected officer; 9049
9050
9051

~~(3)(c)~~ A county employee who functions in or is employed in or by the same public agency, department, division, or office as 9052
9053

the county elected officer. 9054

~~(E)(2)~~ No candidate for a county elective office, no campaign 9055
committee of such a candidate, and no other person or entity shall 9056
knowingly solicit any contribution or accept a contribution of 9057
more than two hundred dollars in an election cycle on behalf of 9058
that candidate or that candidate's campaign committee from any of 9059
the following: 9060

~~(1)(a)~~ A county employee at the time of the solicitation, 9061
whose appointing authority will be the candidate, if elected; 9062

~~(2)(b)~~ A county employee at the time of the solicitation, 9063
whose appointing authority will be appointed by the candidate, if 9064
elected, as authorized or required by law; 9065

~~(3)(c)~~ A county employee at the time of the solicitation, who 9066
will function in or be employed in or by the same public agency, 9067
department, division, or office as the candidate, if elected. 9068

(D)(1) No municipal elected officer, no campaign committee of 9069
such an officer, and no other person or entity shall knowingly 9070
solicit any contribution or accept a contribution of more than two 9071
hundred dollars in an election cycle on behalf of that officer or 9072
that officer's campaign committee from any of the following: 9073

(a) A municipal employee whose appointing authority is the 9074
municipal elected officer; 9075

(b) A municipal employee whose appointing authority is 9076
authorized or required by law to be appointed solely by the 9077
municipal elected officer; 9078

(c) A municipal employee who functions in or is employed in 9079
or by the same public agency, department, division, or office as 9080
the municipal elected officer. 9081

(2) No candidate for a municipal elective office, no campaign 9082
committee of such a candidate, and no other person or entity shall 9083

knowingly solicit any contribution or accept a contribution of 9084
more than two hundred dollars in an election cycle on behalf of 9085
that candidate or that candidate's campaign committee from any of 9086
the following: 9087

(a) A municipal employee at the time of the solicitation, 9088
whose appointing authority will be the candidate, if elected; 9089

(b) A municipal employee at the time of the solicitation, 9090
whose appointing authority will be appointed by the candidate, if 9091
elected, as authorized or required by law; 9092

(c) A municipal employee at the time of the solicitation, who 9093
will function in or be employed in or by the same public agency, 9094
department, division, or office as the candidate, if elected. 9095

(E)(1) No township elected officer, no campaign committee of 9096
such an officer, and no other person or entity shall knowingly 9097
solicit any contribution or accept a contribution of more than two 9098
hundred dollars in an election cycle on behalf of that officer or 9099
that officer's campaign committee from any of the following: 9100

(a) A township employee whose appointing authority is the 9101
township elected officer; 9102

(b) A township employee whose appointing authority is 9103
authorized or required by law to be appointed solely by the 9104
township elected officer; 9105

(c) A township employee who functions in or is employed in or 9106
by the same public agency, department, division, or office as the 9107
township elected officer. 9108

(2) No candidate for a township elective office, no campaign 9109
committee of such a candidate, and no other person or entity shall 9110
knowingly solicit any contribution or accept a contribution of 9111
more than two hundred dollars in an election cycle on behalf of 9112
that candidate or that candidate's campaign committee from any of 9113

the following: 9114

(a) A township employee at the time of the solicitation, 9115
whose appointing authority will be the candidate, if elected; 9116

(b) A township employee at the time of the solicitation, 9117
whose appointing authority will be appointed by the candidate, if 9118
elected, as authorized or required by law; 9119

(c) A township employee at the time of the solicitation, who 9120
will function in or be employed in or by the same public agency, 9121
department, division, or office as the candidate, if elected. 9122

(F)(1) No public employee shall solicit a contribution from 9123
any person while the public employee is performing the public 9124
employee's official duties or in those areas of a public building 9125
where official business is transacted or conducted. 9126

(2) No person shall solicit a contribution from any public 9127
employee while the public employee is performing the public 9128
employee's official duties or is in those areas of a public 9129
building where official business is transacted or conducted. 9130

(3) As used in division (F) of this section, "public 9131
employee" does not include any person holding an elective office. 9132

(G) The prohibitions in divisions (B), (C), (D), (E), and (F) 9133
of this section are in addition to the prohibitions in sections 9134
124.57, 3304.22, and 4503.032 of the Revised Code. 9135

Sec. 3517.10. (A) Except as otherwise provided in this 9136
division, every campaign committee, political action committee, 9137
legislative campaign fund, political party, and political 9138
contributing entity that made or received a contribution or made 9139
an expenditure in connection with the nomination or election of 9140
any candidate or in connection with any ballot issue or question 9141
at any election held or to be held in this state shall file, on a 9142
form prescribed under this section or by electronic means of 9143

transmission as provided in this section and section 3517.106 of 9144
the Revised Code, a full, true, and itemized statement, made under 9145
penalty of election falsification, setting forth in detail the 9146
contributions and expenditures, not later than four p.m. of the 9147
following dates: 9148

(1) The twelfth day before the election to reflect 9149
contributions received and expenditures made from the close of 9150
business on the last day reflected in the last previously filed 9151
statement, if any, to the close of business on the twentieth day 9152
before the election; 9153

(2) The thirty-eighth day after the election to reflect the 9154
contributions received and expenditures made from the close of 9155
business on the last day reflected in the last previously filed 9156
statement, if any, to the close of business on the seventh day 9157
before the filing of the statement; 9158

(3) The last business day of January of every year to reflect 9159
the contributions received and expenditures made from the close of 9160
business on the last day reflected in the last previously filed 9161
statement, if any, to the close of business on the last day of 9162
December of the previous year; 9163

(4) The last business day of July of every year to reflect 9164
the contributions received and expenditures made from the close of 9165
business on the last day reflected in the last previously filed 9166
statement, if any, to the close of business on the last day of 9167
June of that year. 9168

A campaign committee shall only be required to file the 9169
statements prescribed under divisions (A)(1) and (2) of this 9170
section in connection with the nomination or election of the 9171
committee's candidate. 9172

The statement required under division (A)(1) of this section 9173
shall not be required of any campaign committee, political action 9174

committee, legislative campaign fund, political party, or 9175
political contributing entity that has received contributions of 9176
less than one thousand dollars and has made expenditures of less 9177
than one thousand dollars at the close of business on the 9178
twentieth day before the election. Those contributions and 9179
expenditures shall be reported in the statement required under 9180
division (A)(2) of this section. 9181

If an election to select candidates to appear on the general 9182
election ballot is held within sixty days before a general 9183
election, the campaign committee of a successful candidate in the 9184
earlier election may file the statement required by division 9185
(A)(1) of this section for the general election instead of the 9186
statement required by division (A)(2) of this section for the 9187
earlier election if the pregeneral election statement reflects the 9188
status of contributions and expenditures for the period twenty 9189
days before the earlier election to twenty days before the general 9190
election. 9191

If a person becomes a candidate less than twenty days before 9192
an election, the candidate's campaign committee is not required to 9193
file the statement required by division (A)(1) of this section. 9194

No statement under division (A)(3) ~~or (4)~~ of this section 9195
shall be required for any year in which a campaign committee, 9196
political action committee, legislative campaign fund, political 9197
party, or political contributing entity is required to file a 9198
postgeneral election statement under division (A)(2) of this 9199
section. However, ~~such~~ a statement under division (A)(3) of this 9200
section may be filed, at the option of the campaign committee, 9201
political action committee, legislative campaign fund, political 9202
party, or political contributing entity. 9203

No campaign committee of a candidate for the office of chief 9204
justice or justice of the supreme court, and no campaign committee 9205

of a candidate for the office of judge of any court in this state,
shall be required to file a statement under division (A)(4) of
this section.

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Except as otherwise provided in this paragraph and in the
next paragraph of this section, the only campaign committees
required to file a statement under division (A)(4) of this section
are the campaign committee of a statewide candidate and the
campaign committee of a candidate for county office. The campaign
committee of a candidate for any other nonjudicial office is
required to file a statement under division (A)(4) of this section
if that campaign committee receives, during that period,
contributions exceeding ten thousand dollars.

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No statement under division (A)(4) of this section shall be
required of a campaign committee, a political action committee, a
legislative campaign fund, a political party, or a political
contributing entity for any year in which the campaign committee,
political action committee, legislative campaign fund, political
party, or political contributing entity is required to file a
postprimary election statement under division (A)(2) of this
section. However, a statement under division (A)(4) of this
section may be filed at the option of the campaign committee,
political action committee, legislative campaign fund, political
party, or political contributing entity.

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No statement under division (A)(3) or (4) of this section
shall be required if the campaign committee, political action
committee, legislative campaign fund, political party, or
political contributing entity has no contributions that it has
received and no expenditures that it has made since the last date
reflected in its last previously filed statement. However, the
campaign committee, political action committee, legislative
campaign fund, political party, or political contributing entity
shall file a statement to that effect, on a form prescribed under

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this section and made under penalty of election falsification, on 9238
the date required in division (A)(3) or (4) of this section, as 9239
applicable. 9240

The campaign committee of a statewide candidate shall file a 9241
monthly statement of contributions received during each of the 9242
months of July, August, and September in the year of the general 9243
election in which the candidate seeks office. The campaign 9244
committee of a statewide candidate shall file the monthly 9245
statement not later than three business days after the last day of 9246
the month covered by the statement. During the period beginning on 9247
the nineteenth day before the general election in which a 9248
statewide candidate seeks election to office and extending through 9249
the day of that general election, each time the campaign committee 9250
of the joint candidates for the offices of governor and lieutenant 9251
governor or of a candidate for the office of secretary of state, 9252
auditor of state, treasurer of state, or attorney general receives 9253
a contribution from a contributor that causes the aggregate amount 9254
of contributions received from that contributor during that period 9255
to equal or exceed ten thousand dollars and each time the campaign 9256
committee of a candidate for the office of chief justice or 9257
justice of the supreme court receives a contribution from a 9258
contributor that causes the aggregate amount of contributions 9259
received from that contributor during that period to exceed ten 9260
thousand dollars, the campaign committee shall file a 9261
two-business-day statement reflecting that contribution. During 9262
the period beginning on the nineteenth day before a primary 9263
election in which a candidate for statewide office seeks 9264
nomination to office and extending through the day of that primary 9265
election, each time either the campaign committee of a statewide 9266
candidate in that primary election that files a notice under 9267
division (C)(1) of section 3517.103 of the Revised Code or the 9268
campaign committee of a statewide candidate in that primary 9269

election to which, in accordance with division (D) of section 9270
3517.103 of the Revised Code, the contribution limitations 9271
prescribed in section 3517.102 of the Revised Code no longer apply 9272
receives a contribution from a contributor that causes the 9273
aggregate amount of contributions received from that contributor 9274
during that period to exceed ten thousand dollars, the campaign 9275
committee shall file a two-business-day statement reflecting that 9276
contribution. Contributions reported on a two-business-day 9277
statement required to be filed by a campaign committee of a 9278
statewide candidate in a primary election shall also be included 9279
in the postprimary election statement required to be filed by that 9280
campaign committee under division (A)(2) of this section. A 9281
two-business-day statement required by this paragraph shall be 9282
filed not later than two business days after receipt of the 9283
contribution. The statements required by this paragraph shall be 9284
filed in addition to any other statements required by this 9285
section. 9286

Subject to the secretary of state having implemented, tested, 9287
and verified the successful operation of any system the secretary 9288
of state prescribes pursuant to divisions (C)(6)(b) and (D)(6) of 9289
this section and division (H)(1) of section 3517.106 of the 9290
Revised Code for the filing of campaign finance statements by 9291
electronic means of transmission, a campaign committee of a 9292
statewide candidate shall file a two-business-day statement under 9293
the preceding paragraph by electronic means of transmission if the 9294
campaign committee is required to file a pre-election, 9295
postelection, or monthly statement of contributions and 9296
expenditures by electronic means of transmission under this 9297
section or section 3517.106 of the Revised Code. 9298

If a campaign committee or political action committee has no 9299
balance on hand and no outstanding obligations and desires to 9300
terminate itself, it shall file a statement to that effect, on a 9301

form prescribed under this section and made under penalty of 9302
election falsification, with the official with whom it files a 9303
statement under division (A) of this section after filing a final 9304
statement of contributions and a final statement of expenditures, 9305
if contributions have been received or expenditures made since the 9306
period reflected in its last previously filed statement. 9307

(B) Except as otherwise provided in division (C)(7) of this 9308
section, each statement required by division (A) of this section 9309
shall contain the following information: 9310

(1) The full name and address of each campaign committee, 9311
political action committee, legislative campaign fund, political 9312
party, or political contributing entity, including any treasurer 9313
of the committee, fund, party, or entity, filing a contribution 9314
and expenditure statement; 9315

(2)(a) In the case of a campaign committee, the candidate's 9316
full name and address; 9317

(b) In the case of a political action committee, the 9318
registration number assigned to the committee under division 9319
(D)(1) of this section. 9320

(3) The date of the election and whether it was or will be a 9321
general, primary, or special election; 9322

(4) A statement of contributions received, which shall 9323
include the following information: 9324

(a) The month, day, and year of the contribution; 9325

(b)(i) The full name and address of each person, political 9326
party, campaign committee, legislative campaign fund, political 9327
action committee, or political contributing entity from whom 9328
contributions are received and the registration number assigned to 9329
the political action committee under division (D)(1) of this 9330
section. The requirement of filing the full address does not apply 9331

to any statement filed by a state or local committee of a 9332
political party, to a finance committee of such committee, or to a 9333
committee recognized by a state or local committee as its 9334
fund-raising auxiliary. Notwithstanding division (F) of this 9335
section, the requirement of filing the full address shall be 9336
considered as being met if the address filed is the same address 9337
the contributor provided under division (E)(1) of this section. 9338

(ii) If a political action committee, political contributing 9339
entity, legislative campaign fund, or political party that is 9340
required to file campaign finance statements by electronic means 9341
of transmission under section 3517.106 of the Revised Code or a 9342
campaign committee of a statewide candidate or candidate for the 9343
office of member of the general assembly receives a contribution 9344
from an individual that exceeds one hundred dollars, the name of 9345
the individual's current employer, if any, or, if the individual 9346
is self-employed, the individual's occupation and the name of the 9347
individual's business, if any; 9348

(iii) If a campaign committee of a statewide candidate or 9349
candidate for the office of member of the general assembly 9350
receives a contribution transmitted pursuant to section 3599.031 9351
of the Revised Code from amounts deducted from the wages and 9352
salaries of two or more employees that exceeds in the aggregate 9353
one hundred dollars during any one filing period under division 9354
(A)(1), (2), (3), or (4) of this section, the full name of the 9355
employees' employer and the full name of the labor organization of 9356
which the employees are members, if any. 9357

(c) A description of the contribution received, if other than 9358
money; 9359

(d) The value in dollars and cents of the contribution; 9360

(e) A separately itemized account of all contributions and 9361
expenditures regardless of the amount, except a receipt of a 9362

contribution from a person in the sum of twenty-five dollars or 9363
less at one social or fund-raising activity and a receipt of a 9364
contribution transmitted pursuant to section 3599.031 of the 9365
Revised Code from amounts deducted from the wages and salaries of 9366
employees if the contribution from the amount deducted from the 9367
wages and salary of any one employee is twenty-five dollars or 9368
less aggregated in a calendar year. An account of the total 9369
contributions from each social or fund-raising activity shall 9370
include a description of and the value of each in-kind 9371
contribution received at that activity from any person who made 9372
one or more such contributions whose aggregate value exceeded two 9373
hundred fifty dollars and shall be listed separately, together 9374
with the expenses incurred and paid in connection with that 9375
activity. A campaign committee, political action committee, 9376
legislative campaign fund, political party, or political 9377
contributing entity shall keep records of contributions from each 9378
person in the amount of twenty-five dollars or less at one social 9379
or fund-raising activity and contributions from amounts deducted 9380
under section 3599.031 of the Revised Code from the wages and 9381
salary of each employee in the amount of twenty-five dollars or 9382
less aggregated in a calendar year. No continuing association that 9383
is recognized by a state or local committee of a political party 9384
as an auxiliary of the party and that makes a contribution from 9385
funds derived solely from regular dues paid by members of the 9386
auxiliary shall be required to list the name or address of any 9387
members who paid those dues. 9388

Contributions that are other income shall be itemized 9389
separately from all other contributions. The information required 9390
under division (B)(4) of this section shall be provided for all 9391
other income itemized. As used in this paragraph, "other income" 9392
means a loan, investment income, or interest income. 9393

(f) In the case of a campaign committee of a state elected 9394

officer, if a person doing business with the state elected officer 9395
in the officer's official capacity makes a contribution to the 9396
campaign committee of that officer, the information required under 9397
division (B)(4) of this section in regard to that contribution, 9398
which shall be filed together with and considered a part of the 9399
committee's statement of contributions as required under division 9400
(A) of this section but shall be filed on a separate form provided 9401
by the secretary of state. As used in this division: 9402

(i) "State elected officer" has the same meaning as in 9403
section 3517.092 of the Revised Code. 9404

(ii) "Person doing business" means a person or an officer of 9405
an entity who enters into one or more contracts with a state 9406
elected officer or anyone authorized to enter into contracts on 9407
behalf of that officer to receive payments for goods or services, 9408
if the payments total, in the aggregate, more than five thousand 9409
dollars during a calendar year. 9410

(5) A statement of expenditures which shall include the 9411
following information: 9412

(a) The month, day, and year of the expenditure; 9413

(b) The full name and address of each person, political 9414
party, campaign committee, legislative campaign fund, political 9415
action committee, or political contributing entity to whom the 9416
expenditure was made and the registration number assigned to the 9417
political action committee under division (D)(1) of this section; 9418

(c) The object or purpose for which the expenditure was made; 9419

(d) The amount of each expenditure. 9420

(C)(1) The statement of contributions and expenditures shall 9421
be signed by the person completing the form. If a statement of 9422
contributions and expenditures is filed by electronic means of 9423
transmission pursuant to this section or section 3517.106 of the 9424

Revised Code, the electronic signature of the person who executes 9425
the statement and transmits the statement by electronic means of 9426
transmission, as provided in division (H) of section 3517.106 of 9427
the Revised Code, shall be attached to or associated with the 9428
statement and shall be binding on all persons and for all purposes 9429
under the campaign finance reporting law as if the signature had 9430
been handwritten in ink on a printed form. 9431

(2) The person filing the statement, under penalty of 9432
election falsification, shall include with it a list of each 9433
anonymous contribution, the circumstances under which it was 9434
received, and the reason it cannot be attributed to a specific 9435
donor. 9436

(3) Each statement of a campaign committee of a candidate who 9437
holds public office shall contain a designation of each 9438
contributor who is an employee in any unit or department under the 9439
candidate's direct supervision and control. In a space provided in 9440
the statement, the person filing the statement shall affirm that 9441
each such contribution was voluntarily made. 9442

(4) A campaign committee that did not receive contributions 9443
or make expenditures in connection with the nomination or election 9444
of its candidate shall file a statement to that effect, on a form 9445
prescribed under this section and made under penalty of election 9446
falsification, on the date required in division (A)(2) of this 9447
section. 9448

(5) The campaign committee of any person who attempts to 9449
become a candidate and who, for any reason, does not become 9450
certified in accordance with Title XXXV of the Revised Code for 9451
placement on the official ballot of a primary, general, or special 9452
election to be held in this state, and who, at any time prior to 9453
or after an election, receives contributions or makes 9454
expenditures, or has given consent for another to receive 9455

contributions or make expenditures, for the purpose of bringing 9456
about the person's nomination or election to public office, shall 9457
file the statement or statements prescribed by this section and a 9458
termination statement, if applicable. Division (C)(5) of this 9459
section does not apply to any person with respect to an election 9460
to the offices of member of a county or state central committee, 9461
presidential elector, or delegate to a national convention or 9462
conference of a political party. 9463

(6)(a) The statements required to be filed under this section 9464
shall specify the balance in the hands of the campaign committee, 9465
political action committee, legislative campaign fund, political 9466
party, or political contributing entity and the disposition 9467
intended to be made of that balance. 9468

(b) The secretary of state shall prescribe the form for all 9469
statements required to be filed under this section and shall 9470
furnish the forms to the boards of elections in the several 9471
counties. The boards of elections shall supply printed copies of 9472
those forms without charge. The secretary of state shall prescribe 9473
the appropriate methodology, protocol, and data file structure for 9474
statements required or permitted to be filed by electronic means 9475
of transmission under division (A) of this section, divisions (E), 9476
(F), and (G) of section 3517.106, division (D) of section 9477
3517.1011, division (B) of section 3517.1012, and division (C) of 9478
section 3517.1013 of the Revised Code. Subject to division (A) of 9479
this section, divisions (E), (F), and (G) of section 3517.106, 9480
division (D) of section 3517.1011, division (B) of section 9481
3517.1012, and division (C) of section 3517.1013 of the Revised 9482
Code, the statements required to be stored on computer by the 9483
secretary of state under division (B) of section 3517.106 of the 9484
Revised Code shall be filed in whatever format the secretary of 9485
state considers necessary to enable the secretary of state to 9486
store the information contained in the statements on computer. Any 9487

such format shall be of a type and nature that is readily 9488
available to whoever is required to file the statements in that 9489
format. 9490

(c) The secretary of state shall assess the need for training 9491
regarding the filing of campaign finance statements by electronic 9492
means of transmission and regarding associated technologies for 9493
candidates, campaign committees, political action committees, 9494
legislative campaign funds, political parties, or political 9495
contributing entities, for individuals, partnerships, or other 9496
entities, or for persons making disbursements to pay the direct 9497
costs of producing or airing electioneering communications, 9498
required or permitted to file statements by electronic means of 9499
transmission under this section or section 3517.105, 3517.106, 9500
3517.1011, 3517.1012, or 3517.1013 of the Revised Code. If, in the 9501
opinion of the secretary of state, training in these areas is 9502
necessary, the secretary of state shall arrange for the provision 9503
of voluntary training programs for candidates, campaign 9504
committees, political action committees, legislative campaign 9505
funds, political parties, or political contributing entities, for 9506
individuals, partnerships, and other entities, or for persons 9507
making disbursements to pay the direct costs of producing or 9508
airing electioneering communications, as appropriate. 9509

(7) Each monthly statement and each two-business-day 9510
statement required by division (A) of this section shall contain 9511
the information required by divisions (B)(1) to (4), (C)(2), and, 9512
if appropriate, (C)(3) of this section. Each statement shall be 9513
signed as required by division (C)(1) of this section. 9514

(D)(1) Prior to receiving a contribution or making an 9515
expenditure, every campaign committee, political action committee, 9516
legislative campaign fund, political party, or political 9517
contributing entity shall appoint a treasurer and shall file, on a 9518
form prescribed by the secretary of state, a designation of that 9519

appointment, including the full name and address of the treasurer 9520
and of the campaign committee, political action committee, 9521
legislative campaign fund, political party, or political 9522
contributing entity. That designation shall be filed with the 9523
official with whom the campaign committee, political action 9524
committee, legislative campaign fund, political party, or 9525
political contributing entity is required to file statements under 9526
section 3517.11 of the Revised Code. The name of a campaign 9527
committee shall include at least the last name of the campaign 9528
committee's candidate. If two or more candidates are the 9529
beneficiaries of a single campaign committee under division (B) of 9530
section 3517.081 of the Revised Code, the name of the campaign 9531
committee shall include at least the last name of each candidate 9532
who is a beneficiary of that campaign committee. The secretary of 9533
state shall assign a registration number to each political action 9534
committee that files a designation of the appointment of a 9535
treasurer under this division if the political action committee is 9536
required by division (A)(1) of section 3517.11 of the Revised Code 9537
to file the statements prescribed by this section with the 9538
secretary of state. 9539

(2) The treasurer appointed under division (D)(1) of this 9540
section shall keep a strict account of all contributions, from 9541
whom received and the purpose for which they were disbursed. 9542

(3)(a) Except as otherwise provided in section 3517.108 of 9543
the Revised Code, a campaign committee shall deposit all monetary 9544
contributions received by the committee into an account separate 9545
from a personal or business account of the candidate or campaign 9546
committee. 9547

(b) A political action committee shall deposit all monetary 9548
contributions received by the committee into an account separate 9549
from all other funds. 9550

(c) A state or county political party may establish a state 9551
candidate fund that is separate from an account that contains the 9552
public moneys received from the Ohio political party fund under 9553
section 3517.17 of the Revised Code and from all other funds. A 9554
state or county political party may deposit into its state 9555
candidate fund any amounts of monetary contributions that are made 9556
to or accepted by the political party subject to the applicable 9557
limitations, if any, prescribed in section 3517.102 of the Revised 9558
Code. A state or county political party shall deposit all other 9559
monetary contributions received by the party into one or more 9560
accounts that are separate from its state candidate fund and from 9561
its account that contains the public moneys received from the Ohio 9562
political party fund under section 3517.17 of the Revised Code. 9563

(d) Each state political party shall have only one 9564
legislative campaign fund for each house of the general assembly. 9565
Each such fund shall be separate from any other funds or accounts 9566
of that state party. A legislative campaign fund is authorized to 9567
receive contributions and make expenditures for the primary 9568
purpose of furthering the election of candidates who are members 9569
of that political party to the house of the general assembly with 9570
which that legislative campaign fund is associated. Each 9571
legislative campaign fund shall be administered and controlled in 9572
a manner designated by the caucus. As used in this division, 9573
"caucus" has the same meaning as in section 3517.01 of the Revised 9574
Code and includes, as an ex officio member, the chairperson of the 9575
state political party with which the caucus is associated or that 9576
chairperson's designee. 9577

(4) Every expenditure in excess of twenty-five dollars shall 9578
be vouched for by a receipted bill, stating the purpose of the 9579
expenditure, that shall be filed with the statement of 9580
expenditures. A canceled check with a notation of the purpose of 9581
the expenditure is a receipted bill for purposes of division 9582

(D)(4) of this section. 9583

(5) The secretary of state or the board of elections, as the 9584
case may be, shall issue a receipt for each statement filed under 9585
this section and shall preserve a copy of the receipt for a period 9586
of at least six years. All statements filed under this section 9587
shall be open to public inspection in the office where they are 9588
filed and shall be carefully preserved for a period of at least 9589
six years after the year in which they are filed. 9590

(6) The secretary of state, by rule adopted pursuant to 9591
section 3517.23 of the Revised Code, shall prescribe both of the 9592
following: 9593

(a) The manner of immediately acknowledging, with date and 9594
time received, and preserving the receipt of statements that are 9595
transmitted by electronic means of transmission to the secretary 9596
of state pursuant to this section or section 3517.106, 3517.1011, 9597
3517.1012, or 3517.1013 of the Revised Code; 9598

(b) The manner of preserving the contribution and 9599
expenditure, contribution and disbursement, deposit and 9600
disbursement, or gift and disbursement information in the 9601
statements described in division (D)(6)(a) of this section. The 9602
secretary of state shall preserve the contribution and 9603
expenditure, contribution and disbursement, deposit and 9604
disbursement, or gift and disbursement information in those 9605
statements for at least ten years after the year in which they are 9606
filed by electronic means of transmission. 9607

(7) The secretary of state, pursuant to division (I) of 9608
section 3517.106 of the Revised Code, shall make available online 9609
to the public through the internet the contribution and 9610
expenditure, contribution and disbursement, deposit and 9611
disbursement, or gift and disbursement information in all 9612
statements, all addenda, amendments, or other corrections to 9613

statements, and all amended statements filed with the secretary of 9614
state by electronic or other means of transmission under this 9615
section, division (B)(2)(b) or (C)(2)(b) of section 3517.105, or 9616
section 3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.11 of 9617
the Revised Code. The secretary of state may remove the 9618
information from the internet after a reasonable period of time. 9619

(E)(1) Any person, political party, campaign committee, 9620
legislative campaign fund, political action committee, or 9621
political contributing entity that makes a contribution in 9622
connection with the nomination or election of any candidate or in 9623
connection with any ballot issue or question at any election held 9624
or to be held in this state shall provide its full name and 9625
address to the recipient of the contribution at the time the 9626
contribution is made. The political action committee also shall 9627
provide the registration number assigned to the committee under 9628
division (D)(1) of this section to the recipient of the 9629
contribution at the time the contribution is made. 9630

(2) Any individual who makes a contribution that exceeds one 9631
hundred dollars to a political action committee, political 9632
contributing entity, legislative campaign fund, or political party 9633
or to a campaign committee of a statewide candidate or candidate 9634
for the office of member of the general assembly shall provide the 9635
name of the individual's current employer, if any, or, if the 9636
individual is self-employed, the individual's occupation and the 9637
name of the individual's business, if any, to the recipient of the 9638
contribution at the time the contribution is made. Sections 9639
3599.39 and 3599.40 of the Revised Code do not apply to division 9640
(E)(2) of this section. 9641

(3) If a campaign committee shows that it has exercised its 9642
best efforts to obtain, maintain, and submit the information 9643
required under divisions (B)(4)(b)(ii) and (iii) of this section, 9644
that committee is considered to have met the requirements of those 9645

divisions. A campaign committee shall not be considered to have
exercised its best efforts unless, in connection with written
solicitations, it regularly includes a written request for the
information required under division (B)(4)(b)(ii) of this section
from the contributor or the information required under division
(B)(4)(b)(iii) of this section from whoever transmits the
contribution.

(4) Any check that a political action committee uses to make
a contribution or an expenditure shall contain the full name and
address of the committee and the registration number assigned to
the committee under division (D)(1) of this section.

(F) As used in this section:

(1)(a) Except as otherwise provided in division (F)(1) of
this section, "address" means all of the following if they exist:
apartment number, street, road, or highway name and number, rural
delivery route number, city or village, state, and zip code as
used in a person's post-office address, but not post-office box.

(b) Except as otherwise provided in division (F)(1) of this
section, if an address is required in this section, a post-office
box and office, room, or suite number may be included in addition
to, but not in lieu of, an apartment, street, road, or highway
name and number.

(c) If an address is required in this section, a campaign
committee, political action committee, legislative campaign fund,
political party, or political contributing entity may use the
business or residence address of its treasurer or deputy
treasurer. The post-office box number of the campaign committee,
political action committee, legislative campaign fund, political
party, or political contributing entity may be used in addition to
that address.

