

As Introduced

133rd General Assembly

Regular Session

2019-2020

H. B. No. 466

Representative Sweeney

**Cosponsors: Representatives Sykes, Denson, Smith, K., Brent, Liston, Miller, A.,
Miranda, Galonski, Boggs, Miller, J., Crossman, Sheehy, Russo, Sobecki,
Lightbody, Howse, Clites, Skindell, O'Brien, Crawley, Leland, Lepore-Hagan, Kelly,
West, Rogers, Upchurch, Boyd, Cera, Weinstein, Brown, Robinson, Hicks-
Hudson, Patterson, Ingram, Blair**

A BILL

To amend sections 111.42, 111.44, 149.43, 3501.05, 1
3503.011, 3503.09, 3503.10, 3503.12, 3503.13, 2
3503.14, 3503.15, 3503.16, 3503.18, 3503.19, 3
3503.20, 3503.21, 3503.24, 3503.26, 3503.28, 4
3503.30, 3503.33, 3505.18, 3505.181, 3505.183, 5
3509.03, 3509.05, 3511.02, 3511.09, 3599.11, 6
3599.18, 4506.07, 4507.06, and 4507.51; to enact 7
new section 3503.11 and sections 3503.192 and 8
3503.22; and to repeal sections 3503.11, 9
3503.111, and 3503.29 of the Revised Code to 10
create an automated voter registration system. 11

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

Section 1. That sections 111.42, 111.44, 149.43, 3501.05, 12
3503.011, 3503.09, 3503.10, 3503.12, 3503.13, 3503.14, 3503.15, 13
3503.16, 3503.18, 3503.19, 3503.20, 3503.21, 3503.24, 3503.26, 14
3503.28, 3503.30, 3503.33, 3505.18, 3505.181, 3505.183, 3509.03, 15
3509.05, 3511.02, 3511.09, 3599.11, 3599.18, 4506.07, 4507.06, 16

and 4507.51 be amended and new section 3503.11 and sections 17
3503.192 and 3503.22 of the Revised Code be enacted to read as 18
follows: 19

Sec. 111.42. (A) A person to whom all of the following 20
applies may apply to the secretary of state with the assistance 21
of an application assistant to become a participant in the 22
address confidentiality program, in which an address designated 23
by the secretary of state serves as the person's address or the 24
address of the minor, incompetent, or ward on whose behalf the 25
person is applying: 26

(1) The applicant is an adult who is applying on behalf of 27
the person's self or is a parent or guardian applying on behalf 28
of a minor, incompetent, or ward. 29

(2) The applicant or the minor, incompetent, or ward, as 30
applicable, resides, works, or attends a school or an 31
institution of higher education in this state. 32

(3) The applicant or the minor, incompetent, or ward, as 33
applicable, is changing residence. 34

(4) The applicant fears for the safety of the applicant, a 35
member of the applicant's household, or the minor, incompetent, 36
or ward on whose behalf the application is made because the 37
applicant, household member, minor, incompetent, or ward is a 38
victim of domestic violence, menacing by stalking, human 39
trafficking, trafficking in persons, rape, or sexual battery. 40

(5) The applicant or the minor, incompetent, or ward, as 41
applicable, is not a tier I sex offender/child-victim offender, 42
a tier II sex offender/child-victim offender, or a tier III sex 43
offender/child-victim offender. 44

(B) An application to become a participant in the address 45

confidentiality program shall be made on a form prescribed by 46
the secretary of state and filed in the office of the secretary 47
of state in the manner prescribed by the secretary of state. The 48
application shall contain all of the following: 49

(1) A notarized statement by the applicant that the 50
applicant fears for the safety of the applicant, a member of the 51
applicant's household, or the minor, incompetent, or ward on 52
whose behalf the application is made because the applicant, 53
household member, minor, incompetent, or ward is a victim of 54
domestic violence, menacing by stalking, human trafficking, 55
trafficking in persons, rape, or sexual battery; 56

(2) A statement that the application assistant recommends 57
that the applicant or the minor, incompetent, or ward, as 58
applicable, participate in the address confidentiality program; 59

(3) A knowing and voluntary designation of the secretary 60
of state as the agent for the purposes of receiving service of 61
process and the receipt of mail; 62

(4) The mailing address and telephone number or numbers at 63
which the secretary of state may contact the applicant; 64

(5) The address or addresses of the applicant's residence, 65
school, institution of higher education, business, or place of 66
employment that the applicant requests not be disclosed for the 67
reason that disclosure will increase the risk that the 68
applicant, a member of the applicant's household, or the minor, 69
incompetent, or ward on whose behalf the application is made 70
will be threatened or physically harmed by another person; 71

(6) The signature of the applicant, the name and signature 72
of the application assistant who assisted the applicant, and the 73
date on which the applicant and the application assistant signed 74

the application; 75

(7) Except for a claim based on the performance or 76
nonperformance of a public duty that was manifestly outside the 77
scope of the officer's or employee's office or employment or in 78
which the officer or employee acted with malicious purpose, in 79
bad faith, or in a wanton or reckless manner, a voluntary 80
release and waiver of all future claims against the state for 81
any claim that may arise from participation in the address 82
confidentiality program. 83

(C) Upon receiving a properly completed application under 84
division (B) of this section, the secretary of state shall do 85
all of the following: 86

(1) Certify the applicant or the minor, incompetent, or 87
ward on whose behalf the application is filed as a program 88
participant; 89

(2) Designate each eligible address listed in the 90
application as a confidential address; 91

(3) Issue the program participant a unique program 92
participant identification number; 93

(4) Issue the program participant an address 94
confidentiality program authorization card, which shall be valid 95
during the period that the program participant remains certified 96
to participate in the address confidentiality program, and which 97
shall include the address at which the program participant may 98
receive mail through the office of the secretary of state; 99

(5) Provide information to the program participant 100
concerning the manner in which the program participant may use 101
the secretary of state as the program participant's agent for 102
the purposes of receiving mail and receiving service of process 103

and the types of mail that the secretary of state will forward 104
to the program participant; 105

(6) Provide information to the program participant 106
concerning the process to register to vote and to vote as a 107
program participant, if the program participant is eligible to 108
vote or preregister to vote. 109

(D) A program participant shall update the person's 110
application information, within thirty days after any change has 111
occurred, by submitting a notice of change to the office of the 112
secretary of state on a form prescribed by the secretary of 113
state. The secretary of state may, with proper notice, cancel a 114
program participant's certification if the participant is found 115
to be unreachable for a period of sixty days or more. 116

(E) The certification of a program participant shall be 117
valid for four years after the date of the filing of the 118
application for the program participant unless the certification 119
is withdrawn or invalidated before the end of that four-year 120
period. 121

(F) (1) A program participant who continues to be eligible 122
to participate in the address confidentiality program may renew 123
the program participant's certification by submitting a renewal 124
application to the secretary of state with the assistance of an 125
application assistant. The renewal application shall be on a 126
form prescribed by the secretary of state and shall contain all 127
of the information described in division (B) of this section. 128

(2) The secretary of state may prescribe by rule a grace 129
period during which a program participant whose certification 130
has expired may renew the program participant's certification 131
without being considered to have ceased being a program 132

participant during that period.	133
(3) When a program participant renews the program	134
participant's certification, the program participant shall	135
continue to use the program participant's original program	136
participant identification number.	137
(G) A tier I sex offender/child-victim offender, a tier II	138
sex offender/child-victim offender, or a tier III sex	139
offender/child-victim offender is not eligible to participate in	140
the address confidentiality program described in sections 111.41	141
to 111.99 of the Revised Code.	142
Sec. 111.44. (A) A program participant who is eligible to	143
vote <u>or preregister to vote</u> may apply to the board of elections	144
of the county in which the program participant resides to	145
request that the program participant's voter registration record	146
be kept confidential. The program participant shall submit an	147
application to the director of the board of elections, on a form	148
prescribed by the secretary of state, that includes all of the	149
following:	150
(1) The information required under section 3503.14 of the	151
Revised Code to register to vote;	152
(2) The program participant's program participant	153
identification number;	154
(3) If the program participant is currently registered to	155
vote at another address, the address at which the program	156
participant is registered to vote and a statement that, if the	157
program participant is registered in another county or state,	158
the program participant authorizes the director to instruct the	159
appropriate authority to cancel the program participant's	160
existing voter registration;	161

(4) A statement that the program participant understands	162
all of the following:	163
(a) That during the time the program participant chooses	164
to have a confidential voter registration record, the program	165
participant may vote only by absent voter's ballots;	166
(b) That the program participant may provide the program	167
participant's program participant identification number instead	168
of the program participant's residence address on an application	169
for absent voter's ballots or on an absent voter's ballot	170
identification envelope statement of voter;	171
(c) That casting any ballot in person will reveal the	172
program participant's precinct and residence address to precinct	173
election officials and employees of the board of elections and	174
may reveal the program participant's precinct or residence	175
address to members of the public;	176
(d) That if the program participant signs an election	177
petition, the program participant's residence address will be	178
made available to the public.	179
(B) (1) A program participant who is not currently	180
registered to vote in this state must submit an application	181
under this section not later than the thirtieth day before the	182
day of an election in order to be eligible to vote in that	183
election, as provided in sections 3503.01 and 3503.19 of the	184
Revised Code.	185
(2) A program participant who is currently registered <u>or</u>	186
<u>preregistered</u> to vote in this state may submit an application	187
under this section at any time to request that the program	188
participant's voter registration record be kept confidential.	189
(C) Upon the receipt by the director of the board of	190

elections of a valid application under division (A) of this 191
section, all of the following shall apply: 192

(1) The director or the deputy director shall contact the 193
secretary of state to confirm that the program participant 194
identification number provided on the application matches the 195
number the secretary of state issued to the program participant. 196

(2) The application shall be treated as the program 197
participant's voter registration form. The form shall be stored 198
in a secure manner, such that only the members of the board of 199
elections, the director, and the deputy director have access to 200
the form and to the residence address contained in the form. 201

(3) ~~The~~ Upon registering the program participant, the 202
director or the deputy director shall record the program 203
participant's program participant identification number in the 204
statewide voter registration database and the official 205
registration list instead of the program participant's residence 206
address and precinct. 207

(4) If the program participant is currently registered to 208
vote in the county, the director or the deputy director shall do 209
all of the following: 210

(a) Remove the residence address and precinct information 211
from the program participant's voter registration record, the 212
statewide voter registration database, and the official 213
registration list; 214

(b) Remove the program participant's name and registration 215
information from any pollbook, poll list, or signature pollbook 216
in which it appears and from any publicly available registration 217
list in which it appears. 218

(5) If the program participant is currently registered to 219

vote in another county, the director or the deputy director 220
shall notify the board of elections of the county in which the 221
program participant is registered to cancel the program 222
participant's registration. 223

(6) If the program participant is currently registered to 224
vote in another state, the director or the deputy director shall 225
notify the appropriate authority in that state to cancel the 226
program participant's registration. 227

(7) The director or the deputy director shall promptly 228
send an acknowledgment notice to the program participant on a 229
form prescribed by the secretary of state. 230

(D) (1) (a) The residence address or precinct of a program 231
participant who has a confidential voter registration record, as 232
described in this section, shall not appear in the statewide 233
voter registration database or in the official registration 234
list. The program participant's program participant 235
identification number shall appear in place of that information. 236

(b) No information concerning the program participant, 237
including the program participant's name, shall be included in 238
any pollbook, poll list, or signature pollbook. 239

(c) No information concerning the program participant, 240
including the program participant's name, shall be included in 241
the version of the statewide voter registration database that is 242
available to the public or in any version of an official 243
registration list that is available to the public. 244

(2) Notwithstanding any contrary provision of the Revised 245
Code, a program participant who has a confidential voter 246
registration record may vote only by casting absent voter's 247
ballots. 248

(3) Not later than the forty-fifth day before the day of an election, the secretary of state shall mail a notice to each program participant who has a confidential voter registration record. The notice shall inform the program participant of all of the following:

(a) That if the program participant wishes to vote in the election, the program participant should cast absent voter's ballots by mail;

(b) The procedure for the program participant to cast absent voter's ballots;

(c) That casting any ballot in person will reveal the program participant's precinct and residence address to precinct election officials and employees of the board of elections and may reveal the program participant's precinct or residence address to members of the public.

(E) (1) A program participant who has a confidential voter registration record and who has had a change of name or change of address may submit an application under division (A) of this section that includes the program participant's updated information. The director or the deputy director shall treat that application as a notice of change of name or change of address.

(2) If the program participant currently resides in that county, the director or the deputy director shall replace the program participant's existing registration form with the new registration form.

(3) If the program participant currently resides in another county in this state, the director or the deputy director shall cancel the program participant's existing

registration form and shall transmit the program participant's 278
new registration form to the director of the board of elections 279
of the county in which the elector currently resides, and the 280
new registration form shall be processed in accordance with 281
division (C) of this section. 282

(F) A person who has a confidential voter registration 283
record and who ceases being a program participant or who wishes 284
to cease having a confidential voter registration record shall 285
submit an application, on a form prescribed by the secretary of 286
state, that includes all of the following: 287

(1) The information required under section 3503.14 of the 288
Revised Code to register to vote; 289

(2) The person's program participant identification 290
number; 291

(3) A statement that the person has ceased being a program 292
participant or that the person wishes to cease having a 293
confidential voter registration record; 294

(4) A statement that the director should do one of the 295
following: 296

(a) Treat the person's existing voter registration form in 297
the same manner as other voter registration forms; 298

(b) Cancel the person's voter registration. 299

(G) (1) Upon receiving a valid application under division 300
(F) of this section from a person who wishes the board of 301
elections to treat the person's existing voter registration form 302
in the same manner as other voter registration forms, or upon 303
receiving a notice from the secretary of state under division 304
(B) of section 111.45 of the Revised Code concerning a person 305

who has a confidential voter registration record, the director 306
or the deputy director shall do all of the following: 307

(a) Store the person's voter registration form in the same 308
manner as other voter registration forms; 309

(b) Remove the person's program participant identification 310
number from the person's registration form and from the 311
statewide voter registration database; 312

(c) Ensure that the statewide voter registration database 313
and any poll list, pollbook, or registration list accurately 314
reflect the person's current name and registration information. 315

(2) Notwithstanding any contrary provision of section 316
3503.01 of the Revised Code, if the director receives an 317
application or notice described in division (G)(1) of this 318
section concerning an elector less than thirty days before the 319
day of an election, the elector shall be eligible to vote in 320
that election. 321

(H) Upon receiving a valid application under division (F) 322
of this section from a person who wishes to have the person's 323
voter registration canceled, the director or the deputy director 324
shall cancel the person's voter registration. 325

Sec. 149.43. (A) As used in this section: 326

(1) "Public record" means records kept by any public 327
office, including, but not limited to, state, county, city, 328
village, township, and school district units, and records 329
pertaining to the delivery of educational services by an 330
alternative school in this state kept by the nonprofit or for- 331
profit entity operating the alternative school pursuant to 332
section 3313.533 of the Revised Code. "Public record" does not 333
mean any of the following: 334

(a) Medical records;	335
(b) Records pertaining to probation and parole	336
proceedings, to proceedings related to the imposition of	337
community control sanctions and post-release control sanctions,	338
or to proceedings related to determinations under section	339
2967.271 of the Revised Code regarding the release or maintained	340
incarceration of an offender to whom that section applies;	341
(c) Records pertaining to actions under section 2151.85	342
and division (C) of section 2919.121 of the Revised Code and to	343
appeals of actions arising under those sections;	344
(d) Records pertaining to adoption proceedings, including	345
the contents of an adoption file maintained by the department of	346
health under sections 3705.12 to 3705.124 of the Revised Code;	347
(e) Information in a record contained in the putative	348
father registry established by section 3107.062 of the Revised	349
Code, regardless of whether the information is held by the	350
department of job and family services or, pursuant to section	351
3111.69 of the Revised Code, the office of child support in the	352
department or a child support enforcement agency;	353
(f) Records specified in division (A) of section 3107.52	354
of the Revised Code;	355
(g) Trial preparation records;	356
(h) Confidential law enforcement investigatory records;	357
(i) Records containing information that is confidential	358
under section 2710.03 or 4112.05 of the Revised Code;	359
(j) DNA records stored in the DNA database pursuant to	360
section 109.573 of the Revised Code;	361

(k) Inmate records released by the department of rehabilitation and correction to the department of youth services or a court of record pursuant to division (E) of section 5120.21 of the Revised Code;	362 363 364 365
(l) Records maintained by the department of youth services pertaining to children in its custody released by the department of youth services to the department of rehabilitation and correction pursuant to section 5139.05 of the Revised Code;	366 367 368 369
(m) Intellectual property records;	370
(n) Donor profile records;	371
(o) Records maintained by the department of job and family services pursuant to section 3121.894 of the Revised Code;	372 373
(p) Designated public service worker residential and familial information;	374 375
(q) In the case of a county hospital operated pursuant to Chapter 339. of the Revised Code or a municipal hospital operated pursuant to Chapter 749. of the Revised Code, information that constitutes a trade secret, as defined in section 1333.61 of the Revised Code;	376 377 378 379 380
(r) Information pertaining to the recreational activities of a person under the age of eighteen;	381 382
(s) In the case of a child fatality review board acting under sections 307.621 to 307.629 of the Revised Code or a review conducted pursuant to guidelines established by the director of health under section 3701.70 of the Revised Code, records provided to the board or director, statements made by board members during meetings of the board or by persons participating in the director's review, and all work products of	383 384 385 386 387 388 389

the board or director, and in the case of a child fatality	390
review board, child fatality review data submitted by the board	391
to the department of health or a national child death review	392
database, other than the report prepared pursuant to division	393
(A) of section 307.626 of the Revised Code;	394
(t) Records provided to and statements made by the	395
executive director of a public children services agency or a	396
prosecuting attorney acting pursuant to section 5153.171 of the	397
Revised Code other than the information released under that	398
section;	399
(u) Test materials, examinations, or evaluation tools used	400
in an examination for licensure as a nursing home administrator	401
that the board of executives of long-term services and supports	402
administers under section 4751.15 of the Revised Code or	403
contracts under that section with a private or government entity	404
to administer;	405
(v) Records the release of which is prohibited by state or	406
federal law;	407
(w) Proprietary information of or relating to any person	408
that is submitted to or compiled by the Ohio venture capital	409
authority created under section 150.01 of the Revised Code;	410
(x) Financial statements and data any person submits for	411
any purpose to the Ohio housing finance agency or the	412
controlling board in connection with applying for, receiving, or	413
accounting for financial assistance from the agency, and	414
information that identifies any individual who benefits directly	415
or indirectly from financial assistance from the agency;	416
(y) Records listed in section 5101.29 of the Revised Code;	417
(z) Discharges recorded with a county recorder under	418

section 317.24 of the Revised Code, as specified in division (B)	419
(2) of that section;	420
(aa) Usage information including names and addresses of	421
specific residential and commercial customers of a municipally	422
owned or operated public utility;	423
(bb) Records described in division (C) of section 187.04	424
of the Revised Code that are not designated to be made available	425
to the public as provided in that division;	426
(cc) Information and records that are made confidential,	427
privileged, and not subject to disclosure under divisions (B)	428
and (C) of section 2949.221 of the Revised Code;	429
(dd) Personal information, as defined in section 149.45 of	430
the Revised Code;	431
(ee) The confidential name, address, and other personally	432
identifiable information of a program participant in the address	433
confidentiality program established under sections 111.41 to	434
111.47 of the Revised Code, including the contents of any	435
application for absent voter's ballots, absent voter's ballot	436
identification envelope statement of voter, or provisional	437
ballot affirmation completed by a program participant who has a	438
confidential voter registration record, and records or portions	439
of records pertaining to that program that identify the number	440
of program participants that reside within a precinct, ward,	441
township, municipal corporation, county, or any other geographic	442
area smaller than the state. As used in this division,	443
"confidential address" and "program participant" have the	444
meaning defined in section 111.41 of the Revised Code.	445
(ff) Orders for active military service of an individual	446
serving or with previous service in the armed forces of the	447

United States, including a reserve component, or the Ohio 448
organized militia, except that, such order becomes a public 449
record on the day that is fifteen years after the published date 450
or effective date of the call to order; 451

(gg) The name, address, contact information, or other 452
personal information of an individual who is less than eighteen 453
years of age that is included in any record related to a traffic 454
accident involving a school vehicle in which the individual was 455
an occupant at the time of the accident; 456

(hh) Protected health information, as defined in 45 C.F.R. 457
160.103, that is in a claim for payment for a health care 458
product, service, or procedure, as well as any other health 459
claims data in another document that reveals the identity of an 460
individual who is the subject of the data or could be used to 461
reveal that individual's identity; 462

(ii) Any depiction by photograph, film, videotape, or 463
printed or digital image under either of the following 464
circumstances: 465

(i) The depiction is that of a victim of an offense the 466
release of which would be, to a reasonable person of ordinary 467
sensibilities, an offensive and objectionable intrusion into the 468
victim's expectation of bodily privacy and integrity. 469

(ii) The depiction captures or depicts the victim of a 470
sexually oriented offense, as defined in section 2950.01 of the 471
Revised Code, at the actual occurrence of that offense. 472

(jj) Restricted portions of a body-worn camera or 473
dashboard camera recording; 474

(kk) In the case of a fetal-infant mortality review board 475
acting under sections 3707.70 to 3707.77 of the Revised Code, 476

records, documents, reports, or other information presented to 477
the board or a person abstracting such materials on the board's 478
behalf, statements made by review board members during board 479
meetings, all work products of the board, and data submitted by 480
the board to the department of health or a national infant death 481
review database, other than the report prepared pursuant to 482
section 3707.77 of the Revised Code. 483

(ll) Records, documents, reports, or other information 484
presented to the pregnancy-associated mortality review board 485
established under section 3738.01 of the Revised Code, 486
statements made by board members during board meetings, all work 487
products of the board, and data submitted by the board to the 488
department of health, other than the biennial reports prepared 489
under section 3738.08 of the Revised Code; 490

(mm) Telephone numbers for a victim, as defined in section 491
2930.01 of the Revised Code, a witness to a crime, or a party to 492
a motor vehicle accident subject to the requirements of section 493
5502.11 of the Revised Code that are listed on any law 494
enforcement record or report; 495

(nn) The information contained in a voter preregistration 496
application, as described in section 3503.192 of the Revised 497
Code, before the applicant is registered to vote in accordance 498
with that section. 499

A record that is not a public record under division (A) (1) 500
of this section and that, under law, is permanently retained 501
becomes a public record on the day that is seventy-five years 502
after the day on which the record was created, except for any 503
record protected by the attorney-client privilege, a trial 504
preparation record as defined in this section, a statement 505
prohibiting the release of identifying information signed under 506

section 3107.083 of the Revised Code, a denial of release form 507
filed pursuant to section 3107.46 of the Revised Code, or any 508
record that is exempt from release or disclosure under section 509
149.433 of the Revised Code. If the record is a birth 510
certificate and a biological parent's name redaction request 511
form has been accepted under section 3107.391 of the Revised 512
Code, the name of that parent shall be redacted from the birth 513
certificate before it is released under this paragraph. If any 514
other section of the Revised Code establishes a time period for 515
disclosure of a record that conflicts with the time period 516
specified in this section, the time period in the other section 517
prevails. 518

(2) "Confidential law enforcement investigatory record" 519
means any record that pertains to a law enforcement matter of a 520
criminal, quasi-criminal, civil, or administrative nature, but 521
only to the extent that the release of the record would create a 522
high probability of disclosure of any of the following: 523

(a) The identity of a suspect who has not been charged 524
with the offense to which the record pertains, or of an 525
information source or witness to whom confidentiality has been 526
reasonably promised; 527

(b) Information provided by an information source or 528
witness to whom confidentiality has been reasonably promised, 529
which information would reasonably tend to disclose the source's 530
or witness's identity; 531

(c) Specific confidential investigatory techniques or 532
procedures or specific investigatory work product; 533

(d) Information that would endanger the life or physical 534
safety of law enforcement personnel, a crime victim, a witness, 535

or a confidential information source. 536

(3) "Medical record" means any document or combination of 537
documents, except births, deaths, and the fact of admission to 538
or discharge from a hospital, that pertains to the medical 539
history, diagnosis, prognosis, or medical condition of a patient 540
and that is generated and maintained in the process of medical 541
treatment. 542

(4) "Trial preparation record" means any record that 543
contains information that is specifically compiled in reasonable 544
anticipation of, or in defense of, a civil or criminal action or 545
proceeding, including the independent thought processes and 546
personal trial preparation of an attorney. 547

(5) "Intellectual property record" means a record, other 548
than a financial or administrative record, that is produced or 549
collected by or for faculty or staff of a state institution of 550
higher learning in the conduct of or as a result of study or 551
research on an educational, commercial, scientific, artistic, 552
technical, or scholarly issue, regardless of whether the study 553
or research was sponsored by the institution alone or in 554
conjunction with a governmental body or private concern, and 555
that has not been publicly released, published, or patented. 556

(6) "Donor profile record" means all records about donors 557
or potential donors to a public institution of higher education 558
except the names and reported addresses of the actual donors and 559
the date, amount, and conditions of the actual donation. 560

(7) "Designated public service worker" means a peace 561
officer, parole officer, probation officer, bailiff, prosecuting 562
attorney, assistant prosecuting attorney, correctional employee, 563
county or multicounty corrections officer, community-based 564

correctional facility employee, youth services employee, 565
firefighter, EMT, medical director or member of a cooperating 566
physician advisory board of an emergency medical service 567
organization, state board of pharmacy employee, investigator of 568
the bureau of criminal identification and investigation, judge, 569
magistrate, or federal law enforcement officer. 570

(8) "Designated public service worker residential and 571
familial information" means any information that discloses any 572
of the following about a designated public service worker: 573

(a) The address of the actual personal residence of a 574
designated public service worker, except for the following 575
information: 576

(i) The address of the actual personal residence of a 577
prosecuting attorney or judge; and 578

(ii) The state or political subdivision in which a 579
designated public service worker resides. 580

(b) Information compiled from referral to or participation 581
in an employee assistance program; 582

(c) The social security number, the residential telephone 583
number, any bank account, debit card, charge card, or credit 584
card number, or the emergency telephone number of, or any 585
medical information pertaining to, a designated public service 586
worker; 587

(d) The name of any beneficiary of employment benefits, 588
including, but not limited to, life insurance benefits, provided 589
to a designated public service worker by the designated public 590
service worker's employer; 591

(e) The identity and amount of any charitable or 592

employment benefit deduction made by the designated public 593
service worker's employer from the designated public service 594
worker's compensation, unless the amount of the deduction is 595
required by state or federal law; 596

(f) The name, the residential address, the name of the 597
employer, the address of the employer, the social security 598
number, the residential telephone number, any bank account, 599
debit card, charge card, or credit card number, or the emergency 600
telephone number of the spouse, a former spouse, or any child of 601
a designated public service worker; 602

(g) A photograph of a peace officer who holds a position 603
or has an assignment that may include undercover or plain 604
clothes positions or assignments as determined by the peace 605
officer's appointing authority. 606

(9) As used in divisions (A) (7) and (15) to (17) of this 607
section: 608

"Peace officer" has the meaning defined in section 109.71 609
of the Revised Code and also includes the superintendent and 610
troopers of the state highway patrol; it does not include the 611
sheriff of a county or a supervisory employee who, in the 612
absence of the sheriff, is authorized to stand in for, exercise 613
the authority of, and perform the duties of the sheriff. 614

"Correctional employee" means any employee of the 615
department of rehabilitation and correction who in the course of 616
performing the employee's job duties has or has had contact with 617
inmates and persons under supervision. 618

"County or multicounty corrections officer" means any 619
corrections officer employed by any county or multicounty 620
correctional facility. 621

"Youth services employee" means any employee of the department of youth services who in the course of performing the employee's job duties has or has had contact with children committed to the custody of the department of youth services.

