

**As Introduced**

**131st General Assembly**

**Regular Session**

**2015-2016**

**H. B. No. 189**

**Representative Brenner**

**Cosponsors: Representatives Becker, Maag, Hood, Thompson, Brinkman,  
Conditt, Schaffer, Vitale, Hayes, Retherford, Kraus, Rezabek, Green, LaTourette,  
Terhar, Hall, Huffman, Roegner, Ruhl, Butler, Buchy, Hambley, Young**

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**A BILL**

To amend sections 3501.01, 3503.14, 3503.16, 1  
3503.19, 3503.28, 3505.18, 3505.181, 3505.182, 2  
3505.183, 3509.03, 3509.04, 3509.05, 3509.08, 3  
3511.02, 3511.05, 3511.09, 4507.50, and 4507.52 4  
of the Revised Code to revise the law concerning 5  
the identification an elector must provide in 6  
order to cast absent voter's ballots, to vote in 7  
person at a polling place, or to cast a 8  
provisional ballot. 9

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

**Section 1.** That sections 3501.01, 3503.14, 3503.16, 10  
3503.19, 3503.28, 3505.18, 3505.181, 3505.182, 3505.183, 11  
3509.03, 3509.04, 3509.05, 3509.08, 3511.02, 3511.05, 3511.09, 12  
4507.50, and 4507.52 of the Revised Code be amended to read as 13  
follows: 14

**Sec. 3501.01.** As used in the sections of the Revised Code 15  
relating to elections and political communications: 16

(A) "General election" means the election held on the 17

first Tuesday after the first Monday in each November. 18

(B) "Regular municipal election" means the election held 19  
on the first Tuesday after the first Monday in November in each 20  
odd-numbered year. 21

(C) "Regular state election" means the election held on 22  
the first Tuesday after the first Monday in November in each 23  
even-numbered year. 24

(D) "Special election" means any election other than those 25  
elections defined in other divisions of this section. A special 26  
election may be held only on the first Tuesday after the first 27  
Monday in February, May, August, or November, or on the day 28  
authorized by a particular municipal or county charter for the 29  
holding of a primary election, except that in any year in which 30  
a presidential primary election is held, no special election 31  
shall be held in February or May, except as authorized by a 32  
municipal or county charter, but may be held on the first 33  
Tuesday after the first Monday in March. 34

(E) (1) "Primary" or "primary election" means an election 35  
held for the purpose of nominating persons as candidates of 36  
political parties for election to offices, and for the purpose 37  
of electing persons as members of the controlling committees of 38  
political parties and as delegates and alternates to the 39  
conventions of political parties. Primary elections shall be 40  
held on the first Tuesday after the first Monday in May of each 41  
year except in years in which a presidential primary election is 42  
held. 43

(2) "Presidential primary election" means a primary 44  
election as defined by division (E) (1) of this section at which 45  
an election is held for the purpose of choosing delegates and 46

alternates to the national conventions of the major political parties pursuant to section 3513.12 of the Revised Code. Unless otherwise specified, presidential primary elections are included in references to primary elections. In years in which a presidential primary election is held, all primary elections shall be held on the first Tuesday after the first Monday in March except as otherwise authorized by a municipal or county charter.

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

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

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

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

(b) The political party has filed with the secretary of state, subsequent to its failure to meet the requirements of

division (F) (2) (a) of this section, a petition that meets the 76  
requirements of section 3517.01 of the Revised Code. 77

A newly formed political party shall be known as a minor 78  
political party until the time of the first election for 79  
governor or president which occurs not less than twelve months 80  
subsequent to the formation of such party, after which election 81  
the status of such party shall be determined by the vote for the 82  
office of governor or president. 83

(G) "Dominant party in a precinct" or "dominant political 84  
party in a precinct" means that political party whose candidate 85  
for election to the office of governor at the most recent 86  
regular state election at which a governor was elected received 87  
more votes than any other person received for election to that 88  
office in such precinct at such election. 89

(H) "Candidate" means any qualified person certified in 90  
accordance with the provisions of the Revised Code for placement 91  
on the official ballot of a primary, general, or special 92  
election to be held in this state, or any qualified person who 93  
claims to be a write-in candidate, or who knowingly assents to 94  
being represented as a write-in candidate by another at either a 95  
primary, general, or special election to be held in this state. 96

(I) "Independent candidate" means any candidate who claims 97  
not to be affiliated with a political party, and whose name has 98  
been certified on the office-type ballot at a general or special 99  
election through the filing of a statement of candidacy and 100  
nominating petition, as prescribed in section 3513.257 of the 101  
Revised Code. 102

(J) "Nonpartisan candidate" means any candidate whose name 103  
is required, pursuant to section 3505.04 of the Revised Code, to 104

be listed on the nonpartisan ballot, including all candidates 105  
for judicial office, for member of any board of education, for 106  
municipal or township offices in which primary elections are not 107  
held for nominating candidates by political parties, and for 108  
offices of municipal corporations having charters that provide 109  
for separate ballots for elections for these offices. 110

(K) "Party candidate" means any candidate who claims to be 111  
a member of a political party and who has been certified to 112  
appear on the office-type ballot at a general or special 113  
election as the nominee of a political party because the 114  
candidate has won the primary election of the candidate's party 115  
for the public office the candidate seeks, has been nominated 116  
under section 3517.012, or is selected by party committee in 117  
accordance with section 3513.31 of the Revised Code. 118

(L) "Officer of a political party" includes, but is not 119  
limited to, any member, elected or appointed, of a controlling 120  
committee, whether representing the territory of the state, a 121  
district therein, a county, township, a city, a ward, a 122  
precinct, or other territory, of a major or minor political 123  
party. 124

(M) "Question or issue" means any question or issue 125  
certified in accordance with the Revised Code for placement on 126  
an official ballot at a general or special election to be held 127  
in this state. 128

(N) "Elector" or "qualified elector" means a person having 129  
the qualifications provided by law to be entitled to vote. 130

(O) "Voter" means an elector who votes at an election. 131

(P) "Voting residence" means that place of residence of an 132  
elector which shall determine the precinct in which the elector 133

may vote.	134
(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.	135 136 137 138
(R) "Polling place" means that place provided for each precinct at which the electors having a voting residence in such precinct may vote.	139 140 141
(S) "Board" or "board of elections" means the board of elections appointed in a county pursuant to section 3501.06 of the Revised Code.	142 143 144
(T) "Political subdivision" means a county, township, city, village, or school district.	145 146
(U) "Election officer" or "election official" means any of the following:	147 148
(1) Secretary of state;	149
(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;	150 151 152 153
(3) Director of a board of elections;	154
(4) Deputy director of a board of elections;	155
(5) Member of a board of elections;	156
(6) Employees of a board of elections;	157
(7) Precinct election officials;	158
(8) Employees appointed by the boards of elections on a	159

temporary or part-time basis. 160

(V) "Acknowledgment notice" means a notice sent by a board 161  
of elections, on a form prescribed by the secretary of state, 162  
informing a voter registration applicant or an applicant who 163  
wishes to change the applicant's residence or name of the status 164  
of the application; the information necessary to complete or 165  
update the application, if any; and if the application is 166  
complete, the precinct in which the applicant is to vote. 167

(W) "Confirmation notice" means a notice sent by a board 168  
of elections, on a form prescribed by the secretary of state, to 169  
a registered elector to confirm the registered elector's current 170  
address. 171

(X) "Designated agency" means an office or agency in the 172  
state that provides public assistance or that provides state- 173  
funded programs primarily engaged in providing services to 174  
persons with disabilities and that is required by the National 175  
Voter Registration Act of 1993 to implement a program designed 176  
and administered by the secretary of state for registering 177  
voters, or any other public or government office or agency that 178  
implements a program designed and administered by the secretary 179  
of state for registering voters, including the department of job 180  
and family services, the program administered under section 181  
3701.132 of the Revised Code by the department of health, the 182  
department of mental health and addiction services, the 183  
department of developmental disabilities, the opportunities for 184  
Ohioans with disabilities agency, and any other agency the 185  
secretary of state designates. "Designated agency" does not 186  
include public high schools and vocational schools, public 187  
libraries, or the office of a county treasurer. 188

(Y) "National Voter Registration Act of 1993" means the 189

"National Voter Registration Act of 1993," 107 Stat. 77, 42 U.S.C.A. 1973gg. 190  
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(Z) "Voting Rights Act of 1965" means the "Voting Rights Act of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. 192  
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(AA) "Photo identification" means a document that meets each of the following requirements: 194  
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(1) ~~It shows~~ contains the name of the ~~individual to whom it was issued~~ elector, which shall conform to the name in the ~~poll list or signature pollbook.~~ individual's voter registration record; 196  
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(2) ~~It shows the current address of the individual to whom it was issued, which shall conform to the address in the poll list or signature pollbook, except for a driver's license or a state identification card issued under section 4507.50 of the Revised Code, which may show either the current or former address of the individual to whom it was issued, regardless of whether that address conforms to the address in the poll list or signature pollbook.~~ 200  
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~~(3) It shows~~ contains a photograph of the individual to whom it was issued. 208  
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~~(4) It includes an expiration date that has not passed.~~ 210

~~(5) It was issued by the government of the United States or this state;~~ 211  
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(3) It is one of the following documents: 213

(a) An Ohio driver's license or Ohio commercial driver's license issued by the registrar of motor vehicles or a deputy registrar under Chapter 4507. of the Revised Code that shows the current or former address of the elector, regardless of whether 214  
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that address conforms to the address in the individual's voter registration record and regardless of whether the license is expired; 218  
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(b) A state identification card issued by the registrar of motor vehicles or a deputy registrar under section 4507.50 of the Revised Code that shows the current or former address of the elector, regardless of whether that address conforms to the address in the individual's voter registration record, and that is not expired or that expired after the date of the most recent general election; 221  
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(c) A United States military identification card that is not expired or that expired after the date of the most recent general election; or 228  
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(d) A United States passport that is not expired or that expired after the date of the most recent general election. 231  
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**Sec. 3503.14.** (A) The secretary of state shall prescribe the form and content of the registration, change of residence, and change of name forms used in this state. The forms shall meet the requirements of the National Voter Registration Act of 1993 and shall include spaces for all of the following: 233  
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(1) The voter's name; 238

(2) The voter's address; 239

(3) The current date; 240

(4) The voter's date of birth; 241

(5) The voter to provide one or more of the following: 242

(a) The voter's driver's license or state identification card number, if any; 243  
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(b) The last four digits of the voter's social security number, if any;

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

(6) The voter's signature.

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

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

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

(1) An election official;	274
(2) A county treasurer;	275
(3) A deputy registrar of motor vehicles;	276
(4) An employee of a designated agency;	277
(5) An employee of a public high school;	278
(6) An employee of a public vocational school;	279
(7) An employee of a public library;	280
(8) An employee of the office of a county treasurer;	281
(9) An employee of the bureau of motor vehicles;	282
(10) An employee of a deputy registrar of motor vehicles;	283
(11) An employee of an election official.	284
(C) Except as provided in section 3501.382 of the Revised Code, any applicant who is unable to sign the applicant's own name shall make an "X," if possible, which shall be certified by the signing of the name of the applicant by the person filling out the form, who shall add the person's own signature. If an applicant is unable to make an "X," the applicant shall indicate in some manner that the applicant desires to register to vote or to change the applicant's name or residence. The person registering the applicant shall sign the form and attest that the applicant indicated that the applicant desired to register to vote or to change the applicant's name or residence.	285 286 287 288 289 290 291 292 293 294 295
(D) No registration, change of residence, or change of name form shall be rejected solely on the basis that a person registering an applicant failed to sign the person's name or failed to name the employer who is employing that person to register the applicant as required under division (A) of this	296 297 298 299 300

section. 301

(E) As used in this section, "registering an applicant" 302  
includes any effort, for compensation, to provide voter 303  
registration forms or to assist persons in completing or 304  
returning those forms. 305

**Sec. 3503.16.** (A) Whenever a registered elector changes 306  
the place of residence of that registered elector from one 307  
precinct to another within a county or from one county to 308  
another, or has a change of name, that registered elector shall 309  
report the change by delivering a change of residence or change 310  
of name form, whichever is appropriate, as prescribed by the 311  
secretary of state under section 3503.14 of the Revised Code to 312  
the state or local office of a designated agency, a public high 313  
school or vocational school, a public library, the office of the 314  
county treasurer, the office of the secretary of state, any 315  
office of the registrar or deputy registrar of motor vehicles, 316  
or any office of a board of elections in person or by a third 317  
person. Any voter registration, change of address, or change of 318  
name application, returned by mail, may be sent only to the 319  
secretary of state or the board of elections. 320

A registered elector also may update the registration of 321  
that registered elector by filing a change of residence or 322  
change of name form on the day of a special, primary, or general 323  
election at the polling place in the precinct in which that 324  
registered elector resides or at the board of elections or at 325  
another site designated by the board. 326

(B) (1) (a) Any registered elector who moves within a 327  
precinct on or prior to the day of a general, primary, or 328  
special election and has not filed a notice of change of 329  
residence with the board of elections may vote in that election 330

by going to that registered elector's assigned polling place, 331  
completing and signing a notice of change of residence, showing 332  
~~identification in the form of a current and valid photo~~ 333  
~~identification, a military identification, or a copy of a~~ 334  
~~current utility bill, bank statement, government check,~~ 335  
~~paycheck, or other government document, other than a notice of~~ 336  
~~voter registration mailed by a board of elections under section~~ 337  
~~3503.19 of the Revised Code, that shows the name and current~~ 338  
~~address of the elector, and casting a ballot.~~ 339