(d) For the sole purpose of a campaign committee's reporting

of contributions on a statement of contributions received under 9677
division (B)(4) of this section, "address" has one of the 9678
following meanings at the option of the campaign committee: 9679

(i) The same meaning as in division (F)(1)(a) of this 9680
section; 9681

(ii) All of the following, if they exist: the contributor's 9682
post-office box number and city or village, state, and zip code as 9683
used in the contributor's post-office address. 9684

(e) As used with regard to the reporting under this section 9685
of any expenditure, "address" means all of the following if they 9686
exist: apartment number, street, road, or highway name and number, 9687
rural delivery route number, city or village, state, and zip code 9688
as used in a person's post-office address, or post-office box. If 9689
an address concerning any expenditure is required in this section, 9690
a campaign committee, political action committee, legislative 9691
campaign fund, political party, or political contributing entity 9692
may use the business or residence address of its treasurer or 9693
deputy treasurer or its post-office box number. 9694

(2) "Statewide candidate" means the joint candidates for the 9695
offices of governor and lieutenant governor or a candidate for the 9696
office of secretary of state, auditor of state, treasurer of 9697
state, attorney general, member of the state board of education, 9698
chief justice of the supreme court, or justice of the supreme 9699
court. 9700

(3) "Candidate for county office" means a candidate for the 9701
office of county auditor, county treasurer, clerk of the court of 9702
common pleas, judge of the court of common pleas, sheriff, county 9703
recorder, county engineer, county commissioner, prosecuting 9704
attorney, or coroner. 9705

(G) An independent expenditure shall be reported whenever and 9706
in the same manner that an expenditure is required to be reported 9707

under this section and shall be reported pursuant to division 9708
(B)(2)(a) or (C)(2)(a) of section 3517.105 of the Revised Code. 9709

(H)(1) Except as otherwise provided in division (H)(2) of 9710
this section, if, during the combined pre-election and 9711
postelection reporting periods for an election, a campaign 9712
committee has received contributions of five hundred dollars or 9713
less and has made expenditures in the total amount of five hundred 9714
dollars or less, it may file a statement to that effect, under 9715
penalty of election falsification, in lieu of the statement 9716
required by division (A)(2) of this section. The statement shall 9717
indicate the total amount of contributions received and the total 9718
amount of expenditures made during those combined reporting 9719
periods. 9720

(2) In the case of a successful candidate at a primary 9721
election, if either the total contributions received by or the 9722
total expenditures made by the candidate's campaign committee 9723
during the preprimary, postprimary, pregeneral, and postgeneral 9724
election periods combined equal more than five hundred dollars, 9725
the campaign committee may file the statement under division 9726
(H)(1) of this section only for the primary election. The first 9727
statement that the campaign committee files in regard to the 9728
general election shall reflect all contributions received and all 9729
expenditures made during the preprimary and postprimary election 9730
periods. 9731

(3) Divisions (H)(1) and (2) of this section do not apply if 9732
a campaign committee receives contributions or makes expenditures 9733
prior to the first day of January of the year of the election at 9734
which the candidate seeks nomination or election to office or if 9735
the campaign committee does not file a termination statement with 9736
its postprimary election statement in the case of an unsuccessful 9737
primary election candidate or with its postgeneral election 9738
statement in the case of other candidates. 9739

(I) In the case of a contribution made by a partner of a 9740
partnership or an owner or a member of another unincorporated 9741
business from any funds of the partnership or other unincorporated 9742
business, all of the following apply: 9743

(1) The recipient of the contribution shall report the 9744
contribution by listing both the partnership or other 9745
unincorporated business and the name of the partner, owner, or 9746
member making the contribution. 9747

(2) In reporting the contribution, the recipient of the 9748
contribution shall be entitled to conclusively rely upon the 9749
information provided by the partnership or other unincorporated 9750
business, provided that the information includes one of the 9751
following: 9752

(a) The name of each partner, owner, or member as of the date 9753
of the contribution or contributions, and a statement that the 9754
total contributions are to be allocated equally among all of the 9755
partners, owners, or members; or 9756

(b) The name of each partner, owner, or member as of the date 9757
of the contribution or contributions who is participating in the 9758
contribution or contributions, and a statement that the 9759
contribution or contributions are to be allocated to those 9760
individuals in accordance with the information provided by the 9761
partnership or other unincorporated business to the recipient of 9762
the contribution. 9763

(3) For purposes of section 3517.102 of the Revised Code, the 9764
contribution shall be considered to have been made by the partner, 9765
owner, or member reported under division (I)(1) of this section. 9766

~~(3)~~(4) No contribution from a partner of a partnership or an 9767
owner or a member of another unincorporated business shall be 9768
accepted from any funds of the partnership or other unincorporated 9769
business unless the recipient reports the contribution under 9770

division (I)(1) of this section together with the information 9771
provided under division (I)(2) of this section. 9772

~~(4)~~(5) No partnership or other unincorporated business shall 9773
make a contribution or contributions solely in the name of the 9774
partnership or other unincorporated business. 9775

~~(5)~~(6) As used in division (I) of this section, "partnership 9776
or other unincorporated business" includes, but is not limited to, 9777
a cooperative, a sole proprietorship, a general partnership, a 9778
limited partnership, a limited partnership association, a limited 9779
liability partnership, and a limited liability company. 9780

(J) A candidate shall have only one campaign committee at any 9781
given time for all of the offices for which the person is a 9782
candidate or holds office. 9783

(K)(1) In addition to filing a designation of appointment of 9784
a treasurer under division (D)(1) of this section, the campaign 9785
committee of any candidate for an elected municipal office that 9786
pays an annual amount of compensation of five thousand dollars or 9787
less, the campaign committee of any candidate for member of a 9788
board of education except member of the state board of education, 9789
or the campaign committee of any candidate for township trustee or 9790
township fiscal officer may sign, under penalty of election 9791
falsification, a certificate attesting that the committee will not 9792
accept contributions during an election period that exceed in the 9793
aggregate two thousand dollars from all contributors and one 9794
hundred dollars from any one individual, and that the campaign 9795
committee will not make expenditures during an election period 9796
that exceed in the aggregate two thousand dollars. 9797

The certificate shall be on a form prescribed by the 9798
secretary of state and shall be filed not later than ten days 9799
after the candidate files a declaration of candidacy and petition, 9800
a nominating petition, or a declaration of intent to be a write-in 9801

candidate. 9802

(2) Except as otherwise provided in division (K)(3) of this 9803
section, a campaign committee that files a certificate under 9804
division (K)(1) of this section is not required to file the 9805
statements required by division (A) of this section. 9806

(3) If, after filing a certificate under division (K)(1) of 9807
this section, a campaign committee exceeds any of the limitations 9808
described in that division during an election period, the 9809
certificate is void and thereafter the campaign committee shall 9810
file the statements required by division (A) of this section. If 9811
the campaign committee has not previously filed a statement, then 9812
on the first statement the campaign committee is required to file 9813
under division (A) of this section after the committee's 9814
certificate is void, the committee shall report all contributions 9815
received and expenditures made from the time the candidate filed 9816
the candidate's declaration of candidacy and petition, nominating 9817
petition, or declaration of intent to be a write-in candidate. 9818

(4) As used in division (K) of this section, "election 9819
period" means the period of time beginning on the day a person 9820
files a declaration of candidacy and petition, nominating 9821
petition, or declaration of intent to be a write-in candidate 9822
through the day of the election at which the person seeks 9823
nomination to office if the person is not elected to office, or, 9824
if the candidate was nominated in a primary election, the day of 9825
the election at which the candidate seeks office. 9826

(L) A political contributing entity that receives 9827
contributions from the dues, membership fees, or other assessments 9828
of its members or from its officers, shareholders, and employees 9829
may report the aggregate amount of contributions received from 9830
those contributors and the number of individuals making those 9831
contributions, for each filing period under divisions (A)(1), (2), 9832

(3), and (4) of this section, rather than reporting information as required under division (B)(4) of this section, including, when applicable, the name of the current employer, if any, of a contributor whose contribution exceeds one hundred dollars or, if such a contributor is self-employed, the contributor's occupation and the name of the contributor's business, if any. Division (B)(4) of this section applies to a political contributing entity with regard to contributions it receives from all other contributors.

Sec. 3517.106. (A) As used in this section:

(1) "Statewide office" means any of the offices of governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, attorney general, chief justice of the supreme court, and justice of the supreme court.

(2) "Addendum to a statement" includes an amendment or other correction to that statement.

(B)(1) The secretary of state shall store on computer the information contained in statements of contributions and expenditures and monthly statements required to be filed under section 3517.10 of the Revised Code and in statements of independent expenditures required to be filed under section 3517.105 of the Revised Code by any of the following:

(a) The campaign committees of candidates for statewide office;

(b) The political action committees and political contributing entities described in division (A)(1) of section 3517.11 of the Revised Code;

(c) Legislative campaign funds;

(d) State political parties;

(e) Individuals, partnerships, corporations, labor 9862
organizations, or other entities that make independent 9863
expenditures in support of or opposition to a statewide candidate 9864
or a statewide ballot issue or question; 9865

(f) The campaign committees of candidates for the office of 9866
member of the general assembly; 9867

(g) County political parties, with respect to their state 9868
candidate funds. 9869

(2) The secretary of state shall store on computer the 9870
information contained in disclosure of electioneering 9871
communications statements required to be filed under section 9872
3517.1011 of the Revised Code. 9873

(3) The secretary of state shall store on computer the 9874
information contained in deposit and disbursement statements 9875
required to be filed with the office of the secretary of state 9876
under section 3517.1012 of the Revised Code. 9877

(4) The secretary of state shall store on computer the gift 9878
and disbursement information contained in statements required to 9879
be filed with the office of the secretary of state under section 9880
3517.1013 of the Revised Code. 9881

(C)(1) The secretary of state shall make available to the 9882
campaign committees, political action committees, political 9883
contributing entities, legislative campaign funds, political 9884
parties, individuals, partnerships, corporations, labor 9885
organizations, and other entities described in division (B) of 9886
this section, and to members of the news media and other 9887
interested persons, for a reasonable fee, computer programs that 9888
are compatible with the secretary of state's method of storing the 9889
information contained in the statements. 9890

(2) The secretary of state shall make the information 9891

required to be stored under division (B) of this section available 9892
on computer at the secretary of state's office so that, to the 9893
maximum extent feasible, individuals may obtain at the secretary 9894
of state's office any part or all of that information for any 9895
given year, subject to the limitation expressed in division (D) of 9896
this section. 9897

(D) The secretary of state shall keep the information stored 9898
on computer under division (B) of this section for at least six 9899
years. 9900

(E)(1) Subject to division (L) of this section and subject to 9901
the secretary of state having implemented, tested, and verified 9902
the successful operation of any system the secretary of state 9903
prescribes pursuant to division (H)(1) of this section and 9904
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 9905
Code for the filing of campaign finance statements by electronic 9906
means of transmission, the campaign committee of each candidate 9907
for statewide office may file the statements prescribed by section 9908
3517.10 of the Revised Code by electronic means of transmission 9909
or, if the total amount of the contributions received or the total 9910
amount of the expenditures made by the campaign committee for the 9911
applicable reporting period as specified in division (A) of 9912
section 3517.10 of the Revised Code exceeds ten thousand dollars, 9913
shall file those statements by electronic means of transmission. 9914

Except as otherwise provided in this division, within five 9915
business days after a statement filed by a campaign committee of a 9916
candidate for statewide office is received by the secretary of 9917
state by electronic or other means of transmission, the secretary 9918
of state shall make available online to the public through the 9919
internet, as provided in division (I) of this section, the 9920
contribution and expenditure information in that statement. The 9921
secretary of state shall not make available online to the public 9922
through the internet any contribution or expenditure information 9923

contained in a statement for any candidate until the secretary of 9924
state is able to make available online to the public through the 9925
internet the contribution and expenditure information for all 9926
candidates for a particular office, or until the applicable filing 9927
deadline for that statement has passed, whichever is sooner. As 9928
soon as the secretary of state has available all of the 9929
contribution and expenditure information for all candidates for a 9930
particular office, or as soon as the applicable filing deadline 9931
for a statement has passed, whichever is sooner, the secretary of 9932
state shall simultaneously make available online to the public 9933
through the internet the information for all candidates for that 9934
office. 9935

If a statement filed by electronic means of transmission is 9936
found to be incomplete or inaccurate after the examination of the 9937
statement for completeness and accuracy pursuant to division 9938
(B)(3)(a) of section 3517.11 of the Revised Code, the campaign 9939
committee shall file by electronic means of transmission any 9940
addendum to the statement that provides the information necessary 9941
to complete or correct the statement or, if required by the 9942
secretary of state under that division, an amended statement. 9943

Within five business days after the secretary of state 9944
receives from a campaign committee of a candidate for statewide 9945
office an addendum to the statement or an amended statement by 9946
electronic or other means of transmission under this division or 9947
division (B)(3)(a) of section 3517.11 of the Revised Code, the 9948
secretary of state shall make the contribution and expenditure 9949
information in the addendum or amended statement available online 9950
to the public through the internet as provided in division (I) of 9951
this section. 9952

(2) Subject to the secretary of state having implemented, 9953
tested, and verified the successful operation of any system the 9954
secretary of state prescribes pursuant to division (H)(1) of this 9955

section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 9956
the Revised Code for the filing of campaign finance statements by 9957
electronic means of transmission, a political action committee and 9958
a political contributing entity described in division (B)(1)(b) of 9959
this section, a legislative campaign fund, and a state political 9960
party may file the statements prescribed by section 3517.10 of the 9961
Revised Code by electronic means of transmission or, if the total 9962
amount of the contributions received or the total amount of the 9963
expenditures made by the political action committee, political 9964
contributing entity, legislative campaign fund, or state political 9965
party for the applicable reporting period as specified in division 9966
(A) of section 3517.10 of the Revised Code exceeds ten thousand 9967
dollars, shall file those statements by electronic means of 9968
transmission. 9969

Within five business days after a statement filed by a 9970
political action committee or a political contributing entity 9971
described in division (B)(1)(b) of this section, a legislative 9972
campaign fund, or a state political party is received by the 9973
secretary of state by electronic or other means of transmission, 9974
the secretary of state shall make available online to the public 9975
through the internet, as provided in division (I) of this section, 9976
the contribution and expenditure information in that statement. 9977

If a statement filed by electronic means of transmission is 9978
found to be incomplete or inaccurate after the examination of the 9979
statement for completeness and accuracy pursuant to division 9980
(B)(3)(a) of section 3517.11 of the Revised Code, the political 9981
action committee, political contributing entity, legislative 9982
campaign fund, or state political party shall file by electronic 9983
means of transmission any addendum to the statement that provides 9984
the information necessary to complete or correct the statement or, 9985
if required by the secretary of state under that division, an 9986
amended statement. 9987

Within five business days after the secretary of state 9988
receives from a political action committee or a political 9989
contributing entity described in division (B)(1)(b) of this 9990
section, a legislative campaign fund, or a state political party 9991
an addendum to the statement or an amended statement by electronic 9992
or other means of transmission under this division or division 9993
(B)(3)(a) of section 3517.11 of the Revised Code, the secretary of 9994
state shall make the contribution and expenditure information in 9995
the addendum or amended statement available online to the public 9996
through the internet as provided in division (I) of this section. 9997

(3) Subject to the secretary of state having implemented, 9998
tested, and verified the successful operation of any system the 9999
secretary of state prescribes pursuant to division (H)(1) of this 10000
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 10001
the Revised Code for the filing of campaign finance statements by 10002
electronic means of transmission, a county political party shall 10003
file the statements prescribed by section 3517.10 of the Revised 10004
Code with respect to its state candidate fund by electronic means 10005
of transmission to the office of the secretary of state. 10006

Within five business days after a statement filed by a county 10007
political party with respect to its state candidate fund is 10008
received by the secretary of state by electronic means of 10009
transmission, the secretary of state shall make available online 10010
to the public through the internet, as provided in division (I) of 10011
this section, the contribution and expenditure information in that 10012
statement. 10013

If a statement is found to be incomplete or inaccurate after 10014
the examination of the statement for completeness and accuracy 10015
pursuant to division (B)(3)(a) of section 3517.11 of the Revised 10016
Code, a county political party shall file by electronic means of 10017
transmission any addendum to the statement that provides the 10018
information necessary to complete or correct the statement or, if 10019

required by the secretary of state under that division, an amended statement. 10020
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Within five business days after the secretary of state receives from a county political party an addendum to the statement or an amended statement by electronic means of transmission under this division or division (B)(3)(a) of section 3517.11 of the Revised Code, the secretary of state shall make the contribution and expenditure information in the addendum or amended statement available online to the public through the internet as provided in division (I) of this section. 10022
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(F)(1) Subject to division (L) of this section and subject to the secretary of state having implemented, tested, and verified the successful operation of any system the secretary of state prescribes pursuant to division (H)(1) of this section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised Code for the filing of campaign finance statements by electronic means of transmission, a campaign committee of a candidate for the office of member of the general assembly or a campaign committee of a candidate for the office of judge of a court of appeals may file the statements prescribed by section 3517.10 of the Revised Code in accordance with division (A)(2) of section 3517.11 of the Revised Code or by electronic means of transmission to the office of the secretary of state or, if the total amount of the contributions received by the campaign committee for the applicable reporting period as specified in division (A) of section 3517.10 of the Revised Code exceeds ten thousand dollars, shall file those statements by electronic means of transmission to the office of the secretary of state. 10030
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Except as otherwise provided in this division, within five business days after a statement filed by a campaign committee of a candidate for the office of member of the general assembly or a campaign committee of a candidate for the office of judge of a 10048
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court of appeals is received by the secretary of state by 10052
electronic or other means of transmission, the secretary of state 10053
shall make available online to the public through the internet, as 10054
provided in division (I) of this section, the contribution and 10055
expenditure information in that statement. The secretary of state 10056
shall not make available online to the public through the internet 10057
any contribution or expenditure information contained in a 10058
statement for any candidate until the secretary of state is able 10059
to make available online to the public through the internet the 10060
contribution and expenditure information for all candidates for a 10061
particular office, or until the applicable filing deadline for 10062
that statement has passed, whichever is sooner. As soon as the 10063
secretary of state has available all of the contribution and 10064
expenditure information for all candidates for a particular 10065
office, or as soon as the applicable filing deadline for a 10066
statement has passed, whichever is sooner, the secretary of state 10067
shall simultaneously make available online to the public through 10068
the internet the information for all candidates for that office. 10069

If a statement filed by electronic means of transmission is 10070
found to be incomplete or inaccurate after the examination of the 10071
statement for completeness and accuracy pursuant to division 10072
(B)(3)(a) of section 3517.11 of the Revised Code, the campaign 10073
committee shall file by electronic means of transmission to the 10074
office of the secretary of state any addendum to the statement 10075
that provides the information necessary to complete or correct the 10076
statement or, if required by the secretary of state under that 10077
division, an amended statement. 10078

Within five business days after the secretary of state 10079
receives from a campaign committee of a candidate for the office 10080
of member of the general assembly or a campaign committee of a 10081
candidate for the office of judge of a court of appeals an 10082
addendum to the statement or an amended statement by electronic or 10083

other means of transmission under this division or division 10084
(B)(3)(a) of section 3517.11 of the Revised Code, the secretary of 10085
state shall make the contribution and expenditure information in 10086
the addendum or amended statement available online to the public 10087
through the internet as provided in division (I) of this section. 10088

(2) If a statement, addendum, or amended statement is not 10089
filed by electronic means of transmission to the office of the 10090
secretary of state but is filed by printed version only under 10091
division (A)(2) of section 3517.11 of the Revised Code with the 10092
appropriate board of elections, the campaign committee of a 10093
candidate for the office of member of the general assembly or a 10094
campaign committee of a candidate for the office of judge of a 10095
court of appeals shall file two copies of the printed version of 10096
the statement, addendum, or amended statement with the board of 10097
elections. The board of elections shall send one of those copies 10098
by overnight delivery service to the secretary of state before the 10099
close of business on the day the board of elections receives the 10100
statement, addendum, or amended statement. 10101

(G) Subject to the secretary of state having implemented, 10102
tested, and verified the successful operation of any system the 10103
secretary of state prescribes pursuant to division (H)(1) of this 10104
section and divisions (C)(6)(b) and (D)(6) of section 3517.10 of 10105
the Revised Code for the filing of campaign finance statements by 10106
electronic means of transmission, any individual, partnership, or 10107
other entity that makes independent expenditures in support of or 10108
opposition to a statewide candidate or a statewide ballot issue or 10109
question as provided in division (B)(2)(b) or (C)(2)(b) of section 10110
3517.105 of the Revised Code may file the statement specified in 10111
that division by electronic means of transmission or, if the total 10112
amount of independent expenditures made during the reporting 10113
period under that division exceeds ten thousand dollars, shall 10114
file the statement specified in that division by electronic means 10115

of transmission. 10116

Within five business days after a statement filed by an 10117
individual, partnership, or other entity is received by the 10118
secretary of state by electronic or other means of transmission, 10119
the secretary of state shall make available online to the public 10120
through the internet, as provided in division (I) of this section, 10121
the expenditure information in that statement. 10122

If a statement filed by electronic means of transmission is 10123
found to be incomplete or inaccurate after the examination of the 10124
statement for completeness and accuracy pursuant to division 10125
(B)(3)(a) of section 3517.11 of the Revised Code, the individual, 10126
partnership, or other entity shall file by electronic means of 10127
transmission any addendum to the statement that provides the 10128
information necessary to complete or correct the statement or, if 10129
required by the secretary of state under that division, an amended 10130
statement. 10131

Within five business days after the secretary of state 10132
receives from an individual, partnership, or other entity 10133
described in division (B)(2)(b) or (C)(2)(b) of section 3517.105 10134
of the Revised Code an addendum to the statement or an amended 10135
statement by electronic or other means of transmission under this 10136
division or division (B)(3)(a) of section 3517.11 of the Revised 10137
Code, the secretary of state shall make the expenditure 10138
information in the addendum or amended statement available online 10139
to the public through the internet as provided in division (I) of 10140
this section. 10141

(H)(1) The secretary of state, by rule adopted pursuant to 10142
section 3517.23 of the Revised Code, shall prescribe one or more 10143
techniques by which a person who executes and transmits by 10144
electronic means a statement of contributions and expenditures, a 10145
statement of independent expenditures, a disclosure of 10146

electioneering communications statement, a deposit and 10147
disbursement statement, or a gift and disbursement statement, an 10148
addendum to any of those statements, an amended statement of 10149
contributions and expenditures, an amended statement of 10150
independent expenditures, an amended disclosure of electioneering 10151
communications statement, an amended deposit and disbursement 10152
statement, or an amended gift and disbursement statement, under 10153
this section or section 3517.10, 3517.105, 3517.1011, 3517.1012, 10154
or 3517.1013 of the Revised Code shall electronically sign the 10155
statement, addendum, or amended statement. Any technique 10156
prescribed by the secretary of state pursuant to this division 10157
shall create an electronic signature that satisfies all of the 10158
following: 10159

(a) It is unique to the signer. 10160

(b) It objectively identifies the signer. 10161

(c) It involves the use of a signature device or other means 10162
or method that is under the sole control of the signer and that 10163
cannot be readily duplicated or compromised. 10164

(d) It is created and linked to the electronic record to 10165
which it relates in a manner that, if the record or signature is 10166
intentionally or unintentionally changed after signing, the 10167
electronic signature is invalidated. 10168

(2) An electronic signature prescribed by the secretary of 10169
state under division (H)(1) of this section shall be attached to 10170
or associated with the statement of contributions and 10171
expenditures, the statement of independent expenditures, the 10172
disclosure of electioneering communications statement, the deposit 10173
and disbursement statement, or the gift and disbursement 10174
statement, the addendum to any of those statements, the amended 10175
statement of contributions and expenditures, the amended statement 10176
of independent expenditures, the amended disclosure of 10177

electioneering communications statement, the amended deposit and 10178
disbursement statement, or the amended gift and disbursement 10179
statement that is executed and transmitted by electronic means by 10180
the person to whom the electronic signature is attributed. The 10181
electronic signature that is attached to or associated with the 10182
statement, addendum, or amended statement under this division 10183
shall be binding on all persons and for all purposes under the 10184
campaign finance reporting law as if the signature had been 10185
handwritten in ink on a printed form. 10186

(I) The secretary of state shall make the contribution and 10187
expenditure, the contribution and disbursement, the deposit and 10188
disbursement, or the gift and disbursement information in all 10189
statements, all addenda to the statements, and all amended 10190
statements that are filed with the secretary of state by 10191
electronic or other means of transmission under this section or 10192
section 3517.10, 3517.105, 3517.1011, 3517.1012, 3517.1013, or 10193
3517.11 of the Revised Code available online to the public by any 10194
means that are searchable, viewable, and accessible through the 10195
internet. 10196

(J)(1) As used in this division, "library" means a library 10197
that is open to the public and that is one of the following: 10198

(a) A library that is maintained and regulated under section 10199
715.13 of the Revised Code; 10200

(b) A library that is created, maintained, and regulated 10201
under Chapter 3375. of the Revised Code. 10202

(2) The secretary of state shall notify all libraries of the 10203
location on the internet at which the contribution and 10204
expenditure, contribution and disbursement, deposit and 10205
disbursement, or gift and disbursement information in campaign 10206
finance statements required to be made available online to the 10207
public through the internet pursuant to division (I) of this 10208

section may be accessed. 10209

If that location is part of the world wide web and if the 10210
secretary of state has notified a library of that world wide web 10211
location as required by this division, the library shall include a 10212
link to that world wide web location on each internet-connected 10213
computer it maintains that is accessible to the public. 10214

(3) If the system the secretary of state prescribes for the 10215
filing of campaign finance statements by electronic means of 10216
transmission pursuant to division (H)(1) of this section and 10217
divisions (C)(6)(b) and (D)(6) of section 3517.10 of the Revised 10218
Code includes filing those statements through the internet via the 10219
world wide web, the secretary of state shall notify all libraries 10220
of the world wide web location at which those statements may be 10221
filed. 10222

If those statements may be filed through the internet via the 10223
world wide web and if the secretary of state has notified a 10224
library of that world wide web location as required by this 10225
division, the library shall include a link to that world wide web 10226
location on each internet-connected computer it maintains that is 10227
accessible to the public. 10228

(K) It is an affirmative defense to a complaint or charge 10229
brought against any campaign committee, political action 10230
committee, political contributing entity, legislative campaign 10231
fund, or political party, any individual, partnership, or other 10232
entity, or any person making disbursements to pay the direct costs 10233
of producing or airing electioneering communications, for the 10234
failure to file by electronic means of transmission a campaign 10235
finance statement as required by this section or section 3517.10, 10236
3517.105, 3517.1011, 3517.1012, or 3517.1013 of the Revised Code 10237
that all of the following apply to the campaign committee, 10238
political action committee, political contributing entity, 10239

legislative campaign fund, or political party, the individual, 10240
partnership, or other entity, or the person making disbursements 10241
to pay the direct costs of producing or airing electioneering 10242
communications, that failed to so file: 10243

(1) The campaign committee, political action committee, 10244
political contributing entity, legislative campaign fund, or 10245
political party, the individual, partnership, or other entity, or 10246
the person making disbursements to pay the direct costs of 10247
producing or airing electioneering communications attempted to 10248
file by electronic means of transmission the required statement 10249
prior to the deadline set forth in the applicable section. 10250

(2) The campaign committee, political action committee, 10251
political contributing entity, legislative campaign fund, or 10252
political party, the individual, partnership, or other entity, or 10253
the person making disbursements to pay the direct costs of 10254
producing or airing electioneering communications was unable to 10255
file by electronic means of transmission due to an expected or 10256
unexpected shutdown of the whole or part of the electronic 10257
campaign finance statement-filing system, such as for maintenance 10258
or because of hardware, software, or network connection failure. 10259

(3) The campaign committee, political action committee, 10260
political contributing entity, legislative campaign fund, or 10261
political party, the individual, partnership, or other entity, or 10262
the person making disbursements to pay the direct costs of 10263
producing or airing electioneering communications filed by 10264
electronic means of transmission the required statement within a 10265
reasonable period of time after being unable to so file it under 10266
the circumstance described in division (K)(2) of this section. 10267

(L)(1) The secretary of state shall adopt rules pursuant to 10268
Chapter 119. of the Revised Code to permit a campaign committee of 10269
a candidate for statewide office that makes expenditures of less 10270

than twenty-five thousand dollars during the filing period or a
campaign committee for the office of member of the general
assembly or the office of judge of a court of appeals that would
otherwise be required to file campaign finance statements by
electronic means of transmission under division (E) or (F) of this
section to file those statements by paper with the office of the
secretary of state. Those rules shall provide for all of the
following:

(a) An eligible campaign committee that wishes to file a
campaign finance statement by paper instead of by electronic means
of transmission shall file the statement on paper with the office
of the secretary of state not sooner than twenty-four hours after
the end of the filing period set forth in section 3517.10 of the
Revised Code that is covered by the applicable statement.

(b) The statement shall be accompanied by a fee, the amount
of which the secretary of state shall determine by rule. The
amount of the fee established under this division shall not exceed
the data entry and data verification costs the secretary of state
will incur to convert the information on the statement to an
electronic format as required under division (I) of this section.

(c) The secretary of state shall arrange for the information
in campaign finance statements filed pursuant to division (L) of
this section to be made available online to the public through the
internet in the same manner, and at the same times, as information
is made available under divisions (E), (F), and (I) of this
section for candidates whose campaign committees file those
statements by electronic means of transmission.