"Firefighter" means any regular, paid or volunteer, member of a lawfully constituted fire department of a municipal corporation, township, fire district, or village.

"EMT" means EMTs-basic, EMTs-I, and paramedics that provide emergency medical services for a public emergency medical service organization. "Emergency medical service organization," "EMT-basic," "EMT-I," and "paramedic" have the meanings defined in section 4765.01 of the Revised Code.

"Investigator of the bureau of criminal identification and investigation" has the meaning defined in section 2903.11 of the Revised Code.

"Federal law enforcement officer" has the meaning defined in section 9.88 of the Revised Code.

(10) "Information pertaining to the recreational activities of a person under the age of eighteen" means information that is kept in the ordinary course of business by a public office, that pertains to the recreational activities of a person under the age of eighteen years, and that discloses any of the following:

(a) The address or telephone number of a person under the age of eighteen or the address or telephone number of that person's parent, guardian, custodian, or emergency contact person;

(b) The social security number, birth date, or photographic image of a person under the age of eighteen;

- (c) Any medical record, history, or information pertaining to a person under the age of eighteen; 651
652
- (d) Any additional information sought or required about a person under the age of eighteen for the purpose of allowing that person to participate in any recreational activity conducted or sponsored by a public office or to use or obtain admission privileges to any recreational facility owned or operated by a public office. 653
654
655
656
657
658
- (11) "Community control sanction" has the meaning defined in section 2929.01 of the Revised Code. 659
660
- (12) "Post-release control sanction" has the meaning defined in section 2967.01 of the Revised Code. 661
662
- (13) "Redaction" means obscuring or deleting any information that is exempt from the duty to permit public inspection or copying from an item that otherwise meets the definition of a "record" in section 149.011 of the Revised Code. 663
664
665
666
- (14) "Designee," "elected official," and "future official" have the meanings defined in section 109.43 of the Revised Code. 667
668
- (15) "Body-worn camera" means a visual and audio recording device worn on the person of a peace officer while the peace officer is engaged in the performance of the peace officer's duties. 669
670
671
672
- (16) "Dashboard camera" means a visual and audio recording device mounted on a peace officer's vehicle or vessel that is used while the peace officer is engaged in the performance of the peace officer's duties. 673
674
675
676
- (17) "Restricted portions of a body-worn camera or dashboard camera recording" means any visual or audio portion of 677
678

a body-worn camera or dashboard camera recording that shows, 679
communicates, or discloses any of the following: 680

(a) The image or identity of a child or information that 681
could lead to the identification of a child who is a primary 682
subject of the recording when the law enforcement agency knows 683
or has reason to know the person is a child based on the law 684
enforcement agency's records or the content of the recording; 685

(b) The death of a person or a deceased person's body, 686
unless the death was caused by a peace officer or, subject to 687
division (H)(1) of this section, the consent of the decedent's 688
executor or administrator has been obtained; 689

(c) The death of a peace officer, firefighter, paramedic, 690
or other first responder, occurring while the decedent was 691
engaged in the performance of official duties, unless, subject 692
to division (H)(1) of this section, the consent of the 693
decedent's executor or administrator has been obtained; 694

(d) Grievous bodily harm, unless the injury was effected 695
by a peace officer or, subject to division (H)(1) of this 696
section, the consent of the injured person or the injured 697
person's guardian has been obtained; 698

(e) An act of severe violence against a person that 699
results in serious physical harm to the person, unless the act 700
and injury was effected by a peace officer or, subject to 701
division (H)(1) of this section, the consent of the injured 702
person or the injured person's guardian has been obtained; 703

(f) Grievous bodily harm to a peace officer, firefighter, 704
paramedic, or other first responder, occurring while the injured 705
person was engaged in the performance of official duties, 706
unless, subject to division (H)(1) of this section, the consent 707

of the injured person or the injured person's guardian has been 708
obtained; 709

(g) An act of severe violence resulting in serious 710
physical harm against a peace officer, firefighter, paramedic, 711
or other first responder, occurring while the injured person was 712
engaged in the performance of official duties, unless, subject 713
to division (H) (1) of this section, the consent of the injured 714
person or the injured person's guardian has been obtained; 715

(h) A person's nude body, unless, subject to division (H) 716
(1) of this section, the person's consent has been obtained; 717

(i) Protected health information, the identity of a person 718
in a health care facility who is not the subject of a law 719
enforcement encounter, or any other information in a health care 720
facility that could identify a person who is not the subject of 721
a law enforcement encounter; 722

(j) Information that could identify the alleged victim of 723
a sex offense, menacing by stalking, or domestic violence; 724

(k) Information, that does not constitute a confidential 725
law enforcement investigatory record, that could identify a 726
person who provides sensitive or confidential information to a 727
law enforcement agency when the disclosure of the person's 728
identity or the information provided could reasonably be 729
expected to threaten or endanger the safety or property of the 730
person or another person; 731

(l) Personal information of a person who is not arrested, 732
cited, charged, or issued a written warning by a peace officer; 733

(m) Proprietary police contingency plans or tactics that 734
are intended to prevent crime and maintain public order and 735
safety; 736

(n) A personal conversation unrelated to work between peace officers or between a peace officer and an employee of a law enforcement agency;	737 738 739
(o) A conversation between a peace officer and a member of the public that does not concern law enforcement activities;	740 741
(p) The interior of a residence, unless the interior of a residence is the location of an adversarial encounter with, or a use of force by, a peace officer;	742 743 744
(q) Any portion of the interior of a private business that is not open to the public, unless an adversarial encounter with, or a use of force by, a peace officer occurs in that location.	745 746 747
As used in division (A) (17) of this section:	748
"Grievous bodily harm" has the same meaning as in section 5924.120 of the Revised Code.	749 750
"Health care facility" has the same meaning as in section 1337.11 of the Revised Code.	751 752
"Protected health information" has the same meaning as in 45 C.F.R. 160.103.	753 754
"Law enforcement agency" has the same meaning as in section 2925.61 of the Revised Code.	755 756
"Personal information" means any government-issued identification number, date of birth, address, financial information, or criminal justice information from the law enforcement automated data system or similar databases.	757 758 759 760
"Sex offense" has the same meaning as in section 2907.10 of the Revised Code.	761 762
"Firefighter," "paramedic," and "first responder" have the	763

same meanings as in section 4765.01 of the Revised Code. 764

(B) (1) Upon request and subject to division (B) (8) of this 765
section, all public records responsive to the request shall be 766
promptly prepared and made available for inspection to any 767
person at all reasonable times during regular business hours. 768
Subject to division (B) (8) of this section, upon request by any 769
person, a public office or person responsible for public records 770
shall make copies of the requested public record available to 771
the requester at cost and within a reasonable period of time. If 772
a public record contains information that is exempt from the 773
duty to permit public inspection or to copy the public record, 774
the public office or the person responsible for the public 775
record shall make available all of the information within the 776
public record that is not exempt. When making that public record 777
available for public inspection or copying that public record, 778
the public office or the person responsible for the public 779
record shall notify the requester of any redaction or make the 780
redaction plainly visible. A redaction shall be deemed a denial 781
of a request to inspect or copy the redacted information, except 782
if federal or state law authorizes or requires a public office 783
to make the redaction. 784

(2) To facilitate broader access to public records, a 785
public office or the person responsible for public records shall 786
organize and maintain public records in a manner that they can 787
be made available for inspection or copying in accordance with 788
division (B) of this section. A public office also shall have 789
available a copy of its current records retention schedule at a 790
location readily available to the public. If a requester makes 791
an ambiguous or overly broad request or has difficulty in making 792
a request for copies or inspection of public records under this 793
section such that the public office or the person responsible 794

for the requested public record cannot reasonably identify what 795
public records are being requested, the public office or the 796
person responsible for the requested public record may deny the 797
request but shall provide the requester with an opportunity to 798
revise the request by informing the requester of the manner in 799
which records are maintained by the public office and accessed 800
in the ordinary course of the public office's or person's 801
duties. 802

(3) If a request is ultimately denied, in part or in 803
whole, the public office or the person responsible for the 804
requested public record shall provide the requester with an 805
explanation, including legal authority, setting forth why the 806
request was denied. If the initial request was provided in 807
writing, the explanation also shall be provided to the requester 808
in writing. The explanation shall not preclude the public office 809
or the person responsible for the requested public record from 810
relying upon additional reasons or legal authority in defending 811
an action commenced under division (C) of this section. 812

(4) Unless specifically required or authorized by state or 813
federal law or in accordance with division (B) of this section, 814
no public office or person responsible for public records may 815
limit or condition the availability of public records by 816
requiring disclosure of the requester's identity or the intended 817
use of the requested public record. Any requirement that the 818
requester disclose the requester's identity or the intended use 819
of the requested public record constitutes a denial of the 820
request. 821

(5) A public office or person responsible for public 822
records may ask a requester to make the request in writing, may 823
ask for the requester's identity, and may inquire about the 824

intended use of the information requested, but may do so only 825
after disclosing to the requester that a written request is not 826
mandatory, that the requester may decline to reveal the 827
requester's identity or the intended use, and when a written 828
request or disclosure of the identity or intended use would 829
benefit the requester by enhancing the ability of the public 830
office or person responsible for public records to identify, 831
locate, or deliver the public records sought by the requester. 832

(6) If any person requests a copy of a public record in 833
accordance with division (B) of this section, the public office 834
or person responsible for the public record may require that 835
person to pay in advance the cost involved in providing the copy 836
of the public record in accordance with the choice made by the 837
person requesting the copy under this division. The public 838
office or the person responsible for the public record shall 839
permit that person to choose to have the public record 840
duplicated upon paper, upon the same medium upon which the 841
public office or person responsible for the public record keeps 842
it, or upon any other medium upon which the public office or 843
person responsible for the public record determines that it 844
reasonably can be duplicated as an integral part of the normal 845
operations of the public office or person responsible for the 846
public record. When the person requesting the copy makes a 847
choice under this division, the public office or person 848
responsible for the public record shall provide a copy of it in 849
accordance with the choice made by that person. Nothing in this 850
section requires a public office or person responsible for the 851
public record to allow the person requesting a copy of the 852
public record to make the copies of the public record. 853

(7) (a) Upon a request made in accordance with division (B) 854
of this section and subject to division (B) (6) of this section, 855

a public office or person responsible for public records shall 856
transmit a copy of a public record to any person by United 857
States mail or by any other means of delivery or transmission 858
within a reasonable period of time after receiving the request 859
for the copy. The public office or person responsible for the 860
public record may require the person making the request to pay 861
in advance the cost of postage if the copy is transmitted by 862
United States mail or the cost of delivery if the copy is 863
transmitted other than by United States mail, and to pay in 864
advance the costs incurred for other supplies used in the 865
mailing, delivery, or transmission. 866

(b) Any public office may adopt a policy and procedures 867
that it will follow in transmitting, within a reasonable period 868
of time after receiving a request, copies of public records by 869
United States mail or by any other means of delivery or 870
transmission pursuant to division (B) (7) of this section. A 871
public office that adopts a policy and procedures under division 872
(B) (7) of this section shall comply with them in performing its 873
duties under that division. 874

(c) In any policy and procedures adopted under division 875
(B) (7) of this section: 876

(i) A public office may limit the number of records 877
requested by a person that the office will physically deliver by 878
United States mail or by another delivery service to ten per 879
month, unless the person certifies to the office in writing that 880
the person does not intend to use or forward the requested 881
records, or the information contained in them, for commercial 882
purposes; 883

(ii) A public office that chooses to provide some or all 884
of its public records on a web site that is fully accessible to 885

and searchable by members of the public at all times, other than 886
during acts of God outside the public office's control or 887
maintenance, and that charges no fee to search, access, 888
download, or otherwise receive records provided on the web site, 889
may limit to ten per month the number of records requested by a 890
person that the office will deliver in a digital format, unless 891
the requested records are not provided on the web site and 892
unless the person certifies to the office in writing that the 893
person does not intend to use or forward the requested records, 894
or the information contained in them, for commercial purposes. 895

(iii) For purposes of division (B) (7) of this section, 896
"commercial" shall be narrowly construed and does not include 897
reporting or gathering news, reporting or gathering information 898
to assist citizen oversight or understanding of the operation or 899
activities of government, or nonprofit educational research. 900

(8) A public office or person responsible for public 901
records is not required to permit a person who is incarcerated 902
pursuant to a criminal conviction or a juvenile adjudication to 903
inspect or to obtain a copy of any public record concerning a 904
criminal investigation or prosecution or concerning what would 905
be a criminal investigation or prosecution if the subject of the 906
investigation or prosecution were an adult, unless the request 907
to inspect or to obtain a copy of the record is for the purpose 908
of acquiring information that is subject to release as a public 909
record under this section and the judge who imposed the sentence 910
or made the adjudication with respect to the person, or the 911
judge's successor in office, finds that the information sought 912
in the public record is necessary to support what appears to be 913
a justiciable claim of the person. 914

(9) (a) Upon written request made and signed by a 915

journalist, a public office, or person responsible for public records, having custody of the records of the agency employing a specified designated public service worker shall disclose to the journalist the address of the actual personal residence of the designated public service worker and, if the designated public service worker's spouse, former spouse, or child is employed by a public office, the name and address of the employer of the designated public service worker's spouse, former spouse, or child. The request shall include the journalist's name and title and the name and address of the journalist's employer and shall state that disclosure of the information sought would be in the public interest.

(b) Division (B) (9) (a) of this section also applies to journalist requests for:

(i) Customer information maintained by a municipally owned or operated public utility, other than social security numbers and any private financial information such as credit reports, payment methods, credit card numbers, and bank account information;

(ii) Information about minors involved in a school vehicle accident as provided in division (A) (1) (gg) of this section, other than personal information as defined in section 149.45 of the Revised Code.

(c) As used in division (B) (9) of this section, "journalist" means a person engaged in, connected with, or employed by any news medium, including a newspaper, magazine, press association, news agency, or wire service, a radio or television station, or a similar medium, for the purpose of gathering, processing, transmitting, compiling, editing, or disseminating information for the general public.

(10) Upon a request made by a victim, victim's attorney, 946
or victim's representative, as that term is used in section 947
2930.02 of the Revised Code, a public office or person 948
responsible for public records shall transmit a copy of a 949
depiction of the victim as described in division (A) (1) (gg) of 950
this section to the victim, victim's attorney, or victim's 951
representative. 952

(C) (1) If a person allegedly is aggrieved by the failure 953
of a public office or the person responsible for public records 954
to promptly prepare a public record and to make it available to 955
the person for inspection in accordance with division (B) of 956
this section or by any other failure of a public office or the 957
person responsible for public records to comply with an 958
obligation in accordance with division (B) of this section, the 959
person allegedly aggrieved may do only one of the following, and 960
not both: 961

(a) File a complaint with the clerk of the court of claims 962
or the clerk of the court of common pleas under section 2743.75 963
of the Revised Code; 964

(b) Commence a mandamus action to obtain a judgment that 965
orders the public office or the person responsible for the 966
public record to comply with division (B) of this section, that 967
awards court costs and reasonable attorney's fees to the person 968
that instituted the mandamus action, and, if applicable, that 969
includes an order fixing statutory damages under division (C) (2) 970
of this section. The mandamus action may be commenced in the 971
court of common pleas of the county in which division (B) of 972
this section allegedly was not complied with, in the supreme 973
court pursuant to its original jurisdiction under Section 2 of 974
Article IV, Ohio Constitution, or in the court of appeals for 975

the appellate district in which division (B) of this section 976
allegedly was not complied with pursuant to its original 977
jurisdiction under Section 3 of Article IV, Ohio Constitution. 978

(2) If a requester transmits a written request by hand 979
delivery, electronic submission, or certified mail to inspect or 980
receive copies of any public record in a manner that fairly 981
describes the public record or class of public records to the 982
public office or person responsible for the requested public 983
records, except as otherwise provided in this section, the 984
requester shall be entitled to recover the amount of statutory 985
damages set forth in this division if a court determines that 986
the public office or the person responsible for public records 987
failed to comply with an obligation in accordance with division 988
(B) of this section. 989

The amount of statutory damages shall be fixed at one 990
hundred dollars for each business day during which the public 991
office or person responsible for the requested public records 992
failed to comply with an obligation in accordance with division 993
(B) of this section, beginning with the day on which the 994
requester files a mandamus action to recover statutory damages, 995
up to a maximum of one thousand dollars. The award of statutory 996
damages shall not be construed as a penalty, but as compensation 997
for injury arising from lost use of the requested information. 998
The existence of this injury shall be conclusively presumed. The 999
award of statutory damages shall be in addition to all other 1000
remedies authorized by this section. 1001

The court may reduce an award of statutory damages or not 1002
award statutory damages if the court determines both of the 1003
following: 1004

(a) That, based on the ordinary application of statutory 1005

law and case law as it existed at the time of the conduct or 1006
threatened conduct of the public office or person responsible 1007
for the requested public records that allegedly constitutes a 1008
failure to comply with an obligation in accordance with division 1009
(B) of this section and that was the basis of the mandamus 1010
action, a well-informed public office or person responsible for 1011
the requested public records reasonably would believe that the 1012
conduct or threatened conduct of the public office or person 1013
responsible for the requested public records did not constitute 1014
a failure to comply with an obligation in accordance with 1015
division (B) of this section; 1016

(b) That a well-informed public office or person 1017
responsible for the requested public records reasonably would 1018
believe that the conduct or threatened conduct of the public 1019
office or person responsible for the requested public records 1020
would serve the public policy that underlies the authority that 1021
is asserted as permitting that conduct or threatened conduct. 1022

(3) In a mandamus action filed under division (C) (1) of 1023
this section, the following apply: 1024

(a) (i) If the court orders the public office or the person 1025
responsible for the public record to comply with division (B) of 1026
this section, the court shall determine and award to the relator 1027
all court costs, which shall be construed as remedial and not 1028
punitive. 1029

(ii) If the court makes a determination described in 1030
division (C) (3) (b) (iii) of this section, the court shall 1031
determine and award to the relator all court costs, which shall 1032
be construed as remedial and not punitive. 1033

(b) If the court renders a judgment that orders the public 1034

office or the person responsible for the public record to comply 1035
with division (B) of this section or if the court determines any 1036
of the following, the court may award reasonable attorney's fees 1037
to the relator, subject to division (C) (4) of this section: 1038

(i) The public office or the person responsible for the 1039
public records failed to respond affirmatively or negatively to 1040
the public records request in accordance with the time allowed 1041
under division (B) of this section. 1042

(ii) The public office or the person responsible for the 1043
public records promised to permit the relator to inspect or 1044
receive copies of the public records requested within a 1045
specified period of time but failed to fulfill that promise 1046
within that specified period of time. 1047

(iii) The public office or the person responsible for the 1048
public records acted in bad faith when the office or person 1049
voluntarily made the public records available to the relator for 1050
the first time after the relator commenced the mandamus action, 1051
but before the court issued any order concluding whether or not 1052
the public office or person was required to comply with division 1053
(B) of this section. No discovery may be conducted on the issue 1054
of the alleged bad faith of the public office or person 1055
responsible for the public records. This division shall not be 1056
construed as creating a presumption that the public office or 1057
the person responsible for the public records acted in bad faith 1058
when the office or person voluntarily made the public records 1059
available to the relator for the first time after the relator 1060
commenced the mandamus action, but before the court issued any 1061
order described in this division. 1062

(c) The court shall not award attorney's fees to the 1063
relator if the court determines both of the following: 1064

(i) That, based on the ordinary application of statutory law and case law as it existed at the time of the conduct or threatened conduct of the public office or person responsible for the requested public records that allegedly constitutes a failure to comply with an obligation in accordance with division (B) of this section and that was the basis of the mandamus action, a well-informed public office or person responsible for the requested public records reasonably would believe that the conduct or threatened conduct of the public office or person responsible for the requested public records did not constitute a failure to comply with an obligation in accordance with division (B) of this section;

(ii) That a well-informed public office or person responsible for the requested public records reasonably would believe that the conduct or threatened conduct of the public office or person responsible for the requested public records would serve the public policy that underlies the authority that is asserted as permitting that conduct or threatened conduct.

(4) All of the following apply to any award of reasonable attorney's fees awarded under division (C) (3) (b) of this section:

(a) The fees shall be construed as remedial and not punitive.

(b) The fees awarded shall not exceed the total of the reasonable attorney's fees incurred before the public record was made available to the relator and the fees described in division (C) (4) (c) of this section.

(c) Reasonable attorney's fees shall include reasonable fees incurred to produce proof of the reasonableness and amount

of the fees and to otherwise litigate entitlement to the fees. 1094

(d) The court may reduce the amount of fees awarded if the 1095
court determines that, given the factual circumstances involved 1096
with the specific public records request, an alternative means 1097
should have been pursued to more effectively and efficiently 1098
resolve the dispute that was subject to the mandamus action 1099
filed under division (C) (1) of this section. 1100

(5) If the court does not issue a writ of mandamus under 1101
division (C) of this section and the court determines at that 1102
time that the bringing of the mandamus action was frivolous 1103
conduct as defined in division (A) of section 2323.51 of the 1104
Revised Code, the court may award to the public office all court 1105
costs, expenses, and reasonable attorney's fees, as determined 1106
by the court. 1107

(D) Chapter 1347. of the Revised Code does not limit the 1108
provisions of this section. 1109

(E) (1) To ensure that all employees of public offices are 1110
appropriately educated about a public office's obligations under 1111
division (B) of this section, all elected officials or their 1112
appropriate designees shall attend training approved by the 1113
attorney general as provided in section 109.43 of the Revised 1114
Code. A future official may satisfy the requirements of this 1115
division by attending the training before taking office, 1116
provided that the future official may not send a designee in the 1117
future official's place. 1118

(2) All public offices shall adopt a public records policy 1119
in compliance with this section for responding to public records 1120
requests. In adopting a public records policy under this 1121
division, a public office may obtain guidance from the model 1122

public records policy developed and provided to the public 1123
office by the attorney general under section 109.43 of the 1124
Revised Code. Except as otherwise provided in this section, the 1125
policy may not limit the number of public records that the 1126
public office will make available to a single person, may not 1127
limit the number of public records that it will make available 1128
during a fixed period of time, and may not establish a fixed 1129
period of time before it will respond to a request for 1130
inspection or copying of public records, unless that period is 1131
less than eight hours. 1132

The public office shall distribute the public records 1133
policy adopted by the public office under this division to the 1134
employee of the public office who is the records custodian or 1135
records manager or otherwise has custody of the records of that 1136
office. The public office shall require that employee to 1137
acknowledge receipt of the copy of the public records policy. 1138
The public office shall create a poster that describes its 1139
public records policy and shall post the poster in a conspicuous 1140
place in the public office and in all locations where the public 1141
office has branch offices. The public office may post its public 1142
records policy on the internet web site of the public office if 1143
the public office maintains an internet web site. A public 1144
office that has established a manual or handbook of its general 1145
policies and procedures for all employees of the public office 1146
shall include the public records policy of the public office in 1147
the manual or handbook. 1148

(F) (1) The bureau of motor vehicles may adopt rules 1149
pursuant to Chapter 119. of the Revised Code to reasonably limit 1150
the number of bulk commercial special extraction requests made 1151
by a person for the same records or for updated records during a 1152
calendar year. The rules may include provisions for charges to 1153

be made for bulk commercial special extraction requests for the 1154
actual cost of the bureau, plus special extraction costs, plus 1155
ten per cent. The bureau may charge for expenses for redacting 1156
information, the release of which is prohibited by law. 1157

(2) As used in division (F)(1) of this section: 1158

(a) "Actual cost" means the cost of depleted supplies, 1159
records storage media costs, actual mailing and alternative 1160
delivery costs, or other transmitting costs, and any direct 1161
equipment operating and maintenance costs, including actual 1162
costs paid to private contractors for copying services. 1163

(b) "Bulk commercial special extraction request" means a 1164
request for copies of a record for information in a format other 1165
than the format already available, or information that cannot be 1166
extracted without examination of all items in a records series, 1167
class of records, or database by a person who intends to use or 1168
forward the copies for surveys, marketing, solicitation, or 1169
resale for commercial purposes. "Bulk commercial special 1170
extraction request" does not include a request by a person who 1171
gives assurance to the bureau that the person making the request 1172
does not intend to use or forward the requested copies for 1173
surveys, marketing, solicitation, or resale for commercial 1174
purposes. 1175

(c) "Commercial" means profit-seeking production, buying, 1176
or selling of any good, service, or other product. 1177

(d) "Special extraction costs" means the cost of the time 1178
spent by the lowest paid employee competent to perform the task, 1179
the actual amount paid to outside private contractors employed 1180
by the bureau, or the actual cost incurred to create computer 1181
programs to make the special extraction. "Special extraction 1182

costs" include any charges paid to a public agency for computer 1183
or records services. 1184

(3) For purposes of divisions (F) (1) and (2) of this 1185
section, "surveys, marketing, solicitation, or resale for 1186
commercial purposes" shall be narrowly construed and does not 1187
include reporting or gathering news, reporting or gathering 1188
information to assist citizen oversight or understanding of the 1189
operation or activities of government, or nonprofit educational 1190
research. 1191

(G) A request by a defendant, counsel of a defendant, or 1192
any agent of a defendant in a criminal action that public 1193
records related to that action be made available under this 1194
section shall be considered a demand for discovery pursuant to 1195
the Criminal Rules, except to the extent that the Criminal Rules 1196
plainly indicate a contrary intent. The defendant, counsel of 1197
the defendant, or agent of the defendant making a request under 1198
this division shall serve a copy of the request on the 1199
prosecuting attorney, director of law, or other chief legal 1200
officer responsible for prosecuting the action. 1201