(b) Any registered elector who changes the name of that 340  
registered elector and remains within a precinct on or prior to 341  
the day of a general, primary, or special election and has not 342  
filed a notice of change of name with the board of elections may 343  
vote in that election by going to that registered elector's 344  
assigned polling place, completing and signing a notice of a 345  
change of name, and casting a provisional ballot under section 346  
3505.181 of the Revised Code. If the registered elector provides 347  
to the precinct election officials proof of a legal name change, 348  
such as a marriage license or court order that includes the 349  
elector's current and prior names, the elector may complete and 350  
sign a notice of change of name and cast a regular ballot. 351

(2) Any registered elector who moves from one precinct to 352  
another within a county or moves from one precinct to another 353  
and changes the name of that registered elector on or prior to 354  
the day of a general, primary, or special election and has not 355  
filed a notice of change of residence or change of name, 356  
whichever is appropriate, with the board of elections may vote 357  
in that election if that registered elector complies with 358  
division (G) of this section or does all of the following: 359

(a) Appears at anytime during regular business hours on or 360

after the twenty-eighth day prior to the election in which that 361  
registered elector wishes to vote or, if the election is held on 362  
the day of a presidential primary election, the twenty-fifth day 363  
prior to the election, through noon of the Saturday prior to the 364  
election at the office of the board of elections, appears at any 365  
time during regular business hours on the Monday prior to the 366  
election at the office of the board of elections, or appears on 367  
the day of the election at either of the following locations: 368

(i) The polling place for the precinct in which that 369  
registered elector resides; 370

(ii) The office of the board of elections or, if pursuant 371  
to division (C) of section 3501.10 of the Revised Code the board 372  
has designated another location in the county at which 373  
registered electors may vote, at that other location instead of 374  
the office of the board of elections. 375

(b) Completes and signs, under penalty of election 376  
falsification, the written affirmation on the provisional ballot 377  
envelope, which shall serve as a notice of change of residence 378  
or change of name, whichever is appropriate; 379

(c) Votes a provisional ballot under section 3505.181 of 380  
the Revised Code at the polling place, at the office of the 381  
board of elections, or, if pursuant to division (C) of section 382  
3501.10 of the Revised Code the board has designated another 383  
location in the county at which registered electors may vote, at 384  
that other location instead of the office of the board of 385  
elections, whichever is appropriate, using the address to which 386  
that registered elector has moved or the name of that registered 387  
elector as changed, whichever is appropriate; 388

(d) Completes and signs, under penalty of election 389

falsification, a statement attesting that that registered 390  
elector moved or had a change of name, whichever is appropriate, 391  
on or prior to the day of the election, has voted a provisional 392  
ballot at the polling place for the precinct in which that 393  
registered elector resides, at the office of the board of 394  
elections, or, if pursuant to division (C) of section 3501.10 of 395  
the Revised Code the board has designated another location in 396  
the county at which registered electors may vote, at that other 397  
location instead of the office of the board of elections, 398  
whichever is appropriate, and will not vote or attempt to vote 399  
at any other location for that particular election. 400

(C) Any registered elector who moves from one county to 401  
another county within the state on or prior to the day of a 402  
general, primary, or special election and has not registered to 403  
vote in the county to which that registered elector moved may 404  
vote in that election if that registered elector complies with 405  
division (G) of this section or does all of the following: 406

(1) Appears at any time during regular business hours on 407  
or after the twenty-eighth day prior to the election in which 408  
that registered elector wishes to vote or, if the election is 409  
held on the day of a presidential primary election, the twenty- 410  
fifth day prior to the election, through noon of the Saturday 411  
prior to the election at the office of the board of elections 412  
or, if pursuant to division (C) of section 3501.10 of the 413  
Revised Code the board has designated another location in the 414  
county at which registered electors may vote, at that other 415  
location instead of the office of the board of elections, 416  
appears during regular business hours on the Monday prior to the 417  
election at the office of the board of elections or, if pursuant 418  
to division (C) of section 3501.10 of the Revised Code the board 419  
has designated another location in the county at which 420

registered electors may vote, at that other location instead of 421  
the office of the board of elections, or appears on the day of 422  
the election at the office of the board of elections or, if 423  
pursuant to division (C) of section 3501.10 of the Revised Code 424  
the board has designated another location in the county at which 425  
registered electors may vote, at that other location instead of 426  
the office of the board of elections; 427

(2) Completes and signs, under penalty of election 428  
falsification, the written affirmation on the provisional ballot 429  
envelope, which shall serve as a notice of change of residence; 430

(3) Votes a provisional ballot under section 3505.181 of 431  
the Revised Code at the office of the board of elections or, if 432  
pursuant to division (C) of section 3501.10 of the Revised Code 433  
the board has designated another location in the county at which 434  
registered electors may vote, at that other location instead of 435  
the office of the board of elections, using the address to which 436  
that registered elector has moved; 437

(4) Completes and signs, under penalty of election 438  
falsification, a statement attesting that that registered 439  
elector has moved from one county to another county within the 440  
state on or prior to the day of the election, has voted at the 441  
office of the board of elections or, if pursuant to division (C) 442  
of section 3501.10 of the Revised Code the board has designated 443  
another location in the county at which registered electors may 444  
vote, at that other location instead of the office of the board 445  
of elections, and will not vote or attempt to vote at any other 446  
location for that particular election. 447

(D) A person who votes by absent voter's ballots pursuant 448  
to division (G) of this section shall not make written 449  
application for the ballots pursuant to Chapter 3509. of the 450



Revised Code. Ballots cast pursuant to division (G) of this 451  
section shall be set aside in a special envelope and counted 452  
during the official canvass of votes in the manner provided for 453  
in sections 3505.32 and 3509.06 of the Revised Code insofar as 454  
that manner is applicable. The board shall examine the pollbooks 455  
to verify that no ballot was cast at the polls or by absent 456  
voter's ballots under Chapter 3509. or 3511. of the Revised Code 457  
by an elector who has voted by absent voter's ballots pursuant 458  
to division (G) of this section. Any ballot determined to be 459  
insufficient for any of the reasons stated above or stated in 460  
section 3509.07 of the Revised Code shall not be counted. 461

Subject to division (C) of section 3501.10 of the Revised 462  
Code, a board of elections may lease or otherwise acquire a site 463  
different from the office of the board at which registered 464  
electors may vote pursuant to division (B) or (C) of this 465  
section. 466

(E) Upon receiving a notice of change of residence or 467  
change of name, the board of elections shall immediately send 468  
the registrant an acknowledgment notice. If the change of 469  
residence or change of name notice is valid, the board shall 470  
update the voter's registration as appropriate. If that form is 471  
incomplete, the board shall inform the registrant in the 472  
acknowledgment notice specified in this division of the 473  
information necessary to complete or update that registrant's 474  
registration. 475

(F) Change of residence and change of name forms shall be 476  
available at each polling place, and when these forms are 477  
completed, noting changes of residence or name, as appropriate, 478  
they shall be filed with election officials at the polling 479  
place. Election officials shall return completed forms, together 480

with the pollbooks and tally sheets, to the board of elections. 481

The board of elections shall provide change of residence 482  
and change of name forms to the probate court and court of 483  
common pleas. The court shall provide the forms to any person 484  
eighteen years of age or older who has a change of name by order 485  
of the court or who applies for a marriage license. The court 486  
shall forward all completed forms to the board of elections 487  
within five days after receiving them. 488

(G) A registered elector who otherwise would qualify to 489  
vote under division (B) or (C) of this section but is unable to 490  
appear at the office of the board of elections or, if pursuant 491  
to division (C) of section 3501.10 of the Revised Code the board 492  
has designated another location in the county at which 493  
registered electors may vote, at that other location, on account 494  
of personal illness, physical disability, or infirmity, may vote 495  
on the day of the election if that registered elector does all 496  
of the following: 497

(1) Makes a written application that includes all of the 498  
information required under section 3509.03 of the Revised Code 499  
to the appropriate board for an absent voter's ballot on or 500  
after the twenty-seventh day prior to the election in which the 501  
registered elector wishes to vote through noon of the Saturday 502  
prior to that election and requests that the absent voter's 503  
ballot be sent to the address to which the registered elector 504  
has moved if the registered elector has moved, or to the address 505  
of that registered elector who has not moved but has had a 506  
change of name; 507

(2) Declares that the registered elector has moved or had 508  
a change of name, whichever is appropriate, and otherwise is 509  
qualified to vote under the circumstances described in division 510

(B) or (C) of this section, whichever is appropriate, but that 511  
the registered elector is unable to appear at the board of 512  
elections because of personal illness, physical disability, or 513  
infirmity; 514

(3) Completes and returns along with the completed absent 515  
voter's ballot a notice of change of residence indicating the 516  
address to which the registered elector has moved, or a notice 517  
of change of name, whichever is appropriate; 518

(4) Completes and signs, under penalty of election 519  
falsification, a statement attesting that the registered elector 520  
has moved or had a change of name on or prior to the day before 521  
the election, has voted by absent voter's ballot because of 522  
personal illness, physical disability, or infirmity that 523  
prevented the registered elector from appearing at the board of 524  
elections, and will not vote or attempt to vote at any other 525  
location or by absent voter's ballot mailed to any other 526  
location or address for that particular election. 527

**Sec. 3503.19.** (A) Persons qualified to register or to 528  
change their registration because of a change of address or 529  
change of name may register or change their registration in 530  
person at any state or local office of a designated agency, at 531  
the office of the registrar or any deputy registrar of motor 532  
vehicles, at a public high school or vocational school, at a 533  
public library, at the office of a county treasurer, or at a 534  
branch office established by the board of elections, or in 535  
person, through another person, or by mail at the office of the 536  
secretary of state or at the office of a board of elections. A 537  
registered elector may also change the elector's registration on 538  
election day at any polling place where the elector is eligible 539  
to vote, in the manner provided under section 3503.16 of the 540

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Any state or local office of a designated agency, the 542  
office of the registrar or any deputy registrar of motor 543  
vehicles, a public high school or vocational school, a public 544  
library, or the office of a county treasurer shall transmit any 545  
voter registration application or change of registration form 546  
that it receives to the board of elections of the county in 547  
which the state or local office is located, within five days 548  
after receiving the voter registration application or change of 549  
registration form. 550

An otherwise valid voter registration application that is 551  
returned to the appropriate office other than by mail must be 552  
received by a state or local office of a designated agency, the 553  
office of the registrar or any deputy registrar of motor 554  
vehicles, a public high school or vocational school, a public 555  
library, the office of a county treasurer, the office of the 556  
secretary of state, or the office of a board of elections no 557  
later than the thirtieth day preceding a primary, special, or 558  
general election for the person to qualify as an elector 559  
eligible to vote at that election. An otherwise valid 560  
registration application received after that day entitles the 561  
elector to vote at all subsequent elections. 562

Any state or local office of a designated agency, the 563  
office of the registrar or any deputy registrar of motor 564  
vehicles, a public high school or vocational school, a public 565  
library, or the office of a county treasurer shall date stamp a 566  
registration application or change of name or change of address 567  
form it receives using a date stamp that does not disclose the 568  
identity of the state or local office that receives the 569  
registration. 570

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

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

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

the office of the secretary of state or to the board of 602  
elections of the county in which the person's voting residence 603  
is located pursuant to section 3503.191 of the Revised Code. 604

(b) Subject to division (B) (2) (c) of this section, an 605  
applicant may return the applicant's completed registration form 606  
through another person to any board of elections or the office 607  
of the secretary of state. 608

(c) A person who receives compensation for registering a 609  
voter shall return any registration form entrusted to that 610  
person by an applicant to any board of elections or to the 611  
office of the secretary of state. 612

(d) If a board of elections or the office of the secretary 613  
of state receives a registration form under division (B) (2) (b) 614  
or (c) of this section before the thirtieth day before an 615  
election, the board or the office of the secretary of state, as 616  
applicable, shall forward the registration to the board of 617  
elections of the county in which the applicant is seeking to 618  
register to vote within ten days after receiving the 619  
application. If a board of elections or the office of the 620  
secretary of state receives a registration form under division 621  
(B) (2) (b) or (c) of this section on or after the thirtieth day 622  
before an election, the board or the office of the secretary of 623  
state, as applicable, shall forward the registration to the 624  
board of elections of the county in which the applicant is 625  
seeking to register to vote within thirty days after that 626  
election. 627

(C) (1) A board of elections that receives a voter 628  
registration application and is satisfied as to the truth of the 629  
statements made in the registration form shall register the 630  
applicant not later than twenty business days after receiving 631

the application, unless that application is received during the 632  
thirty days immediately preceding the day of an election. The 633  
board shall promptly notify the applicant in writing of each of 634  
the following: 635