(d) The candidate of an eligible campaign committee that
intends to file a campaign finance statement pursuant to division
(L) of this section shall file ~~an affidavit~~ a notice indicating
that the candidate's campaign committee intends to so file and

stating that filing the statement by electronic means of 10302
transmission would constitute a hardship for the candidate or for 10303
the eligible campaign committee. 10304

(e) An eligible campaign committee that files a campaign 10305
finance statement on paper pursuant to division (L) of this 10306
section shall review the contribution and information made 10307
available online by the secretary of state with respect to that 10308
paper filing and shall notify the secretary of state of any errors 10309
with respect to that filing that appear in the data made available 10310
on that web site. 10311

(f) If an eligible campaign committee whose candidate has 10312
filed ~~an affidavit~~ a notice in accordance with rules adopted under 10313
division (L)(1)(d) of this section subsequently fails to file that 10314
statement on paper by the applicable deadline established in rules 10315
adopted under division (L)(1)(a) of this section, penalties for 10316
the late filing of the campaign finance statement shall apply to 10317
that campaign committee for each day after that paper filing 10318
deadline, as if the campaign committee had filed the statement 10319
after the applicable deadline set forth in division (A) of section 10320
3517.10 of the Revised Code. 10321

(2) The process for permitting campaign committees that would 10322
otherwise be required to file campaign finance statements by 10323
electronic means of transmission to file those statements on paper 10324
with the office of the secretary of state that is required to be 10325
developed under division (L)(1) of this section shall be in effect 10326
and available for use by eligible campaign committees for all 10327
campaign finance statements that are required to be filed on or 10328
after June 30, 2005. Notwithstanding any provision of the Revised 10329
Code to the contrary, if the process the secretary of state is 10330
required to develop under division (L)(1) of this section is not 10331
in effect and available for use on and after June 30, 2005, all 10332
penalties for the failure of campaign committees to file campaign 10333

finance statements by electronic means of transmission shall be 10334
suspended until such time as that process is in effect and 10335
available for use. 10336

(3) Notwithstanding any provision of the Revised Code to the 10337
contrary, any eligible campaign committee that files campaign 10338
finance statements on paper with the office of the secretary of 10339
state pursuant to division (L)(1) of this section shall be deemed 10340
to have filed those campaign finance statements by electronic 10341
means of transmission to the office of the secretary of state. 10342

Sec. 3517.1011. (A) As used in this section: 10343

(1) "Address" has the same meaning as in section 3517.10 of 10344
the Revised Code. 10345

(2) "Broadcast, cable, or satellite communication" means a 10346
communication that is publicly distributed by a television 10347
station, radio station, cable television system, or satellite 10348
system. 10349

(3) "Candidate" has the same meaning as in section 3501.01 of 10350
the Revised Code; 10351

(4) "Contribution" means any loan, gift, deposit, forgiveness 10352
of indebtedness, donation, advance, payment, or transfer of funds 10353
or of anything of value, including a transfer of funds from an 10354
inter vivos or testamentary trust or decedent's estate, and the 10355
payment by any person other than the person to whom the services 10356
are rendered for the personal services of another person, that is 10357
made, received, or used to pay the direct costs of producing or 10358
airing electioneering communications. 10359

~~(4)~~(5)(a) "Coordinated electioneering communication" means 10360
any electioneering communication that is made pursuant to any 10361
arrangement, coordination, or direction by a candidate or a 10362
candidate's campaign committee, by an officer, agent, employee, or 10363

consultant of a candidate or a candidate's campaign committee, or 10364
by a former officer, former agent, former employee, or former 10365
consultant of a candidate or a candidate's campaign committee 10366
prior to the airing, broadcasting, or cablecasting of the 10367
communication. An electioneering communication is presumed to be a 10368
"coordinated electioneering communication" when it is either of 10369
the following: 10370

(i) Based on information about a candidate's plans, projects, 10371
or needs provided to the person making the disbursement by the 10372
candidate or the candidate's campaign committee, by an officer, 10373
agent, employee, or consultant of the candidate or the candidate's 10374
campaign committee, or by a former officer, former agent, former 10375
employee, or former consultant of the candidate or the candidate's 10376
campaign committee, with a view toward having the communication 10377
made; 10378

(ii) Made by or through any person who is, or has been, 10379
authorized to raise or expend funds on behalf of a candidate or 10380
the candidate's campaign committee, who is, or has been, an 10381
officer, agent, employee, or consultant of the candidate or of the 10382
candidate's campaign committee, or who is, or has been, receiving 10383
any form of compensation or reimbursement from the candidate or 10384
the candidate's campaign committee or from an officer, agent, 10385
employee, or consultant of the candidate or of the candidate's 10386
campaign committee. 10387

(b) An electioneering communication shall not be presumed to 10388
be a "coordinated electioneering communication" under division 10389
(A)~~(4)~~(5)(a)(ii) of this section if the communication is made 10390
through any person who provides a service that does not affect the 10391
content of the communication, such as communications placed 10392
through the efforts of a media buyer, unless that person also 10393
affects the content of the communication. 10394

~~(5)~~(6) "Disclosure date" means both of the following: 10395

(a) The first date during any calendar year by which a person 10396
makes disbursements for the direct costs of producing or airing 10397
electioneering communications aggregating in excess of ten 10398
thousand dollars; 10399

(b) The same day of the week of each remaining week in the 10400
same calendar year as the day of the week of the initial 10401
disclosure date established under division (A)~~(5)~~(6)(a) of this 10402
section, if, during that remaining week, the person makes 10403
disbursements for the direct costs of producing or airing 10404
electioneering communications aggregating in excess of one dollar. 10405

~~(6)~~(7)(a) "Electioneering communication" means any broadcast, 10406
cable, or satellite communication that refers to a clearly 10407
identified candidate and that is made during either of the 10408
following periods of time: 10409

(i) If the person becomes a candidate before the day of the 10410
primary election at which candidates will be nominated for 10411
election to that office, between the date that the person becomes 10412
a candidate and the thirtieth day prior to that primary election, 10413
and between the date of the primary election and the thirtieth day 10414
prior to the general election at which a candidate will be elected 10415
to that office; 10416

(ii) If the person becomes a candidate after the day of the 10417
primary election at which candidates were nominated for election 10418
to that office, between the date of the primary election and the 10419
thirtieth day prior to the general election at which a candidate 10420
will be elected to that office. 10421

(b) "Electioneering communication" does not include any of 10422
the following: 10423

(i) A communication that is publicly disseminated through a 10424
means of communication other than a broadcast, cable, or satellite 10425
television or radio station. For example, "electioneering 10426

communication" does not include communications appearing in print 10427
media, including a newspaper or magazine, handbill, brochure, 10428
bumper sticker, yard sign, poster, billboard, and other written 10429
materials, including mailings; communications over the internet, 10430
including electronic mail; or telephone communications. 10431

(ii) A communication that appears in a news story, 10432
commentary, public service announcement, bona fide news 10433
programming, or editorial distributed through the facilities of 10434
any broadcast, cable, or satellite television or radio station, 10435
unless those facilities are owned or controlled by any political 10436
party, political committee, or candidate; 10437

(iii) A communication that constitutes an expenditure or an 10438
independent expenditure under section 3517.01 of the Revised Code; 10439

(iv) A communication that constitutes a candidate debate or 10440
forum or that solely promotes a candidate debate or forum and is 10441
made by or on behalf of the person sponsoring the debate or forum. 10442

~~(7)~~(8) "Filing date" has the same meaning as in section 10443
3517.109 of the Revised Code. 10444

~~(8)~~(9) "Immigration and Nationality Act" means the 10445
Immigration and Nationality Act, 110 Stat. 309 (1996), 8 U.S.C. 10446
1101 et seq., as amended. 10447

~~(9)~~(10) "Person" has the same meaning as in section 1.59 of 10448
the Revised Code and includes any political organization 10449
considered exempt from income taxation under section 527 of the 10450
Internal Revenue Code. 10451

~~(10)~~(11) "Political committee" means any of the following: 10452

(a) Any committee, club, association, or other group of 10453
persons that receives contributions aggregating in excess of one 10454
thousand dollars during a calendar year or that makes expenditures 10455
aggregating in excess of one thousand dollars during a calendar 10456

year; 10457

(b) Any separate segregated fund; 10458

(c) Any state, county, or local committee of a political 10459
party that does any of the following: 10460

(i) Receives contributions aggregating in excess of five 10461
thousand dollars during a calendar year; 10462

(ii) Makes payments that do not constitute contributions or 10463
expenditures aggregating in excess of five thousand dollars during 10464
a calendar year; 10465

(iii) Makes contributions or expenditures aggregating in 10466
excess of one thousand dollars during a calendar year. 10467

~~(11)~~(12) "Publicly distributed" means aired, broadcast, 10468
cablecast, or otherwise disseminated for a fee. 10469

~~(12)~~(13) "Refers to a clearly identified candidate" means 10470
that the candidate's name, nickname, photograph, or drawing 10471
appears, or the identity of the candidate is otherwise apparent 10472
through an unambiguous reference to the person such as "the chief 10473
justice," "the governor," "member of the Ohio senate," "member of 10474
the Ohio house of representatives," "county auditor," "mayor," or 10475
"township trustee" or through an unambiguous reference to the 10476
person's status as a candidate. 10477

(B) For the purposes of this section, a person shall be 10478
considered to have made a disbursement if the person has entered 10479
into a contract to make the disbursement. 10480

(C) Any person intending to make a disbursement or 10481
disbursements for the direct costs of producing or airing 10482
electioneering communications, prior to making the first 10483
disbursement for the direct costs of producing or airing an 10484
electioneering communication, shall file a notice with the office 10485
of the secretary of state that the person is intending to make 10486

such disbursements. 10487

(D)(1) Every person that makes a disbursement or 10488
disbursements for the direct costs of producing and airing 10489
electioneering communications aggregating in excess of ten 10490
thousand dollars during any calendar year shall file, within 10491
twenty-four hours of each disclosure date, a disclosure of 10492
electioneering communications statement containing the following 10493
information: 10494

(a) The full name and address of the person making the 10495
disbursement, of any person sharing or exercising direction or 10496
control over the activities of the person making the disbursement, 10497
and of the custodian of the books and accounts of the person 10498
making the disbursement; 10499

(b) The principal place of business of the person making the 10500
disbursement, if not an individual; 10501

(c) The amount of each disbursement of more than one dollar 10502
during the period covered by the statement and the identity of the 10503
person to whom the disbursement was made; 10504

(d) The nominations or elections to which the electioneering 10505
communications pertain and the names, if known, of the candidates 10506
identified or to be identified; 10507

(e) If the disbursements were paid out of a segregated bank 10508
account that consists of funds contributed solely by individuals 10509
who are United States citizens or nationals or lawfully admitted 10510
for permanent residence as defined in section 101(a)(20) of the 10511
Immigration and Nationality Act directly to the account for 10512
electioneering communications, the information specified in 10513
division (D)(2) of this section for all contributors who 10514
contributed an aggregate amount of two hundred dollars or more to 10515
the segregated bank account and whose contributions were used for 10516
making the disbursement or disbursements required to be reported 10517

under division (D) of this section during the period covered by 10518
the statement. Nothing in this division prohibits or shall be 10519
construed to prohibit the use of funds in such a segregated bank 10520
account for a purpose other than electioneering communications. 10521

(f) If the disbursements were paid out of funds not described 10522
in division (D)(1)(e) of this section, the information specified 10523
in division (D)(2) of this section for all contributors who 10524
contributed an aggregate amount of two hundred dollars or more to 10525
the person making the disbursement and whose contributions were 10526
used for making the disbursement or disbursements required to be 10527
reported under division (D) of this section during the period 10528
covered by the statement. 10529

(2) For each contributor for which information is required to 10530
be reported under division (D)(1)(e) or (f) of this section, all 10531
of the following shall be reported: 10532

(a) The month, day, and year that the contributor made the 10533
contribution or contributions aggregating two hundred dollars or 10534
more; 10535

(b)(i) The full name and address of the contributor, and, if 10536
the contributor is a political action committee, the registration 10537
number assigned to the political action committee under division 10538
(D)(1) of section 3517.10 of the Revised Code; 10539

(ii) If the contributor is an individual, the name of the 10540
individual's current employer, if any, or, if the individual is 10541
self-employed, the individual's occupation and the name of the 10542
individual's business, if any; 10543

(iii) If the contribution is transmitted pursuant to section 10544
3599.031 of the Revised Code from amounts deducted from the wages 10545
and salaries of two or more employees that exceed in the aggregate 10546
one hundred dollars during the period specified in division 10547
(D)(1)(e) or (f) of this section, as applicable, the full name of 10548

the employees' employer and the full name of the labor 10549
organization of which the employees are members, if any. 10550

(c) A description of the contribution, if other than money; 10551

(d) The value in dollars and cents of the contribution. 10552

(3) Subject to the secretary of state having implemented, 10553
tested, and verified the successful operation of any system the 10554
secretary of state prescribes pursuant to divisions (C)(6)(b) and 10555
(D)(6) of section 3517.10 and division (H)(1) of section 3517.106 10556
of the Revised Code for the filing of campaign finance statements 10557
by electronic means of transmission, a person shall file the 10558
disclosure of electioneering communications statement prescribed 10559
under divisions (D)(1) and (2) of this section by electronic means 10560
of transmission to the office of the secretary of state. 10561

Within five business days after the secretary of state 10562
receives a disclosure of electioneering communications statement 10563
under this division, the secretary of state shall make available 10564
online to the public through the internet, as provided in division 10565
(I) of section 3517.106 of the Revised Code, the contribution and 10566
disbursement information in that statement. 10567

If a filed disclosure of electioneering communications 10568
statement is found to be incomplete or inaccurate after its 10569
examination for completeness and accuracy pursuant to division 10570
(B)(3)(a) of section 3517.11 of the Revised Code, the person shall 10571
file by electronic means of transmission to the office of the 10572
secretary of state any addendum, amendment, or other correction to 10573
the statement that provides the information necessary to complete 10574
or correct the statement or, if required by the secretary of state 10575
under that division, an amended statement. 10576

Within five business days after the secretary of state 10577
receives an addendum, amendment, or other correction to a 10578
disclosure of electioneering communications statement or an 10579

amended statement by electronic means of transmission under this 10580
division or division (B)(3)(a) of section 3517.11 of the Revised 10581
Code, the secretary of state shall make the contribution and 10582
disbursement information in the addendum, amendment, or other 10583
correction to the statement or amended statement available online 10584
to the public through the internet as provided in division (I) of 10585
section 3517.106 of the Revised Code. 10586

(E)(1) Any person who makes a contribution for the purpose of 10587
funding the direct costs of producing or airing an electioneering 10588
communication under this section shall provide the person's full 10589
name and address to the recipient of the contribution at the time 10590
the contribution is made. 10591

(2) Any individual who makes a contribution or contributions 10592
aggregating two hundred dollars or more for the purpose of funding 10593
the direct costs of producing or airing an electioneering 10594
communication under this section shall provide the name of the 10595
individual's current employer, if any, or, if the individual is 10596
self-employed, the individual's occupation and the name of the 10597
individual's business, if any, to the recipient of the 10598
contribution at the time the contribution is made. 10599

(F) In each electioneering communication, a statement shall 10600
appear or be presented in a clear and conspicuous manner that does 10601
both of the following: 10602

(1) Clearly indicates that the electioneering communication 10603
is not authorized by the candidate or the candidate's campaign 10604
committee; 10605

(2) Clearly identifies the person making the disbursement for 10606
the electioneering communication in accordance with section 10607
3517.20 of the Revised Code. 10608

(G) Any coordinated electioneering communication is an 10609
in-kind contribution, subject to the applicable contribution 10610

limits prescribed in section 3517.102 of the Revised Code, to the 10611
candidate by the person making disbursements to pay the direct 10612
costs of producing or airing the communication. 10613

(H) No person shall make, during the thirty days preceding a 10614
primary election or during the thirty days preceding a general 10615
election, any broadcast, cable, or satellite communication that 10616
refers to a clearly identified candidate using any contributions 10617
received from a corporation or labor organization. 10618

Sec. 3517.12. (A) Prior to receiving a contribution or making 10619
an expenditure, the circulator or committee in charge of an 10620
initiative or referendum petition, or supplementary petition for 10621
additional signatures, for the submission of a constitutional 10622
amendment, proposed law, section, or item of any law shall appoint 10623
a treasurer and shall file with the secretary of state, on a form 10624
prescribed by the secretary of state, a designation of that 10625
appointment, including the full name and address of the treasurer 10626
and of the circulator or committee. 10627

(B) The circulator or the committee in charge of an 10628
initiative or referendum petition, or supplementary petition for 10629
additional signatures, for the submission of a constitutional 10630
amendment, proposed law, section, or item of any law shall, within 10631
thirty days after ~~such~~ those petition papers are filed, file with 10632
the secretary of state, on a form prescribed by the secretary of 10633
state, an itemized statement, made under penalty of election 10634
falsification, showing in detail the following: 10635

~~(A)~~(1) All money or things of value paid, given, ~~or~~ promised, 10636
or received for circulating ~~such~~ the petitions; 10637

~~(B)~~(2) All appointments, promotions, or increases in salary, 10638
in positions which were given ~~or~~ promised, or received, or to 10639
obtain which assistance was given ~~or~~ promised, or received as a 10640

consideration for work done in circulating petitions; 10641

~~(C)~~(3) Full names and addresses, including street, city, and 10642
state, of all persons to whom such payments or promises were made 10643
and of all persons from whom such payments or promises were 10644
received; 10645

~~(D)~~(4) Full names and addresses, including street, city, and 10646
state, of all persons who contributed anything of value to be used 10647
in circulating ~~such~~ the petitions, and the amounts of those 10648
contributions; 10649

~~(E)~~(5) Time spent and salaries earned while soliciting 10650
signatures to petitions by persons who were regular salaried 10651
employees of some person or whom ~~said~~ that employer authorized to 10652
solicit as part of their regular duties. 10653

If no money or things of value were paid or received or if no 10654
promises were made or received as a consideration for work done in 10655
circulating ~~such~~ a petition, the statement shall contain words to 10656
that effect. 10657

(C) The treasurer designated under division (A) of this 10658
section shall file statements of contributions and expenditures in 10659
accordance with section 3517.10 of the Revised Code regarding all 10660
contributions made or received and all expenditures made by that 10661
treasurer or the circulator or committee in connection with the 10662
initiative or referendum petition, or supplementary petition for 10663
additional signatures, for the submission of a constitutional 10664
amendment, proposed law, section, or item of any law. 10665

Sec. 3517.13. (A)(1) No campaign committee of a statewide 10666
candidate shall fail to file a complete and accurate statement 10667
required under division (A)(1) of section 3517.10 of the Revised 10668
Code. 10669

(2) No campaign committee of a statewide candidate shall fail 10670

to file a complete and accurate monthly statement, and no campaign
committee of a statewide candidate or a candidate for the office
of chief justice or justice of the supreme court shall fail to
file a complete and accurate two-business-day statement, as
required under section 3517.10 of the Revised Code.

As used in this division, "statewide candidate" has the same
meaning as in division (F)(2) of section 3517.10 of the Revised
Code.

(B) No campaign committee shall fail to file a complete and
accurate statement required under division (A)(1) of section
3517.10 of the Revised Code.

(C) No campaign committee shall fail to file a complete and
accurate statement required under division (A)(2) of section
3517.10 of the Revised Code.

(D) No campaign committee shall fail to file a complete and
accurate statement required under division (A)(3) or (4) of
section 3517.10 of the Revised Code.

(E) No person other than a campaign committee shall knowingly
fail to file a statement required under section 3517.10 or
3517.107 of the Revised Code.

(F) No person shall make cash contributions to any person
totaling more than one hundred dollars in each primary, special,
or general election.

(G)(1) No person shall knowingly conceal or misrepresent
contributions given or received, expenditures made, or any other
information required to be reported by a provision in sections
3517.08 to 3517.13 and 3517.17 of the Revised Code.

(2)(a) No person shall make a contribution to a campaign
committee, political action committee, political contributing
entity, legislative campaign fund, political party, or person

making disbursements to pay the direct costs of producing or 10701
airing electioneering communications in the name of another 10702
person. 10703

(b) A person does not make a contribution in the name of 10704
another when either of the following applies: 10705

(i) An individual makes a contribution from a partnership or 10706
other unincorporated business account, if the contribution is 10707
reported by listing both the name of the partnership or other 10708
unincorporated business and the name of the partner or owner 10709
making the contribution as required under division (I) of section 10710
3517.10 of the Revised Code. 10711

(ii) A person makes a contribution in that person's spouse's 10712
name or in both of their names. 10713

(H) No person within this state, publishing a newspaper or 10714
other periodical, shall charge a campaign committee for political 10715
advertising a rate in excess of the rate such person would charge 10716
if the campaign committee were a general rate advertiser whose 10717
advertising was directed to promoting its business within the same 10718
area as that encompassed by the particular office that the 10719
candidate of the campaign committee is seeking. The rate shall 10720
take into account the amount of space used, as well as the type of 10721
advertising copy submitted by or on behalf of the campaign 10722
committee. All discount privileges otherwise offered by a 10723
newspaper or periodical to general rate advertisers shall be 10724
available upon equal terms to all campaign committees. 10725

No person within this state, operating a radio or television 10726
station or network of stations in this state, shall charge a 10727
campaign committee for political broadcasts a rate that exceeds: 10728

(1) During the forty-five days preceding the date of a 10729
primary election and during the sixty days preceding the date of a 10730
general or special election in which the candidate of the campaign 10731

committee is seeking office, the lowest unit charge of the station 10732
for the same class and amount of time for the same period; 10733

(2) At any other time, the charges made for comparable use of 10734
that station by its other users. 10735

(I) Subject to divisions (K), (L), (M), and (N) of this 10736
section, no agency or department of this state or any political 10737
subdivision shall award any contract, other than one let by 10738
competitive bidding or a contract incidental to such contract or 10739
which is by force account, for the purchase of goods costing more 10740
than five hundred dollars or services costing more than five 10741
hundred dollars to any individual, partnership, association, 10742
including, without limitation, a professional association 10743
organized under Chapter 1785. of the Revised Code, estate, or 10744
trust if the individual has made or the individual's spouse has 10745
made, or any partner, shareholder, administrator, executor, or 10746
trustee or the spouse of any of them has made, as an individual, 10747
within the two previous calendar years, one or more contributions 10748
totaling in excess of one thousand dollars to the holder of the 10749
public office having ultimate responsibility for the award of the 10750
contract or to the public officer's campaign committee. 10751

(J) Subject to divisions (K), (L), (M), and (N) of this 10752
section, no agency or department of this state or any political 10753
subdivision shall award any contract, other than one let by 10754
competitive bidding or a contract incidental to such contract or 10755
which is by force account, for the purchase of goods costing more 10756
than five hundred dollars or services costing more than five 10757
hundred dollars to a corporation or business trust, except a 10758
professional association organized under Chapter 1785. of the 10759
Revised Code, if an owner of more than twenty per cent of the 10760
corporation or business trust or the spouse of that person has 10761
made, as an individual, within the two previous calendar years, 10762
taking into consideration only owners for all of that period, one 10763

or more contributions totaling in excess of one thousand dollars 10764
to the holder of a public office having ultimate responsibility 10765
for the award of the contract or to the public officer's campaign 10766
committee. 10767

(K) For purposes of divisions (I) and (J) of this section, if 10768
a public officer who is responsible for the award of a contract is 10769
appointed by the governor, whether or not the appointment is 10770
subject to the advice and consent of the senate, excluding members 10771
of boards, commissions, committees, authorities, councils, boards 10772
of trustees, task forces, and other such entities appointed by the 10773
governor, the office of the governor is considered to have 10774
ultimate responsibility for the award of the contract. 10775

(L) For purposes of divisions (I) and (J) of this section, if 10776
a public officer who is responsible for the award of a contract is 10777
appointed by the elected chief executive officer of a municipal 10778
corporation, or appointed by the elected chief executive officer 10779
of a county operating under an alternative form of county 10780
government or county charter, excluding members of boards, 10781
commissions, committees, authorities, councils, boards of 10782
trustees, task forces, and other such entities appointed by the 10783
chief executive officer, the office of the chief executive officer 10784
is considered to have ultimate responsibility for the award of the 10785
contract. 10786

(M)(1) Divisions (I) and (J) of this section do not apply to 10787
contracts awarded by the board of commissioners of the sinking 10788
fund, municipal legislative authorities, boards of education, 10789
boards of county commissioners, boards of township trustees, or 10790
other boards, commissions, committees, authorities, councils, 10791
boards of trustees, task forces, and other such entities created 10792
by law, by the supreme court or courts of appeals, by county 10793
courts consisting of more than one judge, courts of common pleas 10794
consisting of more than one judge, or municipal courts consisting 10795

of more than one judge, or by a division of any court if the
division consists of more than one judge. This division shall
apply to the specified entity only if the members of the entity
act collectively in the award of a contract for goods or services.

(2) Divisions (I) and (J) of this section do not apply to
actions of the controlling board.

(N)(1) Divisions (I) and (J) of this section apply to
contributions made to the holder of a public office having
ultimate responsibility for the award of a contract, or to the
public officer's campaign committee, during the time the person
holds the office and during any time such person was a candidate
for the office. Those divisions do not apply to contributions made
to, or to the campaign committee of, a candidate for or holder of
the office other than the holder of the office at the time of the
award of the contract.

(2) Divisions (I) and (J) of this section do not apply to
contributions of a partner, shareholder, administrator, executor,
trustee, or owner of more than twenty per cent of a corporation or
business trust made before the person held any of those positions
or after the person ceased to hold any of those positions in the
partnership, association, estate, trust, corporation, or business
trust whose eligibility to be awarded a contract is being
determined, nor to contributions of the person's spouse made
before the person held any of those positions, after the person
ceased to hold any of those positions, before the two were
married, after the granting of a decree of divorce, dissolution of
marriage, or annulment, or after the granting of an order in an
action brought solely for legal separation. Those divisions do not
apply to contributions of the spouse of an individual whose
eligibility to be awarded a contract is being determined made
before the two were married, after the granting of a decree of
divorce, dissolution of marriage, or annulment, or after the

granting of an order in an action brought solely for legal 10828
separation. 10829

(0) No beneficiary of a campaign fund or other person shall 10830
convert for personal use, and no person shall knowingly give to a 10831
beneficiary of a campaign fund or any other person, for the 10832
beneficiary's or any other person's personal use, anything of 10833
value from the beneficiary's campaign fund, including, without 10834
limitation, payments to a beneficiary for services the beneficiary 10835
personally performs, except as reimbursement for any of the 10836
following: 10837

(1) Legitimate and verifiable prior campaign expenses 10838
incurred by the beneficiary; 10839

(2) Legitimate and verifiable ordinary and necessary prior 10840
expenses incurred by the beneficiary in connection with duties as 10841
the holder of a public office, including, without limitation, 10842
expenses incurred through participation in nonpartisan or 10843
bipartisan events if the participation of the holder of a public 10844
office would normally be expected; 10845

(3) Legitimate and verifiable ordinary and necessary prior 10846
expenses incurred by the beneficiary while doing any of the 10847
following: 10848

(a) Engaging in activities in support of or opposition to a 10849
candidate other than the beneficiary, political party, or ballot 10850
issue; 10851

(b) Raising funds for a political party, political action 10852
committee, political contributing entity, legislative campaign 10853
fund, campaign committee, or other candidate; 10854

(c) Participating in the activities of a political party, 10855
political action committee, political contributing entity, 10856
legislative campaign fund, or campaign committee; 10857

(d) Attending a political party convention or other political 10858
meeting. 10859

For purposes of this division, an expense is incurred 10860
whenever a beneficiary has either made payment or is obligated to 10861
make payment, as by the use of a credit card or other credit 10862
procedure or by the use of goods or services received on account. 10863

(P) No beneficiary of a campaign fund shall knowingly accept, 10864
and no person shall knowingly give to the beneficiary of a 10865
campaign fund, reimbursement for an expense under division (O) of 10866
this section to the extent that the expense previously was 10867
reimbursed or paid from another source of funds. If an expense is 10868
reimbursed under division (O) of this section and is later paid or 10869
reimbursed, wholly or in part, from another source of funds, the 10870
beneficiary shall repay the reimbursement received under division 10871
(O) of this section to the extent of the payment made or 10872
reimbursement received from the other source. 10873

(Q) No candidate or public official or employee shall accept 10874
for personal or business use anything of value from a political 10875
party, political action committee, political contributing entity, 10876
legislative campaign fund, or campaign committee other than the 10877
candidate's or public official's or employee's own campaign 10878
committee, and no person shall knowingly give to a candidate or 10879
public official or employee anything of value from a political 10880
party, political action committee, political contributing entity, 10881
legislative campaign fund, or such a campaign committee, except 10882
for the following: 10883

(1) Reimbursement for legitimate and verifiable ordinary and 10884
necessary prior expenses not otherwise prohibited by law incurred 10885
by the candidate or public official or employee while engaged in 10886
any legitimate activity of the political party, political action 10887
committee, political contributing entity, legislative campaign 10888

fund, or such campaign committee. Without limitation, reimbursable
expenses under this division include those incurred while doing
any of the following:

(a) Engaging in activities in support of or opposition to
another candidate, political party, or ballot issue;

(b) Raising funds for a political party, legislative campaign
fund, campaign committee, or another candidate;

(c) Attending a political party convention or other political
meeting.

(2) Compensation not otherwise prohibited by law for actual
and valuable personal services rendered under a written contract
to the political party, political action committee, political
contributing entity, legislative campaign fund, or such campaign
committee for any legitimate activity of the political party,
political action committee, political contributing entity,
legislative campaign fund, or such campaign committee.

Reimbursable expenses under this division do not include, and
it is a violation of this division for a candidate or public
official or employee to accept, or for any person to knowingly
give to a candidate or public official or employee from a
political party, political action committee, political
contributing entity, legislative campaign fund, or campaign
committee other than the candidate's or public official's or
employee's own campaign committee, anything of value for
activities primarily related to the candidate's or public
official's or employee's own campaign for election, except for
contributions to the candidate's or public official's or
employee's campaign committee.

For purposes of this division, an expense is incurred
whenever a candidate or public official or employee has either
made payment or is obligated to make payment, as by the use of a

credit card or other credit procedure, or by the use of goods or 10920
services on account. 10921

(R)(1) Division (O) or (P) of this section does not prohibit 10922
a campaign committee from making direct advance or post payment 10923
from contributions to vendors for goods and services for which 10924
reimbursement is permitted under division (O) of this section, 10925
except that no campaign committee shall pay its candidate or other 10926
beneficiary for services personally performed by the candidate or 10927
other beneficiary. 10928

(2) If any expense that may be reimbursed under division (O), 10929
(P), or (Q) of this section is part of other expenses that may not 10930
be paid or reimbursed, the separation of the two types of expenses 10931
for the purpose of allocating for payment or reimbursement those 10932
expenses that may be paid or reimbursed may be by any reasonable 10933
accounting method, considering all of the surrounding 10934
circumstances. 10935

(3) For purposes of divisions (O), (P), and (Q) of this 10936
section, mileage allowance at a rate not greater than that allowed 10937
by the internal revenue service at the time the travel occurs may 10938
be paid instead of reimbursement for actual travel expenses 10939
allowable. 10940

(S)(1) As used in division (S) of this section: 10941

(a) "State elective office" has the same meaning as in 10942
section 3517.092 of the Revised Code. 10943

(b) "Federal office" means a federal office as defined in the 10944
Federal Election Campaign Act. 10945

(c) "Federal campaign committee" means a principal campaign 10946
committee or authorized committee as defined in the Federal 10947
Election Campaign Act. 10948

(2) No person who is a candidate for state elective office 10949

and who previously sought nomination or election to a federal
office shall transfer any funds or assets from that person's
federal campaign committee for nomination or election to the
federal office to that person's campaign committee as a candidate
for state elective office.