(H) (1) Any portion of a body-worn camera or dashboard 1202
camera recording described in divisions (A) (17) (b) to (h) of 1203
this section may be released by consent of the subject of the 1204
recording or a representative of that person, as specified in 1205
those divisions, only if either of the following applies: 1206

(a) The recording will not be used in connection with any 1207
probable or pending criminal proceedings; 1208

(b) The recording has been used in connection with a 1209
criminal proceeding that was dismissed or for which a judgment 1210
has been entered pursuant to Rule 32 of the Rules of Criminal 1211

Procedure, and will not be used again in connection with any 1212
probable or pending criminal proceedings. 1213

(2) If a public office denies a request to release a 1214
restricted portion of a body-worn camera or dashboard camera 1215
recording, as defined in division (A)(17) of this section, any 1216
person may file a mandamus action pursuant to this section or a 1217
complaint with the clerk of the court of claims pursuant to 1218
section 2743.75 of the Revised Code, requesting the court to 1219
order the release of all or portions of the recording. If the 1220
court considering the request determines that the filing 1221
articulates by clear and convincing evidence that the public 1222
interest in the recording substantially outweighs privacy 1223
interests and other interests asserted to deny release, the 1224
court shall order the public office to release the recording. 1225

Sec. 3501.05. The secretary of state shall do all of the 1226
following: 1227

(A) Appoint all members of boards of elections; 1228

(B) Issue instructions by directives and advisories in 1229
accordance with section 3501.053 of the Revised Code to members 1230
of the boards as to the proper methods of conducting elections. 1231

(C) Prepare rules and instructions for the conduct of 1232
elections; 1233

(D) Publish and furnish to the boards from time to time a 1234
sufficient number of indexed copies of all election laws then in 1235
force; 1236

(E) Edit and issue all pamphlets concerning proposed laws 1237
or amendments required by law to be submitted to the voters; 1238

(F) Prescribe the form of registration cards, blanks, and 1239

records;	1240
(G) Determine and prescribe the forms of ballots and the forms of all blanks, cards of instructions, pollbooks, tally sheets, certificates of election, and forms and blanks required by law for use by candidates, committees, and boards;	1241 1242 1243 1244
(H) Prepare the ballot title or statement to be placed on the ballot for any proposed law or amendment to the constitution to be submitted to the voters of the state;	1245 1246 1247
(I) Except as otherwise provided in section 3519.08 of the Revised Code, certify to the several boards the forms of ballots and names of candidates for state offices, and the form and wording of state referendum questions and issues, as they shall appear on the ballot;	1248 1249 1250 1251 1252
(J) Except as otherwise provided in division (I) (2) (b) of section 3501.38 of the Revised Code, give final approval to ballot language for any local question or issue approved and transmitted by boards of elections under section 3501.11 of the Revised Code;	1253 1254 1255 1256 1257
(K) Receive all initiative and referendum petitions on state questions and issues and determine and certify to the sufficiency of those petitions;	1258 1259 1260
(L) Require such reports from the several boards as are provided by law, or as the secretary of state considers necessary;	1261 1262 1263
(M) Compel the observance by election officers in the several counties of the requirements of the election laws;	1264 1265
(N) (1) Except as otherwise provided in division (N) (2) of this section, investigate the administration of election laws,	1266 1267

frauds, and irregularities in elections in any county, and 1268
report violations of election laws to the attorney general or 1269
prosecuting attorney, or both, for prosecution; 1270

(2) On and after August 24, 1995, report a failure to 1271
comply with or a violation of a provision in sections 3517.08 to 1272
3517.13, 3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised 1273
Code, whenever the secretary of state has or should have 1274
knowledge of a failure to comply with or a violation of a 1275
provision in one of those sections, by filing a complaint with 1276
the Ohio elections commission under section 3517.153 of the 1277
Revised Code. 1278

(O) Make an annual report to the governor containing the 1279
results of elections, the cost of elections in the various 1280
counties, a tabulation of the votes in the several political 1281
subdivisions, and other information and recommendations relative 1282
to elections the secretary of state considers desirable; 1283

(P) Prescribe and distribute to boards of elections a list 1284
of instructions indicating all legal steps necessary to petition 1285
successfully for local option elections under sections 4301.32 1286
to 4301.41, 4303.29, 4305.14, and 4305.15 of the Revised Code; 1287

(Q) Adopt rules pursuant to Chapter 119. of the Revised 1288
Code for the removal by boards of elections of ineligible voters 1289
from the statewide voter registration database and, if 1290
applicable, from the poll list or signature pollbook used in 1291
each precinct, which rules shall provide for all of the 1292
following: 1293

(1) A process for the removal of voters who have changed 1294
residence using the national change of address service provided 1295
by the United States postal system through its licensees, which 1296

shall be uniform, nondiscriminatory, and in compliance with the 1297
Voting Rights Act of 1965 and the National Voter Registration 1298
Act of 1993, ~~including a program that uses the national change-~~ 1299
~~of address service provided by the United States postal system-~~ 1300
~~through its licensees;~~ 1301

(2) A process for the removal of ineligible voters through 1302
the automated voter registration system described in section 1303
3503.11 of the Revised Code and a process for the removal of 1304
ineligible voters under section 3503.21 of the Revised Code; 1305

(3) A process to correct errors in removing a voter's 1306
voter registration under division (Q) (2) of this section so the 1307
improperly removed voter can have the voter's registration 1308
immediately restored and the voter can cast a ballot that shall 1309
be counted as if the voter were never removed. 1310

(4) A uniform system for marking or removing the name of a 1311
voter who is ineligible to vote from the statewide voter 1312
registration database and, if applicable, from the poll list or 1313
signature pollbook used in each precinct and noting the reason 1314
for that mark or removal. 1315

(R) (1) Prescribe a general program for registering voters 1316
or updating voter registration information, such as name and 1317
residence changes, by boards of elections, designated agencies, 1318
offices of deputy registrars of motor vehicles, public high 1319
schools and vocational schools, public libraries, and offices of 1320
county treasurers consistent with the requirements of section 1321
3503.09 of the Revised Code; 1322

(2) Adopt rules pursuant to Chapter 119. of the Revised 1323
Code to develop, implement, and administer the automated voter 1324
registration system described in section 3503.11 of the Revised 1325

Code, including rules prescribing procedures for the secretary 1326
of state and the bureau of motor vehicles to follow to ensure 1327
that only United States citizens who are eligible electors are 1328
registered to vote through the system. 1329

(3) Adopt rules pursuant to Chapter 119. of the Revised 1330
Code to evaluate the information maintained by state agencies 1331
other than the bureau of motor vehicles to identify state 1332
agencies that feasibly could participate in the automated voter 1333
registration system and coordinate with those agencies to 1334
establish participation from those agencies with the automated 1335
voter registration system described in section 3503.11 of the 1336
Revised Code. Not later than one year after implementation of 1337
the automated voter registration system, submit to the general 1338
assembly and publish, on a web site of the office of the 1339
secretary of state, a feasibility study that discusses the 1340
evaluation of and any coordination with state agencies under 1341
this division. 1342

(S) Prescribe a program of distribution of voter 1343
registration forms through boards of elections, designated 1344
agencies, offices of the registrar and deputy registrars of 1345
motor vehicles, public high schools and vocational schools, 1346
public libraries, and offices of county treasurers; 1347

(T) To the extent feasible, provide copies, at no cost and 1348
upon request, of the voter registration form in post offices in 1349
this state; 1350

(U) Adopt rules pursuant to section 111.15 of the Revised 1351
Code for the purpose of implementing the program for registering 1352
voters through boards of elections, designated agencies, and the 1353
offices of the registrar and deputy registrars of motor vehicles 1354
consistent with this chapter; 1355

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

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

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

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

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

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

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

(Z) Conduct voter education outlining voter identification, absent voters ballot, provisional ballot, and other voting requirements;

(AA) Establish a procedure by which a registered elector may make available to a board of elections a ~~more recent~~ current signature to be used in the poll list or signature pollbook produced by the board of elections of the county in which the elector resides;

(BB) Disseminate information, which may include all or part of the official explanations and arguments, by means of direct mail or other written publication, broadcast, or other means or combination of means, as directed by the Ohio ballot board under division (F) of section 3505.062 of the Revised Code, in order to inform the voters as fully as possible concerning each proposed constitutional amendment, proposed law, or referendum;

(CC) Be the single state office responsible for the implementation of the "Uniformed and Overseas Citizens Absentee Voting Act," ~~Pub. L. No. 99-410, 100 Stat. 924, 42-52 U.S.C. 1973ff, 20301~~ et seq., as amended, in this state. The secretary of state may delegate to the boards of elections

responsibilities for the implementation of that act, including 1415
responsibilities arising from amendments to that act made by the 1416
"Military and Overseas Voter Empowerment Act," Subtitle H of the 1417
"National Defense Authorization Act for Fiscal Year 2010," Pub. 1418
L. No. 111-84, 123 Stat. 3190. 1419

(DD) Adopt rules, under Chapter 119. of the Revised Code, 1420
to establish procedures and standards for determining when a 1421
board of elections shall be placed under the official oversight 1422
of the secretary of state, placing a board of elections under 1423
the official oversight of the secretary of state, a board that 1424
is under official oversight to transition out of official 1425
oversight, and the secretary of state to supervise a board of 1426
elections that is under official oversight of the secretary of 1427
state. 1428

(EE) Perform other duties required by law. 1429

Whenever a primary election is held under section 3513.32 1430
of the Revised Code or a special election is held under section 1431
3521.03 of the Revised Code to fill a vacancy in the office of 1432
representative to congress, the secretary of state shall 1433
establish a deadline, notwithstanding any other deadline 1434
required under the Revised Code, by which any or all of the 1435
following shall occur: the filing of a declaration of candidacy 1436
and petitions or a statement of candidacy and nominating 1437
petition together with the applicable filing fee; the filing of 1438
protests against the candidacy of any person filing a 1439
declaration of candidacy or nominating petition; the filing of a 1440
declaration of intent to be a write-in candidate; the filing of 1441
campaign finance reports; the preparation of, and the making of 1442
corrections or challenges to, precinct voter registration lists; 1443
the receipt of applications for absent voter's ballots or 1444

uniformed services or overseas absent voter's ballots; the 1445
supplying of election materials to precincts by boards of 1446
elections; the holding of hearings by boards of elections to 1447
consider challenges to the right of a person to appear on a 1448
voter registration list; and the scheduling of programs to 1449
instruct or reinstruct election officers. 1450

In the performance of the secretary of state's duties as 1451
the chief election officer, the secretary of state may 1452
administer oaths, issue subpoenas, summon witnesses, compel the 1453
production of books, papers, records, and other evidence, and 1454
fix the time and place for hearing any matters relating to the 1455
administration and enforcement of the election laws. 1456

In any controversy involving or arising out of the 1457
adoption of registration or the appropriation of funds for 1458
registration, the secretary of state may, through the attorney 1459
general, bring an action in the name of the state in the court 1460
of common pleas of the county where the cause of action arose or 1461
in an adjoining county, to adjudicate the question. 1462

In any action involving the laws in Title XXXV of the 1463
Revised Code wherein the interpretation of those laws is in 1464
issue in such a manner that the result of the action will affect 1465
the lawful duties of the secretary of state or of any board of 1466
elections, the secretary of state may, on the secretary of 1467
state's motion, be made a party. 1468

The secretary of state may apply to any court that is 1469
hearing a case in which the secretary of state is a party, for a 1470
change of venue as a substantive right, and the change of venue 1471
shall be allowed, and the case removed to the court of common 1472
pleas of an adjoining county named in the application or, if 1473
there are cases pending in more than one jurisdiction that 1474

involve the same or similar issues, the court of common pleas of Franklin county.

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

The secretary of state may mail unsolicited applications for absent voter's ballots to individuals only for a general election and only if the general assembly has made an appropriation for that particular mailing. Under no other circumstance shall a public office, or a public official or employee who is acting in an official capacity, mail unsolicited applications for absent voter's ballots to any individuals.

Sec. 3503.011. (A) A person who is sixteen or seventeen years of age, will not be eighteen years of age on or before the date of the next general election, and, but for the person's age, would be eligible to vote, may preregister to vote by submitting an application to register to vote in the same manner as a person who is eligible to register to vote may do so. The board of elections shall handle the person's application in accordance with section 3503.192 of the Revised Code.

(B) At a primary election every qualified elector who is or will be on the day of the next general election eighteen or more years of age, and who is a member of or is affiliated with the political party whose primary election ballot—~~he the~~ qualified elector desires to vote, shall be entitled to vote such ballot at the primary election.

Sec. 3503.09. (A) (1) The secretary of state shall adopt rules for the electronic transmission by boards of elections,

designated agencies, offices of deputy registrars of motor 1504
vehicles, public high schools and vocational schools, public 1505
libraries, and offices of county treasurers, where applicable, 1506
of change of name and change of residence—~~changes forms~~ for 1507
voter registration—~~records in the statewide voter registration~~ 1508
~~database.~~ 1509

(2) The secretary of state shall adopt rules for the 1510
purpose of improving the speed of processing new voter 1511
registrations that permit information from a voter registration 1512
application received by a designated agency or an office of 1513
deputy registrar of motor vehicles to be made available 1514
electronically, in addition to requiring the original voter 1515
registration application to be transmitted to the applicable 1516
board of elections under division (E) (2) of section 3503.10 ~~or~~ 1517
~~section 3503.11~~ of the Revised Code. 1518

(B) Rules adopted under division (A) of this section shall 1519
do all of the following: 1520

(1) Prohibit any direct electronic connection between a 1521
designated agency, office of deputy registrar of motor vehicles, 1522
public high school or vocational school, public library, or 1523
office of a county treasurer and the statewide voter 1524
registration database; 1525

(2) Require any updated voter registration information to 1526
be verified by the secretary of state or a board of elections 1527
before the information is added to the statewide voter 1528
registration database for the purpose of modifying an existing 1529
voter registration; 1530

(3) Require each designated agency or office of deputy 1531
registrar of motor vehicles that transmits voter registration 1532

information electronically to transmit an identifier for data 1533
relating to each new voter registration that shall be used by 1534
the secretary of state or a board of elections to match the 1535
electronic data to the original voter registration application. 1536

(C) This section does not apply to information transmitted 1537
to the secretary of state under section 3503.11 of the Revised 1538
Code. 1539

Sec. 3503.10. (A) Each designated agency shall designate 1540
one person within that agency to serve as coordinator for the 1541
voter registration program within the agency and its 1542
departments, divisions, and programs. The designated person 1543
shall be trained under a program designed by the secretary of 1544
state and shall be responsible for administering all aspects of 1545
the voter registration program for that agency as prescribed by 1546
the secretary of state. The designated person shall receive no 1547
additional compensation for performing such duties. 1548

(B) Every designated agency, public high school and 1549
vocational school, public library, and office of a county 1550
treasurer shall provide in each of its offices or locations 1551
voter registration applications and assistance in the 1552
registration of persons qualified to register to vote, in 1553
accordance with this chapter. For purposes of this section, 1554
registration to vote includes preregistration to vote in 1555
accordance with section 3503.011 of the Revised Code. 1556

(C) Every designated agency shall distribute to its 1557
applicants, prior to or in conjunction with distributing a voter 1558
registration application, a form prescribed by the secretary of 1559
state that includes all of the following: 1560

(1) The question, "Do you want to register to vote or 1561

update your current voter registration?"--followed by boxes for 1562
the applicant to indicate whether the applicant would like to 1563
register or decline to register to vote, and the statement, 1564
highlighted in bold print, "If you do not check either box, you 1565
will be considered to have decided not to register to vote at 1566
this time."; 1567

(2) If the agency provides public assistance, the 1568
statement, "Applying to register or declining to register to 1569
vote will not affect the amount of assistance that you will be 1570
provided by this agency."; 1571

(3) The statement, "If you would like help in filling out 1572
the voter registration application form, we will help you. The 1573
decision whether to seek or accept help is yours. You may fill 1574
out the application form in private."; 1575

(4) The statement, "If you believe that someone has 1576
interfered with your right to register or to decline to register 1577
to vote, your right to privacy in deciding whether to register 1578
or in applying to register to vote, or your right to choose your 1579
own political party or other political preference, you may file 1580
a complaint with the prosecuting attorney of your county or with 1581
the secretary of state," with the address and telephone number 1582
for each such official's office. 1583

(D) Each designated agency shall distribute a voter 1584
registration form prescribed by the secretary of state to each 1585
applicant with each application for service or assistance, and 1586
with each written application or form for recertification, 1587
renewal, or change of address. 1588

(E) Each designated agency shall do all of the following: 1589

(1) Have employees trained to administer the voter 1590

registration program in order to provide to each applicant who 1591
wishes to register to vote and who accepts assistance, the same 1592
degree of assistance with regard to completion of the voter 1593
registration application as is provided by the agency with 1594
regard to the completion of its own form; 1595

(2) Accept completed voter registration applications, and 1596
voter registration change of residence and change of name forms, 1597
~~and voter registration change of name forms,~~ regardless of 1598
whether the application or form was distributed by the 1599
designated agency, for transmittal to the office of the board of 1600
elections in the county in which the agency is located. Each 1601
designated agency and the appropriate board of elections shall 1602
establish a method by which the voter registration applications 1603
and other voter registration forms are transmitted to that board 1604
of elections within five days after being accepted by the 1605
agency. 1606

(3) If the designated agency is one that is primarily 1607
engaged in providing services to persons with disabilities under 1608
a state-funded program, and that agency provides services to a 1609
person with disabilities at a person's home, provide the 1610
services described in divisions (E) (1) and (2) of this section 1611
at the person's home; 1612

(4) Keep as confidential, except as required by the 1613
secretary of state for record-keeping purposes, the identity of 1614
an agency through which a person registered to vote or updated 1615
the person's voter registration records, and information 1616
relating to a declination to register to vote made in connection 1617
with a voter registration application issued by a designated 1618
agency. 1619

(F) The secretary of state shall prepare and transmit 1620

written instructions on the implementation of the voter 1621
registration program within each designated agency, public high 1622
school and vocational school, public library, and office of a 1623
county treasurer. The instructions shall include directions as 1624
follows: 1625

(1) That each person designated to assist with voter 1626
registration maintain strict neutrality with respect to a 1627
person's political philosophies, a person's right to register or 1628
decline to register, and any other matter that may influence a 1629
person's decision to register or not register to vote; 1630

(2) That each person designated to assist with voter 1631
registration not seek to influence a person's decision to 1632
register or not register to vote, not display or demonstrate any 1633
political preference or party allegiance, and not make any 1634
statement to a person or take any action the purpose or effect 1635
of which is to lead a person to believe that a decision to 1636
register or not register has any bearing on the availability of 1637
services or benefits offered, on the grade in a particular class 1638
in school, or on credit for a particular class in school; 1639

(3) Regarding when and how to assist a person in 1640
completing the voter registration application, what to do with 1641
the completed voter registration application or voter 1642
registration update form, and when the application must be 1643
transmitted to the appropriate board of elections; 1644

(4) Regarding what records must be kept by the agency and 1645
where and when those records should be transmitted to satisfy 1646
reporting requirements imposed on the secretary of state under 1647
the National Voter Registration Act of 1993; 1648

(5) Regarding whom to contact to obtain answers to 1649

questions about voter registration forms and procedures. 1650

(G) If the voter registration activity is part of an in- 1651
class voter registration program in a public high school or 1652
vocational school, whether prescribed by the secretary of state 1653
or independent of the secretary of state, the board of education 1654
shall do all of the following: 1655

(1) Establish a schedule of school days and hours during 1656
these days when the person designated to assist with voter 1657
registration shall provide voter registration assistance; 1658

(2) Designate a person to assist with voter registration 1659
from the public high school's or vocational school's staff; 1660

(3) Make voter registration applications and materials 1661
available, as outlined in the voter registration program 1662
established by the secretary of state pursuant to section 1663
3501.05 of the Revised Code; 1664

(4) Distribute the statement, "applying to register or 1665
declining to register to vote will not affect or be a condition 1666
of your receiving a particular grade in or credit for a school 1667
course or class, participating in a curricular or 1668
extracurricular activity, receiving a benefit or privilege, or 1669
participating in a program or activity otherwise available to 1670
pupils enrolled in this school district's schools."; 1671

(5) Establish a method by which the voter registration 1672
application and other voter registration forms are transmitted 1673
to the board of elections within five days after being accepted 1674
by the public high school or vocational school. 1675

(H) Any person employed by the designated agency, public 1676
high school or vocational school, public library, or office of a 1677
county treasurer may be designated to assist with voter 1678

registration pursuant to this section. The designated agency, 1679
public high school or vocational school, public library, or 1680
office of a county treasurer shall provide the designated 1681
person, and make available such space as may be necessary, 1682
without charge to the county or state. 1683

(I) The secretary of state shall prepare and cause to be 1684
displayed in a prominent location in each designated agency a 1685
notice that identifies the person designated to assist with 1686
voter registration, the nature of that person's duties, and 1687
where and when that person is available for assisting in the 1688
registration of voters. 1689

A designated agency may furnish additional supplies and 1690
services to disseminate information to increase public awareness 1691
of the existence of a person designated to assist with voter 1692
registration in every designated agency. 1693

(J) This section does not limit any authority a board of 1694
education, superintendent, or principal has to allow, sponsor, 1695
or promote voluntary election registration programs within a 1696
high school or vocational school, including programs in which 1697
pupils serve as persons designated to assist with voter 1698
registration, provided that no pupil is required to participate. 1699

(K) Each public library and office of the county treasurer 1700
shall establish a method by which voter registration forms are 1701
transmitted to the board of elections within five days after 1702
being accepted by the public library or office of the county 1703
treasurer. 1704

(L) The department of job and family services and its 1705
departments, divisions, and programs shall limit administration 1706
of the aspects of the voter registration program for the 1707

department to the requirements prescribed by the secretary of 1708
state and the requirements of this section and the National 1709
Voter Registration Act of 1993. 1710

Sec. 3503.11. (A) (1) (a) The bureau of motor vehicles shall 1711
provide to the secretary of state, once per business day, 1712
electronic records concerning each person who appears to be 1713
eligible to register or preregister to vote or to update the 1714
person's registration or preregistration and about whom the 1715
bureau possesses the information listed in division (A) (2) of 1716
this section for the purpose of automatically registering or 1717
preregistering the person to vote in accordance with this 1718
section. 1719

(b) Unless prohibited by federal law and no written 1720
consent has been provided by the student, each public or private 1721
secondary school shall provide to the secretary of state, in 1722
accordance with a schedule established by the secretary of 1723
state, electronic records concerning each person who reaches 1724
sixteen, seventeen, or eighteen years of age who appears to be 1725
eligible to register or preregister to vote or to update the 1726
person's registration or preregistration, and about whom the 1727
school possesses the information listed in division (A) (2) of 1728
this section for the purpose of automatically registering or 1729
preregistering the person to vote or updating the person's 1730
registration or preregistration in accordance with this section. 1731

(2) A bureau or school that is required to transmit 1732
information concerning a person under division (A) (1) of this 1733
section shall transmit all of the following information 1734
concerning that person: 1735

(a) The person's legal name; 1736

<u>(b) The person's residence address;</u>	1737
<u>(c) The person's date of birth;</u>	1738
<u>(d) The number of the person's driver's license or state</u>	1739
<u>identification card or the last four digits of the person's</u>	1740
<u>social security number;</u>	1741
<u>(e) Whether the person is a United States citizen;</u>	1742
<u>(f) An electronic image of the person's signature.</u>	1743
<u>(B) (1) Upon receiving the information concerning a person</u>	1744
<u>under division (A) of this section, the secretary of state shall</u>	1745
<u>transmit that information to the board of elections of the</u>	1746
<u>county in which the person resides. The board shall determine</u>	1747
<u>whether the person is eligible to register or preregister to</u>	1748
<u>vote or to update the person's registration or preregistration</u>	1749
<u>and, if the person is eligible, shall send the person a notice,</u>	1750
<u>on a form prescribed by the secretary of state, that contains</u>	1751
<u>all of the following information:</u>	1752
<u>(a) The fact that the person will be registered or</u>	1753
<u>preregistered to vote or have the person's registration or</u>	1754
<u>preregistration updated unless the person declines to be</u>	1755
<u>registered or preregistered to vote or update the person's</u>	1756
<u>registration or preregistration;</u>	1757
<u>(b) The procedure to decline to be registered or</u>	1758
<u>preregistered to vote or to update the person's registration or</u>	1759
<u>preregistration;</u>	1760
<u>(c) The bureau or school that provided the information</u>	1761
<u>that will be used to register or preregister the person to vote</u>	1762
<u>or update the person's registration or preregistration;</u>	1763
<u>(d) The precinct in which the person will be registered or</u>	1764

preregistered to vote; 1765

(e) A statement in bold type as follows: 1766

"Voters must bring identification to the polls in order to 1767
verify identity. Identification may include a current and valid 1768
photo identification, a military identification, or a copy of a 1769
current utility bill, bank statement, government check, 1770
paycheck, or other government document, other than a voter 1771
registration notice, that shows the voter's name and current 1772
address. Voters who do not provide one of these documents will 1773
still be able to vote by casting a provisional ballot. Voters 1774
who do not have any of the above forms of identification, 1775
including a social security number, will still be able to vote 1776
by signing an affirmation swearing to the voter's identity under 1777
penalty of election falsification and by casting a provisional 1778
ballot." 1779

(2) The notice shall be by nonforwardable mail. If the 1780
notice is returned to the board, it shall investigate and cause 1781
the notice to be delivered to the correct address. 1782

(C) (1) Except as provided in division (C) (3) (a) of this 1783
section, not earlier than twenty-one days after sending the 1784
notice described in division (B) of this section to a person, 1785
the board of elections shall register or preregister the person 1786
to vote or update the person's registration or preregistration, 1787
as applicable. The electronic record transmitted to the board of 1788
elections under this section shall be considered to be the 1789
person's voter registration or preregistration form. 1790

(2) (a) If, after investigating as required under division 1791
(B) (2) of this section, the board is unable to verify the 1792
person's correct address, it shall register the person to vote 1793

and shall cause the person's name in the official registration 1794
list and in the poll list or signature pollbook to be marked to 1795
indicate that the person's notice was returned to the board. 1796

At the first election at which an elector whose name has 1797
been so marked appears to vote, the elector shall be required to 1798
provide identification to the election officials and to vote by 1799
provisional ballot under section 3505.181 of the Revised Code. 1800
If the provisional ballot is counted pursuant to division (B) (3) 1801
of section 3505.183 of the Revised Code, the board shall correct 1802
the elector's registration, if needed, and shall remove the 1803
indication that the elector's notice was returned from that 1804
elector's name on the official registration list and on the poll 1805
list or signature pollbook. If the provisional ballot is not 1806
counted pursuant to division (B) (4) (a) (i), (v), or (vi) of 1807
section 3503.183 of the Revised Code, the elector's registration 1808
shall be canceled. The board shall notify the elector by United 1809
States mail of the cancellation. 1810

