

**As Introduced**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**H. B. No. 560**

**Representatives Lepore-Hagan, Liston**

**Cosponsors: Representatives Kelly, Miranda, Brent, Leland, Sheehy, Weinstein,  
West, Galonski, Russo, Boyd, Crossman, O'Brien, Sobecki, Smith, K., Crawley,  
Lightbody, Blair, Clites**

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**A BILL**

To amend sections 111.26, 111.44, 124.57, 149.43, 1  
302.041, 303.12, 307.96, 519.12, 718.01, 2  
3313.77, 3501.01, 3501.05, 3501.051, 3501.11, 3  
3501.13, 3501.15, 3501.17, 3501.18, 3501.21, 4  
3501.22, 3501.221, 3501.27, 3501.28, 3501.29, 5  
3501.30, 3501.31, 3501.32, 3501.33, 3501.34, 6  
3501.35, 3501.36, 3501.37, 3501.38, 3501.382, 7  
3501.90, 3503.01, 3503.02, 3503.09, 3503.10, 8  
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3503.16, 3503.19, 3503.20, 3503.21, 3503.23, 10  
3503.24, 3503.26, 3503.28, 3503.30, 3503.33, 11  
3504.01, 3504.02, 3504.04, 3504.05, 3505.01, 12  
3505.03, 3505.06, 3505.08, 3505.10, 3505.11, 13  
3505.12, 3505.16, 3505.17, 3505.18, 3505.181, 14  
3505.182, 3505.183, 3505.20, 3505.21, 3505.22, 15  
3505.23, 3505.24, 3505.26, 3505.27, 3505.28, 16  
3505.30, 3505.31, 3505.32, 3505.331, 3506.01, 17  
3506.02, 3506.021, 3506.03, 3506.04, 3506.05, 18  
3506.06, 3506.07, 3506.12, 3506.14, 3506.15, 19  
3506.19, 3506.21, 3506.23, 3509.01, 3509.021, 20  
3509.03, 3509.04, 3509.05, 3509.06, 3509.07, 21  
3509.08, 3511.01, 3511.011, 3511.02, 3511.021, 22

3511.03, 3511.04, 3511.05, 3511.051, 3511.08, 23  
3511.09, 3511.11, 3511.12, 3511.14, 3511.15, 24  
3511.16, 3513.05, 3513.052, 3513.07, 3513.13, 25  
3513.15, 3513.17, 3513.18, 3513.191, 3513.192, 26  
3513.22, 3513.261, 3513.30, 3513.31, 3513.311, 27  
3513.32, 3515.01, 3517.01, 3517.012, 3517.013, 28  
3517.08, 3519.05, 3599.02, 3599.06, 3599.07, 29  
3599.11, 3599.12, 3599.17, 3599.18, 3599.19, 30  
3599.20, 3599.21, 3599.24, 3599.25, 3599.26, 31  
3599.27, 3599.28, 3599.29, 3599.31, 3599.33, 32  
3599.34, 3599.36, 3599.39, 4109.06, 4301.353, 33  
4301.354, and 4507.06; to amend, for the purpose 34  
of adopting a new section number as indicated in 35  
parentheses, section 3501.012 (3511.06); to 36  
enact new sections 3503.111 and 3509.051 and 37  
sections 3501.291, 3505.261, and 3505.262; and 38  
to repeal sections 111.31, 3501.23, 3501.26, 39  
3503.111, 3503.29, 3505.29, 3506.08, 3506.09, 40  
3506.10, 3506.11, 3506.13, 3506.18, 3506.22, 41  
3509.02, 3509.051, 3509.09, 3509.10, 3511.06, 42  
3511.07, 3511.10, 3511.13, 3513.19, 3513.20, 43  
3513.21, 3517.014, and 3517.016 of the Revised 44  
Code to modify the law governing voter 45  
registration and the method of conducting 46  
elections. 47

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

**Section 1.** That sections 111.26, 111.44, 124.57, 149.43, 48  
302.041, 303.12, 307.96, 519.12, 718.01, 3313.77, 3501.01, 49

3501.05, 3501.051, 3501.11, 3501.13, 3501.15, 3501.17, 3501.18, 50  
3501.21, 3501.22, 3501.221, 3501.27, 3501.28, 3501.29, 3501.30, 51  
3501.31, 3501.32, 3501.33, 3501.34, 3501.35, 3501.36, 3501.37, 52  
3501.38, 3501.382, 3501.90, 3503.01, 3503.02, 3503.09, 3503.10, 53  
3503.11, 3503.12, 3503.13, 3503.14, 3503.15, 3503.16, 3503.19, 54  
3503.20, 3503.21, 3503.23, 3503.24, 3503.26, 3503.28, 3503.30, 55  
3503.33, 3504.01, 3504.02, 3504.04, 3504.05, 3505.01, 3505.03, 56  
3505.06, 3505.08, 3505.10, 3505.11, 3505.12, 3505.16, 3505.17, 57  
3505.18, 3505.181, 3505.182, 3505.183, 3505.20, 3505.21, 58  
3505.22, 3505.23, 3505.24, 3505.26, 3505.27, 3505.28, 3505.30, 59  
3505.31, 3505.32, 3505.331, 3506.01, 3506.02, 3506.021, 3506.03, 60  
3506.04, 3506.05, 3506.06, 3506.07, 3506.12, 3506.14, 3506.15, 61  
3506.19, 3506.21, 3506.23, 3509.01, 3509.021, 3509.03, 3509.04, 62  
3509.05, 3509.06, 3509.07, 3509.08, 3511.01, 3511.011, 3511.02, 63  
3511.021, 3511.03, 3511.04, 3511.05, 3511.051, 3511.08, 3511.09, 64  
3511.11, 3511.12, 3511.14, 3511.15, 3511.16, 3513.05, 3513.052, 65  
3513.07, 3513.13, 3513.15, 3513.17, 3513.18, 3513.191, 3513.192, 66  
3513.22, 3513.261, 3513.30, 3513.31, 3513.311, 3513.32, 3515.01, 67  
3517.01, 3517.012, 3517.013, 3517.08, 3519.05, 3599.02, 3599.06, 68  
3599.07, 3599.11, 3599.12, 3599.17, 3599.18, 3599.19, 3599.20, 69  
3599.21, 3599.24, 3599.25, 3599.26, 3599.27, 3599.28, 3599.29, 70  
3599.31, 3599.33, 3599.34, 3599.36, 3599.39, 4109.06, 4301.353, 71  
4301.354, and 4507.06 be amended; section 3501.012 (3511.06) be 72  
amended for the purpose of adopting a new section number as 73  
indicated in parentheses; and new sections 3503.111 and 3509.051 74  
and sections 3501.291, 3505.261, and 3505.262 of the Revised 75  
Code be enacted to read as follows: 76

**Sec. 111.26.** (A) It is hereby declared to be a public 77  
purpose and function of the state to facilitate the conduct of 78  
elections by assisting boards of elections in acquiring state 79  
capital facilities consisting of ~~voting machines,~~ marking 80

devices, and automatic tabulating equipment certified for use in 81  
this state under section 3506.05 of the Revised Code. Those 82  
~~voting machines,~~ marking devices, and automatic tabulating 83  
equipment are designated as capital facilities under Chapter 84  
154. of the Revised Code. The treasurer of state is authorized 85  
to issue revenue obligations under section 154.24 of the Revised 86  
Code to pay all or part of the cost of those state capital 87  
facilities as are designated by law. 88

Boards of elections, due to their responsibilities related 89  
to the proper conduct of elections under state law, are 90  
designated as state agencies having jurisdiction over those 91  
state capital facilities financed in part pursuant to this 92  
section and Chapter 154. of the Revised Code. It is hereby 93  
determined and declared that ~~voting machines,~~ marking devices, 94  
and automatic tabulating equipment financed in part under this 95  
section are for the purpose of housing agencies of state 96  
government, their functions and equipment. 97

(B) A county shall contribute to the cost of capital 98  
facilities authorized under this section as provided below. 99

(C) Any lease of capital facilities authorized by this 100  
section, the rentals of which are payable in whole or in part 101  
from appropriations made by the general assembly, is governed by 102  
Chapter 154. of the Revised Code. Such rentals constitute 103  
available receipts as defined in section 154.24 of the Revised 104  
Code and may be pledged for the payment of bond service charges 105  
as provided in Chapter 154. of the Revised Code. 106

(D) The county voting ~~machine~~ equipment revolving 107  
lease/loan fund is hereby created in the state treasury. The 108  
fund shall consist of the net proceeds of obligations issued 109  
under Chapter 154. of the Revised Code to finance a portion of 110

those state capital facilities described in division (A) of this section, as needed to ensure sufficient moneys to support appropriations from the fund. Lease payments from counties made for those capital facilities financed in part from the fund and interest earnings on the balance in the fund shall be credited to the fund. The fund shall also receive any other authorized transfers of cash. Moneys in the fund shall be used for the purpose of acquiring a portion of additional capital facilities described in division (A) of this section at the request of the applicable board of elections.

Participation in the fund by a board of county commissioners shall be voluntary.

The secretary of state shall administer the county voting ~~machine equipment~~ revolving lease/loan fund in accordance with this section and shall enter into any lease or other agreement with the department of administrative services, the Ohio public facilities commission, or any board of elections necessary or appropriate to accomplish the purposes of this section.