(a) The applicant's registration; 636

(b) The precinct in which the applicant is to vote; 637

(c) In bold type as follows: 638

"Voters must bring photo identification to the polls in 639  
order to verify identity. ~~Identification may include a current~~ 640  
~~and valid photo identification, a military identification, or a~~ 641  
~~copy of a current utility bill, bank statement, government~~ 642  
~~check, paycheck, or other government document, other than this~~ 643  
~~notification, that shows the voter's name and current address.~~ 644  
Voters who do not provide one of these documents have a 645  
religious objection to being photographed will still be able to 646  
vote by ~~casting a provisional ballot. Voters who do not have any~~ 647  
~~of the above forms of identification, including a social~~ 648  
~~security number, will still be able to vote by signing an~~ 649  
~~affirmation swearing to the voter's identity~~ to that effect 650  
under penalty of election falsification and by casting a 651  
provisional ballot." 652

The notification shall be by nonforwardable mail. If the 653  
mail is returned to the board, it shall investigate and cause 654  
the notification to be delivered to the correct address. 655

(2) If, after investigating as required under division (C) 656  
(1) of this section, the board is unable to verify the voter's 657  
correct address, it shall cause the voter's name in the official 658  
registration list and in the poll list or signature pollbook to 659  
be marked to indicate that the voter's notification was returned 660

to the board. 661

At the first election at which a voter whose name has been 662  
so marked appears to vote, the voter shall be required to 663  
provide photo identification to the election officials and to 664  
vote by provisional ballot under section 3505.181 of the Revised 665  
Code. If the provisional ballot is counted pursuant to division 666  
(B) (3) of section 3505.183 of the Revised Code, the board shall 667  
correct that voter's registration, if needed, and shall remove 668  
the indication that the voter's notification was returned from 669  
that voter's name on the official registration list and on the 670  
poll list or signature pollbook. If the provisional ballot is 671  
not counted pursuant to division (B) (4) (a) (i), (v), or (vi) of 672  
section 3505.183 of the Revised Code, the voter's registration 673  
shall be canceled. The board shall notify the voter by United 674  
States mail of the cancellation. 675

(3) If a notice of the disposition of an otherwise valid 676  
registration application is sent by nonforwardable mail and is 677  
returned undelivered, the person shall be registered as provided 678  
in division (C) (2) of this section and sent a confirmation 679  
notice by forwardable mail. If the person fails to respond to 680  
the confirmation notice, update the person's registration, or 681  
vote by provisional ballot as provided in division (C) (2) of 682  
this section in any election during the period of two federal 683  
elections subsequent to the mailing of the confirmation notice, 684  
the person's registration shall be canceled. 685

**Sec. 3503.28.** (A) The secretary of state shall develop an 686  
information brochure regarding voter registration. The brochure 687  
shall include, but is not limited to, all of the following 688  
information: 689

(1) The applicable deadlines for registering to vote or 690



for returning an applicant's completed registration form; 691

(2) The applicable deadline for returning an applicant's 692  
completed registration form if the person returning the form is 693  
being compensated for registering voters; 694

(3) The locations to which a person may return an 695  
applicant's completed registration form; 696

(4) The location to which a person who is compensated for 697  
registering voters may return an applicant's completed 698  
registration form; 699

(5) The registration and affirmation requirements 700  
applicable to persons who are compensated for registering voters 701  
under section 3503.29 of the Revised Code; 702

(6) A notice, which shall be written in bold type, stating 703  
as follows: 704

"Voters must bring photo identification to the polls in 705  
order to verify identity. ~~Identification may include a current-~~ 706  
~~and valid photo identification, a military identification, or a~~ 707  
~~copy of a current utility bill, bank statement, government~~ 708  
~~check, paycheck, or other government document, other than a~~ 709  
~~voter registration notification sent by a board of elections,~~ 710  
~~that shows the voter's name and current address. Voters who do~~ 711  
~~not provide one of these documents have a religious objection to~~ 712  
~~being photographed will still be able to vote by casting a~~ 713  
~~provisional ballot. Voters who do not have any of the above~~ 714  
~~forms of identification, including a social security number,~~ 715  
~~will still be able to vote by signing an affirmation ~~swearing to~~~~ 716  
~~the voter's identity to that effect under penalty of election~~ 717  
~~falsification and by casting a provisional ballot."~~ 718

(B) Except as otherwise provided in division (D) of this 719

section, a board of elections, designated agency, public high school, public vocational school, public library, office of a county treasurer, or deputy registrar of motor vehicles shall distribute a copy of the brochure developed under division (A) of this section to any person who requests more than two voter registration forms at one time.

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

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

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

- (1) An election official;
- (2) A county treasurer;
- (3) A deputy registrar of motor vehicles;
- (4) An employee of a designated agency;
- (5) An employee of a public high school;
- (6) An employee of a public vocational school;

- (7) An employee of a public library; 747
- (8) An employee of the office of a county treasurer; 748
- (9) An employee of the bureau of motor vehicles; 749
- (10) An employee of a deputy registrar of motor vehicles; 750
- (11) An employee of an election official. 751

(E) As used in this section, "registering voters" includes 752  
any effort, for compensation, to provide voter registration 753  
forms or to assist persons in completing or returning those 754  
forms. 755

**Sec. 3505.18.** (A) (1) When an elector appears in a polling 756  
place to vote, the elector shall announce to the precinct 757  
election officials the elector's full name and current address 758  
and provide proof of the elector's identity in the form of a 759  
~~current and valid photo identification, a military~~ 760  
~~identification, or a copy of a current utility bill, bank~~ 761  
~~statement, government check, paycheck, or other government~~ 762  
~~document, other than a notice of voter registration mailed by a~~ 763  
~~board of elections under section 3503.19 of the Revised Code,~~ 764  
~~that shows the name and current address of the elector.~~ 765

(2) If an elector ~~does not have or is unable to provide to~~ 766  
~~the precinct election officials any of the forms of~~ 767  
~~identification required under division (A)(1) of this section,~~ 768  
~~the elector may cast a provisional ballot under section 3505.181~~ 769  
~~of the Revised Code and do either of the following:~~ 770

~~(a) Write the elector's driver's license or state~~ 771  
~~identification card number or the last four digits of the~~ 772  
~~elector's social security number on the provisional ballot~~ 773  
~~envelope; or~~ 774

~~(b) Appear at the office of the board of elections not later than the seventh day after the day of the election and provide the identification required under division (A) (1) of this section, the elector's driver's license or state identification card number, or the last four digits of the elector's social security number~~has a religious objection to being photographed, the elector may execute an affirmation under penalty of election falsification to that effect. Upon signing the affirmation, the elector may cast a provisional ballot under section 3505.181 of the Revised Code. The secretary of state shall prescribe the form of the affirmation, which shall include spaces for all of the following:

(a) The elector's name;

(b) The elector's address;

(c) The current date;

(d) The elector's date of birth;

(e) The elector's signature; and

(f) A statement that the elector has a religious objection to being photographed.

(3) If an elector does not have or declines to provide photo identification to the precinct election officials but the elector does not have a religious objection to being photographed, the elector may cast a provisional ballot under section 3505.181 of the Revised Code.

(B) After the elector has announced the elector's full name and current address and provided ~~any of the forms of~~ identification required under division (A) (1) of this section, the elector shall ~~write~~confirm the elector's name and address

by signing the elector's name at the proper place in the poll 803  
list or signature pollbook provided for the purpose, except that 804  
if, for any reason, an elector is unable to ~~write~~ sign the 805  
elector's name ~~and current address~~ in the poll list or signature 806  
pollbook, the elector may make the elector's mark at the place 807  
intended for the elector's name, and a precinct election 808  
official shall write the name of the elector at the proper place 809  
on the poll list or signature pollbook following the elector's 810  
mark. The making of such a mark shall be attested by the 811  
precinct election official, who shall evidence the same by 812  
signing the precinct election official's name on the poll list 813  
or signature pollbook as a witness to the mark. Alternatively, 814  
if applicable, an attorney in fact acting pursuant to section 815  
3501.382 of the Revised Code may sign the elector's signature in 816  
the poll list or signature pollbook in accordance with that 817  
section. 818

The elector's signature in the poll list or signature 819  
pollbook then shall be compared with the elector's signature on 820  
the elector's registration form or a digitized signature list as 821  
provided for in section 3503.13 of the Revised Code, and if, in 822  
the opinion of a majority of the precinct election officials, 823  
the signatures are the signatures of the same person, the 824  
election officials shall enter the date of the election on the 825  
registration form or shall record the date by other means 826  
prescribed by the secretary of state. The validity of an 827  
attorney in fact's signature on behalf of an elector shall be 828  
determined in accordance with section 3501.382 of the Revised 829  
Code. 830

If the right of the elector to vote is not then 831  
challenged, or, if being challenged, the elector establishes the 832  
elector's right to vote, the elector shall be allowed to proceed 833

to use the voting machine. If voting machines are not being used 834  
in that precinct, the precinct election official in charge of 835  
ballots shall then detach the next ballots to be issued to the 836  
elector from Stub B attached to each ballot, leaving Stub A 837  
attached to each ballot, hand the ballots to the elector, and 838  
call the elector's name and the stub number on each of the 839  
ballots. The precinct election official shall enter the stub 840  
numbers opposite the signature of the elector in the pollbook. 841  
The elector shall then retire to one of the voting compartments 842  
to mark the elector's ballots. No mark shall be made on any 843  
ballot which would in any way enable any person to identify the 844  
person who voted the ballot. 845

**Sec. 3505.181.** (A) All of the following individuals shall 846  
be permitted to cast a provisional ballot at an election: 847

(1) An individual who declares that the individual is a 848  
registered voter in the precinct in which the individual desires 849  
to vote and that the individual is eligible to vote in an 850  
election, but the name of the individual does not appear on the 851  
official list of eligible voters for the precinct or an election 852  
official asserts that the individual is not eligible to vote; 853

(2) An individual who does not have or ~~is unable declines~~ 854  
to provide photo identification to the election officials ~~any of~~ 855  
~~the forms of identification required~~ under division (A) (1) of 856  
section 3505.18 of the Revised Code; 857

(3) An individual ~~whose~~ who does not have photo 858  
identification because the individual has a religious objection 859  
to being photographed, and who has executed an affirmation as 860  
permitted under division (A) (2) of section 3505.18 of the 861  
Revised Code; 862

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

~~(4)~~(5) An individual whose notification of registration has been returned undelivered to the board of elections and whose name in the official registration list and in the poll list or signature pollbook has been marked under division (C) (2) of section 3503.19 of the Revised Code;

~~(5)~~(6) An individual who has been successfully challenged under section 3505.20 or 3513.20 of the Revised Code or whose application or challenge hearing has been postponed until after the day of the election under division (D) (1) of section 3503.24 of the Revised Code;

~~(6)~~(7) An individual who changes the individual's name and remains within the precinct without providing proof of that name change under division (B) (1) (b) of section 3503.16 of the Revised Code, moves from one precinct to another within a county, moves from one precinct to another and changes the individual's name, or moves from one county to another within the state, and completes and signs the required forms and statements under division (B) or (C) of section 3503.16 of the Revised Code;

~~(7)~~(8) An individual whose signature, in the opinion of the precinct officers under section 3505.22 of the Revised Code, is not that of the person who signed that name in the registration forms.

(B) An individual who is eligible to cast a provisional

ballot under division (A) of this section shall be permitted to 892  
cast a provisional ballot as follows: 893

(1) An election official at the polling place shall notify 894  
the individual that the individual may cast a provisional ballot 895  
in that election. 896

(2) Except as otherwise provided in division (F) of this 897  
section, the individual shall complete and execute a written 898  
affirmation before an election official at the polling place 899  
stating that the individual is both of the following: 900

(a) A registered voter in the precinct in which the 901  
individual desires to vote; 902

(b) Eligible to vote in that election. 903

(3) An election official at the polling place shall 904  
transmit the ballot cast by the individual and the voter 905  
information contained in the written affirmation executed by the 906  
individual under division (B)(2) of this section to an 907  
appropriate local election official for verification under 908  
division (B)(4) of this section. 909

(4) If the appropriate local election official to whom the 910  
ballot or voter or address information is transmitted under 911  
division (B)(3) of this section determines that the individual 912  
is eligible to vote, the individual's provisional ballot shall 913  
be counted as a vote in that election. 914

(5) (a) At the time that an individual casts a provisional 915  
ballot, the appropriate local election official shall give the 916  
individual written information that states that any individual 917  
who casts a provisional ballot will be able to ascertain under 918  
the system established under division (B)(5)(b) of this section 919  
whether the vote was counted, and, if the vote was not counted, 920



the reason that the vote was not counted. 921

(b) The appropriate state or local election official shall 922  
establish a free access system, in the form of a toll-free 923  
telephone number, that any individual who casts a provisional 924  
ballot may access to discover whether the vote of that 925  
individual was counted, and, if the vote was not counted, the 926  
reason that the vote was not counted. The free access system 927  
established under this division also shall provide to an 928  
individual whose provisional ballot was not counted information 929  
explaining how that individual may contact the board of 930  
elections to register to vote or to resolve problems with the 931  
individual's voter registration. 932

The appropriate state or local election official shall 933  
establish and maintain reasonable procedures necessary to 934  
protect the security, confidentiality, and integrity of personal 935  
information collected, stored, or otherwise used by the free 936  
access system established under this division. The system shall 937  
permit an individual only to gain access to information about 938  
the individual's own provisional ballot. 939