(3) No campaign committee of a person who is a candidate for
state elective office and who previously sought nomination or
election to a federal office shall accept any funds or assets from
that person's federal campaign committee for that person's
nomination or election to the federal office.

(T)(1) Except as otherwise provided in division (B)(6)(c) of
section 3517.102 of the Revised Code, a state or county political
party shall not disburse moneys from any account other than a
state candidate fund to make contributions to any of the
following:

(a) A state candidate fund;

(b) A legislative campaign fund;

(c) A campaign committee of a candidate for the office of
governor, lieutenant governor, secretary of state, auditor of
state, treasurer of state, attorney general, member of the state
board of education, or member of the general assembly.

(2) No state candidate fund, legislative campaign fund, or
campaign committee of a candidate for any office described in
division (T)(1)(c) of this section shall knowingly accept a
contribution in violation of division (T)(1) of this section.

(U) No person shall fail to file ~~the~~ a statement required
under section 3517.12 of the Revised Code.

(V) No campaign committee shall fail to file a statement
required under division (K)(3) of section 3517.10 of the Revised
Code.

(W)(1) No foreign national shall, directly or indirectly 10980
through any other person or entity, make a contribution, 10981
expenditure, or independent expenditure or promise, either 10982
expressly or implicitly, to make a contribution, expenditure, or 10983
independent expenditure in support of or opposition to a candidate 10984
for any elective office in this state, including an office of a 10985
political party. 10986

(2) No candidate, campaign committee, political action 10987
committee, political contributing entity, legislative campaign 10988
fund, state candidate fund, political party, or separate 10989
segregated fund shall solicit or accept a contribution, 10990
expenditure, or independent expenditure from a foreign national. 10991
The secretary of state may direct any candidate, committee, 10992
entity, fund, or party that accepts a contribution, expenditure, 10993
or independent expenditure in violation of this division to return 10994
the contribution, expenditure, or independent expenditure or, if 10995
it is not possible to return the contribution, expenditure, or 10996
independent expenditure, then to return instead the value of it, 10997
to the contributor. 10998

(3) As used in division (W) of this section, "foreign 10999
national" has the same meaning as in section 441e(b) of the 11000
Federal Election Campaign Act. 11001

(X)(1) No state or county political party shall transfer any 11002
moneys from its restricted fund to any account of the political 11003
party into which contributions may be made or from which 11004
contributions or expenditures may be made. 11005

(2)(a) No state or county political party shall deposit a 11006
contribution or contributions that it receives into its restricted 11007
fund. 11008

(b) No state or county political party shall make a 11009
contribution or an expenditure from its restricted fund. 11010

(3)(a) No corporation or labor organization shall make a gift 11011
or gifts from the corporation's or labor organization's money or 11012
property aggregating more than ten thousand dollars to any one 11013
state or county political party for the party's restricted fund in 11014
a calendar year. 11015

(b) No state or county political party shall accept a gift or 11016
gifts for the party's restricted fund aggregating more than ten 11017
thousand dollars from any one corporation or labor organization in 11018
a calendar year. 11019

(4) No state or county political party shall transfer any 11020
moneys in the party's restricted fund to any other state or county 11021
political party. 11022

(5) No state or county political party shall knowingly fail 11023
to file a statement required under section 3517.1012 of the 11024
Revised Code. 11025

(Y) The administrator of workers' compensation and the 11026
employees of the bureau of workers' compensation shall not conduct 11027
any business with or award any contract, other than one awarded by 11028
competitive bidding, for the purchase of goods costing more than 11029
five hundred dollars or services costing more than five hundred 11030
dollars to any individual, partnership, association, including, 11031
without limitation, a professional association organized under 11032
Chapter 1785. of the Revised Code, estate, or trust, if the 11033
individual has made, or the individual's spouse has made, or any 11034
partner, shareholder, administrator, executor, or trustee, or the 11035
spouses of any of those individuals has made, as an individual, 11036
within the two previous calendar years, one or more contributions 11037
totaling in excess of one thousand dollars to the campaign 11038
committee of the governor or lieutenant governor or to the 11039
campaign committee of any candidate for the office of governor or 11040
lieutenant governor. 11041

(Z) The administrator of workers' compensation and the 11042
employees of the bureau of workers' compensation shall not conduct 11043
business with or award any contract, other than one awarded by 11044
competitive bidding, for the purchase of goods costing more than 11045
five hundred dollars or services costing more than five hundred 11046
dollars to a corporation or business trust, except a professional 11047
association organized under Chapter 1785. of the Revised Code, if 11048
an owner of more than twenty per cent of the corporation or 11049
business trust, or the spouse of the owner, has made, as an 11050
individual, within the two previous calendar years, taking into 11051
consideration only owners for all of such period, one or more 11052
contributions totaling in excess of one thousanddollars to the 11053
campaign committee of the governor or lieutenant governor or to 11054
the campaign committee of any candidate for the office of governor 11055
or lieutenant governor. 11056

Sec. 3517.153. (A) Upon the filing of a complaint with the 11057
Ohio elections commission, which shall be made by affidavit of any 11058
person, on personal knowledge, and subject to the penalties for 11059
perjury, or upon the filing of a complaint made by the secretary 11060
of state or an official at the board of elections, setting forth a 11061
failure to comply with or a violation of any provision in sections 11062
3517.08 to 3517.13, 3517.17, 3517.18, 3517.20 to 3517.22, 3599.03, 11063
or 3599.031 of the Revised Code, the commission shall proceed in 11064
accordance with sections 3517.154 to 3517.157 of the Revised Code. 11065

(B) The commission shall prescribe the form for complaints 11066
made under division (A) of this section. The secretary of state 11067
and boards of elections shall furnish the information that the 11068
commission requests. The commission or a member of the commission 11069
may administer oaths, and the commission may issue subpoenas to 11070
any person in the state compelling the attendance of witnesses and 11071
the production of relevant papers, books, accounts, and reports. 11072

Section 101.42 of the Revised Code governs the issuance of
subpoenas insofar as applicable. Upon the refusal of any person to
obey a subpoena or to be sworn or to answer as a witness, the
commission may apply to the court of common pleas of Franklin
county under section 2705.03 of the Revised Code. The court shall
hold proceedings in accordance with Chapter 2705. of the Revised
Code.

(C) No prosecution shall commence for a violation of a
provision in sections 3517.08 to 3517.13, 3517.17, 3517.18,
3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised Code
unless a complaint has been filed with the commission under this
section and all proceedings of the commission or a panel of the
commission, as appropriate, under sections 3517.154 to 3517.157 of
the Revised Code are completed.

(D) The commission may recommend legislation and render
advisory opinions concerning sections 3517.08, 3517.082, 3517.092,
3517.102, 3517.103, 3517.105, 3517.13, 3517.18, 3517.20 to
3517.22, 3599.03, and 3599.031 of the Revised Code for persons
over whose acts it has or may have jurisdiction. When the
commission renders an advisory opinion relating to a specific set
of circumstances involving any of those sections stating that
there is no violation of a provision in those sections, the person
to whom the opinion is directed or a person who is similarly
situated may reasonably rely on the opinion and is immune from
criminal prosecution and a civil action, including, without
limitation, a civil action for removal from public office or
employment, based on facts and circumstances covered by the
opinion.

(E) The commission shall establish a web site on which it
shall post, at a minimum, all decisions and advisory opinions
issued by the commission and copies of each election law as it is
amended by the general assembly. The commission shall update the

web site regularly to reflect any changes to those decisions and 11105
advisory opinions and any new decisions and advisory opinions. 11106

Sec. 3517.992. This section establishes penalties only with 11107
respect to acts or failures to act that occur on and after August 11108
24, 1995. 11109

(A)(1) A candidate whose campaign committee violates division 11110
(A), (B), (C), (D), or (V) of section 3517.13 of the Revised Code, 11111
or a treasurer of a campaign committee who violates any of those 11112
divisions, shall be fined not more than one hundred dollars for 11113
each day of violation. 11114

(2) Whoever violates division (E) or (X)(5) of section 11115
3517.13 of the Revised Code shall be fined not more than one 11116
hundred dollars for each day of violation. 11117

(B) A political party that violates division (F)(1) of 11118
section 3517.101 of the Revised Code shall be fined not more than 11119
one hundred dollars for each day of violation. 11120

(C) Whoever violates division (F)(2) of section 3517.101 or 11121
division (G) of section 3517.13 of the Revised Code shall be fined 11122
not more than ten thousand dollars or, if the offender is a person 11123
who was nominated or elected to public office, shall forfeit the 11124
nomination or the office to which the offender was elected, or 11125
both. 11126

(D) Whoever violates division (F) of section 3517.13 of the 11127
Revised Code shall be fined not more than three times the amount 11128
contributed. 11129

(E) Whoever violates division (H) of section 3517.13 of the 11130
Revised Code shall be fined not more than one hundred dollars. 11131

(F) Whoever violates division (O), (P), or (Q) of section 11132
3517.13 of the Revised Code is guilty of a misdemeanor of the 11133
first degree. 11134

(G) A state or county committee of a political party that 11135
violates division (B)(1) of section 3517.18 of the Revised Code 11136
shall be fined not more than twice the amount of the improper 11137
expenditure. 11138

(H) A state or county political party that violates division 11139
(G) of section 3517.101 of the Revised Code shall be fined not 11140
more than twice the amount of the improper expenditure or use. 11141

(I)(1) Any individual who violates division (B)(1) of section 11142
3517.102 of the Revised Code and knows that the contribution the 11143
individual makes violates that division shall be fined an amount 11144
equal to three times the amount contributed in excess of the 11145
amount permitted by that division. 11146

(2) Any political action committee that violates division 11147
(B)(2) of section 3517.102 of the Revised Code shall be fined an 11148
amount equal to three times the amount contributed in excess of 11149
the amount permitted by that division. 11150

(3) Any campaign committee that violates division (B)(3) or 11151
(5) of section 3517.102 of the Revised Code shall be fined an 11152
amount equal to three times the amount contributed in excess of 11153
the amount permitted by that division. 11154

(4)(a) Any legislative campaign fund that violates division 11155
(B)(6) of section 3517.102 of the Revised Code shall be fined an 11156
amount equal to three times the amount transferred or contributed 11157
in excess of the amount permitted by that division, as applicable. 11158

(b) Any state political party, county political party, or 11159
state candidate fund of a state political party or county 11160
political party that violates division (B)(6) of section 3517.102 11161
of the Revised Code shall be fined an amount equal to three times 11162
the amount transferred or contributed in excess of the amount 11163
permitted by that division, as applicable. 11164

(c) Any political contributing entity that violates division 11165
(B)(7) of section 3517.102 of the Revised Code shall be fined an 11166
amount equal to three times the amount contributed in excess of 11167
the amount permitted by that division. 11168

(5) Any political party that violates division (B)(4) of 11169
section 3517.102 of the Revised Code shall be fined an amount 11170
equal to three times the amount contributed in excess of the 11171
amount permitted by that division. 11172

(6) Notwithstanding divisions (I)(1), (2), (3), (4), and (5) 11173
of this section, no violation of division (B) of section 3517.102 11174
of the Revised Code occurs, and the secretary of state shall not 11175
refer parties to the Ohio elections commission, if the amount 11176
transferred or contributed in excess of the amount permitted by 11177
that division meets either of the following conditions: 11178

(a) It is completely refunded within five business days after 11179
it is accepted. 11180

(b) It is completely refunded on or before the tenth business 11181
day after notification to the recipient of the excess transfer or 11182
contribution by the board of elections or the secretary of state 11183
that a transfer or contribution in excess of the permitted amount 11184
has been received. 11185

(J)(1) Any campaign committee that violates division (C)(1), 11186
(2), (3), or (6) of section 3517.102 of the Revised Code shall be 11187
fined an amount equal to three times the amount accepted in excess 11188
of the amount permitted by that division. 11189

(2)(a) Any county political party that violates division 11190
(C)(4)(a)(ii) or (iii) of section 3517.102 of the Revised Code 11191
shall be fined an amount equal to three times the amount accepted. 11192

(b) Any county political party that violates division 11193
(C)(4)(a)(i) of section 3517.102 of the Revised Code shall be 11194

fined an amount from its state candidate fund equal to three times 11195
the amount accepted in excess of the amount permitted by that 11196
division. 11197

(c) Any state political party that violates division 11198
(C)(4)(b) of section 3517.102 of the Revised Code shall be fined 11199
an amount from its state candidate fund equal to three times the 11200
amount accepted in excess of the amount permitted by that 11201
division. 11202

(3) Any legislative campaign fund that violates division 11203
(C)(5) of section 3517.102 of the Revised Code shall be fined an 11204
amount equal to three times the amount accepted in excess of the 11205
amount permitted by that division. 11206

(4) Any political action committee or political contributing 11207
entity that violates division (C)(7) of section 3517.102 of the 11208
Revised Code shall be fined an amount equal to three times the 11209
amount accepted in excess of the amount permitted by that 11210
division. 11211

(5) Notwithstanding divisions (J)(1), (2), (3), and (4) of 11212
this section, no violation of division (C) of section 3517.102 of 11213
the Revised Code occurs, and the secretary of state shall not 11214
refer parties to the Ohio elections commission, if the amount 11215
transferred or contributed in excess of the amount permitted to be 11216
accepted by that division meets either of the following 11217
conditions: 11218

(a) It is completely refunded within five business days after 11219
its acceptance. 11220

(b) It is completely refunded on or before the tenth business 11221
day after notification to the recipient of the excess transfer or 11222
contribution by the board of elections or the secretary of state 11223
that a transfer or contribution in excess of the permitted amount 11224
has been received. 11225

(K)(1) Any legislative campaign fund that violates division 11226
(F)(1) of section 3517.102 of the Revised Code shall be fined 11227
twenty-five dollars for each day of violation. 11228

(2) Any legislative campaign fund that violates division 11229
(F)(2) of section 3517.102 of the Revised Code shall give to the 11230
treasurer of state for deposit into the state treasury to the 11231
credit of the Ohio elections commission fund all excess 11232
contributions not disposed of as required by division (E) of 11233
section 3517.102 of the Revised Code. 11234

(L) Whoever violates section 3517.105 of the Revised Code 11235
shall be fined one thousand dollars. 11236

(M)(1) Whoever solicits a contribution in violation of 11237
section 3517.092 or violates division (B) of section 3517.09 of 11238
the Revised Code is guilty of a misdemeanor of the first degree. 11239

(2) Whoever knowingly accepts a contribution in violation of 11240
~~division (B) or (C) of~~ section 3517.092 of the Revised Code shall 11241
be fined an amount equal to three times the amount accepted in 11242
~~violation of either of those divisions~~ excess of the amount 11243
permitted by that section and shall return to the contributor any 11244
amount ~~so~~ accepted in excess of the amount permitted by that 11245
section. Whoever unknowingly accepts a contribution in violation 11246
of ~~division (B) or (C) of~~ section 3517.092 of the Revised Code 11247
shall return to the contributor any amount ~~so~~ accepted in excess 11248
of the amount permitted by that section. 11249

(N) Whoever violates division (S) of section 3517.13 of the 11250
Revised Code shall be fined an amount equal to three times the 11251
amount of funds transferred or three times the value of the assets 11252
transferred in violation of that division. 11253

(O) Any campaign committee that accepts a contribution or 11254
contributions in violation of section 3517.108 of the Revised 11255
Code, uses a contribution in violation of that section, or fails 11256

to dispose of excess contributions in violation of that section 11257
shall be fined an amount equal to three times the amount accepted, 11258
used, or kept in violation of that section. 11259

(P) Any political party, state candidate fund, legislative 11260
candidate fund, or campaign committee that violates division (T) 11261
of section 3517.13 of the Revised Code shall be fined an amount 11262
equal to three times the amount contributed or accepted in 11263
violation of that section. 11264

(Q) A treasurer of a committee or another person who violates 11265
division (U) of section 3517.13 of the Revised Code shall be fined 11266
not more than two hundred fifty dollars. 11267

(R) Whoever violates division (I) or (J) of section 3517.13 11268
of the Revised Code shall be fined not more than one thousand 11269
dollars. Whenever a person is found guilty of violating division 11270
(I) or (J) of section 3517.13 of the Revised Code, the contract 11271
awarded in violation of either of those divisions shall be 11272
rescinded if its terms have not yet been performed. 11273

(S) A candidate whose campaign committee violates or a 11274
treasurer of a campaign committee who violates section 3517.081 of 11275
the Revised Code, and a candidate whose campaign committee 11276
violates or a treasurer of a campaign committee or another person 11277
who violates division (C) of section 3517.10 of the Revised Code, 11278
shall be fined not more than five hundred dollars. 11279

(T) A candidate whose campaign committee violates or a 11280
treasurer of a committee who violates division (B) of section 11281
3517.09 of the Revised Code, or a candidate whose campaign 11282
committee violates or a treasurer of a campaign committee or 11283
another person who violates division (C) of section 3517.09 of the 11284
Revised Code shall be fined not more than one thousand dollars. 11285

(U) Whoever violates section 3517.20 of the Revised Code 11286
shall be fined not more than five hundred dollars. 11287

(V) Whoever violates section 3517.21 or 3517.22 of the Revised Code shall be imprisoned for not more than six months or fined not more than five thousand dollars, or both.

(W) A campaign committee that is required to file a declaration of no limits under division (D)(2) of section 3517.103 of the Revised Code that, before filing that declaration, accepts a contribution or contributions that exceed the limitations prescribed in section 3517.102 of the Revised Code, shall return that contribution or those contributions to the contributor.

(X) Any campaign committee that fails to file the declaration of filing-day finances required by division (F) of section 3517.109 or the declaration of primary-day finances or declaration of year-end finances required by division (E) of section 3517.1010 of the Revised Code shall be fined twenty-five dollars for each day of violation.

(Y) Any campaign committee that fails to dispose of excess funds or excess aggregate contributions under division (B) of section 3517.109 of the Revised Code in the manner required by division (C) of that section or under division (B) of section 3517.1010 of the Revised Code in the manner required by division (C) of that section shall give to the treasurer of state for deposit into the Ohio elections commission fund created under division (I) of section 3517.152 of the Revised Code all funds not disposed of pursuant to those divisions.

(Z) Any individual, campaign committee, political action committee, political contributing entity, legislative campaign fund, political party, or other entity that violates any provision of sections 3517.09 to 3517.12 of the Revised Code for which no penalty is provided for under any other division of this section shall be fined not more than one thousand dollars.

(AA)(1) Whoever knowingly violates division (W)(1) of section

3517.13 of the Revised Code shall be fined an amount equal to 11319
three times the amount contributed, expended, or promised in 11320
violation of that division or ten thousand dollars, whichever 11321
amount is greater. 11322

(2) Whoever knowingly violates division (W)(2) of section 11323
3517.13 of the Revised Code shall be fined an amount equal to 11324
three times the amount solicited or accepted in violation of that 11325
division or ten thousand dollars, whichever amount is greater. 11326

(BB) Whoever knowingly violates division (C) or (D) of 11327
section 3517.1011 of the Revised Code shall be fined not more than 11328
ten thousand dollars plus not more than one thousand dollars for 11329
each day of violation. 11330

(CC)(1) Subject to division (CC)(2) of this section, whoever 11331
violates division (H) of section 3517.1011 of the Revised Code 11332
shall be fined an amount up to three times the amount disbursed 11333
for the direct costs of airing the communication made in violation 11334
of that division. 11335

(2) Whoever has been ordered by the Ohio elections commission 11336
or by a court of competent jurisdiction to cease making 11337
communications in violation of division (H) of section 3517.1011 11338
of the Revised Code who again violates that division shall be 11339
fined an amount equal to three times the amount disbursed for the 11340
direct costs of airing the communication made in violation of that 11341
division. 11342

(DD)(1) Any corporation or labor organization that violates 11343
division (X)(3)(a) of section 3517.13 of the Revised Code shall be 11344
fined an amount equal to three times the amount given in excess of 11345
the amount permitted by that division. 11346

(2) Any state or county political party that violates 11347
division (X)(3)(b) of section 3517.13 of the Revised Code shall be 11348
fined an amount equal to three times the amount accepted in excess 11349

of the amount permitted by that division. 11350

Sec. 3519.01. (A) ~~Whoever~~ Only one proposal of law or 11351
constitutional amendment to be proposed by initiative petition 11352
shall be contained in an initiative petition to enable the voters 11353
to vote on that proposal separately. A petition shall include the 11354
text of any existing statute or constitutional provision that 11355
would be amended or repealed if the proposed law or constitutional 11356
amendment is adopted. 11357

Whoever seeks to propose a law or constitutional amendment by 11358
initiative petition shall, by a written petition signed by one 11359
~~hundred thousand~~ qualified electors, submit the proposed law or 11360
constitutional amendment and a summary of it to the attorney 11361
general for examination. Within ten days after the receipt of the 11362
written petition and the summary of it, the attorney general shall 11363
conduct an examination of the summary. If, in the opinion of the 11364
attorney general, the summary is a fair and truthful statement of 11365
the proposed law or constitutional amendment, ~~he~~ the attorney 11366
general shall so certify and then forward the submitted petition 11367
to the Ohio ballot board for its approval under division (A) of 11368
section 3505.062 of the Revised Code. A If the Ohio ballot board 11369
returns the submitted petition to the attorney general with its 11370
certification as described in that division, the attorney general 11371
shall then file with the secretary of state a verified copy of the 11372
proposed law or constitutional amendment, together with the its 11373
summary and the attorney general's certification, ~~shall then be~~ 11374
~~filed with the secretary of state.~~ 11375

Whenever the Ohio ballot board divides an initiative petition 11376
into individual petitions containing only proposed law or 11377
constitutional amendment under division (A) of section 3505.062 of 11378
the Revised Code resulting in the need for the petitioners to 11379
resubmit to the attorney general appropriate summaries for each of 11380

the individual petitions arising from the board's division of the 11381
initiative petition, the attorney general shall review the 11382
resubmitted summaries, within ten days after their receipt, to 11383
determine if they are a fair and truthful statement of the 11384
respective proposed laws or constitutional amendments and, if so, 11385
certify them. These resubmissions shall contain no new 11386
explanations or arguments. Then, the attorney general shall file 11387
with the secretary of state a verified copy of each of the 11388
proposed laws or constitutional amendments together with their 11389
respective summaries and the attorney general's certification of 11390
each. 11391

(B)(1) Whoever seeks to file a referendum petition against 11392
any law, section, or item in any law shall, by a written petition 11393
signed by one ~~hundred~~ thousand qualified electors, submit the 11394
measure to be referred and a summary of it to the secretary of 11395
state and, on the same day or within one business day before or 11396
after that day, submit a copy of the petition, measure, and 11397
summary to the attorney general. 11398

(2) Not later than ten business days after receiving the 11399
petition, measure, and summary, the secretary of state shall do 11400
both of the following: 11401

(a) Have the validity of the signatures on the petition 11402
verified; 11403

(b) After comparing the text of the measure to be referred 11404
with the copy of the enrolled ~~bill~~ act on file in ~~his~~ the 11405
secretary of state's office containing the law, section, or item 11406
of law, determine whether the text is correct and, if it is, so 11407
certify. 11408

(3) Not later than ten business days after receiving a copy 11409
of the petition, measure, and summary, the attorney general shall 11410
examine the summary and, if in ~~his~~ the attorney general's opinion, 11411

the summary is a fair and truthful statement of the measure to be 11412
referred, so certify. 11413

(C) Any person who is aggrieved by a certification decision 11414
under division (A) or (B) of this section may challenge the 11415
certification or failure to certify of the attorney general in the 11416
supreme court, which shall have exclusive, original jurisdiction 11417
in all challenges of those certification decisions. 11418

Sec. 3519.03. (A) The committee named in a initiative 11419
petition may prepare the argument or explanation, or both, in 11420
favor of the measure proposed, and the committee named in a 11421
referendum petition may prepare the argument or explanation, or 11422
both, against any law or section or item of law. The persons who 11423
prepare the argument or explanation, or both, in opposition to the 11424
initiated proposal, or the argument or explanation, or both, in 11425
favor of the measure to be referred shall be named by the general 11426
assembly, if it is in session, or by the governor, if the general 11427
assembly is not in session. Such argument or explanation, or both, 11428
shall not exceed three hundred words and shall be filed with the 11429
secretary of state at least ~~seventy-five~~ eighty days prior to the 11430
date of the election at which the measure is to be voted upon. 11431

(B)(1) If the committee named in an initiative petition, the 11432
committee named in a referendum petition, or other persons 11433
designated under division (A) of this section fail to prepare and 11434
file their arguments or explanations by the ~~seventy-fifth~~ 11435
eightieth day before the date of the election, the secretary of 11436
state shall notify the Ohio ballot board that those arguments or 11437
explanations have not been so prepared and filed. The board then 11438
shall prepare the missing arguments or explanations or designate a 11439
group of persons to prepare those arguments or explanations. All 11440
arguments or explanations prepared under this division shall be 11441
filed with the secretary of state no later than ~~seventy~~ 11442

seventy-five days before the date of the election. No argument or 11443
explanation shall exceed three hundred words. 11444

(2) If the Ohio ballot board fails to provide for the 11445
preparation of missing arguments or explanations under division 11446
(B)(1) of this section after being notified by the secretary of 11447
state that one or more arguments or explanations have not been 11448
timely prepared and filed, the positions of the four appointed 11449
members of the board shall be considered vacant, and new members 11450
shall be appointed in the manner provided for original 11451
appointments. 11452

Sec. 3519.04. ~~Upon~~ Within two days after receipt, under 11453
division (A) of section 3519.01 of the Revised Code, of the 11454
verified copy of a proposed state law or constitutional amendment 11455
proposing the levy of any tax or involving a matter that will 11456
necessitate the expenditure of any funds of the state or any 11457
political subdivision of the state, the secretary of state shall 11458
request of the office of budget and management an estimate of any 11459
annual expenditure of public funds proposed and of the tax 11460
commissioner the annual yield of any proposed taxes. The office of 11461
budget and management, on receipt of a request for an estimate of 11462
the annual expenditure of public funds proposed, shall prepare the 11463
estimate and file it in the office of the secretary of state. The 11464
tax commissioner, on receipt of a request for an estimate of the 11465
annual yield of any proposed taxes, shall prepare the estimate and 11466
file it in the office of the secretary of state. The office of 11467
budget and management and the tax commissioner may issue a joint 11468
estimate if the proposed state law or constitutional amendment 11469
necessitates both the expenditure of public funds and a levy of 11470
any tax. 11471

Upon receipt of an estimate of the annual expenditure of 11472
public funds proposed from the office of budget and management, an 11473

estimate of the annual yield of any proposed taxes from the tax 11474
commissioner, or a joint estimate of the annual expenditure of 11475
public funds proposed and the annual yield of any proposed taxes 11476
from the office of budget and management and the tax commissioner, 11477
the secretary of state shall post the estimate on a web site of 11478
the office of secretary of state for thirty days before the 11479
election at which the proposed state law or constitutional 11480
amendment will be voted upon. 11481

Sec. 3519.05. If the measure to be submitted proposes a 11482
constitutional amendment, the heading of each part of the petition 11483
shall be prepared in the following form, and printed in capital 11484
letters in type of the approximate size set forth: 11485

"INITIATIVE PETITION 11486

Number 11487

Issued to 11488

(Name of solicitor) 11489

Date of issuance 11490

..... 11491

Amendment to the Constitution 11492

Proposed by Initiative Petition 11493

To be submitted directly to the electors" 11494

"Amendment" printed in fourteen-point boldface type shall 11495
precede the title, which shall be briefly expressed and printed in 11496
eight-point type. The summary shall then be set forth printed in 11497
ten-point type, and then shall follow the certification of the 11498
attorney general, under proper date, which shall also be printed 11499
in ten-point type. The petition shall then set forth the names and 11500
addresses of the committee of not less than three nor more than 11501
five to represent the petitioners in all matters relating to the 11502
petition or its circulation. 11503

Immediately above the heading of the place for signatures on 11504
each part of the petition the following notice shall be printed in 11505
boldface type: 11506

"NOTICE 11507

Whoever knowingly signs this petition more than once; except 11508
as provided in section 3501.382 of the Revised Code, signs a name 11509
other than one's own, on this petition; or signs this petition 11510
when not a qualified voter, is liable to prosecution. 11511

~~In consideration for services in soliciting signatures to~~ 11512
~~this petition, the solicitor has received or expects to~~ 11513
~~receive~~ 11514
~~from~~ 11515
~~(whose address is)~~ 11516
~~....."~~ 11517

~~Before any elector signs the part petition, the solicitor shall~~ 11518
~~completely fill in the above blanks if the solicitor has received~~ 11519
~~or will receive any consideration, and if the solicitor has not~~ 11520
~~received and will not receive any consideration, the solicitor~~ 11521
~~shall insert "nothing."~~ 11522

The heading of the place for signatures shall be 11523
substantially as follows: 11524

"(Sign with ink ~~or indelible pencil~~. Your name, residence, and 11525
date of signing must be given.) 11526

..... 11527
Rural Route or 11528
other Post- 11529
Signature County Township office Address Month Day Year 11530
..... 11531

(Voters who do not live in a municipal corporation should fill in 11532
the information called for by headings printed above.) 11533

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

								11536
								11537
								11538
Signature County Village Number Ward Precinct Month Day Year"								11539
								11540

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

"I,, declare under penalty of election
falsification that I am the circulator of the foregoing petition
paper containing the signatures of electors, that the
signatures appended hereto were made and appended in my presence
on the date set opposite each respective name, and are the
signatures of the persons whose names they purport to be or of
attorneys in fact acting pursuant to section 3501.382 of the
Revised Code, and that the electors signing this petition did so
with knowledge of the contents of same. I am employed to circulate
this petition by (Name and
address of employer). (The preceding sentence shall be completed
as required by section 3501.38 of the Revised Code if the
circulator is being employed to circulate the petition.)