(E) Acquisitions made under this section shall provide not more than fifty per cent of the estimated total cost of a board of county commissioners' purchase of ~~voting machines,~~ marking devices, and automatic tabulating equipment.

The secretary of state shall adopt rules for the implementation of the acquisition and revolving lease/loan program established under this section, which rules shall require that the secretary of state approve any acquisition of ~~voting machines,~~ marking devices, and automatic tabulating equipment using money made available under this section. An acquisition for any one board of county commissioners shall not exceed five million dollars and shall be made only for equipment

purchased on or after March 31, 2008. Any costs incurred on or 141  
after January 1, 2008, may be considered as the county cost 142  
percentage for the purpose of an acquisition made under this 143  
section. 144

Counties shall lease from the secretary of state the 145  
capital facilities financed in part from the county voting 146  
~~machine equipment revolving~~ lease/loan fund and may enter into 147  
any agreements required under the applicable bond proceedings. 148  
All ~~voting machines, marking devices, and automatic tabulating~~ 149  
equipment purchased through this fund shall remain the property 150  
of the state until all payments under the applicable county 151  
lease have been made at which time ownership shall transfer to 152  
the county. Costs associated with the maintenance, repair, and 153  
operation of the ~~voting machines, marking devices, and automatic~~ 154  
~~tabulating~~ equipment purchased under this section shall be the 155  
responsibility of the participating boards of elections and 156  
boards of county commissioners. 157

Such lease may obligate the counties, as using state 158  
agencies under Chapter 154. of the Revised Code, to operate the 159  
capital facilities for such period of time as may be specified 160  
by law and to pay such rent as the secretary of state determines 161  
to be appropriate. Notwithstanding any other provision of the 162  
Revised Code to the contrary, any county may enter into such a 163  
lease, and any such lease is legally sufficient to obligate the 164  
county for the term stated in the lease. Any such lease 165  
constitutes an agreement described in division (D) of section 166  
154.06 of the Revised Code. 167

(F) As used in this section: 168

(1) "Automatic tabulating equipment," and "marking 169  
device," ~~and "voting machine"~~ have the same meanings as in 170

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| section 3506.01 of the Revised Code.  | 171   |
| (2) "Equipment" has the same meaning as in section 3506.05 of the Revised Code.   | 172<br>173                                    |
| <b>Sec. 111.44.</b> (A) A program participant who is eligible to vote may apply to the board of elections of the county in which the program participant resides to request that the program participant's voter registration record be kept confidential. The program participant shall submit an application to the director of the board of elections, on a form prescribed by the secretary of state, that includes all of the following: | 174<br>175<br>176<br>177<br>178<br>179<br>180 |
| (1) The information required under section 3503.14 of the Revised Code to register to vote;   | 181<br>182                                    |
| (2) The program participant's program participant identification number;  | 183<br>184                                    |
| (3) If the program participant is currently registered to vote at another address, the address at which the program participant is registered to vote and a statement that, if the program participant is registered in another county or state, the program participant authorizes the director to instruct the appropriate authority to cancel the program participant's existing voter registration;                                       | 185<br>186<br>187<br>188<br>189<br>190<br>191 |
| (4) A statement that the program participant understands all of the following:  | 192<br>193                                    |
| (a) That during the time the program participant chooses to have a confidential voter registration record, the program participant may vote only by <del>absent voter's mail</del> <u>mail</u> ballots;   | 194<br>195<br>196                             |
| (b) That the program participant may provide the program participant's program participant identification number instead  | 197<br>198                                    |

of the program participant's residence address on an application 199  
for ~~absent voter's mail~~ ballots or on an ~~absent voter's ballot~~ 200  
identification envelope statement of voter; 201

(c) That casting any ballot in person will reveal the 202  
program participant's precinct and residence address to ~~precinct~~ 203  
election officials ~~and employees of the board of elections~~ and 204  
may reveal the program participant's precinct or residence 205  
address to members of the public; 206

(d) That if the program participant signs an election 207  
petition, the program participant's residence address will be 208  
made available to the public. 209

(B) (1) A program participant who is not currently 210  
registered to vote in this state must submit an application 211  
under this section not later than the thirtieth day before the 212  
day of an election in order to be eligible to vote in that 213  
election, as provided in sections 3503.01 and 3503.19 of the 214  
Revised Code. 215

(2) A program participant who is currently registered to 216  
vote in this state may submit an application under this section 217  
at any time to request that the program participant's voter 218  
registration record be kept confidential. 219

(C) Upon the receipt by the director of the board of 220  
elections of a valid application under division (A) of this 221  
section, all of the following shall apply: 222

(1) The director or the deputy director shall contact the 223  
secretary of state to confirm that the program participant 224  
identification number provided on the application matches the 225  
number the secretary of state issued to the program participant. 226

(2) The application shall be treated as the program 227



participant's voter registration form. The form shall be stored 228  
in a secure manner, such that only the members of the board of 229  
elections, the director, and the deputy director have access to 230  
the form and to the residence address contained in the form. 231

(3) The director or the deputy director shall record the 232  
program participant's program participant identification number 233  
in the statewide voter registration database and the official 234  
registration list instead of the program participant's residence 235  
address and precinct. 236

(4) If the program participant is currently registered to 237  
vote in the county, the director or the deputy director shall do 238  
all of the following: 239

(a) Remove the residence address and precinct information 240  
from the program participant's voter registration record, the 241  
statewide voter registration database, and the official 242  
registration list; 243

(b) Remove the program participant's name and registration 244  
information from any pollbook, poll list, or signature pollbook 245  
in which it appears and from any publicly available registration 246  
list in which it appears. 247

(5) If the program participant is currently registered to 248  
vote in another county, the director or the deputy director 249  
shall notify the board of elections of the county in which the 250  
program participant is registered to cancel the program 251  
participant's registration. 252

(6) If the program participant is currently registered to 253  
vote in another state, the director or the deputy director shall 254  
notify the appropriate authority in that state to cancel the 255  
program participant's registration. 256

(7) The director or the deputy director shall promptly 257  
send an acknowledgment notice to the program participant on a 258  
form prescribed by the secretary of state. 259

(D) (1) (a) The residence address or precinct of a program 260  
participant who has a confidential voter registration record, as 261  
described in this section, shall not appear in the statewide 262  
voter registration database or in the official registration 263  
list. The program participant's program participant 264  
identification number shall appear in place of that information. 265

(b) No information concerning the program participant, 266  
including the program participant's name, shall be included in 267  
any pollbook, poll list, or signature pollbook. 268

(c) No information concerning the program participant, 269  
including the program participant's name, shall be included in 270  
the version of the statewide voter registration database that is 271  
available to the public or in any version of an official 272  
registration list that is available to the public. 273

(2) Notwithstanding any contrary provision of the Revised 274  
Code, a program participant who has a confidential voter 275  
registration record may vote only by ~~casting absent voter's~~ 276  
ballots mail. 277

(3) Not later than the forty-fifth day before the day of 278  
an election, the secretary of state shall mail a notice to each 279  
program participant who has a confidential voter registration 280  
record. The notice shall inform the program participant of all 281  
of the following: 282

(a) That if the program participant wishes to vote in the 283  
election, the program participant should cast ~~absent voter's~~ 284  
mail ballots ~~by mail~~; 285

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| (b) The procedure for the program participant to cast                           | 286 |
| <del>absent voter's</del> <u>mail ballots</u> ;                                 | 287 |
| (c) That casting any ballot in person will reveal the                           | 288 |
| program participant's precinct and residence address to <del>precinct</del>     | 289 |
| election officials <del>and employees of the board of elections</del> and       | 290 |
| may reveal the program participant's precinct or residence                      | 291 |
| address to members of the public.   | 292 |
| (E) (1) A program participant who has a confidential voter                      | 293 |
| registration record and who has had a change of name <del>or</del> , change     | 294 |
| of address, <u>or change of political party affiliation</u> may submit          | 295 |
| an application under division (A) of this section that includes                 | 296 |
| the program participant's updated information. The director or                  | 297 |
| the deputy director shall treat that application as a notice of                 | 298 |
| change of name <del>or</del> , change of address, <u>or change of political</u> | 299 |
| <u>party affiliation</u> .  | 300 |
| (2) If the program participant currently resides in that                        | 301 |
| county, the director or the deputy director shall replace the                   | 302 |
| program participant's existing registration form with the new                   | 303 |
| registration form.  | 304 |
| (3) If the program participant currently resides in                             | 305 |
| another county in this state, the director or the deputy                        | 306 |
| director shall cancel the program participant's existing                        | 307 |
| registration form and shall transmit the program participant's                  | 308 |
| new registration form to the director of the board of elections                 | 309 |
| of the county in which the elector currently resides, and the                   | 310 |
| new registration form shall be processed in accordance with                     | 311 |
| division (C) of this section.   | 312 |
| (F) A person who has a confidential voter registration                          | 313 |
| record and who ceases being a program participant or who wishes                 | 314 |

to cease having a confidential voter registration record shall 315  
submit an application, on a form prescribed by the secretary of 316  
state, that includes all of the following: 317

(1) The information required under section 3503.14 of the 318  
Revised Code to register to vote; 319

(2) The person's program participant identification 320  
number; 321

(3) A statement that the person has ceased being a program 322  
participant or that the person wishes to cease having a 323  
confidential voter registration record; 324

(4) A statement that the director should do one of the 325  
following: 326

(a) Treat the person's existing voter registration form in 327  
the same manner as other voter registration forms; 328