(b) If the notice described in division (B) (1) of this 1811
section is sent by nonforwardable mail and is returned 1812
undelivered, the person shall be registered or preregistered as 1813
provided in division (C) (1) of this section and sent a 1814
confirmation notice by forwardable mail. If the person fails to 1815
respond to the confirmation notice, update the person's 1816
registration or preregistration, or vote by provisional ballot 1817
as provided in division (C) (2) (a) of this section in any 1818
election during the next four-year period, which includes two 1819
federal elections, subsequent to the mailing of the confirmation 1820
notice, the person's registration or preregistration shall be 1821
canceled. 1822

(3) (a) A board of elections shall not register or 1823

preregister a person to vote or update an elector's registration 1824
or preregistration under this section if the board determines 1825
that the person is not eligible to register or preregister or if 1826
the person declines to register or preregister or to update the 1827
elector's registration or preregistration. 1828

(b) If, after a person has been registered or 1829
preregistered to vote under this section, the person declines to 1830
register or preregister, the board of elections shall treat the 1831
declination as a request to cancel the person's registration or 1832
preregistration. 1833

(c) If, after an elector's registration or preregistration 1834
has been updated under this section, the elector declines to 1835
update the elector's registration or preregistration, the board 1836
of elections shall correct the elector's registration or 1837
preregistration to reflect the name, address, or both, as 1838
applicable, that it contained before the board updated the 1839
elector's registration or preregistration. 1840

Sec. 3503.12. All registrations shall be carefully 1841
checked, and in case any person is found to have ~~registered~~ more 1842
than ~~once~~ one registration form, the additional registration 1843
forms shall be canceled by the board of elections. 1844

Six weeks prior to the day of a special, primary, or 1845
general election, the board shall publish notices in one or more 1846
newspapers of general circulation advertising the places, dates, 1847
times, methods of registration, and voter qualifications for 1848
registration. 1849

The board shall establish a schedule or program to assure 1850
to the extent reasonably possible that, on or before November 1, 1851
1980, all registration places shall be free of barriers that 1852

would impede the ingress and egress of handicapped persons. 1853
Entrances shall be level or shall be provided with a nonskid 1854
ramp of not over eight per cent gradient, and doors shall be a 1855
minimum of thirty-two inches wide. Registration places located 1856
at polling places shall, however, comply with the requirements 1857
of section 3501.29 of the Revised Code for the elimination of 1858
barriers. 1859

As used in this section, "handicapped" means having lost 1860
the use of one or both legs, one or both arms, or any 1861
combination thereof, or being blind or so severely disabled as 1862
to be unable to move about without the aid of crutches or a 1863
wheelchair. 1864

Sec. 3503.13. (A) Except as otherwise provided in ~~section~~ 1865
sections 111.44 and 3503.22 of the Revised Code or by state or 1866
federal law, registration forms ~~submitted by applicants~~ and the 1867
statewide voter registration database established under section 1868
3503.15 of the Revised Code shall be open to public inspection 1869
at all times when the office of the board of elections is open 1870
for business, under such regulations as the board adopts, 1871
provided that no person shall be permitted to inspect voter 1872
registration forms except in the presence of an employee of the 1873
board. 1874

(B) A board of elections may use a legible digitized 1875
signature list of voter signatures, copied from the signatures 1876
on the registration forms in a form and manner prescribed by the 1877
secretary of state, provided that the board includes the 1878
required voter registration information in the statewide voter 1879
registration database established under section 3503.15 of the 1880
Revised Code, and provided that the precinct election officials 1881
have computer printouts at the polls prepared in the manner 1882

required under section 3503.23 of the Revised Code. 1883

Sec. 3503.14. (A) The secretary of state shall prescribe 1884
the form and content of the registration, change of residence, 1885
and change of name forms used in this state. The forms shall 1886
meet the requirements of the National Voter Registration Act of 1887
1993 and shall include spaces for all of the following: 1888

(1) The voter's name; 1889

(2) The voter's address; 1890

(3) The current date; 1891

(4) The voter's date of birth; 1892

(5) The voter to provide one or more of the following: 1893

(a) The voter's driver's license number, if any; 1894

(b) The last four digits of the voter's social security 1895
number, if any; 1896

(c) A copy of a current and valid photo identification, a 1897
copy of a military identification, or a copy of a current 1898
utility bill, bank statement, government check, paycheck, or 1899
other government document, other than a notice of voter 1900
registration mailed by a board of elections ~~under section~~ 1901
~~3503.19 of the Revised Code~~, that shows the voter's name and 1902
address. 1903

(6) The voter's signature. 1904

~~The registration form shall include a space on which the~~ 1905
~~person registering an applicant shall sign the person's name and~~ 1906
~~provide the person's address and a space on which the person~~ 1907
~~registering an applicant shall name the employer who is~~ 1908
~~employing that person to register the applicant.~~ 1909

Except for forms prescribed by the secretary of state 1910
under section 3503.11 of the Revised Code, the secretary of 1911
state shall permit boards of elections to produce forms that 1912
have subdivided spaces for each individual alphanumeric 1913
character of the information provided by the voter so as to 1914
accommodate the electronic reading and conversion of the voter's 1915
information to data and the subsequent electronic transfer of 1916
that data to the statewide voter registration database 1917
established under section 3503.15 of the Revised Code. 1918

~~(B) None of the following persons who are registering an 1919
applicant in the course of that official's or employee's normal 1920
duties shall sign the person's name, provide the person's 1921
address, or name the employer who is employing the person to 1922
register an applicant on a form prepared under this section: 1923~~

~~(1) An election official; 1924~~

~~(2) A county treasurer; 1925~~

~~(3) A deputy registrar of motor vehicles; 1926~~

~~(4) An employee of a designated agency; 1927~~

~~(5) An employee of a public high school; 1928~~

~~(6) An employee of a public vocational school; 1929~~

~~(7) An employee of a public library; 1930~~

~~(8) An employee of the office of a county treasurer; 1931~~

~~(9) An employee of the bureau of motor vehicles; 1932~~

~~(10) An employee of a deputy registrar of motor vehicles; 1933~~

~~(11) An employee of an election official. 1934~~

~~(C) Except as provided in section 3501.382 of the Revised 1935~~

Code, any applicant who is unable to sign the applicant's own 1936
name shall make an "X," if possible, which shall be certified by 1937
the signing of the name of the applicant by the person filling 1938
out the form, who shall add the person's own signature. If an 1939
applicant is unable to make an "X," the applicant shall indicate 1940
in some manner that the applicant desires to register to vote or 1941
to change the applicant's name or residence. ~~The person~~ 1942
~~registering the applicant shall sign the form and attest that~~ 1943
~~the applicant indicated that the applicant desired to register~~ 1944
~~to vote or to change the applicant's name or residence.~~ 1945

~~(D) No registration, change of residence, or change of~~ 1946
~~name form shall be rejected solely on the basis that a person~~ 1947
~~registering an applicant failed to sign the person's name or~~ 1948
~~failed to name the employer who is employing that person to~~ 1949
~~register the applicant as required under division (A) of this~~ 1950
~~section.~~ 1951

~~(E)~~ (C) A voter registration application submitted online 1952
through the internet pursuant to section 3503.20 of the Revised 1953
Code is not required to contain a signature to be considered 1954
valid. ~~The signature obtained under division (B) of that section~~ 1955
~~shall be considered the applicant's signature for all election~~ 1956
~~and signature matching purposes.~~ 1957

~~(F) As used in this section, "registering an applicant"~~ 1958
~~includes any effort, for compensation, to provide voter~~ 1959
~~registration forms or to assist persons in completing or~~ 1960
~~returning those forms.~~ 1961

Sec. 3503.15. (A) (1) The secretary of state shall 1962
establish and maintain a statewide voter registration database 1963
that shall be administered by the office of the secretary of 1964
state and made continuously available to each board of elections 1965

and to other agencies as authorized by law. 1966

(2) (a) State agencies, including, but not limited to, the 1967
department of health, the bureau of motor vehicles, the 1968
department of job and family services, the department of 1969
medicaid, and the department of rehabilitation and corrections, 1970
shall provide any information and data to the secretary of state 1971
that is collected in the course of normal business and that is 1972
necessary to register to vote, to update an elector's 1973
registration, or to maintain the statewide voter registration 1974
database established pursuant to this section, except where 1975
prohibited by federal law or regulation. The department of 1976
health, the bureau of motor vehicles, the department of job and 1977
family services, the department of medicaid, and the department 1978
of rehabilitation and corrections shall provide that information 1979
and data to the secretary of state not later than the last day 1980
of each month. The secretary of state shall ensure that any 1981
information or data provided to the secretary of state that is 1982
confidential in the possession of the entity providing the data 1983
remains confidential while in the possession of the secretary of 1984
state. No public office, and no public official or employee, 1985
shall sell that information or data or use that information or 1986
data for profit. 1987

~~(b) Information provided under this division for 1988
maintenance of the statewide voter registration database shall 1989
not be used to update the name or address of a registered 1990
elector. The name or address of a registered elector shall only 1991
be updated as a result of the elector's actions in filing a 1992
notice of change of name, change of address, or both. 1993~~

~~(c) A Except for cases in which an elector's registration 1994
or preregistration is updated through the system described in 1995~~

section 3503.11 of the Revised Code, a board of elections shall 1996
contact a registered elector pursuant to the rules adopted under 1997
division (D) (7) of this section to verify the accuracy of the 1998
information in the statewide voter registration database 1999
regarding that elector if that information does not conform with 2000
information provided under division (A) (2) (a) of this section 2001
and the discrepancy would affect the elector's eligibility to 2002
cast a regular ballot. 2003

(3) (a) The secretary of state shall enter into agreements 2004
to share information or data that is in the possession of the 2005
secretary of state with other states or groups of states, as the 2006
secretary of state considers necessary, in order to maintain the 2007
statewide voter registration database established pursuant to 2008
this section. Except as otherwise provided in division (A) (3) (b) 2009
of this section, the secretary of state shall ensure that any 2010
information or data provided to the secretary of state that is 2011
confidential in the possession of the state providing the data 2012
remains confidential while in the possession of the secretary of 2013
state. 2014

(b) The secretary of state may provide such otherwise 2015
confidential information or data to persons or organizations 2016
that are engaging in legitimate governmental purposes related to 2017
the maintenance of the statewide voter registration database. 2018
The secretary of state shall adopt rules pursuant to Chapter 2019
119. of the Revised Code identifying the persons or 2020
organizations who may receive that information or data. The 2021
secretary of state shall not share that information or data with 2022
a person or organization not identified in those rules. The 2023
secretary of state shall ensure that a person or organization 2024
that receives confidential information or data under this 2025
division keeps the information or data confidential in the 2026

person's or organization's possession by, at a minimum, entering 2027
into a confidentiality agreement with the person or 2028
organization. Any confidentiality agreement entered into under 2029
this division shall include a requirement that the person or 2030
organization submit to the jurisdiction of this state in the 2031
event that the person or organization breaches the agreement. 2032

(4) No person or entity that receives information or data 2033
under division (A) (3) of this section shall sell the information 2034
or data or use the information or data for profit. 2035

(5) The secretary of state shall regularly transmit to the 2036
boards of elections, to the extent permitted by state and 2037
federal law, the information and data the secretary of state 2038
receives under divisions (A) (2) and (3) of this section that is 2039
necessary to do the following, in order to ensure that the 2040
accuracy of the statewide voter registration database is 2041
maintained on a regular basis in accordance with applicable 2042
state and federal law: 2043

(a) Require the boards of elections to maintain the 2044
database in a manner that ensures that the name of each 2045
registered elector appears in the database, that only 2046
individuals who are not registered or eligible to vote are 2047
removed from the database, and that duplicate registrations are 2048
eliminated from the database; 2049

(b) Require the boards of elections to make a reasonable 2050
effort to remove individuals who are not eligible to vote from 2051
the database; 2052

(c) Establish safeguards to ensure that eligible electors 2053
are not removed in error from the database. 2054

(B) The statewide voter registration database established 2055

under this section shall be the official list of registered voters for all elections conducted in this state.

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

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

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

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

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

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

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

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

- (1) Specifying the manner in which existing voter registration records maintained by boards of elections shall be converted to electronic files for inclusion in the statewide voter registration database; 2084
2085
2086
2087
- (2) Establishing a uniform method for entering voter registration records into the statewide voter registration database on an expedited basis, but not less than once per day, if new registration information is received; 2088
2089
2090
2091
- (3) Establishing a uniform method for purging canceled voter registration records from the statewide voter registration database in accordance with section 3503.21 of the Revised Code; 2092
2093
2094
- (4) Specifying the persons authorized to add, delete, modify, or print records contained in the statewide voter registration database and to make updates of that database; 2095
2096
2097
- (5) Establishing a process for annually auditing the information contained in the statewide voter registration database; 2098
2099
2100
- ~~(6) Establishing, by mutual agreement with the bureau of motor vehicles, the content and format of the information and data the bureau of motor vehicles shall provide to the secretary of state under division (A) (2) (a) of this section and the frequency with which the bureau shall provide that information and data~~ 2101
2102
2103
2104
2105
Specifying methods to prevent disclosure of any information that is exempt from disclosure under section 111.44, 149.43, or 3503.22 of the Revised Code; 2106
2107
2108
- (7) Establishing a uniform method for addressing instances in which records contained in the statewide voter registration database do not conform with records maintained by an agency, state, or group of states described in division (A) (2) (a) or (3) 2109
2110
2111
2112

(a) of this section. That method shall prohibit an elector's voter registration from being canceled on the sole basis that the information in the registration record does not conform to records maintained by such an agency.

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

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

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

(a) Except as otherwise provided in division (G) (1) (b) of this section and in sections 111.44 and 3503.22 of the Revised Code, the following information from the statewide voter registration database regarding a registered voter shall be made available on the web site:

- (i) The voter's name;
- (ii) The voter's address;
- (iii) The voter's precinct number;
- (iv) The voter's voting history.

(b) During the thirty days before the day of a primary or

general election, the web site interface of the statewide voter 2141
registration database shall permit a voter to search for the 2142
polling location at which that voter may cast a ballot. 2143

(2) The secretary of state shall establish, by rule 2144
adopted under Chapter 119. of the Revised Code, a process for 2145
boards of elections to notify the secretary of state of changes 2146
in the locations of precinct polling places for the purpose of 2147
updating the information made available on the secretary of 2148
state's web site under division (G) (1) (b) of this section. Those 2149
rules shall require a board of elections, during the thirty days 2150
before the day of a primary or general election, to notify the 2151
secretary of state within one business day of any change to the 2152
location of a precinct polling place within the county. 2153

(3) During the thirty days before the day of a primary or 2154
general election, not later than one business day after 2155
receiving a notification from a county pursuant to division (G) 2156
(2) of this section that the location of a precinct polling 2157
place has changed, the secretary of state shall update that 2158
information on the secretary of state's web site for the purpose 2159
of division (G) (1) (b) of this section. 2160

(H) The secretary of state shall conduct an annual review 2161
of the statewide voter registration database as follows: 2162

(1) The secretary of state shall compare the information 2163
in the statewide voter registration database with the 2164
information the secretary of state obtains from the bureau of 2165
motor vehicles under division (A) (2) of this section to identify 2166
any person who does all of the following, in the following 2167
order: 2168

(a) Submits documentation to the bureau of motor vehicles 2169

that indicates that the person is not a United States citizen; 2170

(b) ~~Registers~~ Is registered to vote, ~~submits a~~ has the 2171
person's voter registration change of residence or change of 2172
name form updated, or votes in this state; 2173

(c) Submits documentation to the bureau of motor vehicles 2174
that indicates that the person is not a United States citizen. 2175

(2) The secretary of state shall send a written notice to 2176
each person identified under division (H) (1) of this section, 2177
instructing the person either to confirm that the person is a 2178
United States citizen or to submit a completed voter 2179
registration cancellation form to the secretary of state. The 2180
secretary of state shall include a blank voter registration 2181
cancellation form with the notice. If the person fails to 2182
respond to the secretary of state in the manner described in 2183
division (H) (3) or (4) of this section not later than thirty 2184
days after the notice was sent, the secretary of state promptly 2185
shall send the person a second notice and form. 2186

(3) If, not later than sixty days after the first notice 2187
was sent, a person who is sent a notice under division (H) (2) of 2188
this section responds to the secretary of state, confirming that 2189
the person is a United States citizen, the secretary of state 2190
shall take no action concerning the person's voter registration. 2191

(4) If, not later than sixty days after the first notice 2192
was sent, a person who receives a notice under division (H) (2) 2193
of this section sends a completed voter registration 2194
cancellation form to the secretary of state, the secretary of 2195
state shall instruct the board of elections of the county in 2196
which the person is registered to cancel the person's 2197
registration. 2198

(5) If a person who was sent a second notice under 2199
division (H) (2) of this section fails to respond to the 2200
secretary of state in the manner described in division (H) (3) or 2201
(4) of this section not later than thirty days after the second 2202
notice was sent, the secretary of state shall refer the matter 2203
to the attorney general for further investigation and possible 2204
prosecution under section 3599.11, 3599.12, 3599.13, or any 2205
other applicable section of the Revised Code. If, after the 2206
thirtieth day after the second notice was sent, the person sends 2207
a completed voter registration cancellation form to the 2208
secretary of state, the secretary of state shall instruct the 2209
board of elections of the county in which the person is 2210
registered to cancel the person's registration and shall notify 2211
the attorney general of the cancellation. 2212

(6) The secretary of state shall not conduct the review 2213
described in division (H) of this section during the ninety days 2214
immediately preceding a primary or general election for federal 2215
office. 2216

Sec. 3503.16. (A) Except as otherwise provided in division 2217
(E) of section 111.44 of the Revised Code, whenever a registered 2218
elector changes the place of residence of that registered 2219
elector from one precinct to another within a county or from one 2220
county to another, or has a change of name, that registered 2221
elector shall report the change by ~~delivering~~ doing any of the 2222
following: 2223

(1) Delivering a change of residence or change of name 2224
form, whichever is appropriate, as prescribed by the secretary 2225
of state under section 3503.14 of the Revised Code to the state 2226
or local office of a designated agency, a public high school or 2227
vocational school, a public library, the office of the county 2228

treasurer, the office of the secretary of state, any office of 2229
the registrar or deputy registrar of motor vehicles, or any 2230
office of a board of elections in person or by a third person. 2231
Any voter registration, change of address, or change of name 2232
application, returned by mail, may be sent only to the secretary 2233
of state or the board of elections. 2234

~~A registered elector also may update the registration of~~ 2235
~~that registered elector by filing~~ (2) Submitting the elector's 2236
current residence or name information to the bureau of motor 2237
vehicles or to a designated agency in the manner directed by the 2238
bureau or by the designated agency, as applicable; 2239

(3) Submitting the elector's current residence or name 2240
information to a public high school or vocational school in the 2241
manner directed by the school and upon the elector reaching at 2242
least eighteen years of age; 2243

(4) Submitting an application through the online voter 2244
registration system created under section 3503.20 of the Revised 2245
Code; 2246

(5) Filing a change of residence or change of name form on 2247
the day of a special, primary, or general election at the 2248
polling place in the precinct in which that registered elector 2249
resides or at the board of elections or at another site 2250
designated by the board. 2251

(B) (1) (a) Any registered elector who moves within a 2252
precinct on or prior to the day of a general, primary, or 2253
special election and has not ~~filed a notice of reported the~~ 2254
change of residence in accordance with the board of elections- 2255
division (A) of this section may vote in that election by going 2256
to that registered elector's assigned polling place, completing 2257

and signing a notice of change of residence, showing 2258
identification in the form of a current and valid photo 2259
identification, a military identification, or a copy of a 2260
current utility bill, bank statement, government check, 2261
paycheck, or other government document, other than a notice of 2262
voter registration mailed by a board of elections ~~under section~~ 2263
~~3503.19 of the Revised Code~~, that shows the name and current 2264
address of the elector, and casting a ballot. 2265

(b) Any registered elector who changes the name of that 2266
registered elector and remains within a precinct on or prior to 2267
the day of a general, primary, or special election and has not 2268
~~filed a notice of reported the~~ change of name in accordance with 2269
~~the board of elections division (A) of this section~~ may vote in 2270
that election by going to that registered elector's assigned 2271
polling place, completing and signing a notice of a change of 2272
name, and casting a provisional ballot under section 3505.181 of 2273
the Revised Code. If the registered elector provides to the 2274
precinct election officials proof of a legal name change, such 2275
as a marriage license or court order that includes the elector's 2276
current and prior names, the elector may complete and sign a 2277
notice of change of name and cast a regular ballot. 2278

(2) Any registered elector who moves from one precinct to 2279
another within a county or moves from one precinct to another 2280
and changes the name of that registered elector on or prior to 2281
the day of a general, primary, or special election and has not 2282
~~filed a notice of reported the~~ change of residence or change of 2283
name, whichever is appropriate, in accordance with ~~the board of~~ 2284
~~elections division (A) of this section~~ may vote in that election 2285
if that registered elector complies with division (G) of this 2286
section or does all of the following: 2287

(a) Appears at anytime during regular business hours on or 2288
after the twenty-eighth day prior to the election in which that 2289
registered elector wishes to vote or, if the election is held on 2290
the day of a presidential primary election, the twenty-fifth day 2291
prior to the election, through noon of the Saturday prior to the 2292
election at the office of the board of elections, appears at any 2293
time during regular business hours on the Monday prior to the 2294
election at the office of the board of elections, or appears on 2295
the day of the election at either of the following locations: 2296

(i) The polling place for the precinct in which that 2297
registered elector resides; 2298

(ii) The office of the board of elections or, if pursuant 2299
to division (C) of section 3501.10 of the Revised Code the board 2300
has designated another location in the county at which 2301
registered electors may vote, at that other location instead of 2302
the office of the board of elections. 2303

(b) Completes and signs, under penalty of election 2304
falsification, the written affirmation on the provisional ballot 2305
envelope, which shall serve as a notice of change of residence 2306
or change of name, whichever is appropriate; 2307

(c) Votes a provisional ballot under section 3505.181 of 2308
the Revised Code at the polling place, at the office of the 2309
board of elections, or, if pursuant to division (C) of section 2310
3501.10 of the Revised Code the board has designated another 2311
location in the county at which registered electors may vote, at 2312
that other location instead of the office of the board of 2313
elections, whichever is appropriate, using the address to which 2314
that registered elector has moved or the name of that registered 2315
elector as changed, whichever is appropriate; 2316

(d) Completes and signs, under penalty of election 2317
falsification, a statement attesting that that registered 2318
elector moved or had a change of name, whichever is appropriate, 2319
on or prior to the day of the election, has voted a provisional 2320
ballot at the polling place for the precinct in which that 2321
registered elector resides, at the office of the board of 2322
elections, or, if pursuant to division (C) of section 3501.10 of 2323
the Revised Code the board has designated another location in 2324
the county at which registered electors may vote, at that other 2325
location instead of the office of the board of elections, 2326
whichever is appropriate, and will not vote or attempt to vote 2327
at any other location for that particular election. 2328

(C) Any registered elector who moves from one county to 2329
another county within the state on or prior to the day of a 2330
general, primary, or special election and has not ~~registered to~~ 2331
~~vote in the county to which that registered elector moved~~ 2332
reported the change of residence in accordance with division (A) 2333
of this section may vote in that election if that registered 2334
elector complies with division (G) of this section or does all 2335
of the following: 2336

(1) Appears at any time during regular business hours on 2337
or after the twenty-eighth day prior to the election in which 2338
that registered elector wishes to vote or, if the election is 2339
held on the day of a presidential primary election, the twenty- 2340
fifth day prior to the election, through noon of the Saturday 2341
prior to the election at the office of the board of elections 2342
or, if pursuant to division (C) of section 3501.10 of the 2343
Revised Code the board has designated another location in the 2344
county at which registered electors may vote, at that other 2345
location instead of the office of the board of elections, 2346
appears during regular business hours on the Monday prior to the 2347

election at the office of the board of elections or, if pursuant 2348
to division (C) of section 3501.10 of the Revised Code the board 2349
has designated another location in the county at which 2350
registered electors may vote, at that other location instead of 2351
the office of the board of elections, or appears on the day of 2352
the election at the office of the board of elections or, if 2353
pursuant to division (C) of section 3501.10 of the Revised Code 2354
the board has designated another location in the county at which 2355
registered electors may vote, at that other location instead of 2356
the office of the board of elections; 2357

(2) Completes and signs, under penalty of election 2358
falsification, the written affirmation on the provisional ballot 2359
envelope, which shall serve as a notice of change of residence; 2360

(3) Votes a provisional ballot under section 3505.181 of 2361
the Revised Code at the office of the board of elections or, if 2362
pursuant to division (C) of section 3501.10 of the Revised Code 2363
the board has designated another location in the county at which 2364
registered electors may vote, at that other location instead of 2365
the office of the board of elections, using the address to which 2366
that registered elector has moved; 2367

(4) Completes and signs, under penalty of election 2368
falsification, a statement attesting that that registered 2369
elector has moved from one county to another county within the 2370
state on or prior to the day of the election, has voted at the 2371
office of the board of elections or, if pursuant to division (C) 2372
of section 3501.10 of the Revised Code the board has designated 2373
another location in the county at which registered electors may 2374
vote, at that other location instead of the office of the board 2375
of elections, and will not vote or attempt to vote at any other 2376
location for that particular election. 2377

(D) A person who votes by absent voter's ballots pursuant 2378
to division (G) of this section shall not make written 2379
application for the ballots pursuant to Chapter 3509. of the 2380
Revised Code. Ballots cast pursuant to division (G) of this 2381
section shall be set aside in a special envelope and counted 2382
during the official canvass of votes in the manner provided for 2383
in sections 3505.32 and 3509.06 of the Revised Code insofar as 2384
that manner is applicable. The board shall examine the pollbooks 2385
to verify that no ballot was cast at the polls or by absent 2386
voter's ballots under Chapter 3509. or 3511. of the Revised Code 2387
by an elector who has voted by absent voter's ballots pursuant 2388
to division (G) of this section. Any ballot determined to be 2389
insufficient for any of the reasons stated above or stated in 2390
section 3509.07 of the Revised Code shall not be counted. 2391

Subject to division (C) of section 3501.10 of the Revised 2392
Code, a board of elections may lease or otherwise acquire a site 2393
different from the office of the board at which registered 2394
electors may vote pursuant to division (B) or (C) of this 2395
section. 2396

(E) ~~Upon~~ Except as provided in section 3503.11 of the 2397
Revised Code, upon receiving a notice of change of residence or 2398
change of name form, the board of elections shall immediately 2399
send the registrant an acknowledgment notice. If the change of 2400
residence or change of name notice is valid, the board shall 2401
update the voter's registration as appropriate. If that form is 2402
incomplete, the board shall inform the registrant in the 2403
acknowledgment notice specified in this division of the 2404
information necessary to complete or update that registrant's 2405
registration. 2406