(6) If, at the time that an individual casts a provisional 940  
ballot, the individual ~~provides identification in the form of a~~ 941  
~~current and valid~~ may provide photo identification, a military 942  
~~identification, or a copy of a current utility bill, bank~~ 943  
~~statement, government check, paycheck, or other government~~ 944  
~~document, other than a notice of voter registration mailed by a~~ 945  
~~board of elections under section 3503.19 of the Revised Code,~~ 946  
~~that shows the individual's name and current address, or~~ 947  
~~provides~~ the individual's driver's license ~~or number,~~ state 948  
identification card number, or the last four digits of the 949  
individual's social security number, or execute an affirmation 950

that the individual has a religious objection to being 951  
photographed. If the individual provides identification or 952  
executes an affirmation, the individual shall record ~~the type of~~ 953  
that photo identification was provided or record the driver's 954  
license, state identification card, or social security number 955  
information or the fact that the affirmation was executed and 956  
include that information on the provisional ballot affirmation 957  
under division (B) (3) of this section. 958

(7) During the seven days after the day of an election, an 959  
individual who casts a provisional ballot ~~because the individual~~ 960  
~~does not have or is unable to provide to the election officials~~ 961  
~~any of the required forms of identification or because the~~ 962  
individual and who does not provide identification or execute an 963  
affirmation under division (B) (6) of this section or who has 964  
been successfully challenged under section 3505.20 of the 965  
Revised Code shall appear at the office of the board of 966  
elections and provide to the board any additional information 967  
necessary to determine the eligibility of the individual who 968  
cast the provisional ballot. 969

(a) For a provisional ballot cast by an individual who 970  
does not ~~have or is unable to provide~~ identification to the 971  
election officials ~~any of the required forms of identification~~ 972  
or execute an affirmation under division (B) (6) of this section 973  
to be eligible to be counted, the individual who cast that 974  
ballot, within seven days after the day of the election, shall 975  
do either of the following: 976

(i) Provide to the board of elections proof of the 977  
individual's identity in the form of a ~~current and valid photo~~ 978  
~~identification, a military identification, or a copy of a~~ 979  
~~current utility bill, bank statement, government check,~~ 980

~~paycheck, or other government document, other than a notice of~~ 981  
~~voter registration mailed by a board of elections under section~~ 982  
~~3503.19 of the Revised Code, that shows the individual's name~~ 983  
~~and current address; or~~ 984

~~(ii) Provide to the board of elections the individual's~~ 985  
~~driver's license or number, state identification card number, or~~ 986  
~~the last four digits of the individual's social security~~ 987  
~~number.;~~ 988

(ii) Execute an affirmation as permitted under division 989  
(A) (2) of section 3505.18 of the Revised Code, stating that the 990  
individual has a religious objection to being photographed. 991

(b) For a provisional ballot cast by an individual who has 992  
been successfully challenged under section 3505.20 of the 993  
Revised Code to be eligible to be counted, the individual who 994  
cast that ballot, within seven days after the day of that 995  
election, shall provide to the board of elections any 996  
identification or other documentation required to be provided by 997  
the applicable challenge questions asked of that individual 998  
under section 3505.20 of the Revised Code. 999

(C) (1) If an individual declares that the individual is 1000  
eligible to vote in a precinct other than the precinct in which 1001  
the individual desires to vote, or if, upon review of the 1002  
precinct voting location guide using the residential street 1003  
address provided by the individual, an election official at the 1004  
precinct at which the individual desires to vote determines that 1005  
the individual is not eligible to vote in that precinct, the 1006  
election official shall direct the individual to the precinct 1007  
and polling place in which the individual appears to be eligible 1008  
to vote, explain that the individual may cast a provisional 1009  
ballot at the current location but the ballot or a portion of 1010

the ballot will not be counted if it is cast in the wrong 1011  
precinct, and provide the telephone number of the board of 1012  
elections in case the individual has additional questions. 1013

(2) If the individual refuses to travel to the correct 1014  
precinct or to the office of the board of elections to cast a 1015  
ballot, the individual shall be permitted to vote a provisional 1016  
ballot at that precinct in accordance with division (B) of this 1017  
section. If the individual is in the correct polling location 1018  
for the precinct in which the individual is registered and 1019  
eligible to vote, the election official shall complete and sign, 1020  
under penalty of election falsification, a form that includes 1021  
all of the following, and attach the form to the individual's 1022  
provisional ballot affirmation: 1023

(a) The name or number of the individual's correct 1024  
precinct; 1025

(b) A statement that the election official instructed the 1026  
individual to travel to the correct precinct to vote; 1027

(c) A statement that the election official informed the 1028  
individual that casting a provisional ballot in the wrong 1029  
precinct would result in all or a portion of the votes on the 1030  
ballot being rejected; 1031

(d) The name or number of the precinct in which the 1032  
individual is casting a provisional ballot; and 1033

(e) The name of the polling location in which the 1034  
individual is casting a provisional ballot. 1035

(D) The appropriate local election official shall cause 1036  
voting information to be publicly posted at each polling place 1037  
on the day of each election. 1038

(E) As used in this section and sections 3505.182 and 1039  
3505.183 of the Revised Code: 1040

(1) "Precinct voting location guide" means either of the 1041  
following: 1042

(a) An electronic or paper record that lists the correct 1043  
precinct and polling place for either each specific residential 1044  
street address in the county or the range of residential street 1045  
addresses located in each neighborhood block in the county; 1046

(b) Any other method that a board of elections creates 1047  
that allows a precinct election official or any elector who is 1048  
at a polling place in that county to determine the correct 1049  
precinct and polling place of any qualified elector who resides 1050  
in the county. 1051

(2) "Voting information" means all of the following: 1052

(a) A sample version of the ballot that will be used for 1053  
that election; 1054

(b) Information regarding the date of the election and the 1055  
hours during which polling places will be open; 1056

(c) Instructions on how to vote, including how to cast a 1057  
vote and how to cast a provisional ballot; 1058

(d) Instructions for mail-in registrants and first-time 1059  
voters under applicable federal and state laws; 1060

(e) General information on voting rights under applicable 1061  
federal and state laws, including information on the right of an 1062  
individual to cast a provisional ballot and instructions on how 1063  
to contact the appropriate officials if these rights are alleged 1064  
to have been violated; 1065

(f) General information on federal and state laws 1066  
regarding prohibitions against acts of fraud and 1067  
misrepresentation. 1068

(F) Nothing in this section or section 3505.183 of the 1069  
Revised Code is in derogation of section 3505.24 of the Revised 1070  
Code, which permits a blind, disabled, or illiterate elector to 1071  
receive assistance in the marking of the elector's ballot by two 1072  
precinct election officials of different political parties. A 1073  
blind, disabled, or illiterate elector may receive assistance in 1074  
marking that elector's provisional ballot and in completing the 1075  
required affirmation in the same manner as an elector may 1076  
receive assistance on the day of an election under that section. 1077

**Sec. 3505.182.** Each individual who casts a provisional 1078  
ballot under section 3505.181 of the Revised Code shall execute 1079  
a written affirmation. The form of the written affirmation shall 1080  
be printed upon the face of the provisional ballot envelope and 1081  
shall be as follows: 1082

"Provisional Ballot Affirmation 1083

(A) Clearly print your full name: ..... 1084

(B) Write your date of birth: ..... 1085

(C) (1) Write your current address: ..... 1086

..... 1087

(2) Have you moved without updating your voter 1088  
registration?: 1089

Yes ..... No ..... 1090

If yes, write your former address: ..... 1091

..... 1092

Failure to provide your former address will not cause your 1093  
provisional ballot to be rejected. 1094

(D) Provide one of the following forms of identification: 1095

(1) Write your full Ohio driver's license or state 1096  
identification card number: ..... 1097

(2) Write the last four digits of your Social Security 1098  
number: ..... 1099

(3) If you ~~did not write your full Ohio driver's license-~~ 1100  
~~or state identification card number or the last four digits of-~~ 1101  
~~your Social Security number, you must show one of the following-~~ 1102  
~~forms of showed photo identification to the precinct election~~ 1103  
~~official, check the following box: . . . . .~~ If you do 1104  
not check ~~one of the following boxes~~ box affirming the ~~type of-~~ 1105  
that you showed photo identification ~~you showed~~ to the precinct 1106  
election official, the board of elections will conclude that you 1107  
did not show photo identification to your precinct election 1108  
official ~~and that you must show identification at the board of-~~ 1109  
~~elections during the seven days after the election for your vote-~~ 1110  
~~to be eligible to be counted.~~ 1111

~~..... A form of photo identification that was issued by-~~ 1112  
~~the United States government or the State of Ohio, that contains-~~ 1113  
~~your name and current address (or your former address if the-~~ 1114  
~~identification is an Ohio driver's license or state-~~ 1115  
~~identification card), and that has an expiration date that has-~~ 1116  
~~not passed;~~ 1117

~~..... A military identification card; or~~ 1118

~~..... A current utility bill, bank statement, government-~~ 1119  
~~check, paycheck, or other government document, other than a-~~ 1120  
~~notice of voter registration mailed by a board of elections,~~ 1121

~~that contains your name and current address.~~ 1122

(4) If you executed an affirmation that you do not have a photo identification because you have a religious objection to being photographed, check the following box: . . . . . 1123  
1124  
1125

If you fail to provide identification or execute an affirmation at this time, you must go to the board of elections on or before the seventh day following this election to provide a qualifying form of identification or execute an affirmation in order for this ballot to count. 1126  
1127  
1128  
1129  
1130

(E) If your right to vote has been challenged, you must provide any required additional information to the board of elections on or before the seventh day following this election. 1131  
1132  
1133

(F) Sign and date the following statement: 1134

I solemnly swear or affirm that I am a citizen of the United States; that I will be at least 18 years of age at the time of the general election; that I have lived in this state for 30 days immediately preceding this election in which I am voting this ballot; that I am a registered voter in the precinct in which I am voting this provisional ballot; and that I am eligible to vote in the election in which I am voting this provisional ballot. 1135  
1136  
1137  
1138  
1139  
1140  
1141  
1142

I understand that, if the information I provide on this provisional ballot affirmation is not fully completed and correct, if the board of elections determines that I am not registered to vote, a resident of this precinct, or eligible to vote in this election, or if the board of elections determines that I have already voted in this election, my provisional ballot will not be counted. I understand that, if I am not currently registered to vote or if I am not registered at my 1143  
1144  
1145  
1146  
1147  
1148  
1149  
1150



current address or under my current name, this form will serve 1151  
as an application to register to vote or update my registration 1152  
for future elections, as long as I provide all of the 1153  
information required to register to vote or update my 1154  
registration. I further understand that knowingly providing 1155  
false information is a violation of law and subjects me to 1156  
possible criminal prosecution. 1157

I hereby declare, under penalty of election falsification, 1158  
that the above statements are true and correct to the best of my 1159  
knowledge and belief. 1160

..... 1161

Signature of Voter 1162

..... 1163

Date 1164

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 1165  
FELONY OF THE FIFTH DEGREE." 1166

In addition to any information required to be included on 1167  
the written affirmation, an individual casting a provisional 1168  
ballot may provide additional information to the election 1169  
official to assist the board of elections in determining the 1170  
individual's eligibility to vote in that election, including the 1171  
date and location at which the individual registered to vote, if 1172  
known. 1173

If the individual provided all of the information required 1174  
under section 3503.14 of the Revised Code to register to vote or 1175  
to update the individual's registration on the provisional 1176  
ballot affirmation, the board of elections shall consider the 1177  
individual's provisional ballot affirmation to also serve as a 1178

notice of change of name, change of residence, or both, or as a voter registration form, as applicable, for that individual only for the purposes of future elections.

**Sec. 3505.183.** (A) When the ballot boxes are delivered to the board of elections from the precincts, the board shall separate the provisional ballot envelopes from the rest of the ballots. Teams of employees of the board consisting of one member of each major political party shall place the sealed provisional ballot envelopes in a secure location within the office of the board. The sealed provisional ballot envelopes shall remain in that secure location until the validity of those ballots is determined under division (B) of this section. While the provisional ballot is stored in that secure location, and prior to the counting of the provisional ballots, if the board receives information regarding the validity of a specific provisional ballot under division (B) of this section, the board may note, on the sealed provisional ballot envelope for that ballot, whether the ballot is valid and entitled to be counted.