(b) Cancel the person's voter registration. 329

(G) (1) Upon receiving a valid application under division 330  
(F) of this section from a person who wishes the board of 331  
elections to treat the person's existing voter registration form 332  
in the same manner as other voter registration forms, or upon 333  
receiving a notice from the secretary of state under division 334  
(B) of section 111.45 of the Revised Code concerning a person 335  
who has a confidential voter registration record, the director 336  
or the deputy director shall do all of the following: 337

(a) Store the person's voter registration form in the same 338  
manner as other voter registration forms; 339

(b) Remove the person's program participant identification 340  
number from the person's registration form and from the 341  
statewide voter registration database; 342

(c) Ensure that the statewide voter registration database 343  
and any poll list, pollbook, or registration list accurately 344  
reflect the person's current name and registration information. 345

(2) Notwithstanding any contrary provision of section 346  
3503.01 of the Revised Code, if the director receives an 347  
application or notice described in division (G)(1) of this 348  
section concerning an elector less than thirty days before the 349  
day of an election, the elector shall be eligible to vote in 350  
that election. 351

(H) Upon receiving a valid application under division (F) 352  
of this section from a person who wishes to have the person's 353  
voter registration canceled, the director or the deputy director 354  
shall cancel the person's voter registration. 355

**Sec. 124.57.** (A) No officer or employee in the classified 356  
service of the state, the several counties, cities, and city 357  
school districts of the state, or the civil service townships of 358  
the state shall directly or indirectly, orally or by letter, 359  
solicit or receive, or be in any manner concerned in soliciting 360  
or receiving, any assessment, subscription, or contribution for 361  
any political party or for any candidate for public office; nor 362  
shall any person solicit directly or indirectly, orally or by 363  
letter, or be in any manner concerned in soliciting, any such 364  
assessment, contribution, or payment from any officer or 365  
employee in the classified service of the state, the several 366  
counties, cities, or city school districts of the state, or the 367  
civil service townships of the state; nor shall any officer or 368  
employee in the classified service of the state, the several 369  
counties, cities, and city school districts of the state, or the 370  
civil service townships of the state be an officer in any 371  
political organization or take part in politics other than to 372

vote as the officer or employee pleases and to express freely 373  
political opinions. 374

(B) (1) Nothing in division (A) of this section prohibits 375  
an officer or employee described in that division from serving 376  
as a ~~precinct~~an election official under section 3501.22 of the 377  
Revised Code. 378

(2) Nothing in division (A) of this section prohibits an 379  
employee of OSU extension whose position is transferred from the 380  
unclassified civil service to the classified civil service and 381  
who also holds the office of president of a city legislative 382  
authority from completing the existing term of office as 383  
president. 384

**Sec. 149.43.** (A) As used in this section: 385

(1) "Public record" means records kept by any public 386  
office, including, but not limited to, state, county, city, 387  
village, township, and school district units, and records 388  
pertaining to the delivery of educational services by an 389  
alternative school in this state kept by the nonprofit or for- 390  
profit entity operating the alternative school pursuant to 391  
section 3313.533 of the Revised Code. "Public record" does not 392  
mean any of the following: 393

(a) Medical records; 394

(b) Records pertaining to probation and parole 395  
proceedings, to proceedings related to the imposition of 396  
community control sanctions and post-release control sanctions, 397  
or to proceedings related to determinations under section 398  
2967.271 of the Revised Code regarding the release or maintained 399  
incarceration of an offender to whom that section applies; 400

(c) Records pertaining to actions under section 2151.85 401

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| and division (C) of section 2919.121 of the Revised Code and to  | 402 |
| appeals of actions arising under those sections;                 | 403 |
| (d) Records pertaining to adoption proceedings, including        | 404 |
| the contents of an adoption file maintained by the department of | 405 |
| health under sections 3705.12 to 3705.124 of the Revised Code;   | 406 |
| (e) Information in a record contained in the putative            | 407 |
| father registry established by section 3107.062 of the Revised   | 408 |
| Code, regardless of whether the information is held by the       | 409 |
| department of job and family services or, pursuant to section    | 410 |
| 3111.69 of the Revised Code, the office of child support in the  | 411 |
| department or a child support enforcement agency;                | 412 |
| (f) Records specified in division (A) of section 3107.52         | 413 |
| of the Revised Code;   | 414 |
| (g) Trial preparation records;                                   | 415 |
| (h) Confidential law enforcement investigatory records;          | 416 |
| (i) Records containing information that is confidential          | 417 |
| under section 2710.03 or 4112.05 of the Revised Code;            | 418 |
| (j) DNA records stored in the DNA database pursuant to           | 419 |
| section 109.573 of the Revised Code;                             | 420 |
| (k) Inmate records released by the department of                 | 421 |
| rehabilitation and correction to the department of youth         | 422 |
| services or a court of record pursuant to division (E) of        | 423 |
| section 5120.21 of the Revised Code;                             | 424 |
| (l) Records maintained by the department of youth services       | 425 |
| pertaining to children in its custody released by the department | 426 |
| of youth services to the department of rehabilitation and        | 427 |
| correction pursuant to section 5139.05 of the Revised Code;      | 428 |

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| (m) Intellectual property records;  | 429  |
| (n) Donor profile records;  | 430  |
| (o) Records maintained by the department of job and family services pursuant to section 3121.894 of the Revised Code;   | 431<br>432   |
| (p) Designated public service worker residential and familial information;  | 433<br>434   |
| (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;   | 435<br>436<br>437<br>438<br>439  |
| (r) Information pertaining to the recreational activities of a person under the age of eighteen;  | 440<br>441   |
| (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 the board or director, and in the case of a child fatality review board, child fatality review data submitted by the board to the department of health or a national child death review database, other than the report prepared pursuant to division (A) of section 307.626 of the Revised Code; | 442<br>443<br>444<br>445<br>446<br>447<br>448<br>449<br>450<br>451<br>452<br>453 |
| (t) Records provided to and statements made by the executive director of a public children services agency or a prosecuting attorney acting pursuant to section 5153.171 of the Revised Code other than the information released under that   | 454<br>455<br>456<br>457   |



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| section;   | 458                                    |
| (u) Test materials, examinations, or evaluation tools used in an examination for licensure as a nursing home administrator that the board of executives of long-term services and supports administers under section 4751.15 of the Revised Code or contracts under that section with a private or government entity to administer;                                | 459<br>460<br>461<br>462<br>463<br>464 |
| (v) Records the release of which is prohibited by state or federal law;  | 465<br>466                             |
| (w) Proprietary information of or relating to any person that is submitted to or compiled by the Ohio venture capital authority created under section 150.01 of the Revised Code;  | 467<br>468<br>469                      |
| (x) Financial statements and data any person submits for any purpose to the Ohio housing finance agency or the controlling board in connection with applying for, receiving, or accounting for financial assistance from the agency, and information that identifies any individual who benefits directly or indirectly from financial assistance from the agency; | 470<br>471<br>472<br>473<br>474<br>475 |
| (y) Records listed in section 5101.29 of the Revised Code;   | 476                                    |
| (z) Discharges recorded with a county recorder under section 317.24 of the Revised Code, as specified in division (B) (2) of that section;   | 477<br>478<br>479                      |
| (aa) Usage information including names and addresses of specific residential and commercial customers of a municipally owned or operated public utility;   | 480<br>481<br>482                      |
| (bb) Records described in division (C) of section 187.04 of the Revised Code that are not designated to be made available to the public as provided in that division;  | 483<br>484<br>485                      |

(cc) Information and records that are made confidential, 486  
privileged, and not subject to disclosure under divisions (B) 487  
and (C) of section 2949.221 of the Revised Code; 488

(dd) Personal information, as defined in section 149.45 of 489  
the Revised Code; 490

(ee) The confidential name, address, and other personally 491  
identifiable information of a program participant in the address 492  
confidentiality program established under sections 111.41 to 493  
111.47 of the Revised Code, including the contents of any 494  
application for ~~absent voter's mail~~ ballots, ~~absent voter's mail~~ 495  
ballot identification envelope statement of voter, or 496  
provisional ballot affirmation completed by a program 497  
participant who has a confidential voter registration record, 498  
and records or portions of records pertaining to that program 499  
that identify the number of program participants that reside 500  
within a precinct, ward, township, municipal corporation, 501  
county, or any other geographic area smaller than the state. As 502  
used in this division, "confidential address" and "program 503  
participant" have the meaning defined in section 111.41 of the 504  
Revised Code. 505

(ff) Orders for active military service of an individual 506  
serving or with previous service in the armed forces of the 507  
United States, including a reserve component, or the Ohio 508  
organized militia, except that, such order becomes a public 509  
record on the day that is fifteen years after the published date 510  
or effective date of the call to order; 511

(gg) The name, address, contact information, or other 512  
personal information of an individual who is less than eighteen 513  
years of age that is included in any record related to a traffic 514  
accident involving a school vehicle in which the individual was 515