(F) Change of residence and change of name forms shall be 2407

available at each polling place, and when these forms are 2408
completed, noting changes of residence or name, as appropriate, 2409
they shall be filed with election officials at the polling 2410
place. Election officials shall return completed forms, together 2411
with the pollbooks and tally sheets, to the board of elections. 2412

The board of elections shall provide change of residence 2413
and change of name forms to the probate court and court of 2414
common pleas. The court shall provide the forms to any person 2415
eighteen years of age or older who has a change of name by order 2416
of the court or who applies for a marriage license. The court 2417
shall forward all completed forms to the board of elections 2418
within five days after receiving them. 2419

(G) A registered elector who otherwise would qualify to 2420
vote under division (B) or (C) of this section but is unable to 2421
appear at the office of the board of elections or, if pursuant 2422
to division (C) of section 3501.10 of the Revised Code the board 2423
has designated another location in the county at which 2424
registered electors may vote, at that other location, on account 2425
of personal illness, physical disability, or infirmity, may vote 2426
on the day of the election if that registered elector does all 2427
of the following: 2428

(1) Makes a written application that includes all of the 2429
information required under section 3509.03 of the Revised Code 2430
to the appropriate board for an absent voter's ballot on or 2431
after the twenty-seventh day prior to the election in which the 2432
registered elector wishes to vote through noon of the Saturday 2433
prior to that election and requests that the absent voter's 2434
ballot be sent to the address to which the registered elector 2435
has moved if the registered elector has moved, or to the address 2436
of that registered elector who has not moved but has had a 2437

change of name; 2438

(2) Declares that the registered elector has moved or had 2439
a change of name, whichever is appropriate, and otherwise is 2440
qualified to vote under the circumstances described in division 2441
(B) or (C) of this section, whichever is appropriate, but that 2442
the registered elector is unable to appear at the board of 2443
elections because of personal illness, physical disability, or 2444
infirmity; 2445

(3) Completes and returns along with the completed absent 2446
voter's ballot a notice of change of residence indicating the 2447
address to which the registered elector has moved, or a notice 2448
of change of name, whichever is appropriate; 2449

(4) Completes and signs, under penalty of election 2450
falsification, a statement attesting that the registered elector 2451
has moved or had a change of name on or prior to the day before 2452
the election, has voted by absent voter's ballot because of 2453
personal illness, physical disability, or infirmity that 2454
prevented the registered elector from appearing at the board of 2455
elections, and will not vote or attempt to vote at any other 2456
location or by absent voter's ballot mailed to any other 2457
location or address for that particular election. 2458

Sec. 3503.18. (A) (1) Not later than the last day of each 2459
month, the director of health shall file with the secretary of 2460
state the names, social security numbers, dates of birth, dates 2461
of death, and residences of all persons, over ~~eighteen~~sixteen 2462
years of age, who have died within this state or another state 2463
during the period beginning on the date of the most recent 2464
filing and ending on the day before the date of the current 2465
filing. If the director is notified of the death of such a 2466
person after the director has filed the report for the period 2467

during which the person died, the director shall file with the 2468
secretary of state a supplemental report containing that 2469
information concerning the person not later than one month after 2470
the director is notified of the person's death. 2471

(2) The secretary of state and the director of health 2472
shall jointly establish a secure electronic system through which 2473
they shall exchange the information described in division (A) (1) 2474
of this section regarding the death of a registered elector or 2475
preregistered person. 2476

(B) At least once each month, each probate judge in this 2477
state shall file with the board of elections the names and 2478
residence addresses of all persons over eighteen years of age 2479
who have been adjudicated incompetent for the purpose of voting, 2480
as provided in section 5122.301 of the Revised Code. 2481

(C) At least once each month the clerk of the court of 2482
common pleas shall file with the board the names and residence 2483
addresses of all persons who have been convicted during the 2484
previous month of crimes that would disfranchise such persons 2485
under existing laws of the state. Reports of conviction of 2486
crimes under the laws of the United States that would 2487
disfranchise an elector and that are provided to the secretary 2488
of state by any United States attorney shall be forwarded by the 2489
secretary of state to the appropriate board of elections. 2490

(D) Upon receiving a report required by this section, the 2491
board of elections shall promptly cancel the registration or 2492
preregistration of each ~~elector person~~ named in the report in 2493
accordance with section 3503.21 of the Revised Code. If the 2494
report contains a residence address ~~of an elector~~ in a county 2495
other than the county in which the board of elections is 2496
located, the director shall promptly send a copy of the report 2497

to the appropriate board of elections, which shall cancel the 2498
registration or preregistration in accordance with that section. 2499

Sec. 3503.19. (A) ~~Persons~~ (1) Except as otherwise provided 2500
in division (E) of section 111.44 of the Revised Code, persons 2501
qualified to register or to change their registration because of 2502
a change of address or change of name may register or change 2503
their registration ~~in~~ by doing any of the following: 2504

(a) Submitting a voter registration or change of address 2505
or change of name form in person or through another person at 2506
any state or local office of a designated agency, at the office 2507
of the registrar or any deputy registrar of motor vehicles, at a 2508
public high school or vocational school, at a public library, at 2509
the office of a county treasurer, or at a branch office 2510
established by the board of elections, ~~or in;~~ 2511

(b) Submitting a voter registration or change of address 2512
or change of name form in person, through another person, or by 2513
mail at the office of the secretary of state or at the office of 2514
a ~~any~~ board of elections. ~~A registered elector may also change~~ 2515
~~the elector's registration on;~~ 2516

(c) Submitting the required information to the bureau of 2517
motor vehicles or to a designated agency in the manner directed 2518
by the bureau or by the designated agency, as applicable; 2519

(d) Submitting the required information to a public or 2520
private secondary school in the manner directed by the school 2521
and upon the elector reaching at least eighteen years of age; 2522

(e) Being registered or having the elector's registration 2523
updated through the automated voter registration system under 2524
section 3503.11 of the Revised Code; 2525

(f) Submitting an application through the online voter 2526

<u>registration system under section 3503.20 of the Revised Code;</u>	2527
<u>(g) Submitting a voter registration or change of address</u>	2528
<u>or change of name form in person to the election officials on</u>	2529
election day at any polling place where the elector is eligible	2530
to vote, in the manner provided under section 3503.16 of the	2531
Revised Code.	2532
<u>(2) Any state or local office of a designated agency, the</u>	2533
office of the registrar or any deputy registrar of motor	2534
vehicles, a public high school or vocational school, a public	2535
library, or the office of a county treasurer shall transmit any	2536
voter registration application or change of registration form	2537
that it receives to the board of elections of the county in	2538
which the state or local office is located, within five days	2539
after receiving the voter registration application or change of	2540
registration form.	2541
An <u>(3) An otherwise valid voter registration application</u>	2542
that is returned to the appropriate office other than by mail	2543
must be received by a state or local office of a designated	2544
agency, the office of the registrar or any deputy registrar of	2545
motor vehicles, a public high school or vocational school, a	2546
public library, the office of a county treasurer, the office of	2547
the secretary of state, or the office of a board of elections no	2548
later than the thirtieth day preceding a primary, special, or	2549
general election for the person to qualify as an elector	2550
eligible to vote at that election. An otherwise valid	2551
registration application received after that day entitles the	2552
elector to vote at all subsequent elections.	2553
<u>(b) (i) A person who is eligible to register to vote and</u>	2554
<u>has submitted information to the bureau of motor vehicles under</u>	2555
<u>section 3503.11 of the Revised Code in order to be registered to</u>	2556

vote is considered to be registered to vote upon submitting that 2557
information to the bureau. The person shall be eligible to vote 2558
at the next election that occurs within the time frame required 2559
that a person be registered to vote. 2560

(ii) A person who is eligible to register to vote and has 2561
had the person's information transmitted to the secretary of 2562
state under division (A) (1) (b) of section 3503.11 of the Revised 2563
Code in order to be registered to vote is considered to be 2564
registered to vote upon that information being transmitted by 2565
the public or private secondary school. The person shall be 2566
eligible to vote at the next election that occurs within the 2567
time frame required that a person be registered to vote. 2568

(4) Any state or local office of a designated agency, the 2569
office of the registrar or any deputy registrar of motor 2570
vehicles, a public high school or vocational school, a public 2571
library, or the office of a county treasurer shall date stamp a 2572
registration application or change of name or change of address 2573
form it receives using a date stamp that does not disclose the 2574
identity of the state or local office that receives the 2575
registration. 2576

(5) Voter registration applications, if otherwise valid, 2577
that are returned by mail to the office of the secretary of 2578
state or to the office of a board of elections must be 2579
postmarked no later than the thirtieth day preceding a primary, 2580
special, or general election in order for the person to qualify 2581
as an elector eligible to vote at that election. If an otherwise 2582
valid voter registration application that is returned by mail 2583
does not bear a postmark or a legible postmark, the registration 2584
shall be valid for that election if received by the office of 2585
the secretary of state or the office of a board of elections no 2586

later than twenty-five days preceding any special, primary, or 2587
general election. 2588

(B) (1) Any person may apply in person, by telephone, by 2589
mail, or through another person for voter registration forms to 2590
the office of the secretary of state or the office of a board of 2591
elections. An individual who is eligible to vote as a uniformed 2592
services voter or an overseas voter in accordance with ~~42-52~~ 2593
U.S.C. ~~1973ff-6-20310~~ also may apply for voter registration 2594
forms by electronic means to the office of the secretary of 2595
state or to the board of elections of the county in which the 2596
person's voting residence is located pursuant to section 2597
3503.191 of the Revised Code. 2598

~~(2) (a) An applicant may return the applicant's completed~~ 2599
~~registration form in person or by mail to any state or local~~ 2600
~~office of a designated agency, to a public high school or~~ 2601
~~vocational school, to a public library, to the office of a~~ 2602
~~county treasurer, to the office of the secretary of state, or to~~ 2603
~~the office of a board of elections. An applicant who is eligible~~ 2604
~~to vote as a uniformed services voter or an overseas voter in~~ 2605
~~accordance with 42 U.S.C. 1973ff-6 also may return the~~ 2606
~~applicant's completed voter registration form electronically to~~ 2607
~~the office of the secretary of state or to the board of~~ 2608
~~elections of the county in which the person's voting residence~~ 2609
~~is located pursuant to section 3503.191 of the Revised Code.~~ 2610

~~(b) Subject to division (B) (2) (c) of this section, an~~ 2611
~~applicant may return the applicant's completed registration form~~ 2612
~~through another person to any board of elections or the office~~ 2613
~~of the secretary of state.~~ 2614

~~(c) A person who receives compensation for registering a~~ 2615
~~voter shall return any registration form entrusted to that~~ 2616

~~person by an applicant to any board of elections or to the~~ 2617
~~office of the secretary of state.~~ 2618

~~(d)~~ If a board of elections or the office of the secretary 2619
of state receives a registration form ~~under division (B) (2) (b)~~ 2620
~~or (c) of this section~~ before the thirtieth day before an 2621
election, the board or the office of the secretary of state, as 2622
applicable, shall forward the registration to the board of 2623
elections of the county in which the applicant is seeking to 2624
register to vote within ten days after receiving the 2625
application. If a board of elections or the office of the 2626
secretary of state receives a registration form ~~under division~~ 2627
~~(B) (2) (b) or (c) of this section~~ on or after the thirtieth day 2628
before an election, the board or the office of the secretary of 2629
state, as applicable, shall forward the registration to the 2630
board of elections of the county in which the applicant is 2631
seeking to register to vote within thirty days after that 2632
election. 2633

(C) (1) (a) A board of elections that receives a voter 2634
registration ~~application or change of address or change of name~~ 2635
form and is satisfied as to the truth of the statements made in 2636
the ~~registration~~ form shall register the applicant or update the 2637
elector's registration, as applicable, not later than twenty 2638
business days after receiving the application, unless that 2639
application is received during the thirty days immediately 2640
preceding the day of an election. The board shall promptly 2641
~~notify send~~ the applicant in writing of each or elector an 2642
acknowledgment notice that includes all of the following: 2643

~~(a) (i)~~ The applicant's registration, fact that the person 2644
has been registered to vote or had the person's registration 2645
updated, as applicable; 2646

~~(b)-(ii)~~ The precinct in which the ~~applicant person~~ is to
vote; 2647
2648

~~(e)-(iii)~~ In bold type as follows: 2649

"Voters must bring identification to the polls in order to 2650
verify identity. Identification may include a current and valid 2651
photo identification, a military identification, or a copy of a 2652
current utility bill, bank statement, government check, 2653
paycheck, or other government document, other than ~~this a voter~~
registration notification, that shows the voter's name and 2654
current address. Voters who do not provide one of these 2655
documents will still be able to vote by casting a provisional 2656
ballot. Voters who do not have any of the above forms of 2657
identification, including a social security number, will still 2658
be able to vote by signing an affirmation swearing to the 2659
voter's identity under penalty of election falsification and by 2660
casting a provisional ballot." 2661
2662

(iv) If the person was registered to vote or had the 2663
person's registration updated through the automated voter 2664
registration system described in section 3503.11 of the Revised 2665
Code, the process to cancel the person's registration or to 2666
submit corrected registration information to the board of 2667
elections. 2668

The ~~notification-acknowledgment notice~~ shall be sent by 2669
nonforwardable mail. If the mail is returned to the board, it 2670
shall investigate and cause the ~~notification-acknowledgment~~ 2671
notice to be delivered to the correct address. 2672

(b) If the board of elections receives a voter 2673
registration or change of address or change of name form that is 2674
incomplete, the board shall send the applicant or elector an 2675

acknowledgment notice informing the person of the information 2676
necessary to complete or update the person's registration. 2677

(2) If, after investigating as required under division (C) 2678
(1) (a) of this section, the board is unable to verify the 2679
voter's correct address, it shall cause the voter's name in the 2680
official registration list and in the poll list or signature 2681
pollbook to be marked to indicate that the voter's notification 2682
was returned to the board. 2683

At the first election at which a voter whose name has been 2684
so marked appears to vote, the voter shall be required to 2685
provide identification to the election officials and to vote by 2686
provisional ballot under section 3505.181 of the Revised Code. 2687
If the provisional ballot is counted pursuant to division (B) (3) 2688
of section 3505.183 of the Revised Code, the board shall correct 2689
that voter's registration, if needed, and shall remove the 2690
indication that the voter's notification was returned from that 2691
voter's name on the official registration list and on the poll 2692
list or signature pollbook. If the provisional ballot is not 2693
counted pursuant to division (B) (4) (a) (i), (v), or (vi) of 2694
section 3505.183 of the Revised Code, the voter's registration 2695
shall be canceled. The board shall notify the voter by United 2696
States mail of the cancellation. 2697

(3) If a notice of the disposition of an otherwise valid 2698
registration application is sent by nonforwardable mail and is 2699
returned undelivered, the person shall be registered as provided 2700
in division (C) (2) of this section and sent a confirmation 2701
notice by forwardable mail. If the person fails to respond to 2702
the confirmation notice, update the person's registration, or 2703
vote by provisional ballot as provided in division (C) (2) of 2704
this section in any election during the period of two federal 2705

elections subsequent to the mailing of the confirmation notice, 2706
the person's registration shall be canceled. 2707

Sec. 3503.192. (A) When a board of elections receives a 2708
completed application to register to vote to which all of the 2709
following apply, the board shall retain the application and 2710
treat it as a preregistration application: 2711

(1) The applicant is sixteen or seventeen years of age and 2712
will not be eighteen years of age on or before the date of the 2713
next general election. 2714

(2) But for the applicant's age, the applicant would be 2715
eligible to register to vote. 2716

(3) The applicant has provided all of the information 2717
required to register to vote. 2718

(B) Upon receiving a preregistration application, the 2719
board shall send the applicant an acknowledgment notice on a 2720
form prescribed by the secretary of state. 2721

(C) (1) The board shall maintain a preregistration 2722
application separately from the county's voter registration 2723
records and shall not include the preregistration in the 2724
statewide voter registration database until the board registers 2725
the person under division (D) of this section. Except as 2726
otherwise provided in division (C) (2) of this section, the 2727
information contained in a preregistration application is not a 2728
public record for purposes of section 149.43 of the Revised Code 2729
and shall not be open to inspection by members of the public. 2730

(2) The number of preregistered persons residing in each 2731
precinct in the county shall be available to the public. 2732

(D) As of the ninetieth day before the date of the first 2733

election in which a preregistered person will be eligible to 2734
vote, the board of elections shall register the person and shall 2735
send the person a notification of registration in accordance 2736
with division (C) of section 3503.19 of the Revised Code. The 2737
person's preregistration form shall be considered to be the 2738
person's registration form. 2739

Sec. 3503.20. (A) The secretary of state shall establish a 2740
secure online voter registration system. The system shall 2741
provide for all of the following: 2742

(1) An applicant to submit a voter registration 2743
application to the secretary of state online through the 2744
internet; 2745

(2) The online applicant to be registered to vote, if all 2746
of the following apply: 2747

(a) The application contains all of the following 2748
information: 2749

(i) The applicant's name; 2750

(ii) The applicant's address; 2751

(iii) The applicant's date of birth; 2752

(iv) The last four digits of the applicant's social 2753
security number; 2754

(v) The applicant's Ohio driver's license number or the 2755
number of the applicant's state identification card issued under 2756
section 4507.50 of the Revised Code. 2757

(b) The applicant's name, address, and date of birth, the 2758
last four digits of the applicant's social security number, and 2759
the applicant's Ohio driver's license number or the number of 2760

the applicant's state identification card as they are provided 2761
in the application are not inconsistent with the information on 2762
file with the bureau of motor vehicles; 2763

(c) The applicant is a United States citizen, will have 2764
lived in this state for thirty days immediately preceding the 2765
next election, will be at least eighteen years of age on or 2766
before the day of the next general election, and is otherwise 2767
eligible to register to vote; 2768

(d) The applicant attests to the truth and accuracy of the 2769
information submitted in the online application under penalty of 2770
election falsification. 2771

(B) If an individual registers to vote or a registered 2772
elector updates the elector's name, address, or both under this 2773
section, the secretary of state shall obtain an electronic copy 2774
of the applicant's or elector's signature that is on file with 2775
the bureau of motor vehicles. That electronic signature shall be 2776
used as the applicant's or elector's signature on voter 2777
registration records, for all election and signature-matching 2778
purposes. 2779

(C) The secretary of state shall employ whatever security 2780
measures the secretary of state considers necessary to ensure 2781
the integrity and accuracy of voter registration information 2782
submitted electronically pursuant to this section. Errors in 2783
processing voter registration applications in the online system 2784
shall not prevent an applicant from becoming registered or from 2785
voting. 2786

(D) The online voter registration application established 2787
under division (A) of this section shall include the following 2788
language: 2789

"By clicking the box below, I affirm all of the following 2790
under penalty of election falsification, which is a felony of 2791
the fifth degree: 2792

(1) I am the person whose name and identifying information 2793
is provided on this form, and I desire to register to vote, or 2794
update my voter registration, in the State of Ohio. 2795

(2) All of the information I have provided on this form is 2796
true and correct as of the date I am submitting this form. 2797

(3) I am a United States citizen. 2798

(4) I will have lived in Ohio for thirty days immediately 2799
preceding the next election. 2800

(5) I will be at least eighteen years of age on or before 2801
the day of the next general election. 2802

(6) I authorize the Bureau of Motor Vehicles to transmit 2803
to the Ohio Secretary of State my signature that is on file with 2804
the Bureau of Motor Vehicles, and I understand and agree that 2805
the signature transmitted by the Bureau of Motor Vehicles will 2806
be used by the Secretary of State to validate this electronic 2807
voter registration application as if I had signed this form 2808
personally." 2809

In order to register to vote or update a voter 2810
registration under division (A) of this section, an applicant or 2811
elector shall be required to mark the box in the online voter 2812
registration application that appears in conjunction with the 2813
previous statement. 2814

~~(E) The online voter registration process established 2815
under division (A) of this section shall be in operation and 2816
available for use by individuals who wish to register to vote or 2817~~

~~update their voter registration information online not earlier~~ 2818
~~than January 1, 2017.~~ During the period beginning on the first 2819
day after the close of voter registration before an election and 2820
ending on the day of the election, the online voter registration 2821
system shall display a notice indicating that the applicant will 2822
not be registered to vote for the purposes of that election. 2823

(F) Notwithstanding section 1.50 of the Revised Code, if 2824
any provision of this section or of division ~~(E)~~ (C) of section 2825
3503.14 of the Revised Code is held invalid, or if the 2826
application of any provision of this section or of that division 2827
to any person or circumstance is held invalid, then this section 2828
and that division cease to operate. 2829

Sec. 3503.21. (A) ~~The~~ A voter registration of a registered 2830
~~elector or preregistration~~ shall be canceled upon the occurrence 2831
of any of the following: 2832

(1) The filing by a registered elector or preregistered 2833
person of a written request with a board of elections or the 2834
secretary of state, on a form prescribed by the secretary of 2835
state and signed by the elector or the preregistered person, 2836
that the registration or preregistration be canceled. The filing 2837
of such a request does not prohibit an otherwise qualified 2838
elector from reregistering to vote, or a person who is otherwise 2839
qualified to preregister to vote from preregistering to vote, at 2840
any time. 2841

(2) The filing of a notice of the death of a registered 2842
elector or preregistered person as provided in section 3503.18 2843
of the Revised Code; 2844

(3) The filing with the board of elections of a certified 2845
copy of the death certificate of a registered elector or the 2846

preregistered person by the deceased elector's or preregistered 2847
person's spouse, parent, or child, by the administrator of the 2848
deceased elector's or preregistered person's estate, or by the 2849
executor of the deceased elector's or preregistered person's 2850
will; 2851

(4) The conviction of the registered elector or the 2852
preregistered person of a felony under the laws of this state, 2853
any other state, or the United States as provided in section 2854
2961.01 of the Revised Code; 2855

(5) The adjudication of incompetency of the registered 2856
elector for the purpose of voting as provided in section 2857
5122.301 of the Revised Code; 2858

(6) The change of residence of the registered elector to a 2859
location outside the ~~county of registration in accordance with~~ 2860
~~division (B) of this section~~ state; 2861

(7) The failure of the registered elector, after having 2862
been mailed a confirmation notice, to do ~~either~~ any of the 2863
following: 2864

(a) Respond to such a notice and vote at least once during 2865
a period of four consecutive years, which period shall include 2866
two general federal elections; 2867

(b) Update the elector's registration and vote at least 2868
once during a period of four consecutive years, which period 2869
shall include two general federal elections; 2870

(c) Sign an election petition; 2871

(d) Communicate in any way to a board of elections or the 2872
secretary of state that the elector is still eligible to vote in 2873
Ohio. 2874

(8) The declination of an elector who has been registered to vote or a person who has been preregistered to vote under section 3503.11 of the Revised Code, as described in division (C) (3) (b) of that section; 2875
2876
2877
2878

(9) The receipt by the board of elections of a cancellation notice or request pursuant to section 111.44 of the Revised Code. 2879
2880
2881

~~(B) (1) The secretary of state shall prescribe procedures to identify and cancel the registration in a prior county of residence of any registrant who changes the registrant's voting residence to a location outside the registrant's current county of registration. Any procedures prescribed in this division shall be uniform and nondiscriminatory, and shall comply with the Voting Rights Act of 1965. The secretary of state may prescribe procedures under this division that include the use of the national change of address service provided by the United States postal system through its licensees. Any program so prescribed shall be completed not later than ninety days prior to the date of any primary or general election for federal office.~~ 2882
2883
2884
2885
2886
2887
2888
2889
2890
2891
2892
2893
2894

~~(2) The registration of any elector identified as having changed the elector's voting residence to a location outside the elector's current county of registration shall not be canceled unless the registrant is sent a confirmation notice on a form prescribed by the secretary of state and the registrant fails to respond to the confirmation notice or otherwise update the registration and fails to vote in any election during the period of two federal elections subsequent to the mailing of the confirmation notice.~~ 2895
2896
2897
2898
2899
2900
2901
2902
2903

~~(C) The registration of a registered elector or~~ 2904

preregistration of a preregistered person shall not be canceled 2905
except as provided in this section, section 111.44 of the 2906
Revised Code, division (Q) of section 3501.05 of the Revised 2907
Code, division (C) (3) (b) of section 3503.11 of the Revised Code, 2908
division (C) (2) of section 3503.19 of the Revised Code, or 2909
division (C) of section 3503.24 of the Revised Code. 2910

~~(D) Boards of elections shall send their voter- 2911
registration information to the secretary of state as required- 2912
under section 3503.15 of the Revised Code. The secretary of- 2913
state may prescribe by rule adopted pursuant to section 111.15- 2914
of the Revised Code the format in which the boards of elections- 2915
must send that information to the secretary of state. In the 2916
first quarter of each year, the secretary of state shall send- 2917
the information to the national change of address service- 2918
described in division (B) of this section and request that- 2919
service to provide the secretary of state with a list of any- 2920
voters sent by the secretary of state who have moved within the- 2921
last twelve months. The secretary of state shall transmit to- 2922
each appropriate board of elections whatever lists the secretary- 2923
of state receives from that service. The board shall send a- 2924
notice to each person on the list transmitted by the secretary- 2925
of state requesting confirmation of the person's change of- 2926
address, together with a postage prepaid, preaddressed return- 2927
envelope containing a form on which the voter may verify or- 2928
correct the change of address information.~~ 2929

~~(E) The registration of a registered elector described in 2930
division (A) (7) or (B) (2) of this section shall be canceled not- 2931
later than one hundred twenty days after the date of the second- 2932
general federal election in which the elector fails to vote or- 2933
not later than one hundred twenty days after the expiration of- 2934
the four year period in which the elector fails to vote or- 2935~~

~~respond to a confirmation notice, whichever is later.~~ 2936

~~(F)(C)~~ (1) When a registration or preregistration is 2937
canceled pursuant to division (A) (2) or (3) of this section, the 2938
applicable board of elections shall send a written notice, on a 2939
form prescribed by the secretary of state, to the address at 2940
which the elector was registered or the person was 2941
preregistered, informing the recipient that the elector's 2942
registration or the person's preregistration has been canceled, 2943
of the reason for the cancellation, and that if the cancellation 2944
was made in error, the elector or the preregistered person may 2945
contact the board of elections to correct the error. 2946

(2) If the elector's registration or the person's 2947
preregistration is canceled pursuant to division (A) (2) or (3) 2948
of this section in error, it shall be restored and treated as 2949
though it were never canceled. 2950

Sec. 3503.22. (A) An elector whose residence address is 2951
exempt from disclosure under division (A) (1) (p) of section 2952
149.43 of the Revised Code may submit a written notice of that 2953
fact to the board of elections on a form prescribed by the 2954
secretary of state and signed under penalty of election 2955
falsification. 2956