(B) (1) To determine whether a provisional ballot is valid and entitled to be counted, the board shall examine its records and determine whether the individual who cast the provisional ballot is registered and eligible to vote in the applicable election. The board shall examine the information contained in the written affirmation executed by the individual who cast the provisional ballot under division (B) (2) of section 3505.181 of the Revised Code. The following information shall be included in the written affirmation in order for the provisional ballot to be eligible to be counted:

(a) The individual's printed name, signature, date of birth, and current address;

(b) A statement that the individual is a registered voter 1209  
in the precinct in which the provisional ballot is being voted; 1210

(c) A statement that the individual is eligible to vote in 1211  
the election in which the provisional ballot is being voted. 1212

(2) In addition to the information required to be included 1213  
in an affirmation under division (B)(1) of this section, in 1214  
determining whether a provisional ballot is valid and entitled 1215  
to be counted, the board also shall examine any additional 1216  
information for determining ballot validity provided by the 1217  
provisional voter on the affirmation, provided by the 1218  
provisional voter to an election official under section 3505.182 1219  
of the Revised Code, or provided to the board of elections 1220  
during the seven days after the day of the election under 1221  
division (B)(7) of section 3505.181 of the Revised Code, to 1222  
assist the board in determining the individual's eligibility to 1223  
vote. 1224

(3) If, in examining a provisional ballot affirmation and 1225  
additional information under divisions (B)(1) and (2) of this 1226  
section and comparing the information required under division 1227  
(B)(1) of this section with the elector's information in the 1228  
statewide voter registration database, the board determines that 1229  
all of the following apply, the provisional ballot envelope 1230  
shall be opened, and the ballot shall be placed in a ballot box 1231  
to be counted: 1232

(a) The individual named on the affirmation is properly 1233  
registered to vote. 1234

(b) The individual named on the affirmation is eligible to 1235  
cast a ballot in the precinct and for the election in which the 1236  
individual cast the provisional ballot. 1237

(c) The individual provided all of the information 1238  
required under division (B) (1) of this section in the 1239  
affirmation that the individual executed at the time the 1240  
individual cast the provisional ballot. 1241

(d) The last four digits of the elector's social security 1242  
number or the elector's driver's license number or state 1243  
identification card number are not different from the last four 1244  
digits of the elector's social security number or the elector's 1245  
driver's license number or state identification card number 1246  
contained in the statewide voter registration database. 1247

(e) Except as otherwise provided in this division, the 1248  
month and day of the elector's date of birth are not different 1249  
from the day and month of the elector's date of birth contained 1250  
in the statewide voter registration database. 1251

This division does not apply to an elector's provisional 1252  
ballot if either of the following is true: 1253

(i) The elector's date of birth contained in the statewide 1254  
voter registration database is January 1, 1800. 1255

(ii) The board of elections has found, by a vote of at 1256  
least three of its members, that the elector has met all other 1257  
requirements of division (B) (3) of this section. 1258

(f) The elector's current address is not different from 1259  
the elector's address contained in the statewide voter 1260  
registration database, unless the elector indicated that the 1261  
elector is casting a provisional ballot because the elector has 1262  
moved and has not submitted a notice of change of address, as 1263  
described in division (A) ~~(6)~~ (7) of section 3505.181 of the 1264  
Revised Code. 1265

(g) If applicable, the individual provided any additional 1266

information required under division (B) (7) of section 3505.181 1267  
of the Revised Code within seven days after the day of the 1268  
election. 1269

(h) If applicable, the hearing conducted under division 1270  
(B) of section 3503.24 of the Revised Code after the day of the 1271  
election resulted in the individual's inclusion in the official 1272  
registration list. 1273

(4) (a) Except as otherwise provided in division (D) of 1274  
this section, if, in examining a provisional ballot affirmation 1275  
and additional information under divisions (B) (1) and (2) of 1276  
this section and comparing the information required under 1277  
division (B) (1) of this section with the elector's information 1278  
in the statewide voter registration database, the board 1279  
determines that any of the following applies, the provisional 1280  
ballot envelope shall not be opened, and the ballot shall not be 1281  
counted: 1282

(i) The individual named on the affirmation is not 1283  
qualified or is not properly registered to vote. 1284

(ii) The individual named on the affirmation is not 1285  
eligible to cast a ballot in the precinct or for the election in 1286  
which the individual cast the provisional ballot. 1287

(iii) The individual did not provide all of the 1288  
information required under division (B) (1) of this section in 1289  
the affirmation that the individual executed at the time the 1290  
individual cast the provisional ballot. 1291

(iv) The individual has already cast a ballot for the 1292  
election in which the individual cast the provisional ballot. 1293

(v) If applicable, the individual did not provide any 1294  
additional information required under division (B) (7) of section 1295

3505.181 of the Revised Code within seven days after the day of the election. 1296  
1297

(vi) If applicable, the hearing conducted under division 1298  
(B) of section 3503.24 of the Revised Code after the day of the 1299  
election did not result in the individual's inclusion in the 1300  
official registration list. 1301

(vii) The individual failed to provide a ~~current and valid~~ 1302  
~~photo identification, a military identification, a copy of a~~ 1303  
~~current utility bill, bank statement, government check,~~ 1304  
~~paycheck, or other government document, other than a notice of~~ 1305  
~~voter registration mailed by a board of elections under section~~ 1306  
~~3503.19 of the Revised Code, with the voter's name and current~~ 1307  
~~address,~~ the individual's driver's license or state 1308  
identification card number, or the last four digits of the 1309  
individual's social security number or to execute an affirmation 1310  
under division (A) (2) of section 3505.18 or division (B) of 1311  
section 3505.181 of the Revised Code. 1312

(viii) The last four digits of the elector's social 1313  
security number or the elector's driver's license number or 1314  
state identification card number are different from the last 1315  
four digits of the elector's social security number or the 1316  
elector's driver's license number or state identification card 1317  
number contained in the statewide voter registration database. 1318

(ix) Except as otherwise provided in this division, the 1319  
month and day of the elector's date of birth are different from 1320  
the day and month of the elector's date of birth contained in 1321  
the statewide voter registration database. 1322

This division does not apply to an elector's provisional 1323  
ballot if either of the following is true: 1324

(I) The elector's date of birth contained in the statewide voter registration database is January 1, 1800. 1325  
1326

(II) The board of elections has found, by a vote of at least three of its members, that the elector has met all of the requirements of division (B) (3) of this section, other than the requirements of division (B) (3) (e) of this section. 1327  
1328  
1329  
1330

(x) The elector's current address is different from the elector's address contained in the statewide voter registration database, unless the elector indicated that the elector is casting a provisional ballot because the elector has moved and has not submitted a notice of change of address, as described in division (A) ~~(6)~~ (7) of section 3505.181 of the Revised Code. 1331  
1332  
1333  
1334  
1335  
1336

(b) If, in examining a provisional ballot affirmation and additional information under divisions (B) (1) and (2) of this section and comparing the information required under division (B) (1) of this section with the elector's information in the statewide voter registration database, the board is unable to determine either of the following, the provisional ballot envelope shall not be opened, and the ballot shall not be counted: 1337  
1338  
1339  
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1341  
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1343  
1344

(i) Whether the individual named on the affirmation is qualified or properly registered to vote; 1345  
1346

(ii) Whether the individual named on the affirmation is eligible to cast a ballot in the precinct or for the election in which the individual cast the provisional ballot. 1347  
1348  
1349

(C) For each provisional ballot rejected under division (B) (4) of this section, the board shall record the name of the provisional voter who cast the ballot, the identification number of the provisional ballot envelope, the names of the election 1350  
1351  
1352  
1353

officials who determined the validity of that ballot, the date 1354  
and time that the determination was made, and the reason that 1355  
the ballot was not counted, unless the board has already 1356  
recorded that information in another database. 1357

(D) (1) If an individual cast a provisional ballot in a 1358  
precinct in which the individual is not registered and eligible 1359  
to vote, but in the correct polling location for the precinct in 1360  
which the individual is registered and eligible to vote, and the 1361  
election official failed to direct the individual to the correct 1362  
precinct, the individual's ballot shall be remade under division 1363  
(D) (2) of this section. The election official shall be deemed to 1364  
have directed the individual to the correct precinct if the 1365  
election official correctly completed the form described in 1366  
division (C) (2) of section 3505.181 of the Revised Code. 1367

(2) A board of elections that remakes a provisional ballot 1368  
under division (D) (1) of this section shall remake the 1369  
provisional ballot on a ballot for the appropriate precinct to 1370  
reflect the offices, questions, and issues for which the 1371  
individual was eligible to cast a ballot and for which the 1372  
individual attempted to cast a provisional ballot. The remade 1373  
ballot shall be counted for each office, question, and issue for 1374  
which the individual was eligible to vote. 1375

(3) If an individual cast a provisional ballot in a 1376  
precinct in which the individual is not registered and eligible 1377  
to vote and in the incorrect polling location for the precinct 1378  
in which the individual is registered and eligible to vote, the 1379  
provisional ballot envelope shall not be opened, and the ballot 1380  
shall not be counted. 1381

(E) Provisional ballots that are rejected under division 1382  
(B) (4) of this section shall not be counted but shall be 1383



preserved in their provisional ballot envelopes unopened until 1384  
the time provided by section 3505.31 of the Revised Code for the 1385  
destruction of all other ballots used at the election for which 1386  
ballots were provided, at which time they shall be destroyed. 1387

(F) Provisional ballots that the board determines are 1388  
eligible to be counted under division (B) (3) or (D) of this 1389  
section shall be counted in the same manner as provided for 1390  
other ballots under section 3505.27 of the Revised Code. No 1391  
provisional ballots shall be counted in a particular county 1392  
until the board determines the eligibility to be counted of all 1393  
provisional ballots cast in that county under division (B) of 1394  
this section for that election. Observers, as provided in 1395  
section 3505.21 of the Revised Code, may be present at all times 1396  
that the board is determining the eligibility of provisional 1397  
ballots to be counted and counting those provisional ballots 1398  
determined to be eligible. No person shall recklessly disclose 1399  
the count or any portion of the count of provisional ballots in 1400  
such a manner as to jeopardize the secrecy of any individual 1401  
ballot. 1402

(G) (1) Except as otherwise provided in division (G) (2) of 1403  
this section, nothing in this section shall prevent a board of 1404  
elections from examining provisional ballot affirmations and 1405  
additional information under divisions (B) (1) and (2) of this 1406  
section to determine the eligibility of provisional ballots to 1407  
be counted during the ten days after the day of an election. 1408

(2) A board of elections shall not examine the provisional 1409  
ballot affirmation and additional information under divisions 1410  
(B) (1) and (2) of this section of any provisional ballot cast by 1411  
an individual who must provide additional information to the 1412  
board of elections under division (B) (7) of section 3505.181 of 1413

the Revised Code for the board to determine the individual's 1414  
eligibility until the individual provides that information, 1415  
until any hearing required to be conducted under section 3503.24 1416  
of the Revised Code with regard to the provisional voter is 1417  
held, or until the eleventh day after the day of the election, 1418  
whichever is earlier. 1419

**Sec. 3509.03.** Except as provided in division (B) of 1420  
section 3509.08 of the Revised Code, any qualified elector 1421  
desiring to vote absent voter's ballots at an election shall 1422  
make written application for those ballots to the director of 1423  
elections of the county in which the elector's voting residence 1424  
is located. The application need not be in any particular form 1425  
but shall contain all of the following: 1426

(A) The elector's name; 1427

(B) The elector's signature; 1428

(C) The address at which the elector is registered to 1429  
vote; 1430

(D) The elector's date of birth; 1431

(E) ~~One of the following:~~ 1432

(1) The elector's ~~driver's license number, photo~~ 1433  
identification, if the elector will be marking the absent 1434  
voter's ballots in person at the office of the board of 1435  
elections; or 1436

(2) If the elector will not be marking the ballots in 1437  
person at the office of the board, one of the following: 1438

(a) The elector's driver's license or state identification 1439  
card number; 1440

(b) The last four digits of the elector's social security number; 1441  
1442

~~(3) (c) A copy of the elector's current and valid photo identification, a copy of a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the name and address of the elector.~~ 1443  
1444  
1445  
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1447  
1448  
1449

(F) A statement identifying the election for which absent voter's ballots are requested; 1450  
1451

(G) A statement that the person requesting the ballots is a qualified elector; 1452  
1453

(H) If the request is for primary election ballots, the elector's party affiliation; 1454  
1455

(I) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed. 1456  
1457

Each application for absent voter's ballots shall be delivered to the director not earlier than the first day of January of the year of the elections for which the absent voter's ballots are requested or not earlier than ninety days before the day of the election at which the ballots are to be voted, whichever is earlier, and not later than twelve noon of the third day before the day of the election at which the ballots are to be voted, or not later than six p.m. on the last Friday before the day of the election at which the ballots are to be voted if the application is delivered in person to the office of the board. 1458  
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A board of elections that mails an absent voter's ballot 1469

application to an elector under this section shall not prepay 1470  
the return postage for that application. 1471

Except as otherwise provided in this section and in 1472  
sections 3505.24 and 3509.08 of the Revised Code, an election 1473  
official shall not fill out any portion of an application for 1474  
absent voter's ballots on behalf of an applicant. The secretary 1475  
of state or a board of elections may preprint only an 1476  
applicant's name and address on an application for absent 1477  
voter's ballots before mailing that application to the 1478  
applicant. 1479

**Sec. 3509.04.** (A) If a director of a board of elections 1480  
receives an application for absent voter's ballots that does not 1481  
contain all of the required information, the director promptly 1482  
shall notify the applicant of the additional information 1483  
required to be provided by the applicant to complete that 1484  
application. 1485

(B) Upon receipt by the director of elections of an 1486  
application for absent voter's ballots that contains all of the 1487  
required information, as provided by section 3509.03 and 1488  
division (G) of section 3503.16 of the Revised Code, the 1489  
director, if the director finds that the applicant is a 1490  
qualified elector, shall deliver to the applicant in person or 1491  
mail directly to the applicant by special delivery mail, air 1492  
mail, or regular mail, postage prepaid, proper absent voter's 1493  
ballots. The director shall deliver or mail with the ballots an 1494  
unsealed identification envelope upon the face of which shall be 1495  
printed a form substantially as follows: 1496