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| an occupant at the time of the accident;  | 516   |
| (hh) Protected health information, as defined in 45 C.F.R. 160.103, that is in a claim for payment for a health care product, service, or procedure, as well as any other health claims data in another document that reveals the identity of an individual who is the subject of the data or could be used to reveal that individual's identity;   | 517<br>518<br>519<br>520<br>521<br>522                      |
| (ii) Any depiction by photograph, film, videotape, or printed or digital image under either of the following circumstances:   | 523<br>524<br>525   |
| (i) The depiction is that of a victim of an offense the release of which would be, to a reasonable person of ordinary sensibilities, an offensive and objectionable intrusion into the victim's expectation of bodily privacy and integrity.  | 526<br>527<br>528<br>529                                    |
| (ii) The depiction captures or depicts the victim of a sexually oriented offense, as defined in section 2950.01 of the Revised Code, at the actual occurrence of that offense.  | 530<br>531<br>532   |
| (jj) Restricted portions of a body-worn camera or dashboard camera recording;   | 533<br>534  |
| (kk) In the case of a fetal-infant mortality review board acting under sections 3707.70 to 3707.77 of the Revised Code, records, documents, reports, or other information presented to the board or a person abstracting such materials on the board's behalf, statements made by review board members during board meetings, all work products of the board, and data submitted by the board to the department of health or a national infant death review database, other than the report prepared pursuant to section 3707.77 of the Revised Code. | 535<br>536<br>537<br>538<br>539<br>540<br>541<br>542<br>543 |
| (ll) Records, documents, reports, or other information  | 544   |

presented to the pregnancy-associated mortality review board 545  
established under section 3738.01 of the Revised Code, 546  
statements made by board members during board meetings, all work 547  
products of the board, and data submitted by the board to the 548  
department of health, other than the biennial reports prepared 549  
under section 3738.08 of the Revised Code; 550

(mm) Telephone numbers for a victim, as defined in section 551  
2930.01 of the Revised Code, a witness to a crime, or a party to 552  
a motor vehicle accident subject to the requirements of section 553  
5502.11 of the Revised Code that are listed on any law 554  
enforcement record or report. 555

A record that is not a public record under division (A) (1) 556  
of this section and that, under law, is permanently retained 557  
becomes a public record on the day that is seventy-five years 558  
after the day on which the record was created, except for any 559  
record protected by the attorney-client privilege, a trial 560  
preparation record as defined in this section, a statement 561  
prohibiting the release of identifying information signed under 562  
section 3107.083 of the Revised Code, a denial of release form 563  
filed pursuant to section 3107.46 of the Revised Code, or any 564  
record that is exempt from release or disclosure under section 565  
149.433 of the Revised Code. If the record is a birth 566  
certificate and a biological parent's name redaction request 567  
form has been accepted under section 3107.391 of the Revised 568  
Code, the name of that parent shall be redacted from the birth 569  
certificate before it is released under this paragraph. If any 570  
other section of the Revised Code establishes a time period for 571  
disclosure of a record that conflicts with the time period 572  
specified in this section, the time period in the other section 573  
prevails. 574

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| (2) "Confidential law enforcement investigatory record"          | 575 |
| means any record that pertains to a law enforcement matter of a  | 576 |
| criminal, quasi-criminal, civil, or administrative nature, but   | 577 |
| only to the extent that the release of the record would create a | 578 |
| high probability of disclosure of any of the following:          | 579 |
| (a) The identity of a suspect who has not been charged           | 580 |
| with the offense to which the record pertains, or of an          | 581 |
| information source or witness to whom confidentiality has been   | 582 |
| reasonably promised;   | 583 |
| (b) Information provided by an information source or             | 584 |
| witness to whom confidentiality has been reasonably promised,    | 585 |
| which information would reasonably tend to disclose the source's | 586 |
| or witness's identity;   | 587 |
| (c) Specific confidential investigatory techniques or            | 588 |
| procedures or specific investigatory work product;               | 589 |
| (d) Information that would endanger the life or physical         | 590 |
| safety of law enforcement personnel, a crime victim, a witness,  | 591 |
| or a confidential information source.                            | 592 |
| (3) "Medical record" means any document or combination of        | 593 |
| documents, except births, deaths, and the fact of admission to   | 594 |
| or discharge from a hospital, that pertains to the medical       | 595 |
| history, diagnosis, prognosis, or medical condition of a patient | 596 |
| and that is generated and maintained in the process of medical   | 597 |
| treatment.   | 598 |
| (4) "Trial preparation record" means any record that             | 599 |
| contains information that is specifically compiled in reasonable | 600 |
| anticipation of, or in defense of, a civil or criminal action or | 601 |
| proceeding, including the independent thought processes and      | 602 |
| personal trial preparation of an attorney.                       | 603 |

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

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

(7) "Designated public service worker" means a peace officer, parole officer, probation officer, bailiff, prosecuting attorney, assistant prosecuting attorney, correctional employee, county or multicounty corrections officer, community-based correctional facility employee, youth services employee, firefighter, EMT, medical director or member of a cooperating physician advisory board of an emergency medical service organization, state board of pharmacy employee, investigator of the bureau of criminal identification and investigation, judge, magistrate, or federal law enforcement officer.

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

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

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| (i) The address of the actual personal residence of a prosecuting attorney or judge; and  | 633<br>634                             |
| (ii) The state or political subdivision in which a designated public service worker resides.  | 635<br>636                             |
| (b) Information compiled from referral to or participation in an employee assistance program;   | 637<br>638                             |
| (c) The social security number, the residential telephone number, any bank account, debit card, charge card, or credit card number, or the emergency telephone number of, or any medical information pertaining to, a designated public service worker;   | 639<br>640<br>641<br>642<br>643        |
| (d) The name of any beneficiary of employment benefits, including, but not limited to, life insurance benefits, provided to a designated public service worker by the designated public service worker's employer;  | 644<br>645<br>646<br>647               |
| (e) The identity and amount of any charitable or employment benefit deduction made by the designated public service worker's employer from the designated public service worker's compensation, unless the amount of the deduction is required by state or federal law;   | 648<br>649<br>650<br>651<br>652        |
| (f) The name, the residential address, the name of the employer, the address of the employer, the social security number, the residential telephone number, any bank account, debit card, charge card, or credit card number, or the emergency telephone number of the spouse, a former spouse, or any child of a designated public service worker; | 653<br>654<br>655<br>656<br>657<br>658 |
| (g) A photograph of a peace officer who holds a position or has an assignment that may include undercover or plain clothes positions or assignments as determined by the peace  | 659<br>660<br>661                      |

officer's appointing authority. 662

(9) As used in divisions (A) (7) and (15) to (17) of this 663  
section: 664

"Peace officer" has the meaning defined in section 109.71 665  
of the Revised Code and also includes the superintendent and 666  
troopers of the state highway patrol; it does not include the 667  
sheriff of a county or a supervisory employee who, in the 668  
absence of the sheriff, is authorized to stand in for, exercise 669  
the authority of, and perform the duties of the sheriff. 670

"Correctional employee" means any employee of the 671  
department of rehabilitation and correction who in the course of 672  
performing the employee's job duties has or has had contact with 673  
inmates and persons under supervision. 674

"County or multicounty corrections officer" means any 675  
corrections officer employed by any county or multicounty 676  
correctional facility. 677

"Youth services employee" means any employee of the 678  
department of youth services who in the course of performing the 679  
employee's job duties has or has had contact with children 680  
committed to the custody of the department of youth services. 681

"Firefighter" means any regular, paid or volunteer, member 682  
of a lawfully constituted fire department of a municipal 683  
corporation, township, fire district, or village. 684

"EMT" means EMTs-basic, EMTs-I, and paramedics that 685  
provide emergency medical services for a public emergency 686  
medical service organization. "Emergency medical service 687  
organization," "EMT-basic," "EMT-I," and "paramedic" have the 688  
meanings defined in section 4765.01 of the Revised Code. 689



"Investigator of the bureau of criminal identification and investigation" has the meaning defined in section 2903.11 of the Revised Code. 690  
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"Federal law enforcement officer" has the meaning defined in section 9.88 of the Revised Code. 693  
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(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: 695  
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(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; 701  
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(b) The social security number, birth date, or photographic image of a person under the age of eighteen; 705  
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(c) Any medical record, history, or information pertaining to a person under the age of eighteen; 707  
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(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. 709  
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(11) "Community control sanction" has the meaning defined in section 2929.01 of the Revised Code. 715  
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(12) "Post-release control sanction" has the meaning 717

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| defined in section 2967.01 of the Revised Code.                  | 718 |
| (13) "Redaction" means obscuring or deleting any                 | 719 |
| information that is exempt from the duty to permit public        | 720 |
| inspection or copying from an item that otherwise meets the      | 721 |
| definition of a "record" in section 149.011 of the Revised Code. | 722 |
| (14) "Designee," "elected official," and "future official"       | 723 |
| have the meanings defined in section 109.43 of the Revised Code. | 724 |
| (15) "Body-worn camera" means a visual and audio recording       | 725 |
| device worn on the person of a peace officer while the peace     | 726 |
| officer is engaged in the performance of the peace officer's     | 727 |
| duties.  | 728 |
| (16) "Dashboard camera" means a visual and audio recording       | 729 |
| device mounted on a peace officer's vehicle or vessel that is    | 730 |
| used while the peace officer is engaged in the performance of    | 731 |
| the peace officer's duties.                                      | 732 |
| (17) "Restricted portions of a body-worn camera or               | 733 |
| dashboard camera recording" means any visual or audio portion of | 734 |
| a body-worn camera or dashboard camera recording that shows,     | 735 |
| communicates, or discloses any of the following:                 | 736 |
| (a) The image or identity of a child or information that         | 737 |
| could lead to the identification of a child who is a primary     | 738 |
| subject of the recording when the law enforcement agency knows   | 739 |
| or has reason to know the person is a child based on the law     | 740 |
| enforcement agency's records or the content of the recording;    | 741 |
| (b) The death of a person or a deceased person's body,           | 742 |
| unless the death was caused by a peace officer or, subject to    | 743 |
| division (H)(1) of this section, the consent of the decedent's   | 744 |
| executor or administrator has been obtained;                     | 745 |