(Signed) ~~(Solicitor)~~ 11559

(Address of circulator's permanent residence in this state) 11560

.....11561

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY	11562
OF THE FIFTH DEGREE."	11563

If the measure proposes a law, the heading of each part of
the petition shall be prepared as follows:

"INITIATIVE PETITION

~~Number~~ 11567

..... 11568

~~Issued to~~ 11569

..... 11570

~~(Name of Solicitor)~~

~~Date of issuance~~ 11572

..... 11573

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

In all other respects, the form shall be as provided for the
submission of a constitutional amendment, except that the text of
the proposed law shall be prefaced by "Be it enacted by the people
of the state of Ohio."

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

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

"REFERENDUM PETITION

~~Number~~ 11589

..... 11590

~~Issued to~~ 11591

.....	11592
(Name of Solicitor)	11593
Date of issuance	11594
.....	11595
To be submitted to the electors for their approval or rejection"	11596 11597
The title, which follows the heading, shall contain a brief legislative history of the law, section, or item of law to be referred. The text of the law so referred shall be followed by the certification of the secretary of state, in accordance with division (B)(2)(b) of section 3519.01 of the Revised Code, that it has been compared with the copy of the enrolled act, on file in the secretary of state's office, containing such law, section, or item of law, and found to be correct.	11598 11599 11600 11601 11602 11603 11604 11605
<u>Sec. 3519.051. Each signature of a voter who signs an initiative or referendum petition shall be an original signature of that voter in ink. Only initiative and referendum petitions containing those original signatures in ink shall be filed with the office of the secretary of state or a board of elections.</u>	11606 11607 11608 11609 11610
<u>Sec. 3519.07. (A) The secretary of state shall post each of the following on the web site of the office of the secretary of state:</u>	11611 11612 11613
<u>(1) The full text of each state law or constitutional amendment proposed by initiative petition that has been approved for the ballot;</u>	11614 11615 11616
<u>(2) The certified summary of each state law or constitutional amendment proposed by initiative petition that has been approved for the ballot;</u>	11617 11618 11619
<u>(3) The ballot language of each state law or constitutional</u>	11620

amendment proposed by initiative petition; 11621

(4) The arguments or explanations in favor of or against each 11622
state law or constitutional amendment proposed by initiative 11623
petition that has been approved for the ballot. 11624

(B) When publishing or posting on the web site of the office 11625
of the secretary of state arguments or explanations in favor of or 11626
against any state law or constitutional amendment proposed by 11627
initiative petition that has been approved for the ballot, the 11628
secretary of state shall include the names of the persons who 11629
prepared the argument or explanation. The names of the persons 11630
shall not be considered part of the argument or explanation for 11631
purposes of the prohibition against arguments and explanations 11632
exceeding three hundred words under section 3519.03 of the Revised 11633
Code. 11634

Sec. 3523.05. The election provided for in section 3523.01 of 11635
the Revised Code shall be by ballot, which may be separate from 11636
any ballot to be used at the same election. Such ballot shall 11637
first state the substance of the proposed amendment to the 11638
~~constitution~~ Constitution of the United States. This shall be 11639
followed by appropriate instructions to the voter. It shall then 11640
contain perpendicular columns of equal width, headed respectively 11641
in plain type, "for ratification," "against ratification," and 11642
"unpledged." In the column headed "for ratification" shall be 11643
placed the names of the nominees nominated as in favor of 11644
ratification. In the column headed "against ratification" shall be 11645
placed the names of the nominees nominated as against 11646
ratification. In the column headed "unpledged" shall be placed the 11647
names of the nominees nominated as unpledged. The voter shall 11648
indicate ~~his~~ the voter's choice by making one or more punches or 11649
marks in the appropriate spaces provided on the ballot. No ballot 11650
shall be held void because any such punch or mark is irregular in 11651

character. The ballot shall be so arranged that the voter may, by 11652
making a single punch or mark, vote for the entire group of 11653
nominees whose names are comprised in any column. The ballot shall 11654
be in substantially the following form: 11655

PROPOSED AMENDMENT TO THE 11656
CONSTITUTION OF THE UNITED STATES 11657

Delegates to the convention to ratify the proposed amendment. 11658

The congress has proposed an amendment to the ~~constitution~~ 11659
Constitution of the United States which provides (insert here the 11660
substance of the proposed amendment). 11661

The congress has also proposed that the said amendment shall 11662
be ratified by conventions in the states. 11663

INSTRUCTIONS TO VOTERS 11664

Do not vote for more than fifty-two candidates. 11665

To vote for all candidates in favor of ratification, or for 11666
all candidates against ratification, or for all candidates who 11667
intend to remain unpledged, make a mark in the CIRCLE. If you do 11668
this, make no other mark. To vote for an individual candidate make 11669
a mark in the SQUARE at the left of the name. 11670

For Ratification	Against Ratification	Unpledged	
0	0	0	11672
[] John Doe	[] Charles Coe	[] Daniel De Foe	11673
[] Richard Doe	[] Michael Moe	[] Louis St Loe	11674

All rights on the part of lists of candidates to name 11675
~~challengers and witnesses~~ observers in the polling places shall be 11676
the same as those under Title XXXV of the Revised Code. 11677

The fifty-two nominees who receive the highest number of 11678
votes shall be delegates to the convention. 11679

Sec. 3599.11. (A) No person shall knowingly register or make 11680
application or attempt to register in a precinct in which the 11681

person is not a qualified voter; or knowingly aid or abet any 11682
person to so register; or attempt to register or knowingly induce 11683
or attempt to induce any person to so register; or knowingly 11684
impersonate another or write or assume the name of another, real 11685
or fictitious, in registering or attempting to register; or by 11686
false statement or other unlawful means procure, aid, or attempt 11687
to procure the erasure or striking out on the register or 11688
duplicate list of the name of a qualified elector therein; or 11689
knowingly induce or attempt to induce a registrar or other 11690
election authority to refuse registration in a precinct to an 11691
elector thereof; or knowingly swear or affirm falsely upon a 11692
lawful examination by or before any registering officer; or make, 11693
print, or issue any false or counterfeit certificate of 11694
registration or knowingly alter any certificate of registration. 11695

No person shall knowingly register under more than one name 11696
or knowingly induce any person to so register. 11697

No person shall knowingly make any false statement on any 11698
form for registration or change of registration or upon any 11699
application or return envelope for an absent voter's ballot. 11700

Whoever violates this division is guilty of a felony of the 11701
fifth degree. 11702

(B)(1) No person who helps another person register outside an 11703
official voter registration place shall knowingly destroy, or 11704
knowingly help another person to destroy, any completed 11705
registration form, ~~or.~~ 11706

Whoever violates this division is guilty of election 11707
falsification, a felony of the fifth degree. 11708

(2)(a) No person who helps another person register outside an 11709
official voter registration place shall knowingly fail to return 11710
any registration form entrusted to that person to ~~the~~ any board of 11711
elections or the office of the secretary of state within ten days 11712

after that registration form is completed, or on or before the 11713
thirtieth day before the election, whichever day is earlier, 11714
unless the registration form is received by the person within 11715
twenty-four hours of the thirtieth day before the election, in 11716
which case the person shall return the registration form to any 11717
board of elections or the office of the secretary of state within 11718
ten days of its receipt. 11719

Whoever violates this division is guilty of a ~~misdemeanor~~ of 11720
the first degree election falsification, a felony of the fifth 11721
degree. 11722

(b) Subject to division (C)(2) of this section, no person who 11723
helps another person register outside an official registration 11724
place shall knowingly return any registration form entrusted to 11725
that person to any location other than any board of elections or 11726
the office of the secretary of state. 11727

Whoever violates this division is guilty of election 11728
falsification, a felony of the fifth degree. 11729

(C)(1) No person who receives compensation for registering a 11730
voter shall knowingly fail to return any registration form 11731
entrusted to that person to any board of elections or the office 11732
of the secretary of state within ten days after that voter 11733
registration form is completed, or on or before the thirtieth day 11734
before the election, whichever is earlier, unless the registration 11735
form is received by the person within twenty-four hours of the 11736
thirtieth day before the election, in which case the person shall 11737
return the registration form to any board of elections or the 11738
office of the secretary of state within ten days of its receipt. 11739

Whoever violates this division is guilty of election 11740
falsification, a felony of the fifth degree. 11741

(2) No person who receives compensation for registering a 11742
voter shall knowingly return any registration form entrusted to 11743

that person to any location other than any board of elections or 11744
the office of the secretary of state. 11745

Whoever violates this division is guilty of election 11746
falsification, a felony of the fifth degree. 11747

(D) As used in division (C) of this section, "registering a 11748
voter" includes any effort, for compensation, to provide voter 11749
registration forms or to assist persons in completing or returning 11750
those forms. 11751

Sec. 3599.111. (A) As used in this section, "registering a 11752
voter" or "registering voters" includes any effort, for 11753
compensation, to provide voter registration forms or to assist 11754
persons in completing or returning those forms ~~or returning them~~ 11755
~~to the board of elections, the office of the secretary of state,~~ 11756
~~or other appropriate public office.~~ 11757

(B) No person shall receive compensation on a fee per 11758
signature or fee per volume basis for circulating any declaration 11759
of candidacy, nominating petition, ~~declaration of intent to be a~~ 11760
~~write-in candidate,~~ initiative petition, referendum petition, 11761
recall petition, or any other election-related petition that is 11762
filed with or transmitted to a board of elections, the office of 11763
the secretary of state, or other appropriate public office. 11764

(C) No person shall receive compensation on a fee per 11765
registration or fee per volume basis for registering a voter. 11766

(D) ~~Compensation~~ No person shall pay any other person for 11767
collecting signatures on election-related petitions ~~and or~~ or for 11768
registering voters ~~shall be paid solely except~~ on the basis of 11769
time worked. 11770

(E)(1) Whoever violates division (B) ~~or (C)~~ of this section 11771
is guilty of ~~election falsification under section 3599.36 of the~~ 11772
~~Revised Code~~ receiving improper compensation for circulating a 11773

petition, a felony of the fifth degree. 11774

(2) Whoever violates division (C) of this section is guilty 11775
of receiving improper compensation for registering a voter, a 11776
felony of the fifth degree. 11777

(3) Whoever violates division (D) of this section is guilty 11778
of paying improper compensation for circulating a petition or 11779
registering a voter, a felony of the fifth degree. 11780

Sec. 3599.13. (A) No person shall sign do any of the 11781
following: 11782

(1) Sign an initiative, supplementary, referendum, recall, or 11783
nominating petition knowing that ~~he~~ the person is not at the time 11784
qualified to sign it; ~~or knowingly~~ 11785

(2) Knowingly sign such a petition more than once; ~~or sign~~ 11786

(3) Except as otherwise provided in section 3501.382 of the 11787
Revised Code, sign a name other than ~~his~~ the person's own on such 11788
a petition; or accept 11789

(4) Accept anything of value for signing such a petition; ~~or~~ 11790
~~seek~~ 11791

(5) Seek by intimidation or threats to influence any person 11792
to sign or refrain from signing such a petition, or from 11793
circulating or abstaining from circulating such a petition; ~~or~~ 11794
~~sign~~ 11795

(6) Sign a ~~nominating~~ declaration of candidacy and petition 11796
for a candidate of a party with which ~~he~~ the person is not 11797
affiliated, as required by section 3513.05 of the Revised Code; ~~or~~ 11798
~~make~~ 11799

(7) Make a false affidavit or statement concerning the 11800
signatures on any such petition. 11801

(B) Whoever violates division (A) of this section shall be 11802

fined not less than fifty ~~nor~~ or more than five hundred dollars, 11803
or imprisoned not less than three ~~nor~~ or more than six months, or 11804
both. 11805

Sec. 3599.14. (A) No person shall knowingly, directly or 11806
indirectly, do any of the following in connection with any 11807
declaration of candidacy and petition, declaration of intent to be 11808
a write-in candidate, nominating petition, or other petition 11809
presented to or filed with the secretary of state, a board ~~or~~ of 11810
elections, or any other public office for the purpose of becoming 11811
a candidate for any elective office, including the office of a 11812
political party, for the purpose of submitting a question or issue 11813
to the electors at an election, or for the purpose of forming a 11814
political party: 11815

(1) Misrepresent the contents, purpose, or effect of the 11816
petition or declaration for the purpose of persuading a person to 11817
sign or refrain from signing the petition or declaration; 11818

(2) Pay or offer to pay anything of value for signing or 11819
refraining from signing the petition or declaration; 11820

(3) Promise to assist any person to obtain appointment to an 11821
office or position as a consideration for obtaining or preventing 11822
signatures to the petition or declaration; 11823

(4) Obtain or prevent signatures to the petition or 11824
declaration as a consideration for the assistance or promise of 11825
assistance of a person in securing appointment to an office or 11826
position; 11827

(5) Circulate or cause to be circulated the petition or 11828
declaration knowing it to contain false, forged, or fictitious 11829
names; 11830

(6) ~~Add~~ Except as otherwise provided in section 3501.382 of 11831
the Revised Code, add signatures or names except the person's own 11832

name on the petition or declaration; 11833

(7) Make a false certification or statement concerning the 11834
petition or declaration; 11835

(8) File with the election authorities the petition or 11836
declaration knowing it to contain false, forged, or fictitious 11837
names; 11838

(9) Fail to fill out truthfully and file all itemized 11839
statements required by law in connection with the petition or 11840
declaration. 11841

(B) Whoever violates division (A) of this section is guilty 11842
of a ~~misdemeanor~~ felony of the ~~first~~ fifth degree. 11843

Sec. 3599.21. (A) No person shall knowingly do any of the 11844
following: 11845

(1) Impersonate another, or make a false representation in 11846
order to obtain an absent voter's ballot; 11847

(2) Aid or abet a person to vote an absent voter's ballot 11848
illegally; 11849

(3) If the person is an election official, open, destroy, 11850
steal, mark, or mutilate any absent voter's ballot; 11851

(4) Aid or abet another person to open, destroy, steal, mark, 11852
or mutilate any absent voter's ballot after the ballot has been 11853
voted; 11854

(5) Delay the delivery of any ~~such~~ absent voter's ballot with 11855
a view to preventing its arrival in time to be counted; 11856

(6) Hinder or attempt to hinder the delivery or counting of 11857
such absent voter's ballot; 11858

(7) Fail to forward to the appropriate election official an 11859
absent voter's ballot application entrusted to that person to so 11860
forward; 11861

(8) Fail to forward to the appropriate election official an
absent voter's ballot application entrusted to that person to so
forward within ten days after that application is completed or
within such a time period that the failure to so forward the
application disenfranchises the voter with respect to a particular
election, whichever is earlier;

(9) Except as authorized under Chapters 3509. and 3511. of
the Revised Code, possess the absent voter's ballot of another.

(B)(1) Subject to division (B)(2) of this section, no person
who receives compensation for soliciting persons to apply to vote
by absent voter's ballots shall fail to forward to the appropriate
election official an absent voter's ballot application entrusted
to that person to so forward within ten days after that
application is completed.

(2) No person who receives compensation for soliciting
persons to apply to vote by absent voter's ballots shall fail to
forward to the appropriate election official an absent voter's
ballot application entrusted to that person to so forward within
such a time period that the failure to so forward the application
disenfranchises the voter with respect to a particular election.

(C) Whoever violates division (A) or (B) of this section is
guilty of a felony of the fourth degree.

(D) As used in this section, "person who receives
compensation for soliciting persons to apply to vote by absent
voter's ballots" includes any effort, for compensation, to provide
absent voter's ballot applications or to assist persons in
completing those applications or returning them to the director of
the board of elections of the county in which the applicant's
voting residence is located.

Sec. 3599.24. (A) No person shall do any of the following:

(1) By force, fraud, or other improper means, obtain or attempt to obtain possession of the ballots, ballot boxes, or pollbooks;	11892 11893 11894
(2) Recklessly destroy any property used in the conduct of elections;	11895 11896
(3) Attempt to intimidate an election officer, or prevent an election official from performing the official's duties;	11897 11898
(4) Knowingly tear down, remove, or destroy any of the registration lists or sample ballots furnished by the board of elections at the polling place;	11899 11900 11901
(5) Loiter in or about a registration or polling place during registration or the casting and counting of ballots so as to hinder, delay, or interfere with the conduct of the registration or election;	11902 11903 11904 11905
(6) Remove from the voting place the pencils, cards of instruction, supplies, or other conveniences furnished to enable the voter to mark the voter's ballot.	11906 11907 11908
(B) Whoever violates division (A)(1) or (2) of this section is guilty of a felony of the fifth degree. Whoever violates division (A)(3) or (4), (5), or (6) of this section is guilty of a misdemeanor of the first degree. Whoever violates division (A)(5) or (6) of this section is guilty of a minor misdemeanor.	11909 11910 11911 11912 11913
Sec. 3599.38. (A) No election official, witness, challenger <u>observer</u> , deputy sheriff, special deputy sheriff, or police officer, while performing that person's duties related to the casting of votes, shall do either of the following:	11914 11915 11916 11917
(1) Wear any badge, sign, or other insignia or thing indicating that person's preference for any candidate or for any question submitted at an election;	11918 11919 11920

(2) Influence or attempt to influence any voter to cast the 11921
voter's ballot for or against any candidate or issue submitted at 11922
an election. 11923

(B) Whoever violates division (A) of this section is guilty 11924
of a misdemeanor of the first degree. 11925

Sec. 4301.33. (A) The board of elections shall provide to a 11926
petitioner circulating a petition for an election for the 11927
submission of one or more of the questions specified in divisions 11928
(A) to (D) of section 4301.35 or section 4301.351 of the Revised 11929
Code, at the time of taking out the petition, the names of the 11930
streets and, if appropriate, the address numbers of residences and 11931
business establishments within the precinct in which the election 11932
is sought, and a form prescribed by the secretary of state for 11933
notifying affected permit holders and liquor agency stores of the 11934
circulation of a petition for an election for the submission of 11935
one or more of the questions specified in divisions (A) to (D) of 11936
section 4301.35 or section 4301.351 of the Revised Code. The 11937
petitioner shall, not less than forty-five days before the 11938
petition-filing deadline for the election, as provided in this 11939
section, file with the division of liquor control the information 11940
regarding names of streets and, if appropriate, address numbers of 11941
residences and business establishments provided by the board of 11942
elections, and specify to the division the precinct that is 11943
concerned and that would be affected by the results of the 11944
election and the filing deadline. The division shall, within a 11945
reasonable period of time and not later than fifteen days before 11946
the filing deadline, supply the petitioner with a list of the 11947
names and addresses of permit holders and liquor agency stores, if 11948
any, that would be affected by the election. The list shall 11949
contain a heading with the following words: "Liquor permit holders 11950
and liquor agency stores that would be affected by the question(s) 11951

set forth on petition for a local option election." 11952

Within five days after a petitioner has received from the 11953
division the list of liquor permit holders and liquor agency 11954
stores, if any, that would be affected by the question or 11955
questions set forth on a petition for local option election, the 11956
petitioner shall, using the form provided by the board of 11957
elections, notify by certified mail each permit holder and liquor 11958
agency store whose name appears on that list. The form for 11959
notifying affected permit holders and liquor agency stores shall 11960
require the petitioner to state the petitioner's name and street 11961
address and shall contain a statement that a petition is being 11962
circulated for an election for the submission of the question or 11963
questions specified in divisions (A) to (D) of section 4301.35 or 11964
section 4301.351 of the Revised Code. The form shall require the 11965
petitioner to state the question or questions to be submitted as 11966
they appear on the petition. 11967

The petitioner shall attach a copy of the list provided by 11968
the division to each petition paper. A part petition paper 11969
circulated at any time without the list of affected permit holders 11970
and liquor agency stores attached to it is invalid. 11971

At the time the petitioner files the petition with the board 11972
of elections, the petitioner shall provide to the board the list 11973
supplied by the division and an affidavit certifying that the 11974
petitioner notified all affected permit holders and liquor agency 11975
stores, if any, on the list in the manner and within the time 11976
required in this section and that, at the time each signer of the 11977
petition affixed the signer's signature to the petition, the 11978
petition paper contained a copy of the list of affected permit 11979
holders and liquor agency stores. 11980

Within five days after receiving a petition calling for an 11981
election for the submission of one or more of the questions 11982
specified in divisions (A) to (D) of section 4301.35 or section 11983

4301.351 of the Revised Code, the board shall give notice by
certified mail that it has received the petition to all liquor
permit holders and liquor agency stores, if any, whose names
appear on the list of affected permit holders and liquor agency
stores filed by the petitioner. Failure of the petitioner to
supply the affidavit required by this section and a complete and
accurate list of liquor permit holders and liquor agency stores,
if any, invalidates the entire petition. The board of elections
shall provide to a permit holder or liquor agency store that would
be affected by a proposed local option election, on the permit
holder's or liquor agency store's request, the names of the
streets, and, if appropriate, the address numbers of residences
and business establishments within the precinct in which the
election is sought that would be affected by the results of the
election. The board may charge a reasonable fee for this
information when provided to the petitioner and the permit holder
or liquor agency store.

(B) Upon the presentation of a petition, not later than four
p.m. of the seventy-fifth day before the day of a general or
primary election, to the board of elections of the county where
the precinct is located, designating whether it is a petition for
an election for the submission of one or more of the questions
specified in section 4301.35 of the Revised Code, or a petition
for the submission of one or more of the questions specified in
section 4301.351 of the Revised Code, designating the particular
question or questions specified in section 4301.35 or 4301.351 of
the Revised Code that are to be submitted, and signed by the
qualified electors of the precinct concerned, equal in number to
thirty-five per cent of the total number of votes cast in the
precinct concerned for the office of governor at the preceding
general election for that office, the board shall submit the
question or questions specified in the petition to the electors of

the precinct concerned, on the day of the next general or primary
election, whichever occurs first and shall proceed as follows:

(1) Such board shall, not later than the ~~sixty-sixth~~
sixty-eighth day before the day of the election for which the
question or questions on the petition would qualify for submission
to the electors of the precinct, examine and determine the
sufficiency of the signatures and review, examine, and determine
the validity of the petition and, in case of overlapping precinct
petitions presented within that period, determine which of the
petitions shall govern the further proceedings of the board. In
the case where the board determines that two or more overlapping
petitions are valid, the earlier filed petition shall govern. The
board shall certify the sufficiency and validity of any petition
determined to be valid. The board shall determine the validity of
the petition as of the time of certification as described in this
division.

(2) If a petition is sufficient, and, in case of overlapping
precinct petitions, after the board has determined the governing
petition, the board to which the petition has been presented shall
order the holding of a special election in the precinct for the
submission of whichever of the questions specified in section
4301.35 or 4301.351 of the Revised Code are designated in the
petition, on the day of the next general or primary election,
whichever occurs first.

(3) All petitions filed with a board of elections under this
section shall be open to public inspection under rules adopted by
the board.

(4) Protest against local option petitions may be filed by
any elector eligible to vote on the question or questions
described in the petitions or by a permit holder or liquor agency
store in the precinct as described in the petitions, not later

than four p.m. of the sixty-fourth day before the day of the
general or primary election for which the petition qualified. The
protest shall be in writing and shall be filed with the election
officials with whom the petition was filed. Upon filing of the
protest, the election officials with whom it is filed shall
promptly fix the time for hearing it, and shall mail notice of the
filing of the protest and the time and place for hearing it to the
person who filed the petition and to the person who filed the
protest. At the time and place fixed, the election officials shall
hear the protest and determine the validity of the petition.

Sec. 4301.331. (A) The privilege of local option conferred by
section 4301.321 of the Revised Code shall be exercised if a
certified copy of the judgment issued pursuant to division (D) or
(E) of section 3767.05 of the Revised Code that is the basis for
the exercise of the local option privilege is filed pursuant to
division (G) of section 3767.05 of the Revised Code indicating
that a liquor permit premises has been adjudged a nuisance. The
certified copy of the judgment shall be filed in accordance with
this section by the person or public official who brought the
action under section 3763.03 of the Revised Code.

(B) The certified copy of the judgment prescribed under
division (A) of this section shall be filed with the board of
elections of the county in which the nuisance was adjudged to
exist pursuant to division (D) or (E) of section 3767.05 of the
Revised Code not later than four p.m. of the seventy-fifth day
before the day of the next general or primary election.

(C) The statement prescribed under division (A) of this
section shall contain both of the following:

(1) A notice that the statement is for the submission of the
question set forth in section 4301.352 of the Revised Code;

(2) The name of a class C or D permit holder and the address 12077
of the permit holder's permit premises. If the business conducted 12078
by a class C or D permit holder at the permit premises has a name 12079
different from the permit holder's personal or corporate name, the 12080
name of the permit holder's business shall be stated along with 12081
the permit holder's personal or corporate name. 12082

(D) Not later than five days after the certified copy of the 12083
judgment prescribed under division (A) of this section is filed, 12084
the board shall give notice by certified mail that it has received 12085
the certified copy of the judgment to the liquor permit holder 12086
whose permit would be affected by the results of the election 12087
required by the filing of the certified copy of the judgment. 12088
Failure of the petitioner to supply a complete and accurate 12089
address of the liquor permit holder to the board of elections 12090
invalidates the election. 12091

For purposes of this section, "complete and accurate address" 12092
means all of the following: 12093

(1) The address of the liquor permit premises; 12094

(2) The address of the statutory agent of the liquor permit 12095
holder, if applicable; 12096

(3) The address of the liquor permit holder if different from 12097
the liquor permit premises address. 12098

(E) Not later than the ~~sixty-sixth~~ sixty-eighth day before 12099
the day of the next general or primary election, whichever occurs 12100
first, the board shall certify the sufficiency and validity of the 12101
certified copy of the judgment, make such determination as of the 12102
time of certification, and order the holding of an election in the 12103
precinct on the day of that general or primary election for the 12104
submission of the question set forth in section 4301.352 of the 12105
Revised Code. 12106

(F) A certified copy of the judgment filed with the board of 12107
elections under division (A) of this section shall be open to 12108
public inspection under rules adopted by the board. 12109

An elector who is eligible to vote on the question set forth 12110
in section 4301.352 of the Revised Code or the permit holder named 12111
on the certified copy of the judgment, not later than four p.m. of 12112
the sixty-fourth day before the day of the election at which the 12113
question will be submitted to the electors, may file a protest 12114
against a local option petition. The protest shall be in writing 12115
and shall be filed with the election officials with whom the 12116
certified copy of the judgment was filed. Upon the filing of the 12117
protest, the election officials with whom it is filed shall 12118
promptly fix a time and place for hearing the protest, and shall 12119
mail notice of the time and place for hearing it to the person who 12120
filed the certified copy of the judgment and to the person who 12121
filed the protest. At the time and place fixed, the election 12122
officials shall hear the protest and determine the validity of the 12123
certified copy of the judgment. 12124

Sec. 4301.332. (A) The board of elections shall provide to a 12125
petitioner circulating a petition for an election for the 12126
submission of one or more of the questions specified in section 12127
4301.353 or 4301.354 of the Revised Code, at the time of taking 12128
out the petition, the names of the streets and, if appropriate, 12129
the address numbers of residences and business establishments 12130
within the precinct that would be affected by the results of the 12131
election, and a form prescribed by the secretary of state for 12132
notifying affected permit holders of the circulation of a petition 12133
for an election for the submission of one or more of the questions 12134
specified in section 4301.353 or 4301.354 of the Revised Code. The 12135
petitioner shall, not less than forty-five days before the 12136
petition-filing deadline for the election, as provided in this 12137

section, file with the division of liquor control the information 12138
regarding names of streets and, if appropriate, address numbers of 12139
residences and business establishments provided by the board of 12140
elections, and specify to the division the portion of the precinct 12141
that would be affected by the results of the election and the 12142
filing deadline. The division shall, within a reasonable period of 12143
time and not later than fifteen days before the filing deadline, 12144
supply the petitioner with a list of the names and addresses of 12145
permit holders, if any, who would be affected by the election. The 12146
list shall contain a heading with the following words: "Liquor 12147
permit holders who would be affected by the question(s) set forth 12148
on petition for a local option election." 12149

Within five days after a petitioner has received from the 12150
division the list of liquor permit holders, if any, who would be 12151
affected by the question or questions set forth on a petition for 12152
local option election, the petitioner, using the form provided by 12153
the board of elections, shall notify by certified mail each permit 12154
holder whose name appears on that list. The form for notifying 12155
affected permit holders shall require the petitioner to state the 12156
petitioner's name and street address and shall contain a statement 12157
that a petition is being circulated for an election for the 12158
submission of the question or questions specified in section 12159
4301.353 or 4301.354 of the Revised Code. The form shall require 12160
the petitioner to state the question or questions to be submitted 12161
as they appear on the petition. 12162

The petitioner shall attach a copy of the list provided by 12163
the division to each petition paper. A part petition paper 12164
circulated at any time without the list of affected permit holders 12165
attached to it is invalid. 12166

At the time the petitioner files the petition with the board 12167
of elections, the petitioner shall provide to the board the list 12168
supplied by the division and an affidavit certifying that the 12169

petitioner notified all affected permit holders, if any, on the
list in the manner and within the time required in this section
and that, at the time each signer of the petition affixed the
signer's signature to the petition, the petition paper contained a
copy of the list of affected permit holders.

Within five days after receiving a petition calling for an
election for the submission of one or more of the questions
specified in section 4301.353 or 4301.354 of the Revised Code, the
board shall give notice by certified mail that it has received the
petition to all liquor permit holders, if any, whose names appear
on the list of affected permit holders filed by the petitioner as
furnished by the division. Failure of the petitioner to supply the
affidavit required by this section and a complete and accurate
list of liquor permit holders as furnished by the division
invalidates the entire petition. The board of elections shall
provide to a permit holder who would be affected by a proposed
local option election, on the permit holder's request, the names
of the streets, and, if appropriate, the address numbers of
residences and business establishments within the portion of the
precinct that would be affected by the results of the election.
The board may charge a reasonable fee for this information when
provided to the petitioner and the permit holder.

This division does not apply to an election held under
section 4301.353 or 4301.354 of the Revised Code if the results of
the election would not affect any permit holder.