(B) Upon receiving a properly completed notice under 2957
division (A) of this section, the board of elections shall do 2958
all of the following: 2959

(1) Remove the elector's residence address and precinct 2960
information from the version of the statewide voter registration 2961
database that is available to the public and from any version of 2962
an official registration list or other list of electors that is 2963
available to the public; 2964

(2) Exclude the elector from any precinct registration 2965
list that is available to the public; 2966

(3) Prevent any member of the public from inspecting the 2967
elector's registration form at the office of the board. 2968

(C) The secretary of state shall prescribe methods by 2969
which the secretary of state and the boards of elections shall 2970
note on the elector's registration record that the elector has 2971
submitted a notice under division (A) of this section, such that 2972
the note is maintained as associated with the registration 2973
record in the statewide voter registration database and in the 2974
records of the board whenever the elector has a change of 2975
residence or change of name. 2976

Sec. 3503.24. (A) Application for the correction of any 2977
precinct registration list or a challenge of the right to vote 2978
of any registered elector may be made by any qualified elector 2979
at the office of the board of elections not later than the 2980
thirtieth day before the day of the election. The applications 2981
or challenges, with the reasons for the application or 2982
challenge, shall be filed with the board in person or by mail on 2983
a form prescribed by the secretary of state and shall be signed 2984
under penalty of election falsification. 2985

(B) On receiving an application or challenge filed under 2986
this section, the board of elections promptly shall review the 2987
board's records. If the board is able to determine that an 2988
application or challenge should be granted or denied solely on 2989
the basis of the records maintained by the board, the board 2990
immediately shall vote to grant or deny that application or 2991
challenge. 2992

If the board is not able to determine whether an 2993

application or challenge should be granted or denied solely on 2994
the basis of the records maintained by the board, the director 2995
shall promptly set a time and date for a hearing before the 2996
board. The hearing shall be held, and the application or 2997
challenge shall be decided, no later than ten days after the 2998
board receives the application or challenge. The director shall 2999
send written notice to any elector whose right to vote is 3000
challenged and to any person whose name is alleged to have been 3001
omitted from a registration list. The notice shall inform the 3002
person of the time and date of the hearing, and of the person's 3003
right to appear and testify, call witnesses, and be represented 3004
by counsel. The notice shall be sent by first class mail no 3005
later than three days before the day of any scheduled hearing. 3006
Except as otherwise provided in division (D) of this section, 3007
the director shall also provide the person who filed the 3008
application or challenge with such written notice of the date 3009
and time of the hearing. 3010

At the request of either party or any member of the board, 3011
the board shall issue subpoenas to witnesses to appear and 3012
testify before the board at a hearing held under this section. 3013
All witnesses shall testify under oath. The board shall reach a 3014
decision on all applications and challenges immediately after 3015
hearing. 3016

(C) If the board decides that any such person is not 3017
entitled to have the person's name on the registration list, the 3018
person's name shall be removed from the list and the person's 3019
registration forms canceled. If the board decides that the name 3020
of any such person should appear on the registration list, it 3021
shall be added to the list, and the person's registration forms 3022
placed in the proper registration files. All such corrections 3023
and additions shall be made on a copy of the precinct lists, 3024

which shall constitute the poll lists, to be furnished to the 3025
respective precincts with other election supplies on the day 3026
preceding the election, to be used by the election officials in 3027
receiving the signatures of voters and in checking against the 3028
registration forms. 3029

(D) If an elector who is the subject of an application or 3030
challenge hearing has a confidential voter registration record, 3031
as described in section 111.44 of the Revised Code, or if the 3032
elector has submitted a notice under section 3503.22 of the 3033
Revised Code that the elector's residence address is exempt from 3034
public disclosure under division (A) (1) (p) of section 149.43 of 3035
the Revised Code, all of the following apply: 3036

(1) If the elector's right to vote has been challenged, 3037
the person who filed the challenge shall not receive notice of 3038
the date and time of any hearing held concerning the challenge, 3039
shall not be permitted to attend the hearing, and shall not 3040
receive notice of the disposition of the challenge. 3041

(2) If the elector is the subject of an application for 3042
the correction of the precinct registration list and the elector 3043
is not the person who filed the application, the person who 3044
filed the application shall not receive notice of the date and 3045
time of any hearing held concerning the application, shall not 3046
be permitted to attend the hearing, and shall not receive notice 3047
of the disposition of the application. 3048

(3) Notwithstanding section 121.22 of the Revised Code, 3049
any hearing held concerning the application or challenge shall 3050
not be open to the public. 3051

(4) Any records created as a result of the application or 3052
challenge that include the elector's residence address or 3053

precinct shall not be open to public inspection. 3054

Sec. 3503.26. (A) All registration forms and lists, when 3055
not in official use by the registrars or precinct election 3056
officials, shall be in the possession of the board of elections. 3057
Names and addresses of electors may be copied from the 3058
registration lists only in the office of the board when it is 3059
open for business; but no such copying shall be permitted during 3060
the period of time commencing twenty-one days before an election 3061
and ending on the eleventh day after an election if such copying 3062
will, in the opinion of the board, interfere with the necessary 3063
work of the board. Except as provided in ~~section~~sections 111.44 3064
and 3503.22 of the Revised Code, the board shall keep in 3065
convenient form and available for public inspection a correct 3066
set of the registration lists of all precincts in the county. 3067

(B) Notwithstanding division (A) of this section, and 3068
except as provided in ~~section~~sections 111.44 and 3503.22 of the 3069
Revised Code, the board of elections shall maintain and make 3070
available for public inspection and copying at a reasonable cost 3071
all records concerning the implementation of programs and 3072
activities conducted for the purpose of ensuring the accuracy 3073
and currency of voter registration lists, including the names 3074
and addresses of all registered electors sent confirmation 3075
notices and whether or not the elector responded to the 3076
confirmation notice. The board shall maintain all records 3077
described in this division for a period of two years. 3078

Sec. 3503.28. (A) The secretary of state shall develop an 3079
information brochure regarding voter registration. The brochure 3080
shall include, but is not limited to, all of the following 3081
information: 3082

(1) The applicable deadlines for registering to vote or 3083

for ~~returning~~ submitting an applicant's completed registration
~~form application;~~ 3084
3085

(2) ~~The applicable deadline for returning an applicant's~~ 3086
~~completed registration form if the person returning the form is~~ 3087
~~being compensated for registering voters~~ manner in which an 3088
eligible person who is sixteen or seventeen years of age may 3089
preregister to vote; 3090

(3) ~~The locations to~~ and manner in which a person may 3091
~~return an applicant's completed registration form~~ register or be 3092
registered to vote; 3093

(4) ~~The location to which a person who is compensated for~~ 3094
~~registering voters may return an applicant's completed~~ 3095
~~registration form;~~ 3096

~~(5) The registration and affirmation requirements~~ 3097
~~applicable to persons who are compensated for registering voters~~ 3098
~~under section 3503.29 of the Revised Code;~~ 3099

~~(6) The manner in which a person may decline to be~~ 3100
registered to vote under the automated voter registration system 3101
described in section 3503.11 of the Revised Code; 3102

(5) The manner in which a person whose residence address 3103
is exempt from disclosure under division (A) (1) (p) of section 3104
149.43 of the Revised Code may notify the board of elections of 3105
that fact under section 3503.22 of the Revised Code; 3106

(6) A notice, which shall be written in bold type, stating 3107
as follows: 3108

"Voters must bring identification to the polls in order to 3109
verify identity. Identification may include a current and valid 3110
photo identification, a military identification, or a copy of a 3111

current utility bill, bank statement, government check, 3112
paycheck, or other government document, other than a voter 3113
registration notification sent by a board of elections, that 3114
shows the voter's name and current address. Voters who do not 3115
provide one of these documents will still be able to vote by 3116
casting a provisional ballot. Voters who do not have any of the 3117
above forms of identification, including a social security 3118
number, will still be able to vote by signing an affirmation 3119
swearing to the voter's identity under penalty of election 3120
falsification and by casting a provisional ballot." 3121

(B) Except as otherwise provided in division (D) of this 3122
section, a board of elections, designated agency, public high 3123
school, public vocational school, public library, office of a 3124
county treasurer, or deputy registrar of motor vehicles shall 3125
distribute a copy of the brochure developed under division (A) 3126
of this section to any person who requests more than two voter 3127
registration forms at one time. 3128

(C) (1) The secretary of state shall provide the 3129
information required to be included in the brochure developed 3130
under division (A) of this section to any person who prints a 3131
voter registration form that is made available on a web site of 3132
the office of the secretary of state. 3133

(2) If a board of elections operates and maintains a web 3134
site, the board shall provide the information required to be 3135
included in the brochure developed under division (A) of this 3136
section to any person who prints a voter registration form that 3137
is made available on that web site. 3138

(D) A board of elections shall not be required to 3139
distribute a copy of a brochure under division (B) of this 3140
section to any of the following officials or employees who are 3141

requesting more than two voter registration forms at one time in	3142
the course of the official's or employee's normal duties:	3143
(1) An election official;	3144
(2) A county treasurer;	3145
(3) A deputy registrar of motor vehicles;	3146
(4) An employee of a designated agency;	3147
(5) An employee of a public high school;	3148
(6) An employee of a public vocational school;	3149
(7) An employee of a public library;	3150
(8) An employee of the office of a county treasurer;	3151
(9) An employee of the bureau of motor vehicles;	3152
(10) An employee of a deputy registrar of motor vehicles;	3153
(11) An employee of an election official.	3154
(E) As used in this section, "registering voters" includes	3155
any effort, for compensation, to provide voter registration	3156
forms or to assist persons in completing or returning those	3157
forms.	3158
Sec. 3503.30. (A) When by mistake a qualified elector has	3159
caused himself the elector to be registered in a precinct which	3160
was that is not his the elector's place of residence, the board	3161
of elections, on full and satisfactory proof that such error was	3162
committed by mistake, may, on his the elector's personal	3163
application and proof of his the elector's true residence,	3164
correct his the elector's registration form. The board may	3165
correct all errors occurring in the registration of electors	3166
when it finds that the errors subject to correction were not of	3167

fraudulent intent. 3168

(B) When by mistake a qualified elector has been 3169
registered under section 3503.11 of the Revised Code in a 3170
precinct or under a name that is not the elector's place of 3171
residence or name, the board of elections, upon proof of the 3172
elector's true residence or name, as applicable, shall correct 3173
the elector's registration form. If the elector casts a 3174
provisional ballot because the elector's registration has been 3175
updated erroneously under that section, the elector's 3176
provisional ballot shall be eligible to be counted, as described 3177
in division (E) of section 3505.183 of the Revised Code. 3178

Sec. 3503.33. (A) If an elector applying for registration 3179
is already registered in another state or in another county 3180
within this state, the elector shall declare this fact to the 3181
registration officer and shall sign on the registration form, 3182
which shall operate as an authorization to cancel the previous 3183
registration on a form prescribed by the secretary of state. 3184

(B) When the board of elections registers a person to vote 3185
or updates a person's registration under section 3503.11 of the 3186
Revised Code, if the board is aware of the person's previous 3187
residence address and that address is located in another state 3188
or in another county within this state, the board shall create a 3189
notice to cancel the previous registration for the purpose of 3190
complying with division (C) of this section. 3191

(C) The ~~director of the~~ board of elections shall mail all 3192
~~such~~ authorizations and notices described in division (A) or (B) 3193
of this section to the board of elections or comparable agency 3194
of the proper state and county. In the case of a notice 3195
described in division (B) of this section, the board shall 3196
include with the notice a copy of the elector's most recent 3197

registration form. Upon the receipt of this authorization from 3198
the forwarding county, the director of a board of elections in 3199
Ohio, upon a comparison of the elector's signature with the 3200
elector's signature as it appears on the registration files, 3201
shall remove the elector's registration from the files, and 3202
place it with the cancellation authorization in a separate file 3203
which shall be kept for a period of two calendar years. 3204

The board shall notify the elector at the present address 3205
~~as shown on the cancellation authorization~~ or notice ~~that his~~ 3206
the elector's prior registration has been canceled. 3207

(D) If, after the cancellation of an elector's prior 3208
registration under division (C) of this section, the board of 3209
elections that sent the notice under division (B) of this 3210
section receives a declination to register or to update the 3211
elector's registration under section 3503.11 of the Revised 3212
Code, the board shall notify the board of elections or 3213
comparable agency to which the board sent the notice under 3214
division (B) of this section to restore the elector's previous 3215
registration and treat it as though it were never canceled. 3216

Sec. 3505.18. (A) (1) When an elector appears in a polling 3217
place to vote, the elector shall announce to the precinct 3218
election officials the elector's full name and current address 3219
and provide proof of the elector's identity in the form of a 3220
current and valid photo identification, a military 3221
identification, or a copy of a current utility bill, bank 3222
statement, government check, paycheck, or other government 3223
document, other than a notice of voter registration mailed by a 3224
board of elections ~~under section 3503.19 of the Revised Code,~~ 3225
that shows the name and current address of the elector. 3226

(2) If an elector does not have or is unable to provide to 3227

the precinct election officials any of the forms of 3228
identification required under division (A) (1) of this section, 3229
the elector may cast a provisional ballot under section 3505.181 3230
of the Revised Code and do either of the following: 3231

(a) Write the elector's driver's license or state 3232
identification card number or the last four digits of the 3233
elector's social security number on the provisional ballot 3234
envelope; or 3235

(b) Appear at the office of the board of elections not 3236
later than the seventh day after the day of the election and 3237
provide the identification required under division (A) (1) of 3238
this section, the elector's driver's license or state 3239
identification card number, or the last four digits of the 3240
elector's social security number. 3241

(B) After the elector has announced the elector's full 3242
name and current address and provided any of the forms of 3243
identification required under division (A) (1) of this section, 3244
the elector shall ~~write-sign~~ the elector's ~~name-and-address-~~ 3245
signature at the proper place in the poll list or signature 3246
pollbook provided for the purpose, except that if, for any 3247
reason, an elector is unable to ~~write-sign~~ the elector's ~~name-~~ 3248
~~and-current-address-~~signature in the poll list or signature 3249
pollbook, the elector may make the elector's mark at the place 3250
intended for the elector's ~~name~~ signature, and a precinct 3251
election official shall write the name of the elector at the 3252
proper place on the poll list or signature pollbook following 3253
the elector's mark. The making of such a mark shall be attested 3254
by the precinct election official, who shall evidence the same 3255
by signing the precinct election official's name on the poll 3256
list or signature pollbook as a witness to the mark. 3257

Alternatively, if applicable, an attorney in fact acting 3258
pursuant to section 3501.382 of the Revised Code may sign the 3259
elector's signature in the poll list or signature pollbook in 3260
accordance with that section. 3261

The elector's signature in the poll list or signature 3262
pollbook then shall be compared with the elector's signature on 3263
the elector's registration form or a digitized signature list as 3264
provided for in section 3503.13 of the Revised Code, and if, in 3265
the opinion of a majority of the precinct election officials, 3266
the signatures are the signatures of the same person, the 3267
election officials shall enter the date of the election on the 3268
registration form or shall record the date by other means 3269
prescribed by the secretary of state. The validity of an 3270
attorney in fact's signature on behalf of an elector shall be 3271
determined in accordance with section 3501.382 of the Revised 3272
Code. 3273

If the right of the elector to vote is not then 3274
challenged, or, if being challenged, the elector establishes the 3275
elector's right to vote, the elector shall be allowed to proceed 3276
to use the voting machine. If voting machines are not being used 3277
in that precinct, the precinct election official in charge of 3278
ballots shall then detach the next ballots to be issued to the 3279
elector from Stub B attached to each ballot, leaving Stub A 3280
attached to each ballot, hand the ballots to the elector, and 3281
call the elector's name and the stub number on each of the 3282
ballots. The precinct election official shall enter the stub 3283
numbers opposite the signature of the elector in the pollbook. 3284
The elector shall then retire to one of the voting compartments 3285
to mark the elector's ballots. No mark shall be made on any 3286
ballot which would in any way enable any person to identify the 3287
person who voted the ballot. 3288

Sec. 3505.181. (A) All of the following individuals shall	3289
be permitted to cast a provisional ballot at an election:	3290
(1) An individual who declares that the individual is a	3291
registered voter in the precinct in which the individual desires	3292
to vote and that the individual is eligible to vote in an	3293
election, but the name of the individual does not appear on the	3294
official list of eligible voters for the precinct or an election	3295
official asserts that the individual is not eligible to vote;	3296
(2) An individual who does not have or is unable to	3297
provide to the election officials any of the forms of	3298
identification required under division (A) (1) of section 3505.18	3299
of the Revised Code;	3300
(3) An individual whose name in the poll list or signature	3301
pollbook has been marked under section 3509.09 or 3511.13 of the	3302
Revised Code as having requested an absent voter's ballot or a	3303
uniformed services or overseas absent voter's ballot for that	3304
election and who appears to vote at the polling place;	3305
(4) An individual whose <u>name in the poll list or signature</u>	3306
<u>pollbook has been marked because the individual's notification</u>	3307
of registration has been returned undelivered to the board of	3308
elections and whose name in the official registration list and	3309
in the poll list or signature pollbook has been marked under	3310
division (C) (2) of section 3503.19 of the Revised Code;	3311
(5) An individual who has been successfully challenged	3312
under section 3505.20 or 3513.20 of the Revised Code;	3313
(6) An individual who changes the individual's name and	3314
remains within the precinct without providing proof of that name	3315
change under division (B) (1) (b) of section 3503.16 of the	3316
Revised Code, moves from one precinct to another within a	3317

county, moves from one precinct to another and changes the 3318
individual's name, or moves from one county to another within 3319
the state, and completes and signs the required forms and 3320
statements under division (B) or (C) of section 3503.16 of the 3321
Revised Code; 3322

(7) An individual whose signature, in the opinion of the 3323
precinct officers under section 3505.22 of the Revised Code, is 3324
not that of the person who signed that name in the registration 3325
forms. 3326

(B) An individual who is eligible to cast a provisional 3327
ballot under division (A) of this section shall be permitted to 3328
cast a provisional ballot as follows: 3329

(1) An election official at the polling place shall notify 3330
the individual that the individual may cast a provisional ballot 3331
in that election. 3332

(2) Except as otherwise provided in division (F) of this 3333
section, the individual shall complete and execute a written 3334
affirmation before an election official at the polling place 3335
stating that the individual is both of the following: 3336

(a) A registered voter in the precinct in which the 3337
individual desires to vote; 3338

(b) Eligible to vote in that election. 3339

(3) An election official at the polling place shall 3340
transmit the ballot cast by the individual and the voter 3341
information contained in the written affirmation executed by the 3342
individual under division (B)(2) of this section to an 3343
appropriate local election official for verification under 3344
division (B)(4) of this section. 3345

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

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

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

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

(6) If, at the time that an individual casts a provisional ballot, the individual provides identification in the form of a current and valid photo identification, a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of voter registration mailed by a board of elections ~~under section 3503.19 of the Revised Code,~~ that shows the individual's name and current address, or provides the individual's driver's license or state identification card number or the last four digits of the individual's social security number, the individual shall record the type of identification provided or the driver's license, state identification card, or social security number information and include that information on the provisional ballot affirmation under division (B) (3) of this section.

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

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

(i) Provide to the board of elections proof of the

individual's identity in the form of a current and valid photo 3406
identification, a military identification, or a copy of a 3407
current utility bill, bank statement, government check, 3408
paycheck, or other government document, other than a notice of 3409
voter registration mailed by a board of elections ~~under section~~ 3410
~~3503.19 of the Revised Code~~, that shows the individual's name 3411
and current address; or 3412

(ii) Provide to the board of elections the individual's 3413
driver's license or state identification card number or the last 3414
four digits of the individual's social security number. 3415

(b) For a provisional ballot cast by an individual who has 3416
been successfully challenged under section 3505.20 of the 3417
Revised Code to be eligible to be counted, the individual who 3418
cast that ballot, within seven days after the day of that 3419
election, shall provide to the board of elections any 3420
identification or other documentation required to be provided by 3421
the applicable challenge questions asked of that individual 3422
under section 3505.20 of the Revised Code. 3423

(C) (1) If an individual declares that the individual is 3424
eligible to vote in a precinct other than the precinct in which 3425
the individual desires to vote, or if, upon review of the 3426
precinct voting location guide using the residential street 3427
address provided by the individual, an election official at the 3428
precinct at which the individual desires to vote determines that 3429
the individual is not eligible to vote in that precinct, the 3430
election official shall direct the individual to the precinct 3431
and polling place in which the individual appears to be eligible 3432
to vote, explain that the individual may cast a provisional 3433
ballot at the current location but the ballot or a portion of 3434
the ballot will not be counted if it is cast in the wrong 3435

precinct, and provide the telephone number of the board of 3436
elections in case the individual has additional questions. 3437

(2) If the individual refuses to travel to the correct 3438
precinct or to the office of the board of elections to cast a 3439
ballot, the individual shall be permitted to vote a provisional 3440
ballot at that precinct in accordance with division (B) of this 3441
section. If the individual is in the correct polling location 3442
for the precinct in which the individual is registered and 3443
eligible to vote, the election official shall complete and sign, 3444
under penalty of election falsification, a form that includes 3445
all of the following, and attach the form to the individual's 3446
provisional ballot affirmation: 3447

(a) The name or number of the individual's correct 3448
precinct; 3449

(b) A statement that the election official instructed the 3450
individual to travel to the correct precinct to vote; 3451

(c) A statement that the election official informed the 3452
individual that casting a provisional ballot in the wrong 3453
precinct would result in all or a portion of the votes on the 3454
ballot being rejected; 3455

(d) The name or number of the precinct in which the 3456
individual is casting a provisional ballot; and 3457

(e) The name of the polling location in which the 3458
individual is casting a provisional ballot. 3459

(D) The appropriate local election official shall cause 3460
voting information to be publicly posted at each polling place 3461
on the day of each election. 3462

(E) As used in this section and sections 3505.182 and 3463

3505.183 of the Revised Code:	3464
(1) "Precinct voting location guide" means either of the following:	3465 3466
(a) An electronic or paper record that lists the correct precinct and polling place for either each specific residential street address in the county or the range of residential street addresses located in each neighborhood block in the county;	3467 3468 3469 3470
(b) Any other method that a board of elections creates that allows a precinct election official or any elector who is at a polling place in that county to determine the correct precinct and polling place of any qualified elector who resides in the county.	3471 3472 3473 3474 3475
(2) "Voting information" means all of the following:	3476
(a) A sample version of the ballot that will be used for that election;	3477 3478
(b) Information regarding the date of the election and the hours during which polling places will be open;	3479 3480
(c) Instructions on how to vote, including how to cast a vote and how to cast a provisional ballot;	3481 3482
(d) Instructions for mail-in registrants and first-time voters under applicable federal and state laws;	3483 3484
(e) General information on voting rights under applicable federal and state laws, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated;	3485 3486 3487 3488 3489
(f) General information on federal and state laws	3490

regarding prohibitions against acts of fraud and 3491
misrepresentation. 3492

(F) Nothing in this section or section 3505.183 of the 3493
Revised Code is in derogation of section 3505.24 of the Revised 3494
Code, which permits a blind, disabled, or illiterate elector to 3495
receive assistance in the marking of the elector's ballot by two 3496
precinct election officials of different political parties. A 3497
blind, disabled, or illiterate elector may receive assistance in 3498
marking that elector's provisional ballot and in completing the 3499
required affirmation in the same manner as an elector may 3500
receive assistance on the day of an election under that section. 3501

Sec. 3505.183. (A) When the ballot boxes are delivered to 3502
the board of elections from the precincts, the board shall 3503
separate the provisional ballot envelopes from the rest of the 3504
ballots. Teams of employees of the board consisting of one 3505
member of each major political party shall place the sealed 3506
provisional ballot envelopes in a secure location within the 3507
office of the board. The sealed provisional ballot envelopes 3508
shall remain in that secure location until the validity of those 3509
ballots is determined under division (B) of this section. While 3510
the provisional ballot is stored in that secure location, and 3511
prior to the counting of the provisional ballots, if the board 3512
receives information regarding the validity of a specific 3513
provisional ballot under division (B) of this section, the board 3514
may note, on the sealed provisional ballot envelope for that 3515
ballot, whether the ballot is valid and entitled to be counted. 3516

(B) (1) To determine whether a provisional ballot is valid 3517
and entitled to be counted, the board shall examine its records 3518
and determine whether the individual who cast the provisional 3519
ballot is registered and eligible to vote in the applicable 3520

election. The board shall examine the information contained in 3521
the written affirmation executed by the individual who cast the 3522
provisional ballot under division (B) (2) of section 3505.181 of 3523
the Revised Code. The following information shall be included in 3524
the written affirmation in order for the provisional ballot to 3525
be eligible to be counted: 3526

(a) The individual's printed name, signature, date of 3527
birth, and current address; 3528

(b) A statement that the individual is a registered voter 3529
in the precinct in which the provisional ballot is being voted; 3530

(c) A statement that the individual is eligible to vote in 3531
the election in which the provisional ballot is being voted. 3532

(2) In addition to the information required to be included 3533
in an affirmation under division (B) (1) of this section, in 3534
determining whether a provisional ballot is valid and entitled 3535
to be counted, the board also shall examine any additional 3536
information for determining ballot validity provided by the 3537
provisional voter on the affirmation, provided by the 3538
provisional voter to an election official under section 3505.182 3539
of the Revised Code, or provided to the board of elections 3540
during the seven days after the day of the election under 3541
division (B) (7) of section 3505.181 of the Revised Code, to 3542
assist the board in determining the individual's eligibility to 3543
vote. 3544

(3) If, in examining a provisional ballot affirmation and 3545
additional information under divisions (B) (1) and (2) of this 3546
section and comparing the information required under division 3547
(B) (1) of this section with the elector's information in the 3548
statewide voter registration database, the board determines that 3549

all of the following apply, the provisional ballot envelope 3550
shall be opened, and the ballot shall be placed in a ballot box 3551
to be counted: 3552

(a) The individual named on the affirmation is properly 3553
registered to vote. 3554

(b) ~~The~~ Except as otherwise provided in divisions (D) and 3555
(E) of this section, the individual named on the affirmation is 3556
eligible to cast a ballot in the precinct and for the election 3557
in which the individual cast the provisional ballot. 3558

(c) The individual provided all of the information 3559
required under division (B)(1) of this section in the 3560
affirmation that the individual executed at the time the 3561
individual cast the provisional ballot. 3562

(d) The last four digits of the elector's social security 3563
number or the elector's driver's license number or state 3564
identification card number are not different from the last four 3565
digits of the elector's social security number or the elector's 3566
driver's license number or state identification card number 3567
contained in the statewide voter registration database. 3568

(e) Except as otherwise provided in this division, the 3569
month and day of the elector's date of birth are not different 3570
from the day and month of the elector's date of birth contained 3571
in the statewide voter registration database. 3572

This division does not apply to an elector's provisional 3573
ballot if either of the following is true: 3574

(i) The elector's date of birth contained in the statewide 3575
voter registration database is January 1, 1800. 3576

(ii) The board of elections has found, by a vote of at 3577

least three of its members, that the elector has met all other 3578
requirements of division (B) (3) of this section. 3579

(f) The elector's current address is not different from 3580
the elector's address contained in the statewide voter 3581
registration database, unless the elector indicated that the 3582
elector is casting a provisional ballot because the elector has 3583
moved and has not submitted a notice of change of address, as 3584
described in division (A) (6) of section 3505.181 of the Revised 3585
Code, and except as otherwise provided in division (E) of this 3586
section. 3587

(g) If applicable, the individual provided any additional 3588
information required under division (B) (7) of section 3505.181 3589
of the Revised Code within seven days after the day of the 3590
election. 3591

(4) (a) Except as otherwise provided in ~~division~~ divisions 3592
(D) and (E) of this section, if, in examining a provisional 3593
ballot affirmation and additional information under divisions 3594
(B) (1) and (2) of this section and comparing the information 3595
required under division (B) (1) of this section with the 3596
elector's information in the statewide voter registration 3597
database, the board determines that any of the following 3598
applies, the provisional ballot envelope shall not be opened, 3599
and the ballot shall not be counted: 3600

(i) The individual named on the affirmation is not 3601
qualified or is not properly registered to vote. 3602

(ii) The individual named on the affirmation is not 3603
eligible to cast a ballot in the precinct or for the election in 3604
which the individual cast the provisional ballot. 3605

(iii) The individual did not provide all of the 3606

information required under division (B) (1) of this section in 3607
the affirmation that the individual executed at the time the 3608
individual cast the provisional ballot. 3609

(iv) The individual has already cast a ballot for the 3610
election in which the individual cast the provisional ballot. 3611

(v) If applicable, the individual did not provide any 3612
additional information required under division (B) (7) of section 3613
3505.181 of the Revised Code within seven days after the day of 3614
the election. 3615

(vi) The individual failed to provide a current and valid 3616
photo identification, a military identification, a copy of a 3617
current utility bill, bank statement, government check, 3618
paycheck, or other government document, other than a notice of 3619
voter registration mailed by a board of elections ~~under section~~ 3620
~~3503.19 of the Revised Code~~, with the voter's name and current 3621
address, the individual's driver's license or state 3622
identification card number, or the last four digits of the 3623
individual's social security number or to execute an affirmation 3624
under division (B) of section 3505.181 of the Revised Code. 3625

(vii) The last four digits of the elector's social 3626
security number or the elector's driver's license number or 3627
state identification card number are different from the last 3628
four digits of the elector's social security number or the 3629
elector's driver's license number or state identification card 3630
number contained in the statewide voter registration database. 3631

(viii) Except as otherwise provided in this division, the 3632
month and day of the elector's date of birth are different from 3633
the day and month of the elector's date of birth contained in 3634
the statewide voter registration database. 3635

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

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

(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.