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| (c) The death of a peace officer, firefighter, paramedic,        | 746 |
| or other first responder, occurring while the decedent was       | 747 |
| engaged in the performance of official duties, unless, subject   | 748 |
| to division (H) (1) of this section, the consent of the          | 749 |
| decedent's executor or administrator has been obtained;          | 750 |
| (d) Grievous bodily harm, unless the injury was effected         | 751 |
| by a peace officer or, subject to division (H) (1) of this       | 752 |
| section, the consent of the injured person or the injured        | 753 |
| person's guardian has been obtained;                             | 754 |
| (e) An act of severe violence against a person that              | 755 |
| results in serious physical harm to the person, unless the act   | 756 |
| and injury was effected by a peace officer or, subject to        | 757 |
| division (H) (1) of this section, the consent of the injured     | 758 |
| person or the injured person's guardian has been obtained;       | 759 |
| (f) Grievous bodily harm to a peace officer, firefighter,        | 760 |
| paramedic, or other first responder, occurring while the injured | 761 |
| person was engaged in the performance of official duties,        | 762 |
| unless, subject to division (H) (1) of this section, the consent | 763 |
| of the injured person or the injured person's guardian has been  | 764 |
| obtained;  | 765 |
| (g) An act of severe violence resulting in serious               | 766 |
| physical harm against a peace officer, firefighter, paramedic,   | 767 |
| or other first responder, occurring while the injured person was | 768 |
| engaged in the performance of official duties, unless, subject   | 769 |
| to division (H) (1) of this section, the consent of the injured  | 770 |
| person or the injured person's guardian has been obtained;       | 771 |
| (h) A person's nude body, unless, subject to division (H)        | 772 |
| (1) of this section, the person's consent has been obtained;     | 773 |
| (i) Protected health information, the identity of a person       | 774 |

in a health care facility who is not the subject of a law 775  
enforcement encounter, or any other information in a health care 776  
facility that could identify a person who is not the subject of 777  
a law enforcement encounter; 778

(j) Information that could identify the alleged victim of 779  
a sex offense, menacing by stalking, or domestic violence; 780

(k) Information, that does not constitute a confidential 781  
law enforcement investigatory record, that could identify a 782  
person who provides sensitive or confidential information to a 783  
law enforcement agency when the disclosure of the person's 784  
identity or the information provided could reasonably be 785  
expected to threaten or endanger the safety or property of the 786  
person or another person; 787

(l) Personal information of a person who is not arrested, 788  
cited, charged, or issued a written warning by a peace officer; 789

(m) Proprietary police contingency plans or tactics that 790  
are intended to prevent crime and maintain public order and 791  
safety; 792

(n) A personal conversation unrelated to work between 793  
peace officers or between a peace officer and an employee of a 794  
law enforcement agency; 795

(o) A conversation between a peace officer and a member of 796  
the public that does not concern law enforcement activities; 797

(p) The interior of a residence, unless the interior of a 798  
residence is the location of an adversarial encounter with, or a 799  
use of force by, a peace officer; 800

(q) Any portion of the interior of a private business that 801  
is not open to the public, unless an adversarial encounter with, 802

or a use of force by, a peace officer occurs in that location. 803

As used in division (A) (17) of this section: 804

"Grievous bodily harm" has the same meaning as in section 805  
5924.120 of the Revised Code. 806

"Health care facility" has the same meaning as in section 807  
1337.11 of the Revised Code. 808

"Protected health information" has the same meaning as in 809  
45 C.F.R. 160.103. 810

"Law enforcement agency" has the same meaning as in 811  
section 2925.61 of the Revised Code. 812

"Personal information" means any government-issued 813  
identification number, date of birth, address, financial 814  
information, or criminal justice information from the law 815  
enforcement automated data system or similar databases. 816

"Sex offense" has the same meaning as in section 2907.10 817  
of the Revised Code. 818

"Firefighter," "paramedic," and "first responder" have the 819  
same meanings as in section 4765.01 of the Revised Code. 820

(B) (1) Upon request and subject to division (B) (8) of this 821  
section, all public records responsive to the request shall be 822  
promptly prepared and made available for inspection to any 823  
person at all reasonable times during regular business hours. 824  
Subject to division (B) (8) of this section, upon request by any 825  
person, a public office or person responsible for public records 826  
shall make copies of the requested public record available to 827  
the requester at cost and within a reasonable period of time. If 828  
a public record contains information that is exempt from the 829  
duty to permit public inspection or to copy the public record, 830

the public office or the person responsible for the public 831  
record shall make available all of the information within the 832  
public record that is not exempt. When making that public record 833  
available for public inspection or copying that public record, 834  
the public office or the person responsible for the public 835  
record shall notify the requester of any redaction or make the 836  
redaction plainly visible. A redaction shall be deemed a denial 837  
of a request to inspect or copy the redacted information, except 838  
if federal or state law authorizes or requires a public office 839  
to make the redaction. 840

(2) To facilitate broader access to public records, a 841  
public office or the person responsible for public records shall 842  
organize and maintain public records in a manner that they can 843  
be made available for inspection or copying in accordance with 844  
division (B) of this section. A public office also shall have 845  
available a copy of its current records retention schedule at a 846  
location readily available to the public. If a requester makes 847  
an ambiguous or overly broad request or has difficulty in making 848  
a request for copies or inspection of public records under this 849  
section such that the public office or the person responsible 850  
for the requested public record cannot reasonably identify what 851  
public records are being requested, the public office or the 852  
person responsible for the requested public record may deny the 853  
request but shall provide the requester with an opportunity to 854  
revise the request by informing the requester of the manner in 855  
which records are maintained by the public office and accessed 856  
in the ordinary course of the public office's or person's 857  
duties. 858

(3) If a request is ultimately denied, in part or in 859  
whole, the public office or the person responsible for the 860  
requested public record shall provide the requester with an 861

explanation, including legal authority, setting forth why the 862  
request was denied. If the initial request was provided in 863  
writing, the explanation also shall be provided to the requester 864  
in writing. The explanation shall not preclude the public office 865  
or the person responsible for the requested public record from 866  
relying upon additional reasons or legal authority in defending 867  
an action commenced under division (C) of this section. 868

(4) Unless specifically required or authorized by state or 869  
federal law or in accordance with division (B) of this section, 870  
no public office or person responsible for public records may 871  
limit or condition the availability of public records by 872  
requiring disclosure of the requester's identity or the intended 873  
use of the requested public record. Any requirement that the 874  
requester disclose the requester's identity or the intended use 875  
of the requested public record constitutes a denial of the 876  
request. 877

(5) A public office or person responsible for public 878  
records may ask a requester to make the request in writing, may 879  
ask for the requester's identity, and may inquire about the 880  
intended use of the information requested, but may do so only 881  
after disclosing to the requester that a written request is not 882  
mandatory, that the requester may decline to reveal the 883  
requester's identity or the intended use, and when a written 884  
request or disclosure of the identity or intended use would 885  
benefit the requester by enhancing the ability of the public 886  
office or person responsible for public records to identify, 887  
locate, or deliver the public records sought by the requester. 888

(6) If any person requests a copy of a public record in 889  
accordance with division (B) of this section, the public office 890  
or person responsible for the public record may require that 891

person to pay in advance the cost involved in providing the copy 892  
of the public record in accordance with the choice made by the 893  
person requesting the copy under this division. The public 894  
office or the person responsible for the public record shall 895  
permit that person to choose to have the public record 896  
duplicated upon paper, upon the same medium upon which the 897  
public office or person responsible for the public record keeps 898  
it, or upon any other medium upon which the public office or 899  
person responsible for the public record determines that it 900  
reasonably can be duplicated as an integral part of the normal 901  
operations of the public office or person responsible for the 902  
public record. When the person requesting the copy makes a 903  
choice under this division, the public office or person 904  
responsible for the public record shall provide a copy of it in 905  
accordance with the choice made by that person. Nothing in this 906  
section requires a public office or person responsible for the 907  
public record to allow the person requesting a copy of the 908  
public record to make the copies of the public record. 909

(7) (a) Upon a request made in accordance with division (B) 910  
of this section and subject to division (B) (6) of this section, 911  
a public office or person responsible for public records shall 912  
transmit a copy of a public record to any person by United 913  
States mail or by any other means of delivery or transmission 914  
within a reasonable period of time after receiving the request 915  
for the copy. The public office or person responsible for the 916  
public record may require the person making the request to pay 917  
in advance the cost of postage if the copy is transmitted by 918  
United States mail or the cost of delivery if the copy is 919  
transmitted other than by United States mail, and to pay in 920  
advance the costs incurred for other supplies used in the 921  
mailing, delivery, or transmission. 922



(b) Any public office may adopt a policy and procedures 923  
that it will follow in transmitting, within a reasonable period 924  
of time after receiving a request, copies of public records by 925  
United States mail or by any other means of delivery or 926  
transmission pursuant to division (B) (7) of this section. A 927  
public office that adopts a policy and procedures under division 928  
(B) (7) of this section shall comply with them in performing its 929  
duties under that division. 930