"Identification Envelope Statement of Voter 1497

I, .....(Name of voter), declare under 1498

penalty of election falsification that the within ballot or 1499  
ballots contained no voting marks of any kind when I received 1500  
them, and I caused the ballot or ballots to be marked, enclosed 1501  
in the identification envelope, and sealed in that envelope. 1502

My voting residence in Ohio is 1503

..... 1504

(Street and Number, if any, or Rural Route and Number) 1505

of ..... (City, Village, or Township) 1506

Ohio, which is in Ward ..... Precinct ..... 1507

in that city, village, or township. 1508

The primary election ballots, if any, within this envelope 1509  
are primary election ballots of the ..... Party. 1510

Ballots contained within this envelope are to be voted at 1511  
the ..... (general, special, or primary) election to be 1512  
held on the ..... day 1513  
of ....., .... 1514

My date of birth is ..... (Month and 1515  
Day), ..... (Year). 1516

~~(Voter must provide~~ 1517

.... If I am marking these ballots in person at the office 1518  
of the board of elections, I have provided photo identification 1519  
to the election officials. 1520

..... If I am marking these ballots other than in person 1521  
at the office of the board, I have provided one of the 1522  
following:} 1523

My driver's license or state identification card number is 1524  
..... (Driver's license or state identification card 1525

number). 1526

The last four digits of my Social Security Number 1527  
are ..... (Last four digits of Social Security 1528  
Number). 1529

..... In lieu of providing a driver's license or state 1530  
identification card number or the last four digits of my Social 1531  
Security Number, I am enclosing a copy of ~~one of the following~~ 1532  
~~in the return envelope in which this identification envelope~~ 1533  
~~will be mailed: a current and valid photo identification, a~~ 1534  
~~military identification, or a current utility bill, bank~~ 1535  
~~statement, government check, paycheck, or other government~~ 1536  
~~document, other than a notice of voter registration mailed by a~~ 1537  
~~board of elections, that shows my name and address~~in the return 1538  
envelope in which this identification envelope will be mailed. 1539

I hereby declare, under penalty of election falsification, 1540  
that the statements above are true, as I verily believe. 1541

..... 1542  
(Signature of Voter) 1543

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 1544  
THE FIFTH DEGREE." 1545

The director shall mail with the ballots and the unsealed 1546  
identification envelope an unsealed return envelope upon the 1547  
face of which shall be printed the official title and post- 1548  
office address of the director. In the upper left corner on the 1549  
face of the return envelope, several blank lines shall be 1550  
printed upon which the voter may write the voter's name and 1551  
return address. The return envelope shall be of such size that 1552  
the identification envelope can be conveniently placed within it 1553  
for returning the identification envelope to the director. 1554

A board of elections that mails or otherwise delivers  
absent voter's ballots to an elector under this section shall  
not prepay the return postage for those ballots.

Except as otherwise provided in this section and in  
sections 3505.24 and 3509.08 of the Revised Code, an election  
official shall not fill out any portion of an identification  
envelope statement of voter or an absent voter's ballot on  
behalf of an elector. A board of elections may preprint only an  
elector's name and address on an identification envelope  
statement of voter before mailing absent voter's ballots to the  
elector.

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

If the elector ~~does not~~ is marking the absent voter's  
ballots in person at the office of the board of elections, the  
elector shall provide photo identification to the election  
officials, or the elector may execute an affirmation under  
division (A) (2) of section 3505.18 of the Revised Code stating

that the elector has a religious objection to being photographed 1585  
and cast a provisional ballot under section 3505.181 of the 1586  
Revised Code. If the elector is not marking the absent voter's 1587  
ballots in person at the office of the board, the elector shall 1588  
provide the elector's driver's license or state identification 1589  
card number or the last four digits of the elector's social 1590  
security number on the statement of voter on the identification 1591  
envelope, ~~the elector also~~ or shall include in the return 1592  
envelope with the identification envelope a copy of the 1593  
elector's ~~current valid photo identification, a copy of a~~ 1594  
~~military identification, or a copy of a current utility bill,~~ 1595  
~~bank statement, government check, paycheck, or other government~~ 1596  
~~document, other than a notice of voter registration mailed by a~~ 1597  
~~board of elections under section 3503.19 of the Revised Code,~~ 1598  
~~that shows the name and address of the elector.~~ 1599

The elector shall mail the identification envelope to the 1600  
director from whom it was received in the return envelope, 1601  
postage prepaid, or the elector may personally deliver it to the 1602  
director, or the spouse of the elector, the father, mother, 1603  
father-in-law, mother-in-law, grandfather, grandmother, brother, 1604  
or sister of the whole or half blood, or the son, daughter, 1605  
adopting parent, adopted child, stepparent, stepchild, uncle, 1606  
aunt, nephew, or niece of the elector may deliver it to the 1607  
director. The return envelope shall be transmitted to the 1608  
director in no other manner, except as provided in section 1609  
3509.08 of the Revised Code. 1610

When absent voter's ballots are delivered to an elector at 1611  
the office of the board, the elector may retire to a voting 1612  
compartment provided by the board and there mark the ballots. 1613  
Thereupon, the elector shall fold them, place them in the 1614  
identification envelope provided, seal the envelope, fill in and 1615



sign the statement on the envelope under penalty of election 1616  
falsification, and deliver the envelope to the director of the 1617  
board. 1618

Except as otherwise provided in division (B) of this 1619  
section, all other envelopes containing marked absent voter's 1620  
ballots shall be delivered to the director not later than the 1621  
close of the polls on the day of an election. Absent voter's 1622  
ballots delivered to the director later than the times specified 1623  
shall not be counted, but shall be kept by the board in the 1624  
sealed identification envelopes in which they are delivered to 1625  
the director, until the time provided by section 3505.31 of the 1626  
Revised Code for the destruction of all other ballots used at 1627  
the election for which ballots were provided, at which time they 1628  
shall be destroyed. 1629

(B) (1) Except as otherwise provided in division (B) (2) of 1630  
this section, any return envelope that is postmarked prior to 1631  
the day of the election shall be delivered to the director prior 1632  
to the eleventh day after the election. Ballots delivered in 1633  
envelopes postmarked prior to the day of the election that are 1634  
received after the close of the polls on election day through 1635  
the tenth day thereafter shall be counted on the eleventh day at 1636  
the board of elections in the manner provided in divisions (C) 1637  
and (D) of section 3509.06 of the Revised Code. Any such ballots 1638  
that are received by the director later than the tenth day 1639  
following the election shall not be counted, but shall be kept 1640  
by the board in the sealed identification envelopes as provided 1641  
in division (A) of this section. 1642

(2) Division (B) (1) of this section shall not apply to any 1643  
mail that is postmarked using a postage evidencing system, 1644  
including a postage meter, as defined in 39 C.F.R. 501.1. 1645

**Sec. 3509.08.** (A) Any qualified elector, who, on account 1646  
of the elector's own personal illness, physical disability, or 1647  
infirmity, or on account of the elector's confinement in a jail 1648  
or workhouse under sentence for a misdemeanor or awaiting trial 1649  
on a felony or misdemeanor, will be unable to travel from the 1650  
elector's home or place of confinement to the voting booth in 1651  
the elector's precinct on the day of any general, special, or 1652  
primary election may make application in writing for an absent 1653  
voter's ballot to the director of the board of elections of the 1654  
elector's county. The application shall include all of the 1655  
information required under section 3509.03 of the Revised Code 1656  
and shall state the nature of the elector's illness, physical 1657  
disability, or infirmity, or the fact that the elector is 1658  
confined in a jail or workhouse and the elector's resultant 1659  
inability to travel to the election booth in the elector's 1660  
precinct on election day. The application shall not be valid if 1661  
it is delivered to the director before the ninetieth day or 1662  
after twelve noon of the third day before the day of the 1663  
election at which the ballot is to be voted. 1664

The absent voter's ballot may be mailed directly to the 1665  
applicant at the applicant's voting residence or place of 1666  
confinement as stated in the applicant's application, or the 1667  
board may designate two board employees belonging to the two 1668  
major political parties for the purpose of delivering the ballot 1669  
to the disabled or confined elector and returning it to the 1670  
board, unless the applicant is confined to a public or private 1671  
institution within the county, in which case the board shall 1672  
designate two board employees belonging to the two major 1673  
political parties for the purpose of delivering the ballot to 1674  
the disabled or confined elector and returning it to the board. 1675  
In all other instances, the ballot shall be returned to the 1676

office of the board in the manner prescribed in section 3509.05 1677  
of the Revised Code. 1678

Any disabled or confined elector who declares to the two 1679  
board employees belonging to the two major political parties 1680  
that the elector is unable to mark the elector's ballot by 1681  
reason of physical infirmity that is apparent to the employees 1682  
to be sufficient to incapacitate the voter from marking the 1683  
elector's ballot properly, may receive, upon request, the 1684  
assistance of the employees in marking the elector's ballot, and 1685  
they shall thereafter give no information in regard to this 1686  
matter. Such assistance shall not be rendered for any other 1687  
cause. 1688

When two board employees belonging to the two major 1689  
political parties deliver a ballot to a disabled or confined 1690  
elector, each of the employees shall be present when the ballot 1691  
is delivered, when assistance is given, and when the ballot is 1692  
returned to the office of the board, and shall subscribe to the 1693  
declaration on the identification envelope. 1694

The secretary of state shall prescribe the form of 1695  
application for absent voter's ballots under this division. 1696

This chapter applies to disabled and confined absent 1697  
voter's ballots except as otherwise provided in this section. 1698

(B) (1) Any qualified elector who is unable to travel to 1699  
the voting booth in the elector's precinct on the day of any 1700  
general, special, or primary election may apply to the director 1701  
of the board of elections of the county where the elector is a 1702  
qualified elector to vote in the election by absent voter's 1703  
ballot if either of the following apply: 1704

(a) The elector is confined in a hospital as a result of 1705

an accident or unforeseeable medical emergency occurring before 1706  
the election; 1707

(b) The elector's minor child is confined in a hospital as 1708  
a result of an accident or unforeseeable medical emergency 1709  
occurring before the election. 1710

(2) The application authorized under division (B)(1) of 1711  
this section shall be made in writing, shall include all of the 1712  
information required under section 3509.03 of the Revised Code, 1713  
and shall be delivered to the director not later than three p.m. 1714  
on the day of the election. The application shall indicate the 1715  
hospital where the applicant or the applicant's child is 1716  
confined, the date of the applicant's or the applicant's child's 1717  
admission to the hospital, and the offices for which the 1718  
applicant is qualified to vote. The applicant may also request 1719  
that a member of the applicant's family, as listed in section 1720  
3509.05 of the Revised Code, deliver the absent voter's ballot 1721  
to the applicant. The director, after establishing to the 1722  
director's satisfaction the validity of the circumstances 1723  
claimed by the applicant, shall supply an absent voter's ballot 1724  
to be delivered to the applicant. When the applicant or the 1725  
applicant's child is in a hospital in the county where the 1726  
applicant is a qualified elector and no request is made for a 1727  
member of the family to deliver the ballot, the director shall 1728  
arrange for the delivery of an absent voter's ballot to the 1729  
applicant, and for its return to the office of the board, by two 1730  
board employees belonging to the two major political parties 1731  
according to the procedures prescribed in division (A) of this 1732  
section. When the applicant or the applicant's child is in a 1733  
hospital outside the county where the applicant is a qualified 1734  
elector and no request is made for a member of the family to 1735  
deliver the ballot, the director shall arrange for the delivery 1736

of an absent voter's ballot to the applicant by mail, and the 1737  
ballot shall be returned to the office of the board in the 1738  
manner prescribed in section 3509.05 of the Revised Code. 1739

(3) Any qualified elector who is eligible to vote under 1740  
division (B) or (C) of section 3503.16 of the Revised Code but 1741  
is unable to do so because of the circumstances described in 1742  
division (B)(2) of this section may vote in accordance with 1743  
division (B)(1) of this section if that qualified elector states 1744  
in the application for absent voter's ballots that that 1745  
qualified elector moved or had a change of name under the 1746  
circumstances described in division (B) or (C) of section 1747  
3503.16 of the Revised Code and if that qualified elector 1748  
complies with divisions (G)(1) to (4) of section 3503.16 of the 1749  
Revised Code. 1750

(C) Any qualified elector described in division (A) or (B) 1751  
(1) of this section who needs no assistance to vote or to return 1752  
absent voter's ballots to the board of elections may apply for 1753  
absent voter's ballots under section 3509.03 of the Revised Code 1754  
instead of applying for them under this section. 1755

(D) Any qualified elector described in division (A) or (B) 1756  
(1) of this section to whom ballots are delivered by two 1757  
employees of the board of elections or who votes with the 1758  
assistance of two employees of the board of elections shall be 1759  
considered to have cast absent voter's ballots by mail, rather 1760  
than in person, for the purpose of the laws governing voter 1761  
identification. Such an elector may provide any of the types of 1762  
identification acceptable for mail-in absent voter's ballots to 1763  
the election officials at the time the ballots are delivered to 1764  
the elector or at the time the election officials assist the 1765  
elector in marking the ballot, as the case may be. 1766

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

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

- (1) The elector's name;
- (2) The elector's signature;
- (3) The address at which the elector is registered to vote;
- (4) The elector's date of birth;