(ix) 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) of section 3505.181 of the Revised Code.

(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:

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

(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.

(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 3665
of the provisional ballot envelope, the names of the election 3666
officials who determined the validity of that ballot, the date 3667
and time that the determination was made, and the reason that 3668
the ballot was not counted, unless the board has already 3669
recorded that information in another database. 3670

(D) (1) If an individual cast a provisional ballot in a 3671
precinct in which the individual is not registered and eligible 3672
to vote, but in the correct polling location for the precinct in 3673
which the individual is registered and eligible to vote, and the 3674
election official failed to direct the individual to the correct 3675
precinct, the individual's ballot shall be remade under division 3676
(D) (2) of this section. The election official shall be deemed to 3677
have directed the individual to the correct precinct if the 3678
election official correctly completed the form described in 3679
division (C) (2) of section 3505.181 of the Revised Code. 3680

(2) A board of elections that remakes a provisional ballot 3681
under division (D) (1) of this section shall remake the 3682
provisional ballot on a ballot for the appropriate precinct to 3683
reflect the offices, questions, and issues for which the 3684
individual was eligible to cast a ballot and for which the 3685
individual attempted to cast a provisional ballot. The remade 3686
ballot shall be counted for each office, question, and issue for 3687
which the individual was eligible to vote. 3688

(3) ~~If~~ Except as otherwise provided in division (E) (2) of 3689
this section, if an individual cast a provisional ballot in a 3690
precinct in which the individual is not registered and eligible 3691
to vote and in the incorrect polling location for the precinct 3692
in which the individual is registered and eligible to vote, the 3693
provisional ballot envelope shall not be opened, and the ballot 3694

shall not be counted. 3695

~~(E) Provisional~~ (1) If the board determines that a 3696
provisional ballot is not eligible to be counted under this 3697
section because the individual's address provided on the 3698
provisional ballot affirmation is different from the address 3699
contained in the statewide voter registration database, because 3700
the individual's name and signature provided on the provisional 3701
ballot affirmation are different from the name and signature 3702
contained in the statewide voter registration database, or both, 3703
and both of the following are true, the board shall correct the 3704
individual's voter registration record to reflect the 3705
information provided in the provisional ballot affirmation, and 3706
the provisional ballot nonetheless shall be eligible to be 3707
counted: 3708

(a) The individual's voter registration was most recently 3709
updated through the automated voter registration system 3710
described in section 3503.11 of the Revised Code and not at the 3711
request of the individual or using information the individual 3712
submitted to the board of elections or the secretary of state. 3713

(b) The individual's voter registration correctly 3714
reflected the individual's address, name, and signature, as 3715
provided on the provisional ballot affirmation, immediately 3716
before that update occurred. 3717

(2) If an individual who cast a provisional ballot that is 3718
eligible to be counted under division (E) (1) of this section 3719
cast that ballot in the precinct indicated by the individual's 3720
voter registration record as updated through the automated voter 3721
registration system, and not in the precinct in which the 3722
individual resides, the board shall remake the provisional 3723
ballot on a ballot for the precinct in which the individual 3724

resides to reflect the offices, questions, and issues for which 3725
the individual was eligible to cast a ballot and for which the 3726
individual attempted to cast a provisional ballot. The remade 3727
ballot shall be counted for each office, question, and issue for 3728
which the individual was eligible to vote. 3729

(F) Provisional ballots that are rejected under division 3730
(B) (4) of this section shall not be counted but shall be 3731
preserved in their provisional ballot envelopes unopened until 3732
the time provided by section 3505.31 of the Revised Code for the 3733
destruction of all other ballots used at the election for which 3734
ballots were provided, at which time they shall be destroyed. 3735

~~(F)~~ (G) Provisional ballots that the board determines are 3736
eligible to be counted under ~~division (B) (3) or (D) of this~~ 3737
section shall be counted in the same manner as provided for 3738
other ballots under section 3505.27 of the Revised Code. No 3739
provisional ballots shall be counted in a particular county 3740
until the board determines the eligibility to be counted of all 3741
provisional ballots cast in that county under ~~division (B) of~~ 3742
this section for that election. Observers, as provided in 3743
section 3505.21 of the Revised Code, may be present at all times 3744
that the board is determining the eligibility of provisional 3745
ballots to be counted and counting those provisional ballots 3746
determined to be eligible. No person shall recklessly disclose 3747
the count or any portion of the count of provisional ballots in 3748
such a manner as to jeopardize the secrecy of any individual 3749
ballot. 3750

~~(G)~~ (H) (1) Except as otherwise provided in division ~~(G)~~ (H) 3751
(2) of this section, nothing in this section shall prevent a 3752
board of elections from examining provisional ballot 3753
affirmations and additional information under ~~divisions (B) (1)~~ 3754

~~and (2) of this section to determine the eligibility of~~ 3755
~~provisional ballots to be counted during the ten days after the~~ 3756
~~day of an election.~~ 3757

(2) A board of elections shall not examine the provisional 3758
ballot affirmation and additional information under ~~divisions~~ 3759
~~(B) (1) and (2) of this section of any provisional ballot cast by~~ 3760
an individual who must provide additional information to the 3761
board of elections under division (B) (7) of section 3505.181 of 3762
the Revised Code for the board to determine the individual's 3763
eligibility until the individual provides that information or 3764
until the eleventh day after the day of the election, whichever 3765
is earlier. 3766

Sec. 3509.03. (A) Except as provided in division (B) of 3767
section 3509.08 of the Revised Code, any qualified elector 3768
desiring to vote absent voter's ballots at an election shall 3769
make written application for those ballots to the director of 3770
elections of the county in which the elector's voting residence 3771
is located. 3772

(B) Except as otherwise provided in division (C) of this 3773
section, the application need not be in any particular form but 3774
shall contain all of the following: 3775

(1) The elector's name; 3776

(2) The elector's signature; 3777

(3) The address at which the elector is registered to 3778
vote; 3779

(4) The elector's date of birth; 3780

(5) One of the following: 3781

(a) The elector's driver's license number; 3782

(b) The last four digits of the elector's social security number;	3783 3784
(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.	3785 3786 3787 3788 3789 3790 3791
(6) A statement identifying the election for which absent voter's ballots are requested;	3792 3793
(7) A statement that the person requesting the ballots is a qualified elector;	3794 3795
(8) If the request is for primary election ballots, the elector's party affiliation;	3796 3797
(9) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed.	3798 3799
(C) If the elector has a confidential voter registration record, as described in section 111.44 of the Revised Code, the elector may provide the elector's program participant identification number instead of the address at which the elector is registered to vote.	3800 3801 3802 3803 3804
(D) 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	3805 3806 3807 3808 3809 3810 3811

ballots are to be voted, or not later than six p.m. on the last 3812
Friday before the day of the election at which the ballots are 3813
to be voted if the application is delivered in person to the 3814
office of the board. 3815

(E) A board of elections that mails an absent voter's 3816
ballot application to an elector under this section shall not 3817
prepay the return postage for that application. 3818

(F) Except as otherwise provided in this section and in 3819
sections 3505.24 and 3509.08 of the Revised Code, an election 3820
official shall not fill out any portion of an application for 3821
absent voter's ballots on behalf of an applicant. The secretary 3822
of state or a board of elections may preprint only an 3823
applicant's name and address on an application for absent 3824
voter's ballots before mailing that application to the 3825
applicant, except that if the applicant has a confidential voter 3826
registration record, the secretary of state or a board of 3827
elections shall not preprint the applicant's address on the 3828
application. 3829

Sec. 3509.05. (A) When an elector receives an absent 3830
voter's ballot pursuant to the elector's application or request, 3831
the elector shall, before placing any marks on the ballot, note 3832
whether there are any voting marks on it. If there are any 3833
voting marks, the ballot shall be returned immediately to the 3834
board of elections; otherwise, the elector shall cause the 3835
ballot to be marked, folded in a manner that the stub on it and 3836
the indorsements and facsimile signatures of the members of the 3837
board of elections on the back of it are visible, and placed and 3838
sealed within the identification envelope received from the 3839
director of elections for that purpose. Then, the elector shall 3840
cause the statement of voter on the outside of the 3841

identification envelope to be completed and signed, under 3842
penalty of election falsification. 3843

If the elector does not provide the elector's driver's 3844
license number or the last four digits of the elector's social 3845
security number on the statement of voter on the identification 3846
envelope, the elector also shall include in the return envelope 3847
with the identification envelope a copy of the elector's current 3848
valid photo identification, a copy of a military identification, 3849
or a copy of a current utility bill, bank statement, government 3850
check, paycheck, or other government document, other than a 3851
notice of voter registration mailed by a board of elections 3852
~~under section 3503.19 of the Revised Code~~, that shows the name 3853
and address of the elector. 3854

The elector shall mail the identification envelope to the 3855
director from whom it was received in the return envelope, 3856
postage prepaid, or the elector may personally deliver it to the 3857
director, or the spouse of the elector, the father, mother, 3858
father-in-law, mother-in-law, grandfather, grandmother, brother, 3859
or sister of the whole or half blood, or the son, daughter, 3860
adopting parent, adopted child, stepparent, stepchild, uncle, 3861
aunt, nephew, or niece of the elector may deliver it to the 3862
director. The return envelope shall be transmitted to the 3863
director in no other manner, except as provided in section 3864
3509.08 of the Revised Code. 3865

When absent voter's ballots are delivered to an elector at 3866
the office of the board, the elector may retire to a voting 3867
compartment provided by the board and there mark the ballots. 3868
Thereupon, the elector shall fold them, place them in the 3869
identification envelope provided, seal the envelope, fill in and 3870
sign the statement on the envelope under penalty of election 3871

falsification, and deliver the envelope to the director of the board. 3872
3873

Except as otherwise provided in division (B) of this section, all other envelopes containing marked absent voter's ballots shall be delivered to the director not later than the close of the polls on the day of an election. Absent voter's ballots delivered to the director later than the times specified shall not be counted, but shall be kept by the board in the sealed identification envelopes in which they are delivered to the director, until the time provided by section 3505.31 of the Revised Code for the destruction of all other ballots used at the election for which ballots were provided, at which time they shall be destroyed. 3874
3875
3876
3877
3878
3879
3880
3881
3882
3883
3884

(B) (1) Except as otherwise provided in division (B) (2) of this section, any return envelope that is postmarked prior to the day of the election shall be delivered to the director prior to the eleventh day after the election. Ballots delivered in envelopes postmarked prior to the day of the election that are received after the close of the polls on election day through the tenth day thereafter shall be counted on the eleventh day at the board of elections in the manner provided in divisions (C) and (D) of section 3509.06 of the Revised Code or in the manner provided in division (E) of that section, as applicable. Any such ballots that are received by the director later than the tenth day following the election shall not be counted, but shall be kept by the board in the sealed identification envelopes as provided in division (A) of this section. 3885
3886
3887
3888
3889
3890
3891
3892
3893
3894
3895
3896
3897
3898

(2) Division (B) (1) of this section shall not apply to any mail that is postmarked using a postage evidencing system, including a postage meter, as defined in 39 C.F.R. 501.1. 3899
3900
3901

Sec. 3511.02. (A) Notwithstanding any section of the 3902
Revised Code to the contrary, whenever any person applies for 3903
registration as a voter on a form adopted in accordance with 3904
federal regulations relating to the "Uniformed and Overseas 3905
Citizens Absentee Voting Act," ~~100 Stat. 924, 42 U.S.C.A. 1973ff-~~ 3906
~~(1986)~~52 U.S.C. 20301 et seq., this application shall be 3907
sufficient for voter registration and as a request for an absent 3908
voter's ballot. Uniformed services or overseas absent voter's 3909
ballots may be obtained by any person meeting the requirements 3910
of section 3511.011 of the Revised Code by applying 3911
electronically to the secretary of state or to the board of 3912
elections of the county in which the person's voting residence 3913
is located in accordance with section 3511.021 of the Revised 3914
Code or by applying to the director of the board of elections of 3915
the county in which the person's voting residence is located, in 3916
one of the following ways: 3917

(1) That person may make written application for those 3918
ballots. The person may personally deliver the application to 3919
the director or may mail it, send it by facsimile machine, send 3920
it by electronic mail, send it through internet delivery if such 3921
delivery is offered by the board of elections or the secretary 3922
of state, or otherwise send it to the director. Except as 3923
otherwise provided in division (B) of this section, the 3924
application need not be in any particular form but shall contain 3925
all of the following information: 3926

- (a) The elector's name; 3927
- (b) The elector's signature; 3928
- (c) The address at which the elector is registered to 3929
vote; 3930

(d) The elector's date of birth;	3931
(e) One of the following:	3932
(i) The elector's driver's license number;	3933
(ii) The last four digits of the elector's social security number;	3934 3935
(iii) 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.	3936 3937 3938 3939 3940 3941 3942
(f) A statement identifying the election for which absent voter's ballots are requested;	3943 3944
(g) A statement that the person requesting the ballots is a qualified elector;	3945 3946
(h) A statement that the elector is an absent uniformed services voter or overseas voter as defined in 42-52 U.S.C. 1973ff-6 <u>20310</u> ;	3947 3948 3949
(i) A statement of the elector's length of residence in the state immediately preceding the commencement of service, immediately preceding the date of leaving to be with or near the service member, or immediately preceding leaving the 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, whichever is applicable;	3950 3951 3952 3953 3954 3955 3956 3957
(j) If the request is for primary election ballots, the	3958

elector's party affiliation; 3959

(k) If the elector desires ballots to be mailed to the 3960
elector, the address to which those ballots shall be mailed; 3961

(l) If the elector desires ballots to be sent to the 3962
elector by facsimile machine, the telephone number to which they 3963
shall be so sent; 3964

(m) If the elector desires ballots to be sent to the 3965
elector by electronic mail or, if offered by the board of 3966
elections or the secretary of state, through internet delivery, 3967
the elector's electronic mail address or other internet contact 3968
information. 3969

(2) A voter or any relative of a voter listed in division 3970
(A) (3) of this section may use a single federal post card 3971
application to apply for uniformed services or overseas absent 3972
voter's ballots for use at the primary and general elections in 3973
a given year and any special election to be held on the day in 3974
that year specified by division (E) of section 3501.01 of the 3975
Revised Code for the holding of a primary election, designated 3976
by the general assembly for the purpose of submitting 3977
constitutional amendments proposed by the general assembly to 3978
the voters of the state. A single federal postcard application 3979
shall be processed by the board of elections pursuant to section 3980
3511.04 of the Revised Code the same as if the voter had applied 3981
separately for uniformed services or overseas absent voter's 3982
ballots for each election. 3983

(3) Application to have uniformed services or overseas 3984
absent voter's ballots mailed or sent by facsimile machine to 3985
such a person may be made by the spouse, father, mother, father- 3986
in-law, mother-in-law, grandfather, grandmother, brother or 3987

sister of the whole blood or half blood, son, daughter, adopting 3988
parent, adopted child, stepparent, stepchild, daughter-in-law, 3989
son-in-law, uncle, aunt, nephew, or niece of such a person. The 3990
application shall be in writing upon a blank form furnished only 3991
by the director or on a single federal post card as provided in 3992
division (A) (2) of this section. The form of the application 3993
shall be prescribed by the secretary of state. The director 3994
shall furnish that blank form to any of the relatives specified 3995
in this division desiring to make the application, only upon the 3996
request of such a relative made in person at the office of the 3997
board or upon the written request of such a relative mailed to 3998
the office of the board. Except as otherwise provided in 3999
division (B) of this section, the application, subscribed and 4000
sworn to by the applicant, shall contain all of the following: 4001

(a) The full name of the elector for whom ballots are 4002
requested; 4003

(b) A statement that the elector is an absent uniformed 4004
services voter or overseas voter as defined in 42-52 U.S.C. 4005
~~1973ff-6~~ 20310; 4006

(c) The address at which the elector is registered to 4007
vote; 4008

(d) A statement identifying the elector's length of 4009
residence in the state immediately preceding the commencement of 4010
service, immediately preceding the date of leaving to be with or 4011
near a service member, or immediately preceding leaving the 4012
United States, or a statement that the elector's parent or legal 4013
guardian resided in this state long enough to establish 4014
residency for voting purposes immediately preceding leaving the 4015
United States, as the case may be; 4016

(e) The elector's date of birth;	4017
(f) One of the following:	4018
(i) The elector's driver's license number;	4019
(ii) The last four digits of the elector's social security number;	4020 4021
(iii) 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.	4022 4023 4024 4025 4026 4027 4028
(g) A statement identifying the election for which absent voter's ballots are requested;	4029 4030
(h) A statement that the person requesting the ballots is a qualified elector;	4031 4032
(i) If the request is for primary election ballots, the elector's party affiliation;	4033 4034
(j) A statement that the applicant bears a relationship to the elector as specified in division (A) (3) of this section;	4035 4036
(k) The address to which ballots shall be mailed, the telephone number to which ballots shall be sent by facsimile machine, the electronic mail address to which ballots shall be sent by electronic mail, or, if internet delivery is offered by the board of elections or the secretary of state, the internet contact information to which ballots shall be sent through internet delivery;	4037 4038 4039 4040 4041 4042 4043

(1) The signature and address of the person making the application. 4044
4045

(B) If the elector has a confidential voter registration record, as described in section 111.44 of the Revised Code, the application may include the elector's program participant identification number instead of the address at which the elector is registered to vote. 4046
4047
4048
4049
4050

(C) Each application for uniformed services or overseas absent voter's ballots shall be delivered to the director not earlier than the first day of January of the year of the elections for which the uniformed services or overseas absent voter's ballots are requested or not earlier than ninety days before the day of the election at which the ballots are to be voted, whichever is earlier, and not later than twelve noon of the third day preceding the day of the election, or not later than six p.m. on the last Friday before the day of the election at which those ballots are to be voted if the application is delivered in person to the office of the board. 4051
4052
4053
4054
4055
4056
4057
4058
4059
4060
4061

(D) If the voter for whom the application is made is entitled to vote for presidential and vice-presidential electors only, the applicant shall submit to the director in addition to the requirements of division (A) of this section, a statement to the effect that the voter is qualified to vote for presidential and vice-presidential electors and for no other offices. 4062
4063
4064
4065
4066
4067

(E) A board of elections that mails a federal post card application or other absent voter's ballot application to an elector under this section shall not prepay the return postage for that application. 4068
4069
4070
4071

(F) Except as otherwise provided in this section and in 4072

sections 3505.24 and 3509.08 of the Revised Code, an election 4073
official shall not fill out any portion of a federal post card 4074
application or other application for absent voter's ballots on 4075
behalf of an applicant. The secretary of state or a board of 4076
elections may preprint only an applicant's name and address on a 4077
federal post card application or other application for absent 4078
voter's ballots before mailing that application to the 4079
applicant, except that if the applicant has a confidential voter 4080
registration record, the secretary of state or the board of 4081
elections shall not preprint the applicant's address on the 4082
application. 4083

Sec. 3511.09. Upon receiving uniformed services or 4084
overseas absent voter's ballots, the elector shall cause the 4085
questions on the face of the identification envelope to be 4086
answered, and, by writing the elector's usual signature in the 4087
proper place on the identification envelope, the elector shall 4088
declare under penalty of election falsification that the answers 4089
to those questions are true and correct to the best of the 4090
elector's knowledge and belief. Then, the elector shall note 4091
whether there are any voting marks on the ballot. If there are 4092
any voting marks, the ballot shall be returned immediately to 4093
the board of elections; otherwise, the elector shall cause the 4094
ballot to be marked, folded separately so as to conceal the 4095
markings on it, deposited in the identification envelope, and 4096
securely sealed in the identification envelope. The elector then 4097
shall cause the identification envelope to be placed within the 4098
return envelope, sealed in the return envelope, and mailed to 4099
the director of the board of elections to whom it is addressed. 4100
The ballot shall be submitted for mailing not later than 12:01 4101
a.m. at the place where the voter completes the ballot, on the 4102
date of the election. If the elector does not provide the 4103

elector's driver's license number or the last four digits of the 4104
elector's social security number on the statement of voter on 4105
the identification envelope, the elector also shall include in 4106
the return envelope with the identification envelope a copy of 4107
the elector's current valid photo identification, a copy of a 4108
military identification, or a copy of a current utility bill, 4109
bank statement, government check, paycheck, or other government 4110
document, other than a notice of voter registration mailed by a 4111
board of elections ~~under section 3503.19 of the Revised Code,~~ 4112
that shows the name and address of the elector. Each elector who 4113
will be outside the United States on the day of the election 4114
shall check the box on the return envelope indicating this fact 4115
and shall mail the return envelope to the director prior to the 4116
close of the polls on election day. 4117

Every uniformed services or overseas absent voter's ballot 4118
identification envelope shall be accompanied by the following 4119
statement in boldface capital letters: WHOEVER COMMITS ELECTION 4120
FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. 4121

Sec. 3599.11. (A) ~~No~~ (1) Subject to division (A) (2) of 4122
this section, no person shall knowingly do any of the following: 4123

(a) Knowingly register or make application or attempt to 4124
register in a precinct in which the person is not a qualified 4125
voter; ~~or knowingly~~ 4126

(b) Knowingly aid or abet any person to so register; ~~or~~ 4127
~~attempt~~ 4128

(c) Knowingly attempt to register or knowingly induce or 4129
attempt to induce any person to so register; ~~or knowingly~~ 4130

(d) Knowingly impersonate another or write or assume the 4131
name of another, real or fictitious, in registering or 4132

attempting to register; ~~or by~~ 4133

(e) By false statement or other unlawful means, knowingly 4134
procure, aid, or attempt to procure the erasure or striking out 4135
on the register or duplicate list of the name of a qualified 4136
elector therein; ~~or knowingly~~ 4137

(f) Knowingly induce or attempt to induce a registrar or 4138
other election authority to refuse registration in a precinct to 4139
an elector thereof; ~~or knowingly~~ 4140

(g) Knowingly swear or affirm falsely upon a lawful 4141
examination by or before any registering officer; ~~or make~~ 4142

(h) Knowingly make, print, or issue any false or 4143
counterfeit certificate of registration or knowingly alter any 4144
certificate of registration. 4145

~~No person shall knowingly;~~ 4146

(i) Knowingly register under more than one name or 4147
knowingly induce any person to so register. 4148

~~No person shall knowingly;~~ 4149

(j) Knowingly make any false statement on any form for 4150
registration or change of registration or upon any application 4151
or return envelope for an absent voter's ballot. 4152

(2) (a) A person whose voter registration or 4153
preregistration or voter registration or preregistration update 4154
is processed through the automated voter registration system 4155
described in section 3503.11 of the Revised Code and who is not 4156
a qualified voter or person eligible to preregister in the 4157
precinct or under the name indicated violates division (A)(1) of 4158
this section only if the person knowingly provides or attempts 4159
to provide false information with the intention of registering 4160

or preregistering or submitting a registration or 4161
preregistration update using that information. 4162

(b) A person who aids, abets, induces, or attempts to 4163
induce another person to have the other person's voter 4164
registration or preregistration or voter registration or 4165
preregistration update processed through the automated voter 4166
registration system described in section 3503.11 of the Revised 4167
Code when the other person is not a qualified voter or person 4168
eligible to preregister in the precinct or under the name 4169
indicated violates division (A) (1) of this section only if the 4170
person knowingly causes or attempts to cause the other person to 4171
be registered or preregistered to vote or to have the other 4172
person's registration or preregistration updated using 4173
information the person knows is false. 4174

(3) Whoever violates ~~this~~ division (A) (1) of this section 4175
is guilty of a felony of the fifth degree. 4176

(B) (1) No person who helps another person register outside 4177
an official voter registration place shall knowingly destroy, or 4178
knowingly help another person to destroy, any completed 4179
registration form. 4180

Whoever violates this division is guilty of election 4181
falsification, a felony of the fifth degree. 4182