(c) In any policy and procedures adopted under division 931  
(B) (7) of this section: 932

(i) A public office may limit the number of records 933  
requested by a person that the office will physically deliver by 934  
United States mail or by another delivery service to ten per 935  
month, unless the person certifies to the office in writing that 936  
the person does not intend to use or forward the requested 937  
records, or the information contained in them, for commercial 938  
purposes; 939

(ii) A public office that chooses to provide some or all 940  
of its public records on a web site that is fully accessible to 941  
and searchable by members of the public at all times, other than 942  
during acts of God outside the public office's control or 943  
maintenance, and that charges no fee to search, access, 944  
download, or otherwise receive records provided on the web site, 945  
may limit to ten per month the number of records requested by a 946  
person that the office will deliver in a digital format, unless 947  
the requested records are not provided on the web site and 948  
unless the person certifies to the office in writing that the 949  
person does not intend to use or forward the requested records, 950  
or the information contained in them, for commercial purposes. 951

(iii) For purposes of division (B) (7) of this section, 952

"commercial" shall be narrowly construed and does not include 953  
reporting or gathering news, reporting or gathering information 954  
to assist citizen oversight or understanding of the operation or 955  
activities of government, or nonprofit educational research. 956

(8) A public office or person responsible for public 957  
records is not required to permit a person who is incarcerated 958  
pursuant to a criminal conviction or a juvenile adjudication to 959  
inspect or to obtain a copy of any public record concerning a 960  
criminal investigation or prosecution or concerning what would 961  
be a criminal investigation or prosecution if the subject of the 962  
investigation or prosecution were an adult, unless the request 963  
to inspect or to obtain a copy of the record is for the purpose 964  
of acquiring information that is subject to release as a public 965  
record under this section and the judge who imposed the sentence 966  
or made the adjudication with respect to the person, or the 967  
judge's successor in office, finds that the information sought 968  
in the public record is necessary to support what appears to be 969  
a justiciable claim of the person. 970

(9) (a) Upon written request made and signed by a 971  
journalist, a public office, or person responsible for public 972  
records, having custody of the records of the agency employing a 973  
specified designated public service worker shall disclose to the 974  
journalist the address of the actual personal residence of the 975  
designated public service worker and, if the designated public 976  
service worker's spouse, former spouse, or child is employed by 977  
a public office, the name and address of the employer of the 978  
designated public service worker's spouse, former spouse, or 979  
child. The request shall include the journalist's name and title 980  
and the name and address of the journalist's employer and shall 981  
state that disclosure of the information sought would be in the 982  
public interest. 983

|  |      |
|--|------|
| (b) Division (B) (9) (a) of this section also applies to         | 984  |
| journalist requests for:   | 985  |
| (i) Customer information maintained by a municipally owned       | 986  |
| or operated public utility, other than social security numbers   | 987  |
| and any private financial information such as credit reports,    | 988  |
| payment methods, credit card numbers, and bank account           | 989  |
| information;   | 990  |
| (ii) Information about minors involved in a school vehicle       | 991  |
| accident as provided in division (A) (1) (gg) of this section,   | 992  |
| other than personal information as defined in section 149.45 of  | 993  |
| the Revised Code.  | 994  |
| (c) As used in division (B) (9) of this section,                 | 995  |
| "journalist" means a person engaged in, connected with, or       | 996  |
| employed by any news medium, including a newspaper, magazine,    | 997  |
| press association, news agency, or wire service, a radio or      | 998  |
| television station, or a similar medium, for the purpose of      | 999  |
| gathering, processing, transmitting, compiling, editing, or      | 1000 |
| disseminating information for the general public.                | 1001 |
| (10) Upon a request made by a victim, victim's attorney,         | 1002 |
| or victim's representative, as that term is used in section      | 1003 |
| 2930.02 of the Revised Code, a public office or person           | 1004 |
| responsible for public records shall transmit a copy of a        | 1005 |
| depiction of the victim as described in division (A) (1) (gg) of | 1006 |
| this section to the victim, victim's attorney, or victim's       | 1007 |
| representative.  | 1008 |
| (C) (1) If a person allegedly is aggrieved by the failure        | 1009 |
| of a public office or the person responsible for public records  | 1010 |
| to promptly prepare a public record and to make it available to  | 1011 |
| the person for inspection in accordance with division (B) of     | 1012 |

this section or by any other failure of a public office or the person responsible for public records to comply with an obligation in accordance with division (B) of this section, the person allegedly aggrieved may do only one of the following, and not both:

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

(b) Commence a mandamus action to obtain a judgment that orders the public office or the person responsible for the public record to comply with division (B) of this section, that awards court costs and reasonable attorney's fees to the person that instituted the mandamus action, and, if applicable, that includes an order fixing statutory damages under division (C) (2) of this section. The mandamus action may be commenced in the court of common pleas of the county in which division (B) of this section allegedly was not complied with, in the supreme court pursuant to its original jurisdiction under Section 2 of Article IV, Ohio Constitution, or in the court of appeals for the appellate district in which division (B) of this section allegedly was not complied with pursuant to its original jurisdiction under Section 3 of Article IV, Ohio Constitution.

(2) If a requester transmits a written request by hand delivery, electronic submission, or certified mail to inspect or receive copies of any public record in a manner that fairly describes the public record or class of public records to the public office or person responsible for the requested public records, except as otherwise provided in this section, the requester shall be entitled to recover the amount of statutory damages set forth in this division if a court determines that

the public office or the person responsible for public records 1043  
failed to comply with an obligation in accordance with division 1044  
(B) of this section. 1045

The amount of statutory damages shall be fixed at one 1046  
hundred dollars for each business day during which the public 1047  
office or person responsible for the requested public records 1048  
failed to comply with an obligation in accordance with division 1049  
(B) of this section, beginning with the day on which the 1050  
requester files a mandamus action to recover statutory damages, 1051  
up to a maximum of one thousand dollars. The award of statutory 1052  
damages shall not be construed as a penalty, but as compensation 1053  
for injury arising from lost use of the requested information. 1054  
The existence of this injury shall be conclusively presumed. The 1055  
award of statutory damages shall be in addition to all other 1056  
remedies authorized by this section. 1057

The court may reduce an award of statutory damages or not 1058  
award statutory damages if the court determines both of the 1059  
following: 1060

(a) That, based on the ordinary application of statutory 1061  
law and case law as it existed at the time of the conduct or 1062  
threatened conduct of the public office or person responsible 1063  
for the requested public records that allegedly constitutes a 1064  
failure to comply with an obligation in accordance with division 1065  
(B) of this section and that was the basis of the mandamus 1066  
action, a well-informed public office or person responsible for 1067  
the requested public records reasonably would believe that the 1068  
conduct or threatened conduct of the public office or person 1069  
responsible for the requested public records did not constitute 1070  
a failure to comply with an obligation in accordance with 1071  
division (B) of this section; 1072

(b) That a well-informed public office or person 1073  
responsible for the requested public records reasonably would 1074  
believe that the conduct or threatened conduct of the public 1075  
office or person responsible for the requested public records 1076  
would serve the public policy that underlies the authority that 1077  
is asserted as permitting that conduct or threatened conduct. 1078

(3) In a mandamus action filed under division (C) (1) of 1079  
this section, the following apply: 1080

(a) (i) If the court orders the public office or the person 1081  
responsible for the public record to comply with division (B) of 1082  
this section, the court shall determine and award to the relator 1083  
all court costs, which shall be construed as remedial and not 1084  
punitive. 1085

(ii) If the court makes a determination described in 1086  
division (C) (3) (b) (iii) of this section, the court shall 1087  
determine and award to the relator all court costs, which shall 1088  
be construed as remedial and not punitive. 1089

(b) If the court renders a judgment that orders the public 1090  
office or the person responsible for the public record to comply 1091  
with division (B) of this section or if the court determines any 1092  
of the following, the court may award reasonable attorney's fees 1093  
to the relator, subject to division (C) (4) of this section: 1094

(i) The public office or the person responsible for the 1095  
public records failed to respond affirmatively or negatively to 1096  
the public records request in accordance with the time allowed 1097  
under division (B) of this section. 1098

(ii) The public office or the person responsible for the 1099  
public records promised to permit the relator to inspect or 1100  
receive copies of the public records requested within a 1101

specified period of time but failed to fulfill that promise 1102  
within that specified period of time. 1103

(iii) The public office or the person responsible for the 1104  
public records acted in bad faith when the office or person 1105  
voluntarily made the public records available to the relator for 1106  
the first time after the relator commenced the mandamus action, 1107  
but before the court issued any order concluding whether or not 1108  
the public office or person was required to comply with division 1109  
(B) of this section. No discovery may be conducted on the issue 1110  
of the alleged bad faith of the public office or person 1111  
responsible for the public records. This division shall not be 1112  
construed as creating a presumption that the public office or 1113  
the person responsible for the public records acted in bad faith 1114  
when the office or person voluntarily made the public records 1115  
available to the relator for the first time after the relator 1116  
commenced the mandamus action, but before the court issued any 1117  
order described in this division. 1118

(c) The court shall not award attorney's fees to the 1119  
relator if the court determines both of the following: 1120