- (5) ~~One of the following:~~ 1796
- (a) The elector's ~~driver's license number,~~ photo 1797  
identification, if the elector will be marking absent voter's 1798  
ballots in person at the office of the board of elections; or 1799
- (b) If the elector will not be marking the ballots in 1800  
person at the office of the board, one of the following: 1801
- (i) The elector's driver license or state identification 1802  
card number; 1803
- (ii) The last four digits of the elector's social security 1804  
number; 1805
- ~~(c) (iii) A copy of the elector's current and valid photo~~ 1806  
~~identification, a copy of a military identification, or a copy~~ 1807  
~~of a current utility bill, bank statement, government check,~~ 1808  
~~paycheck, or other government document, other than a notice of~~ 1809  
~~voter registration mailed by a board of elections under section~~ 1810  
~~3503.19 of the Revised Code, that shows the name and address of~~ 1811  
~~the elector.~~ 1812
- (6) A statement identifying the election for which absent 1813  
voter's ballots are requested; 1814
- (7) A statement that the person requesting the ballots is 1815  
a qualified elector; 1816
- (8) A statement that the elector is an absent uniformed 1817  
services voter or overseas voter as defined in 42 U.S.C. 1973ff- 1818  
6; 1819
- (9) A statement of the elector's length of residence in 1820  
the state immediately preceding the commencement of service, 1821  
immediately preceding the date of leaving to be with or near the 1822  
service member, or immediately preceding leaving the United 1823

States, or a statement that the elector's parent or legal guardian resided in this state long enough to establish residency for voting purposes immediately preceding leaving the United States, whichever is applicable;

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

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

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

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

(B) A voter or any relative of a voter listed in division (C) of this section may use a single federal post card application to apply for uniformed services or overseas absent voter's ballots for use at the primary and general elections in a given year and any special election to be held on the day in that year specified by division (E) of section 3501.01 of the Revised Code for the holding of a primary election, designated by the general assembly for the purpose of submitting constitutional amendments proposed by the general assembly to the voters of the state. A single federal postcard application shall be processed by the board of elections pursuant to section 3511.04 of the Revised Code the same as if the voter had applied separately for uniformed services or overseas absent voter's



ballots for each election. 1853

(C) Application to have uniformed services or overseas 1854  
absent voter's ballots mailed or sent by facsimile machine to 1855  
such a person may be made by the spouse, father, mother, father- 1856  
in-law, mother-in-law, grandfather, grandmother, brother or 1857  
sister of the whole blood or half blood, son, daughter, adopting 1858  
parent, adopted child, stepparent, stepchild, daughter-in-law, 1859  
son-in-law, uncle, aunt, nephew, or niece of such a person. The 1860  
application shall be in writing upon a blank form furnished only 1861  
by the director or on a single federal post card as provided in 1862  
division (B) of this section. The form of the application shall 1863  
be prescribed by the secretary of state. The director shall 1864  
furnish that blank form to any of the relatives specified in 1865  
this division desiring to make the application, only upon the 1866  
request of such a relative made in person at the office of the 1867  
board or upon the written request of such a relative mailed to 1868  
the office of the board. The application, subscribed and sworn 1869  
to by the applicant, shall contain all of the following: 1870

(1) The full name of the elector for whom ballots are 1871  
requested; 1872

(2) A statement that the elector is an absent uniformed 1873  
services voter or overseas voter as defined in 42 U.S.C. 1973ff- 1874  
6; 1875

(3) The address at which the elector is registered to 1876  
vote; 1877

(4) A statement identifying the elector's length of 1878  
residence in the state immediately preceding the commencement of 1879  
service, immediately preceding the date of leaving to be with or 1880  
near a service member, or immediately preceding leaving the 1881

United States, or a statement that the elector's parent or legal guardian resided in this state long enough to establish residency for voting purposes immediately preceding leaving the United States, as the case may be; 1882  
1883  
1884  
1885

(5) The elector's date of birth; 1886

(6) One of the following: 1887

(a) The elector's driver's license or state identification card number; 1888  
1889

(b) The last four digits of the elector's social security number; 1890  
1891

(c) A copy of the elector's ~~current and valid photo identification, a copy of a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the name and address of the elector.~~ 1892  
1893  
1894  
1895  
1896  
1897  
1898

(7) A statement identifying the election for which absent voter's ballots are requested; 1899  
1900

(8) A statement that the person requesting the ballots is a qualified elector; 1901  
1902

(9) If the request is for primary election ballots, the elector's party affiliation; 1903  
1904

(10) A statement that the applicant bears a relationship to the elector as specified in division (C) of this section; 1905  
1906

(11) The address to which ballots shall be mailed, the telephone number to which ballots shall be sent by facsimile 1907  
1908

machine, the electronic mail address to which ballots shall be 1909  
sent by electronic mail, or, if internet delivery is offered by 1910  
the board of elections or the secretary of state, the internet 1911  
contact information to which ballots shall be sent through 1912  
internet delivery; 1913

(12) The signature and address of the person making the 1914  
application. 1915

Each application for uniformed services or overseas absent 1916  
voter's ballots shall be delivered to the director not earlier 1917  
than the first day of January of the year of the elections for 1918  
which the uniformed services or overseas absent voter's ballots 1919  
are requested or not earlier than ninety days before the day of 1920  
the election at which the ballots are to be voted, whichever is 1921  
earlier, and not later than twelve noon of the third day 1922  
preceding the day of the election, or not later than six p.m. on 1923  
the last Friday before the day of the election at which those 1924  
ballots are to be voted if the application is delivered in 1925  
person to the office of the board. 1926

(D) If the voter for whom the application is made is 1927  
entitled to vote for presidential and vice-presidential electors 1928  
only, the applicant shall submit to the director in addition to 1929  
the requirements of divisions (A), (B), and (C) of this section, 1930  
a statement to the effect that the voter is qualified to vote 1931  
for presidential and vice-presidential electors and for no other 1932  
offices. 1933

(E) A board of elections that mails a federal post card 1934  
application or other absent voter's ballot application to an 1935  
elector under this section shall not prepay the return postage 1936  
for that application. 1937

(F) Except as otherwise provided in this section and in sections 3505.24 and 3509.08 of the Revised Code, an election official shall not fill out any portion of a federal post card application or other application for absent voter's ballots on behalf of an applicant. The secretary of state or a board of elections may preprint only an applicant's name and address on a federal post card application or other application for absent voter's ballots before mailing that application to the applicant.

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

"Identification Envelope Statement of Voter

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

My voting residence in Ohio is

.....

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

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

Ohio, which is in Ward .....	Precinct .....	1967
in that city, village, or township.		1968
The primary election ballots, if any, within this envelope		1969
are primary election ballots of the .....	Party.	1970
Ballots contained within this envelope are to be voted at		1971
the .....	(general, special, or primary) election to be	1972
held on the .....	day	1973
of .....	, ....	1974
My date of birth is .....	(Month and	1975
Day), .....	(Year).	1976
<del>(Voter must provide</del> .....	<u>If I am marking these ballots in</u>	1977
<u>person at the office of the board of elections, I have provided</u>		1978
<u>photo identification to the election officials.</u>		1979
.....	<u>If I am marking these ballots other than in person</u>	1980
<u>at the office of the board, I have provided one of the</u>		1981
following:)		1982
My driver's license <u>or state identification card</u> number is		1983
.....	(Driver's license <u>or state identification card</u>	1984
number).		1985
The last four digits of my Social Security Number		1986
are .....	(Last four digits of Social Security	1987
Number).		1988
.....	In lieu of providing a driver's license <u>or state</u>	1989
<u>identification card</u> number or the last four digits of my Social		1990
Security Number, I am enclosing a copy of <del>one of the following a</del>		1991
<u>photo identification</u> in the return envelope in which this		1992
identification envelope will be mailed: <del>a current and valid</del>		1993
<del>photo identification, a military identification, or a current</del>		1994

~~utility bill, bank statement, government check, paycheck, or  
other government document, other than a notice of voter  
registration mailed by a board of elections, that shows my name  
and address.~~ 1995  
1996  
1997  
1998

I hereby declare, under penalty of election falsification,  
that the statements above are true, as I verily believe. 1999  
2000

..... 2001  
(Signature of Voter) 2002

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF  
THE FIFTH DEGREE." 2003  
2004

(B) The director shall also mail with the ballots and the 2005  
unsealed identification envelope sent by mail an unsealed return 2006  
envelope, gummed, ready for sealing, for use by the voter in 2007  
returning the voter's marked ballots to the director. The 2008  
director shall send with the ballots and the instruction sheet 2009  
for preparing a gummed envelope sent electronically, including 2010  
by facsimile machine, an instruction sheet for preparing a 2011  
second gummed envelope as described in this division, for use by 2012  
the voter in returning that voter's marked ballots to the 2013  
director. The return envelope shall have two parallel lines, 2014  
each one quarter of an inch in width, printed across its face 2015  
paralleling the top, with an intervening space of one quarter of 2016  
an inch between such lines. The top line shall be one and one- 2017  
quarter inches from the top of the envelope. Between the 2018  
parallel lines shall be printed: "OFFICIAL ELECTION UNIFORMED 2019  
SERVICES OR OVERSEAS ABSENT VOTER'S BALLOTS -- VIA AIR MAIL." 2020  
Three blank lines shall be printed in the upper left corner on 2021  
the face of the envelope for the use by the voter in placing the 2022  
voter's complete military, naval, or mailing address on these 2023  
lines, and beneath these lines there shall be printed a box 2024

beside the words "check if out-of-country." The voter shall 2025  
check this box if the voter will be outside the United States on 2026  
the day of the election. The official title and the post-office 2027  
address of the director to whom the envelope shall be returned 2028  
shall be printed on the face of such envelope in the lower right 2029  
portion below the bottom parallel line. 2030

(C) On the back of each identification envelope and each 2031  
return envelope shall be printed the following: 2032

"Instructions to voter: 2033

If the flap on this envelope is so firmly stuck to the 2034  
back of the envelope when received by you as to require forcible 2035  
opening in order to use it, open the envelope in the manner 2036  
least injurious to it, and, after marking your ballots and 2037  
enclosing same in the envelope for mailing them to the director 2038  
of the board of elections, reclose the envelope in the most 2039  
practicable way, by sealing or otherwise, and sign the blank 2040  
form printed below. 2041

The flap on this envelope was firmly stuck to the back of 2042  
the envelope when received, and required forced opening before 2043  
sealing and mailing. 2044

..... 2045  
(Signature of voter)" 2046

(D) Division (C) of this section does not apply when 2047  
absent voter's ballots are sent electronically, including by 2048  
facsimile machine. 2049

(E) Except as otherwise provided in this division and in 2050  
sections 3505.24 and 3509.08 of the Revised Code, an election 2051  
official shall not fill out any portion of an identification 2052  
envelope statement of voter or an absent voter's ballot on 2053

behalf of an elector. A board of elections may preprint only an  
elector's name and address on an identification envelope  
statement of voter before mailing or electronically transmitting  
absent voter's ballots to the elector.

**Sec. 3511.09.** Upon receiving uniformed services or  
overseas absent voter's ballots, the elector shall cause the  
questions on the face of the identification envelope to be  
answered, and, by writing the elector's usual signature in the  
proper place on the identification envelope, the elector shall  
declare under penalty of election falsification that the answers  
to those questions are true and correct to the best of the  
elector's knowledge and belief. Then, the elector shall note  
whether there are any voting marks on the ballot. If there are  
any voting marks, the ballot shall be returned immediately to  
the board of elections; otherwise, the elector shall cause the  
ballot to be marked, folded separately so as to conceal the  
markings on it, deposited in the identification envelope, and  
securely sealed in the identification envelope. The elector then  
shall cause the identification envelope to be placed within the  
return envelope, sealed in the return envelope, and mailed to  
the director of the board of elections to whom it is addressed.  
The ballot shall be submitted for mailing not later than 12:01  
a.m. at the place where the voter completes the ballot, on the  
date of the election. ~~ff-~~

If the elector ~~does not~~ is marking the absent voter's  
ballots in person at the office of the board of elections, the  
elector shall provide photo identification to the election  
officials, or the elector may execute an affirmation under  
division (A) (2) of section 3505.18 of the Revised Code stating  
that the elector has a religious objection to being photographed  
and cast a provisional ballot under section 3505.181 of the



Revised Code. If the elector is not marking the absent voter's 2085  
ballots in person at the office of the board, the elector shall 2086  
provide the elector's driver's license or state identification 2087  
card number or the last four digits of the elector's social 2088  
security number on the statement of voter on the identification 2089  
envelope, ~~the elector also~~ or shall include a copy of the 2090  
elector's photo identification in the return envelope ~~with the~~ 2091  
~~identification envelope a copy of the elector's current valid~~ 2092  
~~photo identification, a copy of a military identification, or a~~ 2093  
~~copy of a current utility bill, bank statement, government~~ 2094  
~~check, paycheck, or other government document, other than a~~ 2095  
~~notice of voter registration mailed by a board of elections~~ 2096  
~~under section 3503.19 of the Revised Code, that shows the name~~ 2097  
~~and address of the elector. Each~~ 2098

Each elector who will be outside the United States on the 2099  
day of the election shall check the box on the return envelope 2100  
indicating this fact and shall mail the return envelope to the 2101  
director prior to the close of the polls on election day. 2102