(2) ~~(a)~~ No person who helps another person register outside 4183
an official voter registration place shall knowingly fail to 4184
~~return~~ cause any registration form entrusted to that person to 4185
be returned to any board of elections or the office of the 4186
secretary of state within ten days after that ~~registration~~ 4187
registration form is completed, or on or before the thirtieth 4188
day before the election, whichever day is earlier, unless the 4189

registration form is received by the person within twenty-four 4190
hours of the thirtieth day before the election, in which case 4191
the person shall ~~return~~ cause the registration form to be 4192
returned to any board of elections or the office of the 4193
secretary of state within ten days of its receipt. 4194

Whoever violates this division is guilty of election 4195
falsification, a felony of the fifth degree, unless the person 4196
has not previously been convicted of a violation of this 4197
division ~~(B) (2) (a), (B) (2) (b), (C) (1), or (C) (2) of this~~ 4198
~~section~~, the violation of this division does not cause any 4199
person to miss any voter registration deadline with regard to 4200
any election, and the number of voter registration forms that 4201
the violator has failed to properly return does not exceed 4202
forty-nine, in which case the violator is guilty of a 4203
misdemeanor of the first degree. 4204

~~(b) Subject to division (C) (2) of this section, no person~~ 4205
~~who helps another person register outside an official~~ 4206
~~registration place shall knowingly return any registration form~~ 4207
~~entrusted to that person to any location other than any board of~~ 4208
~~elections or the office of the secretary of state.~~ 4209

~~Whoever violates this division is guilty of election~~ 4210
~~falsification, a felony of the fifth degree, unless the person~~ 4211
~~has not previously been convicted of a violation of division (B)~~ 4212
~~(2) (a), (B) (2) (b), (C) (1), or (C) (2) of this section, the~~ 4213
~~violation of this division does not cause any person to miss any~~ 4214
~~voter registration deadline with regard to any election, and the~~ 4215
~~number of voter registration forms that the violator has failed~~ 4216
~~to properly return does not exceed forty nine, in which case the~~ 4217
~~violator is guilty of a misdemeanor of the first degree.~~ 4218

~~(C) (1) No person who receives compensation for registering~~ 4219

~~a voter shall knowingly fail to return any registration form- 4220
entrusted to that person to any board of elections or the office- 4221
of the secretary of state within ten days after that voter- 4222
registration form is completed, or on or before the thirtieth- 4223
day before the election, whichever is earlier, unless the- 4224
registration form is received by the person within twenty four- 4225
hours of the thirtieth day before the election, in which case- 4226
the person shall return the registration form to any board of- 4227
elections or the office of the secretary of state within ten days- 4228
of its receipt. 4229~~

~~Whoever violates this division is guilty of election- 4230
falsification, a felony of the fifth degree, unless the person- 4231
has not previously been convicted of a violation of division (B)- 4232
(2) (a), (B) (2) (b), (C) (1), or (C) (2) of this section, the- 4233
violation of this division does not cause any person to miss any- 4234
voter registration deadline with regard to any election, and the- 4235
number of voter registration forms that the violator has failed- 4236
to properly return does not exceed forty nine, in which case the- 4237
violator is guilty of a misdemeanor of the first degree. 4238~~

~~(2) No person who receives compensation for registering a- 4239
voter shall knowingly return any registration form entrusted to- 4240
that person to any location other than any board of elections or- 4241
the office of the secretary of state. 4242~~

~~Whoever violates this division is guilty of election- 4243
falsification, a felony of the fifth degree, unless the person- 4244
has not previously been convicted of a violation of division (B)- 4245
(2) (a), (B) (2) (b), (C) (1), or (C) (2) of this section, the- 4246
violation of this division does not cause any person to miss any- 4247
voter registration deadline with regard to any election, and the- 4248
number of voter registration forms that the violator has failed- 4249~~

~~to properly return does not exceed forty nine, in which case the~~ 4250
~~violator is guilty of a misdemeanor of the first degree.~~ 4251

~~(D) As used in division (C) of this section, "registering~~ 4252
~~a voter" includes any effort, for compensation, to provide voter~~ 4253
~~registration forms or to assist persons in completing or~~ 4254
~~returning those forms.~~ 4255

Sec. 3599.18. (A) No election official, person assisting 4256
in the registration of electors, or police officer shall 4257
knowingly do any of the following: 4258

(1) Refuse, neglect, or unnecessarily delay, hinder, or 4259
prevent the registration of a ~~qualified elector~~ person, who in a 4260
lawful manner applies for registration or preregistration or who 4261
should be registered or preregistered or have the person's 4262
registration or preregistration updated under section 3503.11 of 4263
the Revised Code; 4264

(2) Enter or consent to the entry of a fictitious name on 4265
a voter registration list; 4266

(3) Alter the name on or remove or destroy the 4267
registration card or form of any qualified elector; 4268

(4) Neglect, unlawfully execute, or fail to execute any 4269
duty enjoined upon that person as an election official, person 4270
assisting in the registration of electors, or police officer. 4271

(B) Whoever violates division (A) of this section is 4272
guilty of a misdemeanor of the first degree. 4273

Sec. 4506.07. (A) An applicant for a commercial driver's 4274
license, restricted commercial driver's license, or a commercial 4275
driver's license temporary instruction permit, or a duplicate of 4276
such a license or permit, shall submit an application upon a 4277

form approved and furnished by the registrar of motor vehicles. 4278
Except as provided in section 4506.24 of the Revised Code in 4279
regard to a restricted commercial driver's license, the 4280
applicant shall sign the application which shall contain the 4281
following information: 4282

(1) The applicant's name, date of birth, social security 4283
account number, sex, general description including height, 4284
weight, and color of hair and eyes, current residence, duration 4285
of residence in this state, state of domicile, country of 4286
citizenship, and occupation; 4287

(2) Whether the applicant previously has been licensed to 4288
operate a commercial motor vehicle or any other type of motor 4289
vehicle in another state or a foreign jurisdiction and, if so, 4290
when, by what state, and whether the license or driving 4291
privileges currently are suspended or revoked in any 4292
jurisdiction, or the applicant otherwise has been disqualified 4293
from operating a commercial motor vehicle, or is subject to an 4294
out-of-service order issued under this chapter or any similar 4295
law of another state or a foreign jurisdiction and, if so, the 4296
date of, locations involved, and reason for the suspension, 4297
revocation, disqualification, or out-of-service order; 4298

(3) Whether the applicant is afflicted with or suffering 4299
from any physical or mental disability or disease that prevents 4300
the applicant from exercising reasonable and ordinary control 4301
over a motor vehicle while operating it upon a highway or is or 4302
has been subject to any condition resulting in episodic 4303
impairment of consciousness or loss of muscular control and, if 4304
so, the nature and extent of the disability, disease, or 4305
condition, and the names and addresses of the physicians 4306
attending the applicant; 4307

(4) Whether the applicant has obtained a medical 4308
examiner's certificate as required by this chapter and, 4309
beginning January 30, 2012, the applicant, prior to or at the 4310
time of applying, has self-certified to the registrar the 4311
applicable status of the applicant under division (A) (1) of 4312
section 4506.10 of the Revised Code; 4313

(5) Whether the applicant has pending a citation for 4314
violation of any motor vehicle law or ordinance except a parking 4315
violation and, if so, a description of the citation, the court 4316
having jurisdiction of the offense, and the date when the 4317
offense occurred; 4318

(6) If an applicant has not certified the applicant's 4319
willingness to make an anatomical gift under section 2108.05 of 4320
the Revised Code, whether the applicant wishes to certify 4321
willingness to make such an anatomical gift, which shall be 4322
given no consideration in the issuance of a license; 4323

(7) Whether the applicant has executed a valid durable 4324
power of attorney for health care pursuant to sections 1337.11 4325
to 1337.17 of the Revised Code or has executed a declaration 4326
governing the use or continuation, or the withholding or 4327
withdrawal, of life-sustaining treatment pursuant to sections 4328
2133.01 to 2133.15 of the Revised Code and, if the applicant has 4329
executed either type of instrument, whether the applicant wishes 4330
the license issued to indicate that the applicant has executed 4331
the instrument; 4332

(8) Whether the applicant is a veteran, active duty, or 4333
reservist of the armed forces of the United States and, if the 4334
applicant is such, whether the applicant wishes the license 4335
issued to indicate that the applicant is a veteran, active duty, 4336
or reservist of the armed forces of the United States by a 4337

military designation on the license. 4338

(B) Every applicant shall certify, on a form approved and 4339
furnished by the registrar, all of the following: 4340

(1) That the motor vehicle in which the applicant intends 4341
to take the driving skills test is representative of the type of 4342
motor vehicle that the applicant expects to operate as a driver; 4343

(2) That the applicant is not subject to any 4344
disqualification or out-of-service order, or license suspension, 4345
revocation, or cancellation, under the laws of this state, of 4346
another state, or of a foreign jurisdiction and does not have 4347
more than one driver's license issued by this or another state 4348
or a foreign jurisdiction; 4349

(3) Any additional information, certification, or evidence 4350
that the registrar requires by rule in order to ensure that the 4351
issuance of a commercial driver's license or commercial driver's 4352
license temporary instruction permit to the applicant is in 4353
compliance with the law of this state and with federal law. 4354

(C) Every applicant shall execute a form, approved and 4355
furnished by the registrar, under which the applicant consents 4356
to the release by the registrar of information from the 4357
applicant's driving record. 4358

(D) The registrar or a deputy registrar, in accordance 4359
with section 3503.11 of the Revised Code, shall register as an 4360
elector any applicant for a commercial driver's license or for a 4361
renewal or duplicate of such a license under this chapter, if 4362
the applicant ~~is~~ appears to be eligible ~~and wishes to be~~ 4363
registered as an elector. ~~The decision of an applicant whether~~ 4364
~~to register as an elector shall be given no consideration in the~~ 4365
~~decision of whether to issue the applicant a license or a~~ 4366

~~renewal or duplicate.~~ 4367

(E) The registrar or a deputy registrar, in accordance 4368
with section 3503.11 of the Revised Code, shall ~~offer the~~ 4369
~~opportunity of completing~~ transmit information of a notice of 4370
change of residence or change of name ~~to~~ for any applicant for a 4371
commercial driver's license or for a renewal or duplicate of 4372
such a license who is a resident of this state, if the applicant 4373
is a registered elector who has changed the applicant's 4374
residence or name and has not previously filed ~~such a~~ notice of 4375
change of residence or change of name. 4376

(F) In considering any application submitted pursuant to 4377
this section, the bureau of motor vehicles may conduct any 4378
inquiries necessary to ensure that issuance or renewal of a 4379
commercial driver's license would not violate any provision of 4380
the Revised Code or federal law. 4381

(G) In addition to any other information it contains, the 4382
form approved and furnished by the registrar of motor vehicles 4383
for an application for a commercial driver's license, restricted 4384
commercial driver's license, or a commercial driver's license 4385
temporary instruction permit or an application for a duplicate 4386
of such a license or permit shall inform applicants that the 4387
applicant must present a copy of the applicant's DD-214 or an 4388
equivalent document in order to qualify to have the license, or 4389
permit, or duplicate indicate that the applicant is a veteran, 4390
active duty, or reservist of the armed forces of the United 4391
States based on a request made pursuant to division (A) (8) of 4392
this section. 4393

Sec. 4507.06. (A) (1) Every application for a driver's 4394
license, motorcycle operator's license or endorsement, or motor- 4395
driven cycle or motor scooter license or endorsement, or 4396

duplicate of any such license or endorsement, shall be made upon 4397
the approved form furnished by the registrar of motor vehicles 4398
and shall be signed by the applicant. 4399

Every application shall state the following: 4400

(a) The applicant's name, date of birth, social security 4401
number if such has been assigned, sex, general description, 4402
including height, weight, color of hair, and eyes, residence 4403
address, including county of residence, duration of residence in 4404
this state, and country of citizenship; 4405

(b) Whether the applicant previously has been licensed as 4406
an operator, chauffeur, driver, commercial driver, or motorcycle 4407
operator and, if so, when, by what state, and whether such 4408
license is suspended or canceled at the present time and, if so, 4409
the date of and reason for the suspension or cancellation; 4410

(c) Whether the applicant is now or ever has been 4411
afflicted with epilepsy, or whether the applicant now is 4412
suffering from any physical or mental disability or disease and, 4413
if so, the nature and extent of the disability or disease, 4414
giving the names and addresses of physicians then or previously 4415
in attendance upon the applicant; 4416

(d) Whether an applicant for a duplicate driver's license, 4417
duplicate license containing a motorcycle operator endorsement, 4418
or duplicate license containing a motor-driven cycle or motor 4419
scooter endorsement has pending a citation for violation of any 4420
motor vehicle law or ordinance, a description of any such 4421
citation pending, and the date of the citation; 4422

(e) If an applicant has not certified the applicant's 4423
willingness to make an anatomical gift under section 2108.05 of 4424
the Revised Code, whether the applicant wishes to certify 4425

willingness to make such an anatomical gift, which shall be 4426
given no consideration in the issuance of a license or 4427
endorsement; 4428

(f) Whether the applicant has executed a valid durable 4429
power of attorney for health care pursuant to sections 1337.11 4430
to 1337.17 of the Revised Code or has executed a declaration 4431
governing the use or continuation, or the withholding or 4432
withdrawal, of life-sustaining treatment pursuant to sections 4433
2133.01 to 2133.15 of the Revised Code and, if the applicant has 4434
executed either type of instrument, whether the applicant wishes 4435
the applicant's license to indicate that the applicant has 4436
executed the instrument; 4437

(g) On and after October 7, 2009, whether the applicant is 4438
a veteran, active duty, or reservist of the armed forces of the 4439
United States and, if the applicant is such, whether the 4440
applicant wishes the applicant's license to indicate that the 4441
applicant is a veteran, active duty, or reservist of the armed 4442
forces of the United States by a military designation on the 4443
license. 4444

(2) Every applicant for a driver's license shall be 4445
photographed in color at the time the application for the 4446
license is made. The application shall state any additional 4447
information that the registrar requires. 4448

(B) The registrar or a deputy registrar, in accordance 4449
with section 3503.11 of the Revised Code, shall register ~~as an~~ 4450
~~elector or preregister to vote~~ any person who applies for a 4451
license or endorsement under division (A) of this section, or 4452
for a renewal or duplicate of the license or endorsement, if the 4453
applicant ~~is~~ appears to be eligible ~~and wishes~~ to be registered 4454
~~as an elector or preregistered to vote.~~ ~~The decision of an~~ 4455

~~applicant whether to register as an elector shall be given no~~ 4456
~~consideration in the decision of whether to issue the applicant~~ 4457
~~a license or endorsement, or a renewal or duplicate.~~ 4458

(C) The registrar or a deputy registrar, in accordance 4459
with section 3503.11 of the Revised Code, shall ~~offer the~~ 4460
~~opportunity of completing~~ transmit information of a notice of 4461
change of residence or change of name ~~to~~ for any applicant for a 4462
driver's license or endorsement under division (A) of this 4463
section, or for a renewal or duplicate of the license or 4464
endorsement, if the applicant is a registered elector who has 4465
changed the applicant's residence or name and has not previously 4466
filed ~~such~~ a notice of change of residence or change of name. 4467

(D) In addition to any other information it contains, on 4468
and after October 7, 2009, the approved form furnished by the 4469
registrar of motor vehicles for an application for a license or 4470
endorsement or an application for a duplicate of any such 4471
license or endorsement shall inform applicants that the 4472
applicant must present a copy of the applicant's DD-214 or an 4473
equivalent document in order to qualify to have the license or 4474
duplicate indicate that the applicant is a veteran, active duty, 4475
or reservist of the armed forces of the United States based on a 4476
request made pursuant to division (A) (1) (g) of this section. 4477

Sec. 4507.51. (A) (1) Every application for an 4478
identification card or duplicate shall be made on a form 4479
furnished by the registrar of motor vehicles, shall be signed by 4480
the applicant, and by the applicant's parent or guardian if the 4481
applicant is under eighteen years of age, and shall contain the 4482
following information pertaining to the applicant: name, date of 4483
birth, sex, general description including the applicant's 4484
height, weight, hair color, and eye color, address, and social 4485

security number. The application also shall include, for an 4486
applicant who has not already certified the applicant's 4487
willingness to make an anatomical gift under section 2108.05 of 4488
the Revised Code, whether the applicant wishes to certify 4489
willingness to make such an anatomical gift and shall include 4490
information about the requirements of sections 2108.01 to 4491
2108.29 of the Revised Code that apply to persons who are less 4492
than eighteen years of age. The statement regarding willingness 4493
to make such a donation shall be given no consideration in the 4494
decision of whether to issue an identification card. Each 4495
applicant shall be photographed in color at the time of making 4496
application. 4497

(2) (a) The application also shall state whether the 4498
applicant has executed a valid durable power of attorney for 4499
health care pursuant to sections 1337.11 to 1337.17 of the 4500
Revised Code or has executed a declaration governing the use or 4501
continuation, or the withholding or withdrawal, of life- 4502
sustaining treatment pursuant to sections 2133.01 to 2133.15 of 4503
the Revised Code and, if the applicant has executed either type 4504
of instrument, whether the applicant wishes the identification 4505
card issued to indicate that the applicant has executed the 4506
instrument. 4507

(b) On and after October 7, 2009, the application also 4508
shall state whether the applicant is a veteran, active duty, or 4509
reservist of the armed forces of the United States and, if the 4510
applicant is such, whether the applicant wishes the 4511
identification card issued to indicate that the applicant is a 4512
veteran, active duty, or reservist of the armed forces of the 4513
United States by a military designation on the identification 4514
card. 4515

(3) The registrar or deputy registrar, in accordance with 4516
section 3503.11 of the Revised Code, shall register ~~as an~~ 4517
~~elector or preregister to vote~~ any person who applies for an 4518
identification card or duplicate if the applicant is eligible 4519
and wishes to be registered ~~as an elector or preregistered to~~ 4520
~~vote~~. ~~The decision of an applicant whether to register as an~~ 4521
~~elector shall be given no consideration in the decision of~~ 4522
~~whether to issue the applicant an identification card or~~ 4523
~~duplicate.~~ 4524

(B) The application for an identification card or 4525
duplicate shall be filed in the office of the registrar or 4526
deputy registrar. Each applicant shall present documentary 4527
evidence as required by the registrar of the applicant's age and 4528
identity, and the applicant shall swear that all information 4529
given is true. An identification card issued by the department 4530
of rehabilitation and correction under section 5120.59 of the 4531
Revised Code or an identification card issued by the department 4532
of youth services under section 5139.511 of the Revised Code 4533
shall be sufficient documentary evidence under this division 4534
upon verification of the applicant's social security number by 4535
the registrar or a deputy registrar. Upon issuing an 4536
identification card under this section for a person who has been 4537
issued an identification card under section 5120.59 or section 4538
5139.511 of the Revised Code, the registrar or deputy registrar 4539
shall destroy the identification card issued under section 4540
5120.59 or section 5139.511 of the Revised Code. 4541

All applications for an identification card or duplicate 4542
shall be filed in duplicate, and if submitted to a deputy 4543
registrar, a copy shall be forwarded to the registrar. The 4544
registrar shall prescribe rules for the manner in which a deputy 4545
registrar is to file and maintain applications and other 4546

records. The registrar shall maintain a suitable, indexed record 4547
of all applications denied and cards issued or canceled. 4548

(C) In addition to any other information it contains, on 4549
and after the date that is fifteen months after April 7, 2009, 4550
the form furnished by the registrar of motor vehicles for an 4551
application for an identification card or duplicate shall inform 4552
applicants that the applicant must present a copy of the 4553
applicant's DD-214 or an equivalent document in order to qualify 4554
to have the card or duplicate indicate that the applicant is an 4555
honorably discharged veteran of the armed forces of the United 4556
States based on a request made pursuant to division (A) (2) (b) of 4557
this section. 4558

Section 2. That existing sections 111.42, 111.44, 149.43, 4559
3501.05, 3503.011, 3503.09, 3503.10, 3503.12, 3503.13, 3503.14, 4560
3503.15, 3503.16, 3503.18, 3503.19, 3503.20, 3503.21, 3503.24, 4561
3503.26, 3503.28, 3503.30, 3503.33, 3505.18, 3505.181, 3505.183, 4562
3509.03, 3509.05, 3511.02, 3511.09, 3599.11, 3599.18, 4506.07, 4563
4507.06, and 4507.51 of the Revised Code are hereby repealed. 4564

Section 3. That sections 3503.11, 3503.111, and 3503.29 of 4565
the Revised Code are hereby repealed. 4566

Section 4. The Secretary of State shall implement the 4567
automated voter registration program created by this act 4568
according to the following schedule: 4569

(A) If this act takes effect before April 1, 2020, not 4570
later than August 1, 2020; 4571

(B) If this act takes effect after April 1, 2020, not 4572
later than nine months after this act takes effect. 4573

Section 5. (A) (1) Except as otherwise provided in division 4574
(A) (2) of this section, the Bureau of Motor Vehicles shall 4575

provide to the Secretary of State electronic records of the 4576
previous four years concerning each person who appears to be 4577
eligible to register or preregister to vote or to update the 4578
person's registration or preregistration and about whom the 4579
Bureau possesses all of the following information as of the 4580
effective date of this act for the purpose of automatically 4581
registering or preregistering the person to vote or updating the 4582
person's registration or preregistration in accordance with this 4583
section: 4584

(a) The person's legal name; 4585

(b) The person's residence address; 4586

(c) The person's date of birth; 4587

(d) The number of the person's driver's license or state 4588
identification card or the last four digits of the person's 4589
Social Security number; 4590

(e) Whether the person is a United States citizen; 4591

(f) An electronic image of the person's signature. 4592

(2) The Bureau of Motor Vehicles shall not include in the 4593
information transmitted to the Secretary of State under division 4594
(A) (1) of this section any information about a person who 4595
appears to be eligible to vote or preregister to vote or to 4596
update the person's voter registration or preregistration but 4597
who has provided an address designated by the Secretary of State 4598
for participants in the address confidentiality program 4599
described in sections 111.41 to 111.48 of the Revised Code or 4600
otherwise has indicated to the Bureau that the person is a 4601
participant in that program. 4602

(B) (1) Upon receiving information concerning a person 4603

under division (A) (1) of this section, the Secretary of State 4604
promptly shall transmit that information to the board of 4605
elections of the county in which the person resides. If the 4606
board determines that the person appears to be eligible to 4607
register or preregister to vote or to update the person's 4608
registration or preregistration, except as otherwise provided in 4609
division (C) of this section, the board shall register or 4610
preregister the person to vote or update the person's 4611
registration or preregistration, as applicable. The electronic 4612
record transmitted to the board of elections under this section 4613
shall be considered to be the person's voter registration or 4614
preregistration form. 4615

(2) The board shall send the person a notice, on a form 4616
prescribed by the Secretary of State, with return postage 4617
prepaid by the board, that contains all of the following 4618
information: 4619

(a) (i) The fact that the person will be registered to vote 4620
or have the person's registration updated for purposes of the 4621
next election occurring at least thirty days after the date the 4622
Secretary of State received the person's information, unless the 4623
person declines to be registered to vote or to update the 4624
person's registration; or 4625

(ii) The fact that the person will be preregistered to 4626
vote or have the person's preregistration updated, unless the 4627
person declines to be preregistered to vote or to update the 4628
person's preregistration. 4629

(b) (i) A statement that in order to register to vote, the 4630
person must be a United States citizen, at least eighteen years 4631
of age at the time of the next general election, and have lived 4632
in this state for thirty days immediately preceding the next 4633

election; or 4634

(ii) A statement that in order to preregister to vote, the 4635
person must be a United States citizen, at least sixteen or 4636
seventeen years of age, and have lived in this state for thirty 4637
days immediately preceding the next election. 4638

(c) A statement instructing the person to decline to be 4639
registered or preregistered to vote if the person is not 4640
eligible to register or preregister; 4641

(d) The procedure to decline to be registered or 4642
preregistered to vote or to update the person's registration or 4643
preregistration, or to provide corrected registration or 4644
preregistration information, by signing and returning the card 4645
to the Secretary of State or the board of elections; 4646

(e) The precinct in which the person will be registered or 4647
preregistered to vote; 4648

(f) A statement in bold type as follows: 4649

"Voters must bring identification to the polls in order to 4650
verify identity. Identification may include a current and valid 4651
photo identification, a military identification, or a copy of a 4652
current utility bill, bank statement, government check, 4653
paycheck, or other government document, other than a voter 4654
registration notice, that shows the voter's name and current 4655
address. Voters who do not provide one of these documents will 4656
still be able to vote by casting a provisional ballot. Voters 4657
who do not have any of the above forms of identification, 4658
including a social security number, will still be able to vote 4659
by signing an affirmation swearing to the voter's identity under 4660
penalty of election falsification and by casting a provisional 4661
ballot." 4662

(3) The notice shall be by nonforwardable mail. If the notice is returned to the board, it shall investigate and cause the notice to be delivered to the correct address. If, after investigating, the board is unable to verify the person's correct address, it shall send the person a confirmation notice by forwardable mail and cause the person's name in the official registration or preregistration list and in the poll list or signature pollbook, if applicable, to be marked to indicate that the person's notice was returned to the board.

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

(C) (1) A board of elections shall not register or preregister a person to vote or update an elector's registration or preregistration under this section if the board determines that the person is not eligible to register or preregister or to update the elector's registration or preregistration or if the person declines to register or preregister or to update the elector's registration or preregistration.

(2) If, after a person has been registered or 4693
preregistered to vote under this section, the person declines to 4694
register or preregister, the board of elections shall treat the 4695
declination as a request to cancel the person's registration or 4696
preregistration. 4697

(3) If, after an elector's registration or preregistration 4698
has been updated under this section, the elector declines to 4699
update the elector's registration or preregistration, the board 4700
of elections shall correct the elector's registration or 4701
preregistration to reflect the name, address, or both, as 4702
applicable, that it contained before the board updated the 4703
elector's registration or preregistration under this section. 4704

(D) The provisions of the Revised Code amended or enacted 4705
by this act concerning the automated voter registration system 4706
described in section 3503.11 of the Revised Code, as enacted by 4707
this act, apply to this section. 4708

Section 6. The General Assembly, applying the principle 4709
stated in division (B) of section 1.52 of the Revised Code that 4710
amendments are to be harmonized if reasonably capable of 4711
simultaneous operation, finds that the following sections, 4712
presented in this act as composites of the sections as amended 4713
by the acts indicated, are the resulting versions of the 4714
sections in effect prior to the effective date of the sections 4715
as presented in this act: 4716

Section 3503.21 of the Revised Code as amended by both 4717
H.B. 359 and S.B. 63 of the 131st General Assembly. 4718

Section 3505.18 of the Revised Code as amended by S.B. 47, 4719
S.B. 109, and S.B. 216, all of the 130th General Assembly. 4720