(i) That, based on the ordinary application of statutory 1121  
law and case law as it existed at the time of the conduct or 1122  
threatened conduct of the public office or person responsible 1123  
for the requested public records that allegedly constitutes a 1124  
failure to comply with an obligation in accordance with division 1125  
(B) of this section and that was the basis of the mandamus 1126  
action, a well-informed public office or person responsible for 1127  
the requested public records reasonably would believe that the 1128  
conduct or threatened conduct of the public office or person 1129  
responsible for the requested public records did not constitute 1130  
a failure to comply with an obligation in accordance with 1131

division (B) of this section; 1132

(ii) That a well-informed public office or person 1133  
responsible for the requested public records reasonably would 1134  
believe that the conduct or threatened conduct of the public 1135  
office or person responsible for the requested public records 1136  
would serve the public policy that underlies the authority that 1137  
is asserted as permitting that conduct or threatened conduct. 1138

(4) All of the following apply to any award of reasonable 1139  
attorney's fees awarded under division (C) (3) (b) of this 1140  
section: 1141

(a) The fees shall be construed as remedial and not 1142  
punitive. 1143

(b) The fees awarded shall not exceed the total of the 1144  
reasonable attorney's fees incurred before the public record was 1145  
made available to the relator and the fees described in division 1146  
(C) (4) (c) of this section. 1147

(c) Reasonable attorney's fees shall include reasonable 1148  
fees incurred to produce proof of the reasonableness and amount 1149  
of the fees and to otherwise litigate entitlement to the fees. 1150

(d) The court may reduce the amount of fees awarded if the 1151  
court determines that, given the factual circumstances involved 1152  
with the specific public records request, an alternative means 1153  
should have been pursued to more effectively and efficiently 1154  
resolve the dispute that was subject to the mandamus action 1155  
filed under division (C) (1) of this section. 1156

(5) If the court does not issue a writ of mandamus under 1157  
division (C) of this section and the court determines at that 1158  
time that the bringing of the mandamus action was frivolous 1159  
conduct as defined in division (A) of section 2323.51 of the 1160



Revised Code, the court may award to the public office all court 1161  
costs, expenses, and reasonable attorney's fees, as determined 1162  
by the court. 1163

(D) Chapter 1347. of the Revised Code does not limit the 1164  
provisions of this section. 1165

(E) (1) To ensure that all employees of public offices are 1166  
appropriately educated about a public office's obligations under 1167  
division (B) of this section, all elected officials or their 1168  
appropriate designees shall attend training approved by the 1169  
attorney general as provided in section 109.43 of the Revised 1170  
Code. A future official may satisfy the requirements of this 1171  
division by attending the training before taking office, 1172  
provided that the future official may not send a designee in the 1173  
future official's place. 1174

(2) All public offices shall adopt a public records policy 1175  
in compliance with this section for responding to public records 1176  
requests. In adopting a public records policy under this 1177  
division, a public office may obtain guidance from the model 1178  
public records policy developed and provided to the public 1179  
office by the attorney general under section 109.43 of the 1180  
Revised Code. Except as otherwise provided in this section, the 1181  
policy may not limit the number of public records that the 1182  
public office will make available to a single person, may not 1183  
limit the number of public records that it will make available 1184  
during a fixed period of time, and may not establish a fixed 1185  
period of time before it will respond to a request for 1186  
inspection or copying of public records, unless that period is 1187  
less than eight hours. 1188

The public office shall distribute the public records 1189  
policy adopted by the public office under this division to the 1190

employee of the public office who is the records custodian or 1191  
records manager or otherwise has custody of the records of that 1192  
office. The public office shall require that employee to 1193  
acknowledge receipt of the copy of the public records policy. 1194  
The public office shall create a poster that describes its 1195  
public records policy and shall post the poster in a conspicuous 1196  
place in the public office and in all locations where the public 1197  
office has branch offices. The public office may post its public 1198  
records policy on the internet web site of the public office if 1199  
the public office maintains an internet web site. A public 1200  
office that has established a manual or handbook of its general 1201  
policies and procedures for all employees of the public office 1202  
shall include the public records policy of the public office in 1203  
the manual or handbook. 1204

(F) (1) The bureau of motor vehicles may adopt rules 1205  
pursuant to Chapter 119. of the Revised Code to reasonably limit 1206  
the number of bulk commercial special extraction requests made 1207  
by a person for the same records or for updated records during a 1208  
calendar year. The rules may include provisions for charges to 1209  
be made for bulk commercial special extraction requests for the 1210  
actual cost of the bureau, plus special extraction costs, plus 1211  
ten per cent. The bureau may charge for expenses for redacting 1212  
information, the release of which is prohibited by law. 1213

(2) As used in division (F) (1) of this section: 1214

(a) "Actual cost" means the cost of depleted supplies, 1215  
records storage media costs, actual mailing and alternative 1216  
delivery costs, or other transmitting costs, and any direct 1217  
equipment operating and maintenance costs, including actual 1218  
costs paid to private contractors for copying services. 1219

(b) "Bulk commercial special extraction request" means a 1220

request for copies of a record for information in a format other 1221  
than the format already available, or information that cannot be 1222  
extracted without examination of all items in a records series, 1223  
class of records, or database by a person who intends to use or 1224  
forward the copies for surveys, marketing, solicitation, or 1225  
resale for commercial purposes. "Bulk commercial special 1226  
extraction request" does not include a request by a person who 1227  
gives assurance to the bureau that the person making the request 1228  
does not intend to use or forward the requested copies for 1229  
surveys, marketing, solicitation, or resale for commercial 1230  
purposes. 1231

(c) "Commercial" means profit-seeking production, buying, 1232  
or selling of any good, service, or other product. 1233

(d) "Special extraction costs" means the cost of the time 1234  
spent by the lowest paid employee competent to perform the task, 1235  
the actual amount paid to outside private contractors employed 1236  
by the bureau, or the actual cost incurred to create computer 1237  
programs to make the special extraction. "Special extraction 1238  
costs" include any charges paid to a public agency for computer 1239  
or records services. 1240

(3) For purposes of divisions (F) (1) and (2) of this 1241  
section, "surveys, marketing, solicitation, or resale for 1242  
commercial purposes" shall be narrowly construed and does not 1243  
include reporting or gathering news, reporting or gathering 1244  
information to assist citizen oversight or understanding of the 1245  
operation or activities of government, or nonprofit educational 1246  
research. 1247

(G) A request by a defendant, counsel of a defendant, or 1248  
any agent of a defendant in a criminal action that public 1249  
records related to that action be made available under this 1250

section shall be considered a demand for discovery pursuant to 1251  
the Criminal Rules, except to the extent that the Criminal Rules 1252  
plainly indicate a contrary intent. The defendant, counsel of 1253  
the defendant, or agent of the defendant making a request under 1254  
this division shall serve a copy of the request on the 1255  
prosecuting attorney, director of law, or other chief legal 1256  
officer responsible for prosecuting the action. 1257

(H) (1) Any portion of a body-worn camera or dashboard 1258  
camera recording described in divisions (A) (17) (b) to (h) of 1259  
this section may be released by consent of the subject of the 1260  
recording or a representative of that person, as specified in 1261  
those divisions, only if either of the following applies: 1262

(a) The recording will not be used in connection with any 1263  
probable or pending criminal proceedings; 1264

(b) The recording has been used in connection with a 1265  
criminal proceeding that was dismissed or for which a judgment 1266  
has been entered pursuant to Rule 32 of the Rules of Criminal 1267  
Procedure, and will not be used again in connection with any 1268  
probable or pending criminal proceedings. 1269

(2) If a public office denies a request to release a 1270  
restricted portion of a body-worn camera or dashboard camera 1271  
recording, as defined in division (A) (17) of this section, any 1272  
person may file a mandamus action pursuant to this section or a 1273  
complaint with the clerk of the court of claims pursuant to 1274  
section 2743.75 of the Revised Code, requesting the court to 1275  
order the release of all or portions of the recording. If the 1276  
court considering the request determines that the filing 1277  
articulates by clear and convincing evidence that the public 1278  
interest in the recording substantially outweighs privacy 1279  
interests and other interests asserted to deny release, the 1280

court shall order the public office to release the recording. 1281

**Sec. 302.041.** In submitting to the electors of any county 1282  
the question of adopting an alternative form of county 1283  
government whereby any members of the board of county 1284  
commissioners are elected by district, the board of elections 1285  
shall submit the question in language substantially as follows: 1286

"Shall the county of \_\_\_\_\_ adopt the form 1287  
of county government known as the county (name of plan) plan 1288  
with a board of (number) county commissioners, of which (number) 1289  
shall be elected at large and (number) shall be elected by 1290  
districts, as provided for in sections 302.01 to 302.24, 1291  
inclusive, of the Revised Code, under which form each county 1292  
commissioner shall receive annual compensation equal to (number) 1293  
per cent of that provided in section 325.10 of the Revised Code? 1294

( ) For adoption of the county (name of plan) plan. 1295

( ) Against adoption of the county (name of plan) plan." 1296

The proposition for such alternative form shall establish 1297  
the percentage of the annual compensation provided in section 1298  
325.10 of the Revised Code which each county commissioner shall 1299  
receive as annual compensation in lieu of the amount provided in 1300  
section 325.10 of the Revised Code. 1301

If the proposition for the alternative form fails to 1302  
divide the county into county commissioner districts, the board 1303  
of elections shall divide the county into such districts in the 1304  
manner provided in section 302.082 of the Revised Code, within 1305  
forty-five days prior to the election on the question of 1306  
adopting an alternative form. 1307