(B) Upon the presentation of a petition, not later than four
p.m. of the seventy-fifth day before the day of a general or
primary election, to the board of elections of the county where
the precinct is located, designating whether it is a petition for
an election for the submission of one or both of the questions
specified in section 4301.353 of the Revised Code, or a petition
for the submission of one or more of the questions specified in

section 4301.354 of the Revised Code, designating the particular
question or questions specified in section 4301.353 or 4301.354 of
the Revised Code that are to be submitted, and signed by the
qualified electors of the precinct concerned, equal in number to
thirty-five per cent of the total number of votes cast in the
precinct concerned for the office of governor at the preceding
general election for that office, the board shall submit the
question or questions specified in the petition to the electors of
the precinct concerned, on the day of the next general or primary
election, whichever occurs first and shall proceed as follows:

(1) Such board shall, not later than the ~~sixty-sixth~~
sixty-eighth day before the day of the election for which the
question or questions on the petition would qualify for submission
to the electors of the precinct, examine and determine the
sufficiency of the signatures and review, examine, and determine
the validity of the petition and, in case of overlapping precinct
petitions presented within that period, determine which of the
petitions shall govern the further proceedings of the board. In
the case where the board determines that two or more overlapping
petitions are valid, the earlier filed petition shall govern. The
board shall certify the sufficiency and validity of any petition
determined to be valid. The board shall determine the validity of
the petition as of the time of certification as described in this
division.

(2) If a petition is sufficient, and, in case of overlapping
precinct petitions, after the board has determined the governing
petition, the board to which the petition has been presented shall
order the holding of a special election in the precinct for the
submission of whichever of the questions specified in section
4301.353 or 4301.354 of the Revised Code are designated in the
petition, on the day of the next general or primary election,
whichever occurs first.

(C) All petitions filed with a board of elections under this 12234
section shall be open to public inspection under rules adopted by 12235
the board. 12236

(D) Protest against local option petitions may be filed by 12237
any elector eligible to vote on the question or questions 12238
described in the petitions or by a permit holder in the precinct 12239
as described in the petitions, not later than four p.m. of the 12240
sixty-fourth day before the day of the general or primary election 12241
for which the petition qualified. The protest shall be in writing 12242
and shall be filed with the election officials with whom the 12243
petition was filed. Upon filing of the protest, the election 12244
officials with whom it is filed shall promptly fix the time for 12245
hearing it, and shall mail notice of the filing of the protest and 12246
the time and place for hearing it to the person who filed the 12247
petition and to the person who filed the protest. At the time and 12248
place fixed, the election officials shall hear the protest and 12249
determine the validity of the petition. 12250

Sec. 4301.333. (A) The privilege of local option conferred by 12251
section 4301.323 of the Revised Code may be exercised if, not 12252
later than four p.m. of the seventy-fifth day before the day of a 12253
general or primary election, a petition is presented to the board 12254
of elections of the county in which the precinct is situated by a 12255
petitioner who is one of the following: 12256

(1) An applicant for the issuance or transfer of a liquor 12257
permit at, or to, a particular location within the precinct; 12258

(2) The holder of a liquor permit at a particular location 12259
within the precinct; 12260

(3) A person who operates or seeks to operate a liquor agency 12261
store at a particular location within the precinct; 12262

(4) The designated agent for an applicant, liquor permit 12263

holder, or liquor agency store described in division (A)(1), (2), 12264
or (3) of this section. 12265

(B) The petition shall be signed by the electors of the 12266
precinct equal in number to at least thirty-five per cent of the 12267
total number of votes cast in the precinct for the office of 12268
governor at the preceding general election for that office and 12269
shall contain all of the following: 12270

(1) A notice that the petition is for the submission of the 12271
question or questions set forth in section 4301.355 of the Revised 12272
Code; 12273

(2) The name of the applicant for the issuance or transfer, 12274
or the holder, of the liquor permit or, if applicable, the name of 12275
the liquor agency store, including any trade or fictitious names 12276
under which the applicant, holder, or liquor agency store either 12277
intends to do or does business at the particular location; 12278

(3) The address and proposed use of the particular location 12279
within the election precinct to which the results of the question 12280
or questions specified in section 4301.355 of the Revised Code 12281
shall apply. For purposes of this division, "use" means all of the 12282
following: 12283

(a) The type of each liquor permit applied for by the 12284
applicant or held by the liquor permit holder as described in 12285
sections 4303.11 to 4303.183 of the Revised Code, including a 12286
description of the type of beer or intoxicating liquor sales 12287
authorized by each permit as provided in those sections; 12288

(b) If a liquor agency store, the fact that the business 12289
operated as a liquor agency store authorized to operate by this 12290
state; 12291

(c) A description of the general nature of the business of 12292
the applicant, liquor permit holder, or liquor agency store. 12293

(4) If the petition seeks approval of Sunday sales under 12294
question (B)(2) as set forth in section 4301.355 of the Revised 12295
Code, a statement indicating whether the hours of sale sought are 12296
between ten a.m. and midnight or between one p.m. and midnight. 12297

(C)(1) At the time the petitioner files the petition with the 12298
board of elections, the petitioner shall provide to the board both 12299
of the following: 12300

(a) An affidavit that is signed by the petitioner and that 12301
states the proposed use of the location following the election 12302
held to authorize the sale of beer or intoxicating liquor 12303
authorized by each permit as provided in sections 4303.11 to 12304
4303.183 of the Revised Code; 12305

(b) Written evidence of the designation of an agent by the 12306
applicant, liquor permit holder, or liquor agency store described 12307
in division (A)(1), (2), or (3) of this section for the purpose of 12308
petitioning for the local option election, if the petitioner is 12309
the designated agent of the applicant, liquor permit holder, or 12310
liquor agency store. 12311

(2) Failure to supply the affidavit, or the written evidence 12312
of the designation of the agent if the petitioner for the local 12313
option election is the agent of the applicant, liquor permit 12314
holder, or liquor agency store described in division (A)(1), (2), 12315
or (3) of this section, at the time the petition is filed 12316
invalidates the entire petition. 12317

(D) Not later than the ~~sixty-sixth~~ sixty-eighth day before 12318
the day of the next general or primary election, whichever occurs 12319
first, the board shall examine and determine the sufficiency of 12320
the signatures and the validity of the petition. If the board 12321
finds that the petition contains sufficient signatures and in 12322
other respects is valid, it shall order the holding of an election 12323
in the precinct on the day of the next general or primary 12324

election, whichever occurs first, for the submission of the 12325
question or questions set forth in section 4301.355 of the Revised 12326
Code. 12327

(E) A petition filed with the board of elections under this 12328
section shall be open to public inspection under rules adopted by 12329
the board. 12330

(F) An elector who is eligible to vote on the question or 12331
questions set forth in section 4301.355 of the Revised Code may 12332
file, not later than four p.m. of the sixty-fourth day before the 12333
day of the election at which the question or questions will be 12334
submitted to the electors, a protest against a local option 12335
petition circulated and filed pursuant to this section. The 12336
protest shall be in writing and shall be filed with the election 12337
officials with whom the petition was filed. Upon the filing of the 12338
protest, the election officials with whom it is filed shall 12339
promptly establish a time and place for hearing the protest and 12340
shall mail notice of the time and place for the hearing to the 12341
applicant for, or the holder of, the liquor permit who is 12342
specified in the petition and to the elector who filed the 12343
protest. At the time and place established in the notice, the 12344
election officials shall hear the protest and determine the 12345
validity of the petition. 12346

Sec. 4301.334. (A) The privilege of local option conferred by 12347
section 4301.324 of the Revised Code may be exercised if, not 12348
later than four p.m. of the seventy-fifth day before the day of a 12349
general or primary election, a petition and other information 12350
required by division (B) of this section are presented to the 12351
board of elections of the county in which the community facility 12352
named in the petition is located. The petition shall be signed by 12353
electors of the municipal corporation or unincorporated area of 12354
the township in which the community facility is located equal in 12355

number to at least ten per cent of the total number of votes cast 12356
in the municipal corporation or unincorporated area of the 12357
township in which the community facility is located for the office 12358
of governor at the most recent general election for that office 12359
and shall contain both of the following: 12360

(1) A notice that the petition is for the submission of the 12361
question set forth in section 4301.356 of the Revised Code; 12362

(2) The name and address of the community facility for which 12363
the local option election is sought and, if the community facility 12364
is a community entertainment district, the boundaries of the 12365
district. 12366

(B) Upon the request of a petitioner, a board of elections of 12367
a county shall furnish to the petitioner a copy of the 12368
instructions prepared by the secretary of state under division (P) 12369
of section 3501.05 of the Revised Code and, within fifteen days 12370
after the request, a certificate indicating the number of valid 12371
signatures that will be required on a petition to hold an election 12372
in the municipal corporation or unincorporated area of the 12373
township in which the community facility is located on the 12374
question specified in section 4301.356 of the Revised Code. 12375

The petitioner shall, not less than thirty days before the 12376
petition-filing deadline for an election on the question specified 12377
in section 4301.356 of the Revised Code, specify to the division 12378
of liquor control the name and address of the community facility 12379
for which the election is sought and, if the community facility is 12380
a community entertainment district, the boundaries of the 12381
district, the municipal corporation or unincorporated area of a 12382
township in which the election is sought, and the filing deadline. 12383
The division shall, within a reasonable period of time and not 12384
later than ten days before the filing deadline, supply the 12385
petitioner with the name and address of any permit holder for or 12386
within the community facility. 12387

The petitioner shall file the name and address of any permit holder who would be affected by the election at the time the petitioner files the petition with the board of elections. Within five days after receiving the petition, the board shall give notice by certified mail to any permit holder within the community facility that it has received the petition. Failure of the petitioner to supply the name and address of any permit holder for or within the community facility as furnished to the petitioner by the division invalidates the petition.

(C) Not later than the ~~sixty-sixth~~ sixty-eighth day before the day of the next general or primary election, whichever occurs first, the board shall examine and determine the sufficiency of the signatures on the petition. If the board finds that the petition is valid, it shall order the holding of an election in the municipal corporation or unincorporated area of a township on the day of the next general or primary election, whichever occurs first, for the submission of the question set forth in section 4301.356 of the Revised Code.

(D) A petition filed with a board of elections under this section shall be open to public inspection under rules adopted by the board.

(E) An elector who is eligible to vote on the question set forth in section 4301.356 of the Revised Code or any permit holder for or within the community facility may, not later than four p.m. of the sixty-fourth day before the day of the election at which the question will be submitted to the electors, file a written protest against the local option petition with the board of elections with which the petition was filed. Upon the filing of the protest, the board shall promptly fix a time and place for hearing the protest and shall mail notice of the time and place to the person who filed the petition and to the person who filed the protest. At the time and place fixed, the board shall hear the

protest and determine the validity of the petition. 12420

Sec. 4305.14. (A) The following questions regarding the sale 12421
of beer by holders of C or D permits may be presented to the 12422
qualified electors of an election precinct: 12423

(1) "Shall the sale of beer as defined in section 4305.08 of 12424
the Revised Code under permits which authorize sale for 12425
off-premises consumption only be permitted within this precinct?" 12426

(2) "Shall the sale of beer as defined in section 4305.08 of 12427
the Revised Code under permits which authorize sale for 12428
on-premises consumption only, and under permits which authorize 12429
sale for both on-premises and off-premises consumption, be 12430
permitted in this precinct?" 12431

The exact wording of the question as submitted and form of 12432
ballot as printed shall be determined by the board of elections in 12433
the county wherein the election is held, subject to approval of 12434
the secretary of state. 12435

Upon the request of an elector, a board of elections of a 12436
county that encompasses an election precinct shall furnish to the 12437
elector a copy of the instructions prepared by the secretary of 12438
state under division (P) of section 3501.05 of the Revised Code 12439
and, within fifteen days after the request, with a certificate 12440
indicating the number of valid signatures that will be required on 12441
a petition to hold a special election in that precinct on either 12442
or both of the questions specified in this section. 12443

The board shall provide to a petitioner, at the time the 12444
petitioner takes out a petition, the names of the streets and, if 12445
appropriate, the address numbers of residences and business 12446
establishments within the precinct in which the election is 12447
sought, and a form prescribed by the secretary of state for 12448
notifying affected permit holders of the circulation of a petition 12449

for an election for the submission of one or more of the questions 12450
specified in division (A) of this section. The petitioner shall, 12451
not less than forty-five days before the petition-filing deadline 12452
for an election provided for in this section, file with the 12453
division of liquor control the information regarding names of 12454
streets and, if appropriate, address numbers of residences and 12455
business establishments provided by the board of elections, and 12456
specify to the division the precinct that is concerned or that 12457
would be affected by the results of the election and the filing 12458
deadline. The division shall, within a reasonable period of time 12459
and not later than fifteen days before the filing deadline, supply 12460
the petitioner with a list of the names and addresses of permit 12461
holders who would be affected by the election. The list shall 12462
contain a heading with the following words: "liquor permit holders 12463
who would be affected by the question(s) set forth on a petition 12464
for a local option election." 12465

Within five days after receiving from the division the list 12466
of liquor permit holders who would be affected by the question or 12467
questions set forth on a petition for local option election, the 12468
petitioner shall, using the form provided by the board of 12469
elections, notify by certified mail each permit holder whose name 12470
appears on that list. The form for notifying affected permit 12471
holders shall require the petitioner to state the petitioner's 12472
name and street address and shall contain a statement that a 12473
petition is being circulated for an election for the submission of 12474
the question or questions specified in division (B) of this 12475
section. The form shall require the petitioner to state the 12476
question or questions to be submitted as they appear on the 12477
petition. 12478

The petitioner shall attach a copy of the list provided by 12479
the division to each petition paper. A part petition paper 12480
circulated at any time without the list of affected permit holders 12481

attached to it is invalid. 12482

At the time of filing the petition with the board of 12483
elections, the petitioner shall provide to the board of elections 12484
the list supplied by the division and an affidavit certifying that 12485
the petitioner notified all affected permit holders on the list in 12486
the manner and within the time required in this section and that, 12487
at the time each signer of the petition signed the petition, the 12488
petition paper contained a copy of the list of affected permit 12489
holders. 12490

Within five days after receiving a petition calling for an 12491
election for the submission of the question or questions set forth 12492
in this section, the board of elections shall give notice by 12493
certified mail that it has received the petition to all liquor 12494
permit holders whose names appear on the list of affected permit 12495
holders filed by the petitioner. Failure of the petitioner to 12496
supply the affidavit required by this section and a complete and 12497
accurate list of liquor permit holders invalidates the entire 12498
petition. The board of elections shall provide to a permit holder 12499
who would be affected by a proposed local option election, on the 12500
permit holder's request, the names of the streets, and, if 12501
appropriate, the address numbers of residences and business 12502
establishments within the precinct in which the election is sought 12503
and that would be affected by the results of the election. The 12504
board may charge a reasonable fee for this information when 12505
provided to the petitioner and the permit holder. 12506

Upon presentation not later than four p.m. of the 12507
seventy-fifth day before the day of a general or primary election, 12508
of a petition to the board of elections of the county wherein such 12509
election is sought to be held, requesting the holding of such 12510
election on either or both of the questions specified in this 12511
section, signed by qualified electors of the precinct concerned 12512
equal in number to thirty-five per cent of the total number of 12513

votes cast in the precinct concerned for the office of governor at 12514
the preceding general election for that office, such board shall 12515
submit the question or questions specified in the petition to the 12516
electors of the precinct concerned, on the day of the next general 12517
or primary election, whichever occurs first. 12518

(B) The board shall proceed as follows: 12519

(1) Such board shall, upon the filing of a petition under 12520
this section, but not later than the ~~sixty-sixth~~ sixty-eighth day 12521
before the day of the election for which the question or questions 12522
on the petition would qualify for submission to the electors of 12523
the precinct, examine and determine the sufficiency of the 12524
signatures and review, examine, and determine the validity of such 12525
petition and, in case of overlapping precinct petitions presented 12526
within that period, determine which of the petitions shall govern 12527
the further proceedings of the board. In the case where the board 12528
determines that two or more overlapping petitions are valid, the 12529
earlier petition shall govern. The board shall certify the 12530
sufficiency of signatures contained in the petition as of the time 12531
of filing and the validity of the petition as of the time of 12532
certification as described in division (C)(1) of this section if 12533
the board finds the petition to be both sufficient and valid. 12534

(2) If the petition contains sufficient signatures and is 12535
valid, and, in case of overlapping precinct petitions, after the 12536
board has determined the governing petition, the board shall order 12537
the holding of a special election in the precinct for the 12538
submission of the question or questions specified in the petition, 12539
on the day of the next general or primary election, whichever 12540
occurs first. 12541

(3) All petitions filed with a board of elections under this 12542
section shall be open to public inspection under rules adopted by 12543
the board. 12544

(C) Protest against a local option petition may be filed by 12545
any qualified elector eligible to vote on the question or 12546
questions specified in the petition or by a permit holder in the 12547
precinct as described in the petition, not later than four p.m. of 12548
the sixty-fourth day before the day of such general or primary 12549
election for which the petition qualified. Such protest shall be 12550
in writing and shall be filed with the election officials with 12551
whom the petition was filed. Upon filing of such protest the 12552
election officials with whom it is filed shall promptly fix the 12553
time for hearing it, and shall forthwith mail notice of the filing 12554
of the protest and the time for hearing it to the person who filed 12555
the petition which is protested and to the person who filed the 12556
protest. At the time and place fixed, the election officials shall 12557
hear the protest and determine the validity of the petition. 12558

(D) If a majority of the electors voting on the question in 12559
the precinct vote "yes" on question (1) or (2) as set forth in 12560
division (A) of this section, the sale of beer as specified in 12561
that question shall be permitted in the precinct and no subsequent 12562
election shall be held in the precinct under this section on the 12563
same question for a period of at least four years from the date of 12564
the most recent election. 12565

If a majority of the electors voting on the question in the 12566
precinct vote "no" on question (1) or (2) as set forth in division 12567
(A) of this section, no C or D permit holder shall sell beer as 12568
specified in that question within the precinct during the period 12569
the election is in effect and no subsequent election shall be held 12570
in the precinct under this section on the same question for a 12571
period of at least four years from the date of the most recent 12572
election. 12573

Sec. 4504.021. The question of repeal of a county permissive 12574
tax adopted as an emergency measure pursuant to section 4504.02, 12575

4504.15, or 4504.16 of the Revised Code may be initiated by filing 12576
with the board of elections of the county not less than 12577
seventy-five days before the general election in any year a 12578
petition requesting that an election be held on such question. 12579
Such petition shall be signed by qualified electors residing in 12580
the county equal in number to ten per cent of those voting for 12581
governor at the most recent gubernatorial election. 12582

After determination by it that such petition is valid, the 12583
board of elections shall submit the question to the electors of 12584
the county at the next general election. The election shall be 12585
conducted, canvassed, and certified in the same manner as regular 12586
elections for county offices in the county. Notice of the election 12587
shall be published in a newspaper of general circulation in the 12588
district once a week for ~~four~~ two consecutive weeks prior to the 12589
election, ~~stating~~ and shall be posted on the board of elections' 12590
web site, or, if the board does not operate and maintain its own 12591
web site, on the web site it operates and maintains on free 12592
internet space under section 3501.24 of the Revised Code, for 12593
thirty days prior to the election. The notice shall state the 12594
purpose, ~~the~~ time, and ~~the~~ place of the election. The form of the 12595
ballot cast at such election shall be prescribed by the secretary 12596
of state. The question covered by such petition shall be submitted 12597
as a separate proposition, but it may be printed on the same 12598
ballot with any other proposition submitted at the same election 12599
other than the election of officers. If a majority of the 12600
qualified electors voting on the question of repeal approve the 12601
repeal, the result of the election shall be certified immediately 12602
after the canvass by the board of elections to the county 12603
commissioners, who shall thereupon, after the current year, cease 12604
to levy the tax. 12605

Sec. 5705.191. The taxing authority of any subdivision, other 12606
than the board of education of a school district or the taxing 12607

authority of a county school financing district, by a vote of 12608
two-thirds of all its members, may declare by resolution that the 12609
amount of taxes that may be raised within the ten-mill limitation 12610
by levies on the current tax duplicate will be insufficient to 12611
provide an adequate amount for the necessary requirements of the 12612
subdivision, and that it is necessary to levy a tax in excess of 12613
such limitation for any of the purposes in section 5705.19 of the 12614
Revised Code, or to supplement the general fund for the purpose of 12615
making appropriations for one or more of the following purposes: 12616
public assistance, human or social services, relief, welfare, 12617
hospitalization, health, and support of general hospitals, and 12618
that the question of such additional tax levy shall be submitted 12619
to the electors of the subdivision at a general, primary, or 12620
special election to be held at a time therein specified. Such 12621
resolution shall not include a levy on the current tax list and 12622
duplicate unless such election is to be held at or prior to the 12623
general election day of the current tax year. Such resolution 12624
shall conform to the requirements of section 5705.19 of the 12625
Revised Code, except that a levy to supplement the general fund 12626
for the purposes of public assistance, human or social services, 12627
relief, welfare, hospitalization, health, or the support of 12628
general or tuberculosis hospitals may not be for a longer period 12629
than ten years. All other levies under this section may not be for 12630
a longer period than five years unless a longer period is 12631
permitted by section 5705.19 of the Revised Code, and the 12632
resolution shall specify the date of holding such election, which 12633
shall not be earlier than seventy-five days after the adoption and 12634
certification of such resolution. The resolution shall go into 12635
immediate effect upon its passage and no publication of the same 12636
is necessary other than that provided for in the notice of 12637
election. A copy of such resolution, immediately after its 12638
passage, shall be certified to the board of elections of the 12639
proper county or counties in the manner provided by section 12640

5705.25 of the Revised Code, and such section shall govern the 12641
arrangements for the submission of such question and other matters 12642
with respect to such election, to which section 5705.25 of the 12643
Revised Code refers, excepting that such election shall be held on 12644
the date specified in the resolution, which shall be consistent 12645
with the requirements of section 3501.01 of the Revised Code, 12646
provided that only one special election for the submission of such 12647
question may be held in any one calendar year and provided that a 12648
special election may be held upon the same day a primary election 12649
is held. Publication of notice of ~~such~~ that election shall be made 12650
in one or more newspapers of general circulation in the county 12651
once a week for ~~four~~ two consecutive weeks prior to the election, 12652
and the board of elections shall post notice of the election on 12653
its web site, or, if the board does not operate and maintain its 12654
own web site, on the web site it operates and maintains on free 12655
internet space under section 3501.24 of the Revised Code, for 12656
thirty days prior to the election. 12657

If a majority of the electors voting on the question vote in 12658
favor thereof, the taxing authority of the subdivision may make 12659
the necessary levy within such subdivision at the additional rate 12660
or at any lesser rate outside the ten-mill limitation on the tax 12661
list and duplicate for the purpose stated in the resolution. Such 12662
tax levy shall be included in the next annual tax budget that is 12663
certified to the county budget commission. 12664

After the approval of such a levy by the electors, the taxing 12665
authority of the subdivision may anticipate a fraction of the 12666
proceeds of such levy and issue anticipation notes. In the case of 12667
a continuing levy that is not levied for the purpose of current 12668
expenses, notes may be issued at any time after approval of the 12669
levy in an amount not more than fifty per cent of the total 12670
estimated proceeds of the levy for the succeeding ten years, less 12671
an amount equal to the fraction of the proceeds of the levy 12672

previously anticipated by the issuance of anticipation notes. In 12673
the case of a levy for a fixed period that is not for the purpose 12674
of current expenses, notes may be issued at any time after 12675
approval of the levy in an amount not more than fifty per cent of 12676
the total estimated proceeds of the levy throughout the remaining 12677
life of the levy, less an amount equal to the fraction of the 12678
proceeds of the levy previously anticipated by the issuance of 12679
anticipation notes. In the case of a levy for current expenses, 12680
notes may be issued after the approval of the levy by the electors 12681
and prior to the time when the first tax collection from the levy 12682
can be made. Such notes may be issued in an amount not more than 12683
fifty per cent of the total estimated proceeds of the levy 12684
throughout the term of the levy in the case of a levy for a fixed 12685
period, or fifty per cent of the total estimated proceeds for the 12686
first ten years of the levy in the case of a continuing levy. 12687

No anticipation notes that increase the net indebtedness of a 12688
county may be issued without the prior consent of the board of 12689
county commissioners of that county. The notes shall be issued as 12690
provided in section 133.24 of the Revised Code, shall have 12691
principal payments during each year after the year of their 12692
issuance over a period not exceeding the life of the levy 12693
anticipated, and may have a principal payment in the year of their 12694
issuance. 12695

"Taxing authority" and "subdivision" have the same meanings 12696
as in section 5705.01 of the Revised Code. 12697

"Human or social services" includes a county's contributions 12698
to a multicounty board of mental retardation and developmental 12699
disabilities of which the county is a member. 12700

This section is supplemental to and not in derogation of 12701
sections 5705.20, 5705.21, and 5705.22 of the Revised Code. 12702

Sec. 5705.194. The board of education of any city, local, 12703
exempted village, cooperative education, or joint vocational 12704
school district at any time may declare by resolution that the 12705
revenue that will be raised by all tax levies which the district 12706
is authorized to impose, when combined with state and federal 12707
revenues, will be insufficient to provide for the emergency 12708
requirements of the school district or to avoid an operating 12709
deficit, and that it is therefore necessary to levy an additional 12710
tax in excess of the ten-mill limitation. The resolution shall be 12711
confined to a single purpose and shall specify that purpose. If 12712
the levy is proposed to renew all or a portion of the proceeds 12713
derived from one or more existing levies imposed pursuant to this 12714
section, it shall be called a renewal levy and shall be so 12715
designated on the ballot. If two or more existing levies are to be 12716
included in a single renewal levy but are not scheduled to expire 12717
in the same year, the resolution shall specify that the existing 12718
levies to be renewed shall not be levied after the year preceding 12719
the year in which the renewal levy is first imposed. 12720
Notwithstanding the original purpose of any one or more existing 12721
levies that are to be in any single renewal levy, the purpose of 12722
the renewal levy may be either to avoid an operating deficit or to 12723
provide for the emergency requirements of the school district. The 12724
resolution shall further specify the amount of money it is 12725
necessary to raise for the specified purpose for each calendar 12726
year the millage is to be imposed; if a renewal levy, whether the 12727
levy is to renew all, or a portion of, the proceeds derived from 12728
one or more existing levies; and the number of years in which the 12729
millage is to be in effect, which may include a levy upon the 12730
current year's tax list. The number of years may be any number not 12731
exceeding five. 12732

The question shall be submitted at a special election on a 12733
date specified in the resolution. The date shall not be earlier 12734

than eighty days after the adoption and certification of the
resolution to the county auditor and shall be consistent with the
requirements of section 3501.01 of the Revised Code. A resolution
for a renewal levy shall not be placed on the ballot unless the
question is submitted on a date on which a special election may be
held under division (D) of section 3501.01 of the Revised Code,
except for the first Tuesday after the first Monday in February
and August, during the last year the levy to be renewed may be
extended on the real and public utility property tax list and
duplicate, or at any election held in the ensuing year, except
that if the resolution proposes renewing two or more existing
levies, the question shall be submitted on the date of the general
or primary election held during the last year at least one of the
levies to be renewed may be extended on that list and duplicate,
or at any election held during the ensuing year. For purposes of
this section, a levy shall be considered to be an "existing levy"
through the year following the last year it can be placed on the
real and public utility property tax list and duplicate.

The submission of questions to the electors under this
section is subject to the limitation on the number of election
dates established by section 5705.214 of the Revised Code.

The resolution shall go into immediate effect upon its
passage, and no publication of the resolution shall be necessary
other than that provided for in the notice of election. A copy of
the resolution shall immediately after its passing be certified to
the county auditor of the proper county. Section 5705.195 of the
Revised Code shall govern the arrangements for the submission of
questions to the electors under this section and other matters
concerning the election. Publication of notice of the election
shall be made in one or more newspapers of general circulation in
the county once a week for ~~three~~ two consecutive weeks prior to
the election, and the board of elections shall post notice of the

election on its web site, or, if the board does not operate and 12767
maintain its own web site, on the web site it operates and 12768
maintains on free internet space under section 3501.24 of the 12769
Revised Code, for thirty days prior to the election. If a majority 12770
of the electors voting on the question submitted in an election 12771
vote in favor of the levy, the board of education of the school 12772
district may make the additional levy necessary to raise the 12773
amount specified in the resolution for the purpose stated in the 12774
resolution. The tax levy shall be included in the next tax budget 12775
that is certified to the county budget commission. 12776

After the approval of the levy and prior to the time when the 12777
first tax collection from the levy can be made, the board of 12778
education may anticipate a fraction of the proceeds of the levy 12779
and issue anticipation notes in an amount not exceeding the total 12780
estimated proceeds of the levy to be collected during the first 12781
year of the levy. 12782

The notes shall be issued as provided in section 133.24 of 12783
the Revised Code, shall have principal payments during each year 12784
after the year of their issuance over a period not to exceed five 12785
years, and may have principal payment in the year of their 12786
issuance. 12787

Sec. 5705.196. The election provided for in section 5705.194 12788
of the Revised Code shall be held at the regular places for voting 12789
in the district, and shall be conducted, canvassed, and certified 12790
in the same manner as regular elections in the district for the 12791
election of county officers, provided that in any such election in 12792
which only part of the electors of a precinct are qualified to 12793
vote, the board of elections may assign voters in such part to an 12794
adjoining precinct. Such an assignment may be made to an adjoining 12795
precinct in another county with the consent and approval of the 12796
board of elections of such other county. Notice of the election 12797

shall be published in one or more newspapers of general 12798
circulation in the district once a week for ~~three~~ two consecutive 12799
weeks prior to the election, and the board of elections shall post 12800
notice of the election on its web site, or, if the board does not 12801
operate and maintain its own web site, on the web site it operates 12802
and maintains on free internet space under section 3501.24 of the 12803
Revised Code, for thirty days prior to the election. Such notice 12804
shall state the annual proceeds of the proposed levy, the purpose 12805
for which such proceeds are to be used, the number of years during 12806
which the levy shall run, and the estimated average additional tax 12807
rate expressed in dollars and cents for each one hundred dollars 12808
of valuation as well as in mills for each one dollar of valuation, 12809
outside the limitation imposed by Section 2 of Article XII, Ohio 12810
Constitution, as certified by the county auditor. 12811

Sec. 5705.21. (A) At any time, the board of education of any 12812
city, local, exempted village, cooperative education, or joint 12813
vocational school district, by a vote of two-thirds of all its 12814
members, may declare by resolution that the amount of taxes which 12815
may be raised within the ten-mill limitation by levies on the 12816
current tax duplicate will be insufficient to provide an adequate 12817
amount for the necessary requirements of the school district, that 12818
it is necessary to levy a tax in excess of such limitation for one 12819
of the purposes specified in division (A), (D), (F), (H), or (DD) 12820
of section 5705.19 of the Revised Code, for general permanent 12821
improvements, for the purpose of operating a cultural center, or 12822
for the purpose of providing education technology, and that the 12823
question of such additional tax levy shall be submitted to the 12824
electors of the school district at a special election on a day to 12825
be specified in the resolution. 12826

As used in this section, "cultural center" means a 12827
freestanding building, separate from a public school building, 12828
that is open to the public for educational, musical, artistic, and 12829

cultural purposes; "education technology" means, but is not
limited to, computer hardware, equipment, materials, and
accessories, equipment used for two-way audio or video, and
software; and "general permanent improvements" means permanent
improvements without regard to the limitation of division (F) of
section 5705.19 of the Revised Code that the improvements be a
specific improvement or a class of improvements that may be
included in a single bond issue.