Every uniformed services or overseas absent voter's ballot 2103  
identification envelope shall be accompanied by the following 2104  
statement in boldface capital letters: WHOEVER COMMITS ELECTION 2105  
FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. 2106

**Sec. 4507.50.** (A) The registrar of motor vehicles or a 2107  
deputy registrar, upon receipt of an application filed in 2108  
compliance with section 4507.51 of the Revised Code by any 2109  
person who is a resident or a temporary resident of this state 2110  
and, except as otherwise provided in this section, is not 2111  
licensed as an operator of a motor vehicle in this state or 2112  
another licensing jurisdiction, and, except as provided in 2113  
~~division~~ divisions (B) and (C) of this section, upon receipt of 2114

a fee of three dollars and fifty cents, shall issue an 2115  
identification card to that person. 2116

Any person who is a resident or temporary resident of this 2117  
state whose Ohio driver's or commercial driver's license has 2118  
been suspended or canceled, upon application in compliance with 2119  
section 4507.51 of the Revised Code and, except as provided in 2120  
division (B) of this section, payment of a fee of three dollars 2121  
and fifty cents, may be issued a temporary identification card. 2122  
The temporary identification card shall be identical to an 2123  
identification card, except that it shall be printed on its face 2124  
with a statement that the card is valid during the effective 2125  
dates of the suspension or cancellation of the cardholder's 2126  
license, or until the birthday of the cardholder in the fourth 2127  
year after the date on which it is issued, whichever is shorter. 2128  
The cardholder shall surrender the identification card to the 2129  
registrar or any deputy registrar before the cardholder's 2130  
driver's or commercial driver's license is restored or reissued. 2131

Except as provided in ~~division~~divisions (B) and (C) of 2132  
this section, the deputy registrar shall be allowed a fee of ~~two~~ 2133  
~~dollars and seventy five cents commencing on July 1, 2001, three~~ 2134  
~~dollars and twenty five cents commencing on January 1, 2003, and~~ 2135  
~~three dollars and fifty cents commencing on January 1, 2004,~~ for 2136  
each identification card issued under this section. The fee 2137  
allowed to the deputy registrar shall be in addition to the fee 2138  
for issuing an identification card. 2139

Neither the registrar nor any deputy registrar shall 2140  
charge a fee in excess of one dollar and fifty cents for 2141  
laminating an identification card or temporary identification 2142  
card. A deputy registrar laminating such a card shall retain the 2143  
entire amount of the fee charged for lamination, less the actual 2144

cost to the registrar of the laminating materials used for that 2145  
lamination, as specified in the contract executed by the bureau 2146  
for the laminating materials and laminating equipment. The 2147  
deputy registrar shall forward the amount of the cost of the 2148  
laminating materials to the registrar for deposit as provided in 2149  
this section. 2150

The fee collected for issuing an identification card under 2151  
this section, except the fee allowed to the deputy registrar, 2152  
shall be paid into the state treasury to the credit of the state 2153  
bureau of motor vehicles fund created in section 4501.25 of the 2154  
Revised Code. 2155

(B) A disabled veteran who has a service-connected 2156  
disability rated at one hundred per cent by the veterans' 2157  
administration may apply to the registrar or a deputy registrar 2158  
for the issuance to that veteran of an identification card or a 2159  
temporary identification card under this section without payment 2160  
of any fee prescribed in division (A) of this section, including 2161  
any lamination fee. 2162

An application made under division (B) of this section 2163  
shall be accompanied by such documentary evidence of disability 2164  
as the registrar may require by rule. 2165

(C) (1) An individual may apply to the registrar or a 2166  
deputy registrar for the issuance to that individual of an 2167  
identification card or a temporary identification card under 2168  
this section without payment of any fee if both of the following 2169  
are true: 2170

(a) The individual cannot afford to pay the fees 2171  
prescribed in division (A) of this section, including any 2172  
lamination fee; 2173

(b) The individual's income does not exceed one hundred per cent of the federal poverty guidelines. 2174  
2175

(2) In order to receive an identification card or a temporary identification card under division (C)(1) of this section, an individual shall execute an affirmation, under penalty of election falsification, that includes: 2176  
2177  
2178  
2179

(a) The individual's name; 2180

(b) The individual's address; 2181

(c) The individual's date of birth; 2182

(d) A statement that the individual cannot afford to pay the fees prescribed in division (A) of this section, including any lamination fee; 2183  
2184  
2185

(e) A statement that the individual's income does not exceed one hundred per cent of the federal poverty guidelines; 2186  
2187

(f) The individual's signature; 2188

(g) The current date. 2189

(3) As used in division (C) of this section, "federal poverty guidelines" has the meaning defined in section 5101.46 of the Revised Code. 2190  
2191  
2192

**Sec. 4507.52.** (A) Each identification card issued by the registrar of motor vehicles or a deputy registrar shall display a distinguishing number assigned to the cardholder, and shall display the following inscription: 2193  
2194  
2195  
2196

"STATE OF OHIO IDENTIFICATION CARD 2197

This card is not valid for the purpose of operating a motor vehicle. It is provided solely for the purpose of establishing the identity of the bearer described on the card, 2198  
2199  
2200

who currently is not licensed to operate a motor vehicle in the 2201  
state of Ohio." 2202

The identification card shall display substantially the 2203  
same information as contained in the application and as 2204  
described in division (A) (1) of section 4507.51 of the Revised 2205  
Code, but shall not display the cardholder's social security 2206  
number unless the cardholder specifically requests that the 2207  
cardholder's social security number be displayed on the card. If 2208  
federal law requires the cardholder's social security number to 2209  
be displayed on the identification card, the social security 2210  
number shall be displayed on the card notwithstanding this 2211  
section. The identification card also shall display the color 2212  
photograph of the cardholder. If the cardholder has executed a 2213  
durable power of attorney for health care or a declaration 2214  
governing the use or continuation, or the withholding or 2215  
withdrawal, of life-sustaining treatment and has specified that 2216  
the cardholder wishes the identification card to indicate that 2217  
the cardholder has executed either type of instrument, the card 2218  
also shall display any symbol chosen by the registrar to 2219  
indicate that the cardholder has executed either type of 2220  
instrument. On and after October 7, 2009, if the cardholder has 2221  
specified that the cardholder wishes the identification card to 2222  
indicate that the cardholder is a veteran, active duty, or 2223  
reservist of the armed forces of the United States and has 2224  
presented a copy of the cardholder's DD-214 form or an 2225  
equivalent document, the card also shall display any symbol 2226  
chosen by the registrar to indicate that the cardholder is a 2227  
veteran, active duty, or reservist of the armed forces of the 2228  
United States. The card shall be sealed in transparent plastic 2229  
or similar material and shall be so designed as to prevent its 2230  
reproduction or alteration without ready detection. 2231

The identification card for persons under twenty-one years 2232  
of age shall have characteristics prescribed by the registrar 2233  
distinguishing it from that issued to a person who is twenty-one 2234  
years of age or older, except that an identification card issued 2235  
to a person who applies no more than thirty days before the 2236  
applicant's twenty-first birthday shall have the characteristics 2237  
of an identification card issued to a person who is twenty-one 2238  
years of age or older. 2239

Every identification card issued to a resident of this 2240  
state shall expire, unless canceled or surrendered earlier, on 2241  
the birthday of the cardholder in the fourth year after the date 2242  
on which it is issued. Every identification card issued to a 2243  
temporary resident shall expire in accordance with rules adopted 2244  
by the registrar and is nonrenewable, but may be replaced with a 2245  
new identification card upon the applicant's compliance with all 2246  
applicable requirements. A cardholder may renew the cardholder's 2247  
identification card within ninety days prior to the day on which 2248  
it expires by filing an application and paying the prescribed 2249  
fee in accordance with section 4507.50 of the Revised Code. 2250

If a cardholder applies for a driver's or commercial 2251  
driver's license in this state or another licensing 2252  
jurisdiction, the cardholder shall surrender the cardholder's 2253  
identification card to the registrar or any deputy registrar 2254  
before the license is issued. 2255

(B) If a card is lost, destroyed, or mutilated, the person 2256  
to whom the card was issued may obtain a duplicate by doing both 2257  
of the following: 2258

(1) Furnishing suitable proof of the loss, destruction, or 2259  
mutilation to the registrar or a deputy registrar; 2260

(2) Filing an application and presenting documentary 2261  
evidence under section 4507.51 of the Revised Code. 2262

Any person who loses a card and, after obtaining a 2263  
duplicate, finds the original, immediately shall surrender the 2264  
original to the registrar or a deputy registrar. 2265

A cardholder may obtain a replacement identification card 2266  
that reflects any change of the cardholder's name by furnishing 2267  
suitable proof of the change to the registrar or a deputy 2268  
registrar and surrendering the cardholder's existing card. 2269

When a cardholder applies for a duplicate or obtains a 2270  
replacement identification card, the cardholder shall pay a fee 2271  
of two dollars and fifty cents. A deputy registrar shall be 2272  
allowed an additional fee of ~~two dollars and seventy five cents~~ 2273  
~~commencing on July 1, 2001, three dollars and twenty five cents~~ 2274  
~~commencing on January 1, 2003, and three dollars and fifty cents~~ 2275  
~~commencing on January 1, 2004,~~ for issuing a duplicate or 2276  
replacement identification card. ~~A~~ 2277

A disabled veteran who is a cardholder and has a service- 2278  
connected disability rated at one hundred per cent by the 2279  
veterans' administration may apply to the registrar or a deputy 2280  
registrar for the issuance of a duplicate or replacement 2281  
identification card without payment of any fee prescribed in 2282  
this section, and without payment of any lamination fee if the 2283  
disabled veteran would not be required to pay a lamination fee 2284  
in connection with the issuance of an identification card or 2285  
temporary identification card as provided in division (B) of 2286  
section 4507.50 of the Revised Code. 2287

Not more than once every four years, an individual who is 2288  
a cardholder, who applied for and received that card under 2289

division (C) of section 4507.50 of the Revised Code, and who 2290  
currently meets the eligibility requirements of that division 2291  
may apply to the registrar or a deputy registrar for the 2292  
issuance of a duplicate or replacement identification card 2293  
without payment of any fee prescribed in this section, and 2294  
without payment of any lamination fee if the individual would 2295  
not be required to pay a lamination fee in connection with the 2296  
issuance of an identification card or temporary identification 2297  
card as provided in division (C) of section 4507.50 of the 2298  
Revised Code. In order to receive the duplicate or replacement 2299  
identification card, the individual shall execute a new copy of 2300  
the affirmation described in that division. 2301

A duplicate or replacement identification card shall 2302  
expire on the same date as the card it replaces. 2303

(C) The registrar shall cancel any card upon determining 2304  
that the card was obtained unlawfully, issued in error, or was 2305  
altered. The registrar also shall cancel any card that is 2306  
surrendered to the registrar or to a deputy registrar after the 2307  
holder has obtained a duplicate, replacement, or driver's or 2308  
commercial driver's license. 2309

(D) (1) No agent of the state or its political subdivisions 2310  
shall condition the granting of any benefit, service, right, or 2311  
privilege upon the possession by any person of an identification 2312  
card. Nothing in this section shall preclude any publicly 2313  
operated or franchised transit system from using an 2314  
identification card for the purpose of granting benefits or 2315  
services of the system. 2316

(2) No person shall be required to apply for, carry, or 2317  
possess an identification card. 2318



(E) Except in regard to an identification card issued to a 2319  
person who applies no more than thirty days before the 2320  
applicant's twenty-first birthday, neither the registrar nor any 2321  
deputy registrar shall issue an identification card to a person 2322  
under twenty-one years of age that does not have the 2323  
characteristics prescribed by the registrar distinguishing it 2324  
from the identification card issued to persons who are twenty- 2325  
one years of age or older. 2326

(F) Whoever violates division (E) of this section is 2327  
guilty of a minor misdemeanor. 2328

**Section 2.** That existing sections 3501.01, 3503.14, 2329  
3503.16, 3503.19, 3503.28, 3505.18, 3505.181, 3505.182, 2330  
3505.183, 3509.03, 3509.04, 3509.05, 3509.08, 3511.02, 3511.05, 2331  
3511.09, 4507.50, and 4507.52 of the Revised Code are hereby 2332  
repealed. 2333

**Section 3.** Section 3501.01 of the Revised Code is 2334  
presented in this act as a composite of the section as amended 2335  
by Am. Sub. H.B. 59, Am. Sub. S.B. 109, and Am. Sub. S.B. 193 2336  
all of the 130th General Assembly. The General Assembly, 2337  
applying the principle stated in division (B) of section 1.52 of 2338  
the Revised Code that amendments are to be harmonized if 2339  
reasonably capable of simultaneous operation, finds that the 2340  
composite is the resulting version of the section in effect 2341  
prior to the effective date of the section as presented in this 2342  
act. Section 3505.18 of the Revised Code is presented in this 2343  
act as a composite of the section as amended by Sub. S.B. 47, 2344  
Am. Sub. S.B. 109, and Sub. S.B. 216, all of the 130th General 2345  
Assembly. The General Assembly, applying the principle stated in 2346  
division (B) of section 1.52 of the Revised Code that amendments 2347  
are to be harmonized if reasonably capable of simultaneous 2348

operation, finds that the composite is the resulting version of	2349
the section in effect prior to the effective date of the section	2350
as presented in this act.	2351