The submission of questions to the electors under this
section is subject to the limitation on the number of election
dates established by section 5705.214 of the Revised Code.

(B) Such resolution shall be confined to a single purpose and
shall specify the amount of the increase in rate that it is
necessary to levy, the purpose of the levy, and the number of
years during which the increase in rate shall be in effect. The
number of years may be any number not exceeding five or, if the
levy is for current expenses of the district or for general
permanent improvements, for a continuing period of time. The
resolution shall specify the date of holding such election, which
shall not be earlier than seventy-five days after the adoption and
certification of the resolution and which shall be consistent with
the requirements of section 3501.01 of the Revised Code.

The resolution may propose to renew one or more existing
levies imposed under this section or to increase or decrease a
single levy imposed under this section. If the board of education
imposes one or more existing levies for the purpose specified in
division (F) of section 5705.19 of the Revised Code, the
resolution may propose to renew one or more of those existing
levies, or to increase or decrease a single such existing levy,
for the purpose of general permanent improvements. If the
resolution proposes to renew two or more existing levies, the
levies shall be levied for the same purpose. The resolution shall

identify those levies and the rates at which they are levied. The
resolution also shall specify that the existing levies shall not
be extended on the tax lists after the year preceding the year in
which the renewal levy is first imposed, regardless of the years
for which those levies originally were authorized to be levied.

The resolution shall go into immediate effect upon its
passage, and no publication of the resolution shall be necessary
other than that provided for in the notice of election. A copy of
the resolution shall immediately after its passing be certified to
the board of elections of the proper county in the manner provided
by section 5705.25 of the Revised Code, and that section shall
govern the arrangements for the submission of such question and
other matters concerning such election, to which that section
refers, except that such election shall be held on the date
specified in the resolution. Publication of notice of ~~such~~ that
election shall be made in one or more newspapers of general
circulation in the county once a week for ~~four~~ two consecutive
weeks prior to the election, and the board of elections shall post
notice of the election on its web site, or, if the board does not
operate and maintain its own web site, on the web site it operates
and maintains on free internet space under section 3501.24 of the
Revised Code, for thirty days prior to the election. If a majority
of the electors voting on the question so submitted in an election
vote in favor of the levy, the board of education may make the
necessary levy within the school district at the additional rate,
or at any lesser rate in excess of the ten-mill limitation on the
tax list, for the purpose stated in the resolution. A levy for a
continuing period of time may be reduced pursuant to section
5705.261 of the Revised Code. The tax levy shall be included in
the next tax budget that is certified to the county budget
commission.

(C)(1) After the approval of a levy on the current tax list

and duplicate for current expenses, for recreational purposes, for
community centers provided for in section 755.16 of the Revised
Code, or for a public library of the district and prior to the
time when the first tax collection from the levy can be made, the
board of education may anticipate a fraction of the proceeds of
the levy and issue anticipation notes in a principal amount not
exceeding fifty per cent of the total estimated proceeds of the
levy to be collected during the first year of the levy.

(2) After the approval of a levy for general permanent
improvements for a specified number of years, or for permanent
improvements having the purpose specified in division (F) of
section 5705.19 of the Revised Code, the board of education may
anticipate a fraction of the proceeds of the levy and issue
anticipation notes in a principal amount not exceeding fifty per
cent of the total estimated proceeds of the levy remaining to be
collected in each year over a period of five years after the
issuance of the notes.

The notes shall be issued as provided in section 133.24 of
the Revised Code, shall have principal payments during each year
after the year of their issuance over a period not to exceed five
years, and may have a principal payment in the year of their
issuance.

(3) After approval of a levy for general permanent
improvements for a continuing period of time, the board of
education may anticipate a fraction of the proceeds of the levy
and issue anticipation notes in a principal amount not exceeding
fifty per cent of the total estimated proceeds of the levy to be
collected in each year over a specified period of years, not
exceeding ten, after the issuance of the notes.

The notes shall be issued as provided in section 133.24 of
the Revised Code, shall have principal payments during each year

after the year of their issuance over a period not to exceed ten 12925
years, and may have a principal payment in the year of their 12926
issuance. 12927

Sec. 5705.218. (A) The board of education of a city, local, 12928
or exempted village school district, at any time by a vote of 12929
two-thirds of all its members, may declare by resolution that it 12930
may be necessary for the school district to issue general 12931
obligation bonds for permanent improvements. The resolution shall 12932
state all of the following: 12933

(1) The necessity and purpose of the bond issue; 12934

(2) The date of the special election at which the question 12935
shall be submitted to the electors; 12936

(3) The amount, approximate date, estimated rate of interest, 12937
and maximum number of years over which the principal of the bonds 12938
may be paid; 12939

(4) The necessity of levying a tax outside the ten-mill 12940
limitation to pay debt charges on the bonds and any anticipatory 12941
securities. 12942

On adoption of the resolution, the board shall certify a copy 12943
of it to the county auditor. The county auditor promptly shall 12944
estimate and certify to the board the average annual property tax 12945
rate required throughout the stated maturity of the bonds to pay 12946
debt charges on the bonds, in the same manner as under division 12947
(C) of section 133.18 of the Revised Code. 12948

(B) After receiving the county auditor's certification under 12949
division (A) of this section, the board of education of the city, 12950
local, or exempted village school district, by a vote of 12951
two-thirds of all its members, may declare by resolution that the 12952
amount of taxes that can be raised within the ten-mill limitation 12953
will be insufficient to provide an adequate amount for the present 12954

and future requirements of the school district; that it is
necessary to issue general obligation bonds of the school district
for permanent improvements and to levy an additional tax in excess
of the ten-mill limitation to pay debt charges on the bonds and
any anticipatory securities; that it is necessary for a specified
number of years or for a continuing period of time to levy
additional taxes in excess of the ten-mill limitation to provide
funds for the acquisition, construction, enlargement, renovation,
and financing of permanent improvements or to pay for current
operating expenses, or both; and that the question of the bonds
and taxes shall be submitted to the electors of the school
district at a special election, which shall not be earlier than
seventy-five days after certification of the resolution to the
board of elections, and the date of which shall be consistent with
section 3501.01 of the Revised Code. The resolution shall specify
all of the following:

(1) The county auditor's estimate of the average annual
property tax rate required throughout the stated maturity of the
bonds to pay debt charges on the bonds;

(2) The proposed rate of the tax, if any, for current
operating expenses, the first year the tax will be levied, and the
number of years it will be levied, or that it will be levied for a
continuing period of time;

(3) The proposed rate of the tax, if any, for permanent
improvements, the first year the tax will be levied, and the
number of years it will be levied, or that it will be levied for a
continuing period of time.

The resolution shall apportion the annual rate of the tax
between current operating expenses and permanent improvements, if
both taxes are proposed. The apportionment may but need not be the
same for each year of the tax, but the respective portions of the

rate actually levied each year for current operating expenses and
permanent improvements shall be limited by the apportionment. The
resolution shall go into immediate effect upon its passage, and no
publication of it is necessary other than that provided in the
notice of election. The board of education shall certify a copy of
the resolution, along with copies of the auditor's estimate and
its resolution under division (A) of this section, to the board of
elections immediately after its adoption.

(C) The board of elections shall make the arrangements for
the submission of the question to the electors of the school
district, and the election shall be conducted, canvassed, and
certified in the same manner as regular elections in the district
for the election of county officers. The resolution shall be put
before the electors as one ballot question, with a favorable vote
indicating approval of the bond issue, the levy to pay debt
charges on the bonds and any anticipatory securities, the current
operating expenses levy, and the permanent improvements levy, if
either or both levies are proposed. The board of elections shall
publish notice of the election in one or more newspapers of
general circulation in the school district once a week for ~~four~~
two consecutive weeks prior to the election and shall post notice
of the election on its web site, or, if the board does not operate
and maintain its own web site, on the web site it operates and
maintains on free internet space under section 3501.24 of the
Revised Code, for thirty days prior to the election. The notice of
election shall state all of the following:

- (1) The principal amount of the proposed bond issue;
- (2) The permanent improvements for which the bonds are to be
issued;
- (3) The maximum number of years over which the principal of
the bonds may be paid;

(4) The estimated additional average annual property tax rate 13017
to pay the debt charges on the bonds, as certified by the county 13018
auditor; 13019

(5) The proposed rate of the additional tax, if any, for 13020
current operating expenses; 13021

(6) The number of years the current operating expenses tax 13022
will be in effect, or that it will be in effect for a continuing 13023
period of time; 13024

(7) The proposed rate of the additional tax, if any, for 13025
permanent improvements; 13026

(8) The number of years the permanent improvements tax will 13027
be in effect, or that it will be in effect for a continuing period 13028
of time; 13029

(9) The time and place of the special election. 13030

(D) The form of the ballot for an election under this section 13031
is as follows: 13032

"Shall the school district be authorized to do the 13033
following: 13034

(1) Issue bonds for the purpose of in the 13035
principal amount of \$....., to be repaid annually over a maximum 13036
period of years, and levy a property tax outside the 13037
ten-mill limitation, estimated by the county auditor to average 13038
over the bond repayment period mills for each one dollar of 13039
tax valuation, which amounts to (rate expressed in cents or 13040
dollars and cents, such as "36 cents" or "\$1.41") for each \$100 of 13041
tax valuation, to pay the annual debt charges on the bonds, and to 13042
pay debt charges on any notes issued in anticipation of those 13043
bonds?" 13044

If either a levy for permanent improvements or a levy for 13045
current operating expenses is proposed, or both are proposed, the 13046

ballot also shall contain the following language, as appropriate: 13047

"(2) Levy an additional property tax to provide funds for the 13048
acquisition, construction, enlargement, renovation, and financing 13049
of permanent improvements at a rate not exceeding mills 13050
for each one dollar of tax valuation, which amounts to 13051
(rate expressed in cents or dollars and cents) for each \$100 of 13052
tax valuation, for (number of years of the levy, or a 13053
continuing period of time)? 13054

(3) Levy an additional property tax to pay current operating 13055
expenses at a rate not exceeding mills for each one dollar 13056
of tax valuation, which amounts to (rate expressed in 13057
cents or dollars and cents) for each \$100 of tax valuation, for 13058
..... (number of years of the levy, or a continuing period of 13059
time)? 13060

	FOR THE BOND ISSUE AND LEVY (OR LEVIES)
	AGAINST THE BOND ISSUE AND LEVY (OR LEVIES)

"

(E) The board of elections promptly shall certify the results 13065
of the election to the tax commissioner and the county auditor of 13066
the county in which the school district is located. If a majority 13067
of the electors voting on the question vote for it, the board of 13068
education may proceed with issuance of the bonds and with the levy 13069
and collection of the property tax or taxes at the additional rate 13070
or any lesser rate in excess of the ten-mill limitation. Any 13071
securities issued by the board of education under this section are 13072
Chapter 133. securities, as that term is defined in section 133.01 13073
of the Revised Code. 13074

(F)(1) After the approval of a tax for current operating 13075
expenses under this section and prior to the time the first 13076
collection and distribution from the levy can be made, the board 13077

of education may anticipate a fraction of the proceeds of such 13078
levy and issue anticipation notes in a principal amount not 13079
exceeding fifty per cent of the total estimated proceeds of the 13080
tax to be collected during the first year of the levy. 13081

(2) After the approval of a tax under this section for 13082
permanent improvements having a specific purpose, the board of 13083
education may anticipate a fraction of the proceeds of such tax 13084
and issue anticipation notes in a principal amount not exceeding 13085
fifty per cent of the total estimated proceeds of the tax 13086
remaining to be collected in each year over a period of five years 13087
after issuance of the notes. 13088

(3) After the approval of a tax for general, on-going 13089
permanent improvements under this section, the board of education 13090
may anticipate a fraction of the proceeds of such tax and issue 13091
anticipation notes in a principal amount not exceeding fifty per 13092
cent of the total estimated proceeds of the tax to be collected in 13093
each year over a specified period of years, not exceeding ten, 13094
after issuance of the notes. 13095

Anticipation notes under this section shall be issued as 13096
provided in section 133.24 of the Revised Code. Notes issued under 13097
division (F)(1) or (2) of this section shall have principal 13098
payments during each year after the year of their issuance over a 13099
period not to exceed five years, and may have a principal payment 13100
in the year of their issuance. Notes issued under division (F)(3) 13101
of this section shall have principal payments during each year 13102
after the year of their issuance over a period not to exceed ten 13103
years, and may have a principal payment in the year of their 13104
issuance. 13105

(G) A tax for current operating expenses or for permanent 13106
improvements levied under this section for a specified number of 13107
years may be renewed or replaced in the same manner as a tax for 13108

current operating expenses or for permanent improvements levied 13109
under section 5705.21 of the Revised Code. A tax for current 13110
operating expenses or for permanent improvements levied under this 13111
section for a continuing period of time may be decreased in 13112
accordance with section 5705.261 of the Revised Code. 13113

(H) The submission of a question to the electors under this 13114
section is subject to the limitation on the number of elections 13115
that can be held in a year under section 5705.214 of the Revised 13116
Code. 13117

(I) A school district board of education proposing a ballot 13118
measure under this section to generate local resources for a 13119
project under the school building assistance expedited local 13120
partnership program under section 3318.36 of the Revised Code may 13121
combine the questions under division (D) of this section with a 13122
question for the levy of a property tax to generate moneys for 13123
maintenance of the classroom facilities acquired under that 13124
project as prescribed in section 3318.361 of the Revised Code. 13125

Sec. 5705.25. (A) A copy of any resolution adopted as 13126
provided in section 5705.19 of the Revised Code shall be certified 13127
by the taxing authority to the board of elections of the proper 13128
county not less than seventy-five days before the general election 13129
in any year, and the board shall submit the proposal to the 13130
electors of the subdivision at the succeeding November election. 13131
Except as otherwise provided in this division, a resolution to 13132
renew an existing levy, regardless of the section of the Revised 13133
Code under which the tax was imposed, shall not be placed on the 13134
ballot unless the question is submitted at the general election 13135
held during the last year the tax to be renewed or replaced may be 13136
extended on the real and public utility property tax list and 13137
duplicate, or at any election held in the ensuing year. The 13138
limitation of the foregoing sentence does not apply to a 13139

resolution to renew and increase or to renew part of an existing 13140
levy that was imposed under section 5705.191 of the Revised Code 13141
to supplement the general fund for the purpose of making 13142
appropriations for one or more of the following purposes: for 13143
public assistance, human or social services, relief, welfare, 13144
hospitalization, health, and support of general hospitals. The 13145
limitation of the second preceding sentence also does not apply to 13146
a resolution that proposes to renew two or more existing levies 13147
imposed under section 5705.21 of the Revised Code, in which case 13148
the question shall be submitted on the date of the general or 13149
primary election held during the last year at least one of the 13150
levies to be renewed may be extended on the real and public 13151
utility property tax list and duplicate, or at any election held 13152
during the ensuing year. For purposes of this section, a levy 13153
shall be considered to be an "existing levy" through the year 13154
following the last year it can be placed on that tax list and 13155
duplicate. 13156

The board shall make the necessary arrangements for the 13157
submission of such questions to the electors of such subdivision, 13158
and the election shall be conducted, canvassed, and certified in 13159
the same manner as regular elections in such subdivision for the 13160
election of county officers. Notice of the election shall be 13161
published in a newspaper of general circulation in the subdivision 13162
once a week for ~~four~~ two consecutive weeks prior to the election, 13163
stating and the board of elections shall post notice of the 13164
election on its web site, or, if the board does not operate and 13165
maintain its own web site, on the web site it operates and 13166
maintains on free internet space under section 3501.24 of the 13167
Revised Code, for thirty days prior to the election. The notice 13168
shall state the purpose, the proposed increase in rate, expressed 13169
in dollars and cents for each one hundred dollars of valuation as 13170
well as in mills for each one dollar of valuation, the number of 13171
years during which the increase will be in effect, the first month 13172

and year in which the tax will be levied, and the time and place 13173
of the election. 13174

(B) The form of the ballots cast at an election held pursuant 13175
to division (A) of this section shall be as follows: 13176

"An additional tax for the benefit of (name of subdivision or 13177
public library) for the purpose of (purpose stated in 13178
the resolution) at a rate not exceeding mills 13179
for each one dollar of valuation, which amounts to (rate expressed 13180
in dollars and cents) for each one hundred dollars of 13181
valuation, for (life of indebtedness or number of years the 13182
levy is to run). 13183

	For the Tax Levy
	Against the Tax Levy

"

(C) If the levy is to be in effect for a continuing period of 13184
time, the notice of election and the form of ballot shall so state 13185
instead of setting forth a specified number of years for the levy. 13186
13187

If the tax is to be placed on the current tax list, the form 13188
of the ballot shall be modified by adding, after the statement of 13189
the number of years the levy is to run, the phrase ", commencing 13190
in (first year the tax is to be levied), first due in 13191
calendar year (first calendar year in which the tax 13192
shall be due)." 13193
13194
13195
13196

If the levy submitted is a proposal to renew, increase, or 13197
decrease an existing levy, the form of the ballot specified in 13198
division (B) of this section may be changed by substituting for 13199
the words "An additional" at the beginning of the form, the words 13200
"A renewal of a" in case of a proposal to renew an existing levy 13201
in the same amount; the words "A renewal of mills and an 13202
increase of mills to constitute a" in the case of an 13203

increase; or the words "A renewal of part of an existing levy,
being a reduction of mills, to constitute a" in the case of
a decrease in the proposed levy.

If the levy submitted is a proposal to renew two or more
existing levies imposed under section 5705.21 of the Revised Code,
the form of the ballot specified in division (B) of this section
shall be modified by substituting for the words "an additional
tax" the words "a renewal of(insert the number of levies to
be renewed) existing taxes."

The question covered by such resolution shall be submitted as
a separate proposition but may be printed on the same ballot with
any other proposition submitted at the same election, other than
the election of officers. More than one such question may be
submitted at the same election.

(D) A levy voted in excess of the ten-mill limitation under
this section shall be certified to the tax commissioner. In the
first year of the levy, it shall be extended on the tax lists
after the February settlement succeeding the election. If the
additional tax is to be placed upon the tax list of the current
year, as specified in the resolution providing for its submission,
the result of the election shall be certified immediately after
the canvass by the board of elections to the taxing authority, who
shall make the necessary levy and certify it to the county
auditor, who shall extend it on the tax lists for collection.
After the first year, the tax levy shall be included in the annual
tax budget that is certified to the county budget commission.

Sec. 5705.251. (A) A copy of a resolution adopted under
section 5705.212 or 5705.213 of the Revised Code shall be
certified by the board of education to the board of elections of
the proper county not less than seventy-five days before the date
of the election specified in the resolution, and the board of

elections shall submit the proposal to the electors of the school 13235
district at a special election to be held on that date. The board 13236
of elections shall make the necessary arrangements for the 13237
submission of the question or questions to the electors of the 13238
school district, and the election shall be conducted, canvassed, 13239
and certified in the same manner as regular elections in the 13240
school district for the election of county officers. Notice of the 13241
election shall be published in a newspaper of general circulation 13242
in the subdivision once a week for ~~four~~ two consecutive weeks 13243
prior to the election, and the board of elections shall post 13244
notice of the election on its web site or, if the board does not 13245
operate and maintain its own web site, on the web site it operates 13246
and maintains on free internet space under section 3501.24 of the 13247
Revised Code for thirty days prior to the election. 13248

(1) In the case of a resolution adopted under section 13249
5705.212 of the Revised Code, the notice shall state separately, 13250
for each tax being proposed, the purpose; the proposed increase in 13251
rate, expressed in dollars and cents for each one hundred dollars 13252
of valuation as well as in mills for each one dollar of valuation; 13253
the number of years during which the increase will be in effect; 13254
and the first calendar year in which the tax will be due. For an 13255
election on the question of a renewal levy, the notice shall state 13256
the purpose; the proposed rate, expressed in dollars and cents for 13257
each one hundred dollars of valuation as well as in mills for each 13258
one dollar of valuation; and the number of years the tax will be 13259
in effect. 13260

(2) In the case of a resolution adopted under section 13261
5705.213 of the Revised Code, the notice shall state the purpose; 13262
the amount proposed to be raised by the tax in the first year it 13263
is levied; the estimated average additional tax rate for the first 13264
year it is proposed to be levied, expressed in mills for each one 13265
dollar of valuation and in dollars and cents for each one hundred 13266

dollars of valuation; the number of years during which the
increase will be in effect; and the first calendar year in which
the tax will be due. The notice also shall state the amount by
which the amount to be raised by the tax may be increased in each
year after the first year. The amount of the allowable increase
may be expressed in terms of a dollar increase over, or a
percentage of, the amount raised by the tax in the immediately
preceding year. For an election on the question of a renewal levy,
the notice shall state the purpose; the amount proposed to be
raised by the tax; the estimated tax rate, expressed in mills for
each one dollar of valuation and in dollars and cents for each one
hundred dollars of valuation; and the number of years the tax will
be in effect.

In any case, the notice also shall state the time and place
of the election.

(B) The form of the ballot in an election on taxes proposed
under section 5705.212 of the Revised Code shall be as follows:

"Shall the school district be authorized to levy
taxes for current expenses, the aggregate rate of which may
increase in (number) increment(s) of not more than
mill(s) for each dollar of valuation, from an original rate of
..... mill(s) for each dollar of valuation, which amounts to
..... (rate expressed in dollars and cents) for each one hundred
dollars of valuation, to a maximum rate of mill(s) for each
dollar of valuation, which amounts to (rate expressed in
dollars and cents) for each one hundred dollars of valuation? The
original tax is first proposed to be levied in (the first
year of the tax), and the incremental tax in (the first
year of the increment) (if more than one incremental tax is
proposed in the resolution, the first year that each incremental
tax is proposed to be levied shall be stated in the preceding
format, and the increments shall be referred to as the first,

second, third, or fourth increment, depending on their number). 13299
The aggregate rate of tax so authorized will (insert 13300
either, "expire with the original rate of tax which shall be in 13301
effect for years" or "be in effect for a continuing period 13302
of time"). 13303

	FOR THE TAX LEVYS <u>LEVIES</u>
	AGAINST THE TAX LEVYS <u>LEVIES</u>

"

The form of the ballot in an election on the question of a 13304
renewal levy under section 5705.212 of the Revised Code shall be 13305
as follows: 13306
13307

"Shall the school district be authorized to renew a 13308
tax for current expenses at a rate not exceeding mills 13309
for each dollar of valuation, which amounts to (rate 13310
expressed in dollars and cents) for each one hundred dollars of 13311
valuation, for (number of years the levy shall be in 13312
effect, or a continuing period of time)? 13313
13314
13315
13316

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

"

If the tax is to be placed on the current tax list, the form 13317
of the ballot shall be modified by adding, after the statement of 13318
the number of years the levy is to be in effect, the phrase ", 13319
commencing in (first year the tax is to be levied), 13320
first due in calendar year (first calendar year in 13321
which the tax shall be due)." 13322
13323
13324
13325
13326

(C) The form of the ballot in an election on a tax proposed 13327
under section 5705.213 of the Revised Code shall be as follows: 13328

"Shall the school district be authorized to levy the following tax for current expenses? The tax will first be levied in (year) to raise (dollars). In the (number of years) following years, the tax will increase by not more than (per cent or dollar amount of increase) each year, so that, during (last year of the tax), the tax will raise approximately (dollars). The county auditor estimates that the rate of the tax per dollar of valuation will be mill(s), which amounts to \$. per one hundred dollars of valuation, both during (first year of the tax) and mill(s), which amounts to \$. per one hundred dollars of valuation, during (last year of the tax). The tax will not be levied after (year).

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

"

The form of the ballot in an election on the question of a renewal levy under section 5705.213 of the Revised Code shall be as follows:

"Shall the school district be authorized to renew a tax for current expenses which will raise (dollars), estimated by the county auditor to be mills for each dollar of valuation, which amounts to (rate expressed in dollars and cents) for each one hundred dollars of valuation? The tax shall be in effect for (the number of years the levy shall be in effect, or a continuing period of time).

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

"

If the tax is to be placed on the current tax list, the form 13360
of the ballot shall be modified by adding, after the statement of 13361
the number of years the levy is to be in effect, the phrase ", 13362
commencing in (first year the tax is to be levied), 13363
first due in calendar year (first calendar year in 13364
which the tax shall be due)." 13365

(D) The question covered by a resolution adopted under 13366
section 5705.212 or 5705.213 of the Revised Code shall be 13367
submitted as a separate question, but may be printed on the same 13368
ballot with any other question submitted at the same election, 13369
other than the election of officers. More than one question may be 13370
submitted at the same election. 13371

(E) Taxes voted in excess of the ten-mill limitation under 13372
division (B) or (C) of this section shall be certified to the tax 13373
commissioner. If an additional tax is to be placed upon the tax 13374
list of the current year, as specified in the resolution providing 13375
for its submission, the result of the election shall be certified 13376
immediately after the canvass by the board of elections to the 13377
board of education. The board of education immediately shall make 13378
the necessary levy and certify it to the county auditor, who shall 13379
extend it on the tax list for collection. After the first year, 13380
the levy shall be included in the annual tax budget that is 13381
certified to the county budget commission. 13382

Sec. 5705.261. The question of decrease of an increased rate 13383
of levy approved for a continuing period of time by the voters of 13384
a subdivision may be initiated by the filing of a petition with 13385
the board of elections of the proper county not less than 13386
seventy-five days before the general election in any year 13387
requesting that an election be held on such question. Such 13388
petition shall state the amount of the proposed decrease in the 13389
rate of levy and shall be signed by qualified electors residing in 13390

the subdivision equal in number to at least ten per cent of the 13391
total number of votes cast in the subdivision for the office of 13392
governor at the most recent general election for that office. Only 13393
one such petition may be filed during each five-year period 13394
following the election at which the voters approved the increased 13395
rate for a continuing period of time. 13396

After determination by it that such petition is valid, the 13397
board of elections shall submit the question to the electors of 13398
the district at the succeeding general election. The election 13399
shall be conducted, canvassed, and certified in the same manner as 13400
regular elections in such subdivision for county offices. Notice 13401
of the election shall be published in a newspaper of general 13402
circulation in the district once a week for ~~four~~ two consecutive 13403
weeks prior to the election, stating and the board of elections 13404
shall post notice of the election on its web site, or, if the 13405
board does not operate and maintain its own web site, on the web 13406
site it operates and maintains on free internet space under 13407
section 3501.24 of the Revised Code, for thirty days prior to the 13408
election. The notice shall state the purpose, the amount of the 13409
proposed decrease in rate, and the time and place of the election. 13410
The form of the ballot cast at such election shall be prescribed 13411
by the secretary of state. The question covered by such petition 13412
shall be submitted as a separate proposition but it may be printed 13413
on the same ballot with any other propositions submitted at the 13414
same election other than the election of officers. If a majority 13415
of the qualified electors voting on the question of a decrease at 13416
such election approve the proposed decrease in rate, the result of 13417
the election shall be certified immediately after the canvass by 13418
the board of elections to the subdivision's taxing authority, 13419
which shall thereupon, after the current year, cease to levy such 13420
increased rate or levy such tax at such reduced rate upon the 13421
duplicate of the subdivision. If notes have been issued in 13422
anticipation of the collection of such levy, the taxing authority 13423

shall continue to levy and collect under authority of the election 13424
authorizing the original levy such amounts as will be sufficient 13425
to pay the principal of and interest on such anticipation notes as 13426
the same fall due. 13427

Sec. 5705.71. (A) The electors of a county may initiate the 13428
question of a tax levy for support of senior citizens services or 13429
facilities by the filing of a petition with the board of elections 13430
of that county not less than seventy-five days before the date of 13431
any primary or general election requesting that an election be 13432
held on such question. The petition shall be signed by at least 13433
ten per cent of the qualified electors residing in the county and 13434
voting for the office of governor at the last general election. 13435

(B) The petition shall state the purpose for which the senior 13436
citizens tax levy is being proposed, shall specify the amount of 13437
the proposed increase in rate, the period of time during which the 13438
increase is to be in effect, and whether the levy is to be imposed 13439
in the current year. The number of years may be any number not 13440
exceeding five, except that when the additional rate is for the 13441
payment of debt charges the increased rate shall be for the life 13442
of the indebtedness. 13443

(C) After determination by it that such petition is valid, 13444
the board of elections shall submit the question to the electors 13445
of the county at the succeeding primary or general election. 13446

(D) The election shall be conducted, canvassed, and certified 13447
in the same manner as regular elections in such county for county 13448
offices. Notice of the election shall be published in a newspaper 13449
of general circulation in the county once a week for ~~four~~ two 13450
consecutive weeks prior to the election, stating and the board of 13451
elections shall post notice of the election on its web site, or, 13452
if the board does not operate and maintain its own web site, on 13453
the web site it operates and maintains on free internet space 13454

under section 3501.24 of the Revised Code, for thirty days prior 13455
to the election. The notice shall state the purpose, the amount of 13456
the proposed increase in rate, and the time and place of the 13457
election. 13458

(E) The form of the ballot cast at such election shall be 13459
prescribed by the secretary of state. If the tax is to be placed 13460
on the tax list of the current tax year, the form of the ballot 13461
shall include a statement to that effect and shall indicate the 13462
first calendar year the tax will be due. The question covered by 13463
such petition shall be submitted as a separate proposition but it 13464
may be printed on the same ballot with any other propositions 13465
submitted at the same election other than the election of 13466
officers. 13467

(F) If a majority of electors voting on the question vote in 13468
favor of the levy, the board of county commissioners shall levy a 13469
tax, for the period and the purpose stated within the petition. If 13470
the tax is to be placed upon the tax list of the current year, as 13471
specified in the petition, the result of the election shall be 13472
certified immediately after the canvass by the board of elections 13473
to the board of county commissioners, which shall forthwith make 13474
the necessary levy and certify it to the county auditor, who shall 13475
extend it on the tax list for collection. After the first year, 13476
the tax levy shall be included in the annual tax budget that is 13477
certified to the county budget commission. 13478

Sec. 5739.022. (A) The question of repeal of either a county 13479
permissive tax or an increase in the rate of a county permissive 13480
tax that was adopted as an emergency measure pursuant to section 13481
5739.021 or 5739.026 of the Revised Code may be initiated by 13482
filing with the board of elections of the county not less than 13483
seventy-five days before the general election in any year a 13484
petition requesting that an election be held on the question. The 13485

question of repealing an increase in the rate of the county 13486
permissive tax shall be submitted to the electors as a separate 13487
question from the repeal of the tax in effect prior to the 13488
increase in the rate. Any petition filed under this section shall 13489
be signed by qualified electors residing in the county equal in 13490
number to ten per cent of those voting for governor at the most 13491
recent gubernatorial election. 13492

After determination by it that the petition is valid, the 13493
board of elections shall submit the question to the electors of 13494
the county at the next general election. The election shall be 13495
conducted, canvassed, and certified in the same manner as regular 13496
elections for county offices in the county. The board of elections 13497
shall notify the tax commissioner, in writing, of the election 13498
upon determining that the petition is valid. Notice of the 13499
election shall also be published in a newspaper of general 13500
circulation in the district once a week for ~~four~~ two consecutive 13501
weeks prior to the election, stating and the board of elections 13502
shall post notice of the election on its web site, or, if the 13503
board does not operate and maintain its own web site, on the web 13504
site it operates and maintains on free internet space under 13505
section 3501.24 of the Revised Code, for thirty days prior to the 13506
election. The notice shall state the purpose, ~~the~~ time, and ~~the~~ 13507
place of the election. The form of the ballot cast at the election 13508
shall be prescribed by the secretary of state; however, the ballot 13509
question shall read, "shall the tax (or, increase in the rate of 13510
the tax) be retained? 13511

	Yes
	No

"

13512
13513
13514
13515
The question covered by the petition shall be submitted as a 13516
separate proposition, but it may be printed on the same ballot 13517

with any other proposition submitted at the same election other 13518
than the election of officers. 13519

(B) If a majority of the qualified electors voting on the 13520
question of repeal of either a county permissive tax or an 13521
increase in the rate of a county permissive tax approve the 13522
repeal, the board of elections shall notify the board of county 13523
commissioners and the tax commissioner of the result of the 13524
election immediately after the result has been declared. The board 13525
of county commissioners shall, on the first day of the calendar 13526
quarter following the expiration of sixty-five days after the date 13527
the board and the tax commissioner receive the notice, in the case 13528
of a repeal of a county permissive tax, cease to levy the tax, or, 13529
in the case of a repeal of an increase in the rate of a county 13530
permissive tax, levy the tax at the rate at which it was imposed 13531
immediately prior to the increase in rate and cease to levy the 13532
increased rate. 13533

(C) Upon receipt from a board of elections of a notice of the 13534
results of an election required by division (B) of this section, 13535
the tax commissioner shall provide notice of a tax repeal or rate 13536
change in a manner that is reasonably accessible to all affected 13537
vendors. The commissioner shall provide this notice at least sixty 13538
days prior to the effective date of the rate change. The 13539
commissioner, by rule, may establish the method by which notice 13540
will be provided. 13541

(D) If a vendor that is registered with the central 13542
electronic registration system provided for in section 5740.05 of 13543
the Revised Code makes a sale in this state by printed catalog and 13544
the consumer computed the tax on the sale based on local rates 13545
published in the catalog, any tax repealed or rate changed under 13546
this section shall not apply to such a sale until the first day of 13547
a calendar quarter following the expiration of one hundred twenty 13548
days from the date of notice by the tax commissioner pursuant to 13549

division (C) of this section. 13550

Sec. 5748.02. (A) The board of education of any school 13551
district, except a joint vocational school district, may declare, 13552
by resolution, the necessity of raising annually a specified 13553
amount of money for school district purposes. The resolution shall 13554
specify whether the income that is to be subject to the tax is 13555
taxable income of individuals and estates as defined in divisions 13556
(E)(1)(a) and (2) of section 5748.01 of the Revised Code or 13557
taxable income of individuals as defined in division (E)(1)(b) of 13558
that section. A copy of the resolution shall be certified to the 13559
tax commissioner no later than eighty-five days prior to the date 13560
of the election at which the board intends to propose a levy under 13561
this section. Upon receipt of the copy of the resolution, the tax 13562
commissioner shall estimate both of the following: 13563

(1) The property tax rate that would have to be imposed in 13564
the current year by the district to produce an equivalent amount 13565
of money; 13566

(2) The income tax rate that would have had to have been in 13567
effect for the current year to produce an equivalent amount of 13568
money from a school district income tax. 13569

Within ten days of receiving the copy of the board's 13570
resolution, the commissioner shall prepare these estimates and 13571
certify them to the board. Upon receipt of the certification, the 13572
board may adopt a resolution proposing an income tax under 13573
division (B) of this section at the estimated rate contained in 13574
the certification rounded to the nearest one-fourth of one per 13575
cent. The commissioner's certification applies only to the board's 13576
proposal to levy an income tax at the election for which the board 13577
requested the certification. If the board intends to submit a 13578
proposal to levy an income tax at any other election, it shall 13579
request another certification for that election in the manner 13580

prescribed in this division. 13581

(B)(1) Upon the receipt of a certification from the tax 13582
commissioner under division (A) of this section, a majority of the 13583
members of a board of education may adopt a resolution proposing 13584
the levy of an annual tax for school district purposes on school 13585
district income. The proposed levy may be for a continuing period 13586
of time or for a specified number of years. The resolution shall 13587
set forth the purpose for which the tax is to be imposed, the rate 13588
of the tax, which shall be the rate set forth in the 13589
commissioner's certification rounded to the nearest one-fourth of 13590
one per cent, the number of years the tax will be levied or that 13591
it will be levied for a continuing period of time, the date on 13592
which the tax shall take effect, which shall be the first day of 13593
January of any year following the year in which the question is 13594
submitted, and the date of the election at which the proposal 13595
shall be submitted to the electors of the district, which shall be 13596
on the date of a primary, general, or special election the date of 13597
which is consistent with section 3501.01 of the Revised Code. The 13598
resolution shall specify whether the income that is to be subject 13599
to the tax is taxable income of individuals and estates as defined 13600
in divisions (E)(1)(a) and (2) of section 5748.01 of the Revised 13601
Code or taxable income of individuals as defined in division 13602
(E)(1)(b) of that section. The specification shall be the same as 13603
the specification in the resolution adopted and certified under 13604
division (A) of this section. If the board of education currently 13605
imposes an income tax pursuant to this chapter that is due to 13606
expire and a question is submitted under this section for a 13607
proposed income tax to take effect upon the expiration of the 13608
existing tax, the board may specify in the resolution that the 13609
proposed tax renews the expiring tax and is not an additional 13610
income tax, provided that the tax rate being proposed is no higher 13611
than the tax rate that is currently imposed. 13612

(2) A board of education adopting a resolution under division 13613
(B)(1) of this section proposing a school district income tax for 13614
a continuing period of time and limited to the purpose of current 13615
expenses may propose in that resolution to reduce the rate or 13616
rates of one or more of the school district's property taxes 13617
levied for a continuing period of time in excess of the ten-mill 13618
limitation for the purpose of current expenses. The reduction in 13619
the rate of a property tax may be any amount, expressed in mills 13620
per one dollar in valuation, not exceeding the rate at which the 13621
tax is authorized to be levied. The reduction in the rate of a tax 13622
shall first take effect for the tax year that includes the day on 13623
which the school district income tax first takes effect, and shall 13624
continue for each tax year that both the school district income 13625
tax and the property tax levy are in effect. 13626

In addition to the matters required to be set forth in the 13627
resolution under division (B)(1) of this section, a resolution 13628
containing a proposal to reduce the rate of one or more property 13629
taxes shall state for each such tax the maximum rate at which it 13630
currently may be levied and the maximum rate at which the tax 13631
could be levied after the proposed reduction, expressed in mills 13632
per one dollar in valuation, and that the tax is levied for a 13633
continuing period of time. 13634

If a board of education proposes to reduce the rate of one or 13635
more property taxes under division (B)(2) of this section, the 13636
board, when it makes the certification required under division (A) 13637
of this section, shall designate the specific levy or levies to be 13638
reduced, the maximum rate at which each levy currently is 13639
authorized to be levied, and the rate by which each levy is 13640
proposed to be reduced. The tax commissioner, when making the 13641
certification to the board under division (A) of this section, 13642
also shall certify the reduction in the total effective tax rate 13643
for current expenses for each class of property that would have 13644

resulted if the proposed reduction in the rate or rates had been 13645
in effect the previous tax year. As used in this paragraph, 13646
"effective tax rate" has the same meaning as in section 323.08 of 13647
the Revised Code. 13648

(C) A resolution adopted under division (B) of this section 13649
shall go into immediate effect upon its passage, and no 13650
publication of the resolution shall be necessary other than that 13651
provided for in the notice of election. Immediately after its 13652
adoption and at least seventy-five days prior to the election at 13653
which the question will appear on the ballot, a copy of the 13654
resolution shall be certified to the board of elections of the 13655
proper county, which shall submit the proposal to the electors on 13656
the date specified in the resolution. The form of the ballot shall 13657
be as provided in section 5748.03 of the Revised Code. Publication 13658
of notice of the election shall be made in one or more newspapers 13659
of general circulation in the county once a week for ~~four~~ two 13660
consecutive weeks prior to the election, and the board of 13661
elections shall post notice of the election on its web site, or, 13662
if the board does not operate and maintain its own web site, on 13663
the web site it operates and maintains on free internet space 13664
under section 3501.24 of the Revised Code, for thirty days prior 13665
to the election. The notice shall contain the time and place of 13666
the election and the question to be submitted to the electors. The 13667
question covered by the resolution shall be submitted as a 13668
separate proposition, but may be printed on the same ballot with 13669
any other proposition submitted at the same election, other than 13670
the election of officers. 13671

(D) No board of education shall submit the question of a tax 13672
on school district income to the electors of the district more 13673
than twice in any calendar year. If a board submits the question 13674
twice in any calendar year, one of the elections on the question 13675
shall be held on the date of the general election. 13676

Sec. 5748.04. (A) The question of the repeal of a school 13677
district income tax levied for more than five years may be 13678
initiated not more than once in any five-year period by filing 13679
with the board of elections of the appropriate counties not later 13680
than seventy-five days before the general election in any year 13681
after the year in which it is approved by the electors a petition 13682
requesting that an election be held on the question. The petition 13683
shall be signed by qualified electors residing in the school 13684
district levying the income tax equal in number to ten per cent of 13685
those voting for governor at the most recent gubernatorial 13686
election. 13687

The board of elections shall determine whether the petition 13688
is valid, and if it so determines, it shall submit the question to 13689
the electors of the district at the next general election. The 13690
election shall be conducted, canvassed, and certified in the same 13691
manner as regular elections for county offices in the county. 13692
Notice of the election shall be published in a newspaper of 13693
general circulation in the district once a week for ~~four~~ two 13694
consecutive weeks prior to the election, stating and the board of 13695
elections shall post notice of the election on its web site, or, 13696
if the board does not operate and maintain its own web site, on 13697
the web site it operates and maintains on free internet space 13698
under section 3501.24 of the Revised Code, for thirty days prior 13699
to the election. The notice shall state the purpose, the time, and 13700
the place of the election. The form of the ballot cast at the 13701
election shall be as follows: 13702

"Shall the annual income tax of per cent, currently 13703
levied on the school district income of individuals and estates by 13704
..... (state the name of the school district) for the purpose 13705
of (state purpose of the tax), be repealed? 13706

13707

	For repeal of the income tax	13708
	Against repeal of the income tax	13709

"

13710

(B)(1) If the tax is imposed on taxable income as defined in 13711
division (E)(1)(b) of section 5748.01 of the Revised Code, the 13712
form of the ballot shall be modified by stating that the tax 13713
currently is levied on the "earned income of individuals residing 13714
in the school district" in lieu of the "school district income of 13715
individuals and estates." 13716

(2) If the rate of one or more property tax levies was 13717
reduced for the duration of the income tax levy pursuant to 13718
division (B)(2) of section 5748.02 of the Revised Code, the form 13719
of the ballot shall be modified by adding the following language 13720
immediately after "repealed": ", and shall the rate of an existing 13721
tax on property for the purpose of current expenses, which rate 13722
was reduced for the duration of the income tax, be INCREASED from 13723
..... mills to mills per one dollar of valuation beginning 13724
in (state the first year for which the rate of the property 13725
tax will increase)." In lieu of "for repeal of the income tax" and 13726
"against repeal of the income tax," the phrases "for the issue" 13727
and "against the issue," respectively, shall be substituted. 13728

(3) If the rate of more than one property tax was reduced for 13729
the duration of the income tax, the ballot language shall be 13730
modified accordingly to express the rates at which those taxes 13731
currently are levied and the rates to which the taxes would be 13732
increased. 13733

(C) The question covered by the petition shall be submitted 13734
as a separate proposition, but it may be printed on the same 13735
ballot with any other proposition submitted at the same election 13736
other than the election of officers. If a majority of the 13737
qualified electors voting on the question vote in favor of it, the 13738

result shall be certified immediately after the canvass by the
board of elections to the board of education of the school
district and the tax commissioner, who shall thereupon, after the
current year, cease to levy the tax, except that if notes have
been issued pursuant to section 5748.05 of the Revised Code the
tax commissioner shall continue to levy and collect under
authority of the election authorizing the levy an annual amount,
rounded upward to the nearest one-fourth of one per cent, as will
be sufficient to pay the debt charges on the notes as they fall
due.

(D) If a school district income tax repealed pursuant to this
section was approved in conjunction with a reduction in the rate
of one or more school district property taxes as provided in
division (B)(2) of section 5748.02 of the Revised Code, then each
such property tax may be levied after the current year at the rate
at which it could be levied prior to the reduction, subject to any
adjustments required by the county budget commission pursuant to
Chapter 5705. of the Revised Code. Upon the repeal of a school
district income tax under this section, the board of education may
resume levying a property tax, the rate of which has been reduced
pursuant to a question approved under section 5748.02 of the
Revised Code, at the rate the board originally was authorized to
levy the tax. A reduction in the rate of a property tax under
section 5748.02 of the Revised Code is a reduction in the rate at
which a board of education may levy that tax only for the period
during which a school district income tax is levied prior to any
repeal pursuant to this section. The resumption of the authority
to levy the tax upon such a repeal does not constitute a tax
levied in excess of the one per cent limitation prescribed by
Section 2 of Article XII, Ohio Constitution, or in excess of the
ten-mill limitation.

(E) This section does not apply to school district income tax

levies that are levied for five or fewer years. 13771

Sec. 5748.08. (A) The board of education of a city, local, or 13772
exempted village school district, at any time by a vote of 13773
two-thirds of all its members, may declare by resolution that it 13774
may be necessary for the school district to do all of the 13775
following: 13776

(1) Raise a specified amount of money for school district 13777
purposes by levying an annual tax on school district income; 13778

(2) Issue general obligation bonds for permanent 13779
improvements, stating in the resolution the necessity and purpose 13780
of the bond issue and the amount, approximate date, estimated rate 13781
of interest, and maximum number of years over which the principal 13782
of the bonds may be paid; 13783

(3) Levy a tax outside the ten-mill limitation to pay debt 13784
charges on the bonds and any anticipatory securities; 13785

(4) Submit the question of the school district income tax and 13786
bond issue to the electors of the district at a special election. 13787

The resolution shall specify whether the income that is to be 13788
subject to the tax is taxable income of individuals and estates as 13789
defined in divisions (E)(1)(a) and (2) of section 5748.01 of the 13790
Revised Code or taxable income of individuals as defined in 13791
division (E)(1)(b) of that section. 13792

On adoption of the resolution, the board shall certify a copy 13793
of it to the tax commissioner and the county auditor no later than 13794
ninety days prior to the date of the special election at which the 13795
board intends to propose the income tax and bond issue. Not later 13796
than ten days of receipt of the resolution, the tax commissioner, 13797
in the same manner as required by division (A) of section 5748.02 13798
of the Revised Code, shall estimate the rates designated in 13799
~~division~~ divisions (A)(1) and (2) of that section and certify them 13800

to the board. Not later than ten days of receipt of the 13801
resolution, the county auditor shall estimate and certify to the 13802
board the average annual property tax rate required throughout the 13803
stated maturity of the bonds to pay debt charges on the bonds, in 13804
the same manner as under division (C) of section 133.18 of the 13805
Revised Code. 13806

(B) On receipt of the tax commissioner's and county auditor's 13807
certifications prepared under division (A) of this section, the 13808
board of education of the city, local, or exempted village school 13809
district, by a vote of two-thirds of all its members, may adopt a 13810
resolution proposing for a specified number of years or for a 13811
continuing period of time the levy of an annual tax for school 13812
district purposes on school district income and declaring that the 13813
amount of taxes that can be raised within the ten-mill limitation 13814
will be insufficient to provide an adequate amount for the present 13815
and future requirements of the school district; that it is 13816
necessary to issue general obligation bonds of the school district 13817
for specified permanent improvements and to levy an additional tax 13818
in excess of the ten-mill limitation to pay the debt charges on 13819
the bonds and any anticipatory securities; and that the question 13820
of the bonds and taxes shall be submitted to the electors of the 13821
school district at a special election, which shall not be earlier 13822
than seventy-five days after certification of the resolution to 13823
the board of elections, and the date of which shall be consistent 13824
with section 3501.01 of the Revised Code. The resolution shall 13825
specify all of the following: 13826

(1) The purpose for which the school district income tax is 13827
to be imposed and the rate of the tax, which shall be the rate set 13828
forth in the tax commissioner's certification rounded to the 13829
nearest one-fourth of one per cent; 13830

(2) Whether the income that is to be subject to the tax is 13831
taxable income of individuals and estates as defined in divisions 13832

(E)(1)(a) and (2) of section 5748.01 of the Revised Code or 13833
taxable income of individuals as defined in division (E)(1)(b) of 13834
that section. The specification shall be the same as the 13835
specification in the resolution adopted and certified under 13836
division (A) of this section. 13837

(3) The number of years the tax will be levied, or that it 13838
will be levied for a continuing period of time; 13839

(4) The date on which the tax shall take effect, which shall 13840
be the first day of January of any year following the year in 13841
which the question is submitted; 13842

(5) The county auditor's estimate of the average annual 13843
property tax rate required throughout the stated maturity of the 13844
bonds to pay debt charges on the bonds. 13845

(C) A resolution adopted under division (B) of this section 13846
shall go into immediate effect upon its passage, and no 13847
publication of the resolution shall be necessary other than that 13848
provided for in the notice of election. Immediately after its 13849
adoption and at least seventy-five days prior to the election at 13850
which the question will appear on the ballot, the board of 13851
education shall certify a copy of the resolution, along with 13852
copies of the auditor's estimate and its resolution under division 13853
(A) of this section, to the board of elections of the proper 13854
county. The board of education shall make the arrangements for the 13855
submission of the question to the electors of the school district, 13856
and the election shall be conducted, canvassed, and certified in 13857
the same manner as regular elections in the district for the 13858
election of county officers. 13859

The resolution shall be put before the electors as one ballot 13860
question, with a majority vote indicating approval of the school 13861
district income tax, the bond issue, and the levy to pay debt 13862
charges on the bonds and any anticipatory securities. The board of 13863

elections shall publish the notice of the election in one or more
newspapers of general circulation in the school district once a
week for ~~four~~ two consecutive weeks prior to the election and
shall post notice of the election on its web site, or, if the
board does not operate and maintain its own web site, on the web
site it operates and maintains on free internet space under
section 3501.24 of the Revised Code, for thirty days prior to the
election. The notice of election shall state all of the following:

(1) The questions to be submitted to the electors;

(2) The rate of the school district income tax;

(3) The principal amount of the proposed bond issue;

(4) The permanent improvements for which the bonds are to be
issued;

(5) The maximum number of years over which the principal of
the bonds may be paid;

(6) The estimated additional average annual property tax rate
to pay the debt charges on the bonds, as certified by the county
auditor;

(7) The time and place of the special election.

(D) The form of the ballot on a question submitted to the
electors under this section shall be as follows:

"Shall the school district be authorized to do both
of the following:

(1) Impose an annual income tax of (state the proposed
rate of tax) on the school district income of individuals and of
estates, for (state the number of years the tax would be
levied, or that it would be levied for a continuing period of
time), beginning (state the date the tax would first take
effect), for the purpose of (state the purpose of the
tax)?

(2) Issue bonds for the purpose of in the principal 13894
amount of \$....., to be repaid annually over a maximum period of 13895
..... years, and levy a property tax outside the ten-mill 13896
limitation estimated by the county auditor to average over the 13897
bond repayment period mills for each one dollar of tax 13898
valuation, which amounts to (rate expressed in cents or 13899
dollars and cents, such as "36 cents" or "\$1.41") for each \$100 of 13900
tax valuation, to pay the annual debt charges on the bonds, and to 13901
pay debt charges on any notes issued in anticipation of those 13902
bonds? 13903

	FOR THE INCOME TAX AND BOND ISSUE	
	AGAINST THE INCOME TAX AND BOND ISSUE	"

(E) If the question submitted to electors proposes a school 13904
district income tax only on the taxable income of individuals as 13905
defined in division (E)(1)(b) of section 5748.01 of the Revised 13906
Code, the form of the ballot shall be modified by stating that the 13907
tax is to be levied on the "earned income of individuals residing 13908
in the school district" in lieu of the "school district income of 13909
individuals and of estates." 13910
13911
13912
13913
13914

(F) The board of elections promptly shall certify the results 13915
of the election to the tax commissioner and the county auditor of 13916
the county in which the school district is located. If a majority 13917
of the electors voting on the question vote in favor of it, the 13918
income tax and the applicable provisions of Chapter 5747. of the 13919
Revised Code shall take effect on the date specified in the 13920
resolution, and the board of education may proceed with issuance 13921
of the bonds and with the levy and collection of the property 13922
taxes to pay debt charges on the bonds, at the additional rate or 13923
any lesser rate in excess of the ten-mill limitation. Any 13924

securities issued by the board of education under this section are 13925
Chapter 133. securities, as that term is defined in section 133.01 13926
of the Revised Code. 13927

(G) After approval of a question under this section, the 13928
board of education may anticipate a fraction of the proceeds of 13929
the school district income tax in accordance with section 5748.05 13930
of the Revised Code. Any anticipation notes under this division 13931
shall be issued as provided in section 133.24 of the Revised Code, 13932
shall have principal payments during each year after the year of 13933
their issuance over a period not to exceed five years, and may 13934
have a principal payment in the year of their issuance. 13935

(H) The question of repeal of a school district income tax 13936
levied for more than five years may be initiated and submitted in 13937
accordance with section 5748.04 of the Revised Code. 13938

(I) No board of education shall submit a question under this 13939
section to the electors of the school district more than twice in 13940
any calendar year. If a board submits the question twice in any 13941
calendar year, one of the elections on the question shall be held 13942
on the date of the general election. 13943

Sec. 6119.18. The board of trustees of a regional water and 13944
sewer district, by a vote of two-thirds of all its members, may 13945
declare by resolution that it is necessary to levy a tax in excess 13946
of the ten-mill limitation for the purpose of providing funds to 13947
pay current expenses of the district or for the purpose of paying 13948
any portion of the cost of one or more water resource projects or 13949
parts thereof or for both of such purposes, and that the question 13950
of such tax levy shall be submitted to the electors of the 13951
district at a general or primary election. Such resolution shall 13952
conform to the requirements of section 5705.19 of the Revised 13953
Code, except as otherwise permitted by this section and except 13954
that such levy may be for a period not longer than ten years. The 13955

resolution shall go into immediate effect upon its passage and no 13956
publication of the resolution is necessary other than that 13957
provided for in the notice of election. A copy of such resolution 13958
shall, immediately after its passage, be certified to the board of 13959
elections of the proper county or counties in the manner provided 13960
by section 5705.25 of the Revised Code, and such section shall 13961
govern the arrangements for the submission of such question and 13962
other matters with respect to such election to which such section 13963
refers. Publication of the notice of ~~such~~ that election shall be 13964
made in one or more newspapers having a general circulation in the 13965
district once a week for ~~four~~ two consecutive weeks prior to the 13966
election, and the board of elections shall post notice of the 13967
election on its web site, or, if the board does not operate and 13968
maintain its own web site, on the web site it operates and 13969
maintains on free internet space under section 3501.24 of the 13970
Revised Code, for thirty days prior to the election. 13971

If a majority of the electors voting on the question vote in 13972
favor thereof, the board may make the necessary levy within the 13973
district at the additional rate or at any lesser rate on the tax 13974
list and duplicate for the purpose or purposes stated in the 13975
resolution. 13976

The taxes realized from such levy shall be collected at the 13977
same time and in the same manner as other taxes on such tax list 13978
and duplicate and such taxes, when collected, shall be paid to the 13979
district and deposited by it in a special fund which shall be 13980
established by the district for all revenues derived from such 13981
levy and for the proceeds of anticipation notes which shall be 13982
deposited in such fund. 13983

After the approval of such levy, the district may anticipate 13984
a fraction of the proceeds of such levy and, from time to time, 13985
during the life of such levy, issue anticipation notes in an 13986
amount not exceeding fifty per cent of the estimated proceeds of 13987

such levy to be collected in each year up to a period of five
years after the date of issuance of such notes, less an amount
equal to the proceeds of such levy previously obligated for each
year by the issuance of anticipation notes, provided that the
total amount maturing in any one year shall not exceed fifty per
cent of the anticipated proceeds of such levy for that year. Each
issue of notes shall be sold as provided in Chapter 133. of the
Revised Code, and shall, except for such limitation that the total
amount of such notes maturing in any one year shall not exceed
fifty per cent of the anticipated proceeds of such levy for that
year, mature serially in substantially equal installments during
each year over a period not to exceed five years after their
issuance.

Section 2. That existing sections 131.23, 145.38, 303.12,
306.70, 307.791, 322.021, 324.021, 503.162, 504.02, 504.03,
511.28, 511.34, 513.14, 519.12, 745.07, 747.11, 1901.07, 1901.10,
1901.31, 2961.01, 2967.17, 3311.21, 3311.50, 3311.73, 3349.29,
3354.12, 3355.09, 3375.03, 3501.01, 3501.05, 3501.10, 3501.11,
3501.13, 3501.26, 3501.30, 3501.33, 3501.35, 3501.38, 3501.39,
3503.06, 3503.11, 3503.13, 3503.14, 3503.16, 3503.19, 3503.21,
3503.23, 3503.24, 3505.062, 3505.063, 3505.16, 3505.18, 3505.19,
3505.20, 3505.21, 3505.22, 3505.25, 3505.26, 3505.27, 3505.32,
3506.01, 3506.05, 3506.12, 3506.13, 3506.18, 3509.02, 3509.06,
3509.08, 3509.09, 3511.13, 3513.04, 3513.041, 3513.05, 3513.052,
3513.07, 3513.09, 3513.19, 3513.20, 3513.22, 3513.257, 3513.259,
3513.261, 3513.30, 3515.03, 3515.04, 3515.07, 3515.08, 3515.13,
3517.01, 3517.081, 3517.092, 3517.10, 3517.106, 3517.1011,
3517.12, 3517.13, 3517.153, 3517.992, 3519.01, 3519.03, 3519.04,
3519.05, 3523.05, 3599.11, 3599.111, 3599.13, 3599.14, 3599.21,
3599.24, 3599.38, 4301.33, 4301.331, 4301.332, 4301.333, 4301.334,
4305.14, 4504.021, 5705.191, 5705.194, 5705.196, 5705.21,
5705.218, 5705.25, 5705.251, 5705.261, 5705.71, 5739.022, 5748.02,

5748.04, 5748.08, and 6119.18 and section 3503.27 of the Revised Code are hereby repealed.

Section 3. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the following sections, presented in this act as composites of the sections as amended by the acts indicated, are the resulting versions of the sections in effect prior to the effective date of the sections as presented in this act:

Section 3517.10 of the Revised Code as amended by both Sub. S.B. 107 and Am. Sub. S.B. 115 of the 126th General Assembly.

Section 4. It is the intention of the General Assembly, in enacting section 3501.052 of the Revised Code in this act, to recognize that the Secretary of State's involvement with campaigns committees, committees named in initiative and referendum petitions, and persons making disbursements for the direct costs of producing or airing electioneering communications affects the Campaign Finance Law, since the Secretary of State makes decisions regarding compliance with, and alleged violations of, the Campaign Finance Law by campaign committees, committees named in initiative and referendum petitions, and persons making disbursements for the direct costs of producing or airing electioneering communications.

Section 5. The amendments made to sections 3505.062, 3519.01, 3519.04, and 3519.05 by this act and the enactment of section 3519.07 of the Revised Code by this act do not affect any initiative or referendum petition already filed with the Attorney General's office pursuant to section 3519.01 of the Revised Code on the effective date of this act.

Section 6. The amendments made to section 3503.06 of the Revised Code are intended to clarify that Ohio law requires the circulators of initiative and referendum petitions to be residents of this state. Those amendments shall not be construed to mean that Ohio law did not prior to the effective date of this act require circulators to be residents of this state.

Section 7. If any item of law that constitutes the whole or part of a codified section of law contained in this act, or if any application of any item of law that constitutes the whole or part of a codified section of law contained in this act, is held invalid, the invalidity does not affect other items of law or applications of items of law that can be given effect without the invalid item of law or application. To this end, the items of law of which the codified sections contained in this act are composed, and their applications, are independent and severable.