At least forty-five days prior to the election thereon the 1308  
board of county commissioners shall cause a copy of the 1309

alternative form to be distributed to each elector of the county 1310  
so far as may be reasonably possible. The board of elections 1311  
shall display a map indicating the boundaries of each county 1312  
commissioner district, in a conspicuous place at each ~~polling~~ 1313  
~~place at such~~ location where ballots may be cast in person for 1314  
the election. Immediately following such election the board of 1315  
elections shall file a certificate of the results thereof with 1316  
the secretary of state. 1317

**Sec. 303.12.** (A) (1) Amendments to the zoning resolution 1318  
may be initiated by motion of the county rural zoning 1319  
commission, by the passage of a resolution by the board of 1320  
county commissioners, or by the filing of an application by one 1321  
or more of the owners or lessees of property within the area 1322  
proposed to be changed or affected by the proposed amendment 1323  
with the county rural zoning commission. The board of county 1324  
commissioners may require that the owner or lessee of property 1325  
filing an application to amend the zoning resolution pay a fee 1326  
to defray the cost of advertising, mailing, filing with the 1327  
county recorder, and other expenses. If the board of county 1328  
commissioners requires such a fee, it shall be required 1329  
generally, for each application. The board of county 1330  
commissioners, upon the passage of such a resolution, shall 1331  
certify it to the county rural zoning commission. 1332

(2) Upon the adoption of a motion by the county rural 1333  
zoning commission, the certification of a resolution by the 1334  
board of county commissioners to the commission, or the filing 1335  
of an application by property owners or lessees as described in 1336  
division (A) (1) of this section with the commission, the 1337  
commission shall set a date for a public hearing, which date 1338  
shall not be less than twenty nor more than forty days from the 1339  
date of adoption of such a motion, the date of the certification 1340

of such a resolution, or the date of the filing of such an 1341  
application. Notice of the hearing shall be given by the 1342  
commission by one publication in one or more newspapers of 1343  
general circulation in each township affected by the proposed 1344  
amendment at least ten days before the date of the hearing. 1345

(B) If the proposed amendment intends to rezone or 1346  
redistrict ten or fewer parcels of land, as listed on the county 1347  
auditor's current tax list, written notice of the hearing shall 1348  
be mailed by the county rural zoning commission, by first class 1349  
mail, at least ten days before the date of the public hearing to 1350  
all owners of property within and contiguous to and directly 1351  
across the street from the area proposed to be rezoned or 1352  
redistricted to the addresses of those owners appearing on the 1353  
county auditor's current tax list. The failure of delivery of 1354  
that notice shall not invalidate any such amendment. 1355

(C) If the proposed amendment intends to rezone or 1356  
redistrict ten or fewer parcels of land as listed on the county 1357  
auditor's current tax list, the published and mailed notices 1358  
shall set forth the time, date, and place of the public hearing 1359  
and include all of the following: 1360

(1) The name of the county rural zoning commission that 1361  
will be conducting the hearing; 1362

(2) A statement indicating that the motion, resolution, or 1363  
application is an amendment to the zoning resolution; 1364

(3) A list of the addresses of all properties to be 1365  
rezoned or redistricted by the proposed amendment and of the 1366  
names of owners of these properties, as they appear on the 1367  
county auditor's current tax list; 1368

(4) The present zoning classification of property named in 1369

the proposed amendment and the proposed zoning classification of 1370  
that property; 1371

(5) The time and place where the motion, resolution, or 1372  
application proposing to amend the zoning resolution will be 1373  
available for examination for a period of at least ten days 1374  
prior to the hearing; 1375

(6) The name of the person responsible for giving notice 1376  
of the public hearing by publication, by mail, or by both 1377  
publication and mail; 1378

(7) A statement that, after the conclusion of the hearing, 1379  
the matter will be submitted to the board of county 1380  
commissioners for its action; 1381

(8) Any other information requested by the commission. 1382

(D) If the proposed amendment alters the text of the 1383  
zoning resolution, or rezones or redistricts more than ten 1384  
parcels of land as listed on the county auditor's current tax 1385  
list, the published notice shall set forth the time, date, and 1386  
place of the public hearing and include all of the following: 1387

(1) The name of the county rural zoning commission that 1388  
will be conducting the hearing on the proposed amendment; 1389

(2) A statement indicating that the motion, application, 1390  
or resolution is an amendment to the zoning resolution; 1391

(3) The time and place where the text and maps of the 1392  
proposed amendment will be available for examination for a 1393  
period of at least ten days prior to the hearing; 1394

(4) The name of the person responsible for giving notice 1395  
of the hearing by publication; 1396



(5) A statement that, after the conclusion of the hearing, 1397  
the matter will be submitted to the board of county 1398  
commissioners for its action; 1399

(6) Any other information requested by the commission. 1400

Hearings shall be held in the county court house or in a 1401  
public place designated by the commission. 1402

(E) Within five days after the adoption of the motion 1403  
described in division (A) of this section, the certification of 1404  
the resolution described in division (A) of this section, or the 1405  
filing of the application described in division (A) of this 1406  
section, the county rural zoning commission shall transmit a 1407  
copy of it together with text and map pertaining to it to the 1408  
county or regional planning commission, if there is such a 1409  
commission. 1410

The county or regional planning commission shall recommend 1411  
the approval or denial of the proposed amendment or the approval 1412  
of some modification of it and shall submit its recommendation 1413  
to the county rural zoning commission. The recommendation shall 1414  
be considered at the public hearing held by the county rural 1415  
zoning commission on the proposed amendment. 1416

The county rural zoning commission, within thirty days 1417  
after the hearing, shall recommend the approval or denial of the 1418  
proposed amendment, or the approval of some modification of it, 1419  
and shall submit that recommendation together with the motion, 1420  
application, or resolution involved, the text and map pertaining 1421  
to the proposed amendment, and the recommendation of the county 1422  
or regional planning commission on it to the board of county 1423  
commissioners. 1424

The board of county commissioners, upon receipt of that 1425

recommendation, shall set a time for a public hearing on the 1426  
proposed amendment, which date shall be not more than thirty 1427  
days from the date of the receipt of that recommendation. Notice 1428  
of the hearing shall be given by the board by one publication in 1429  
one or more newspapers of general circulation in the county, at 1430  
least ten days before the date of the hearing. 1431

(F) If the proposed amendment intends to rezone or 1432  
redistrict ten or fewer parcels of land as listed on the county 1433  
auditor's current tax list, the published notice shall set forth 1434  
the time, date, and place of the public hearing and include all 1435  
of the following: 1436

(1) The name of the board of county commissioners that 1437  
will be conducting the hearing; 1438

(2) A statement indicating that the motion, application, 1439  
or resolution is an amendment to the zoning resolution; 1440

(3) A list of the addresses of all properties to be 1441  
rezoned or redistricted by the proposed amendment and of the 1442  
names of owners of those properties, as they appear on the 1443  
county auditor's current tax list; 1444

(4) The present zoning classification of property named in 1445  
the proposed amendment and the proposed zoning classification of 1446  
that property; 1447

(5) The time and place where the motion, application, or 1448  
resolution proposing to amend the zoning resolution will be 1449  
available for examination for a period of at least ten days 1450  
prior to the hearing; 1451

(6) The name of the person responsible for giving notice 1452  
of the hearing by publication, by mail, or by both publication 1453  
and mail; 1454

(7) Any other information requested by the board. 1455

(G) If the proposed amendment alters the text of the 1456  
zoning resolution, or rezones or redistricts more than ten 1457  
parcels of land as listed on the county auditor's current tax 1458  
list, the published notice shall set forth the time, date, and 1459  
place of the public hearing and include all of the following: 1460

(1) The name of the board of county commissioners that 1461  
will be conducting the hearing on the proposed amendment; 1462

(2) A statement indicating that the motion, application, 1463  
or resolution is an amendment to the zoning resolution; 1464

(3) The time and place where the text and maps of the 1465  
proposed amendment will be available for examination for a 1466  
period of at least ten days prior to the hearing; 1467

(4) The name of the person responsible for giving notice 1468  
of the hearing by publication; 1469

(5) Any other information requested by the board. 1470

(H) Within twenty days after its public hearing, the board 1471  
of county commissioners shall either adopt or deny the 1472  
recommendation of the county rural zoning commission or adopt 1473  
some modification of it. If the board denies or modifies the 1474  
commission's recommendation, a majority vote of the board shall 1475  
be required. 1476

The proposed amendment, if adopted by the board, shall 1477  
become effective in thirty days after the date of its adoption, 1478  
unless, within thirty days after the adoption, there is 1479  
presented to the board of county commissioners a petition, 1480  
signed by a number of qualified voters residing in the 1481  
unincorporated area of the township or part of that 1482

unincorporated area included in the zoning plan equal to not 1483  
less than eight per cent of the total vote cast for all 1484  
candidates for governor in that area at the most recent general 1485  
election at which a governor was elected, requesting the board 1486  
to submit the amendment to the electors of that area for 1487  
approval or rejection at a special election to be held on the 1488  
day of the next primary or general election occurring at least 1489  
ninety days after the petition is submitted. Each part of this 1490  
petition shall contain the number and the full and correct 1491  
title, if any, of the zoning amendment resolution, motion, or 1492  
application, furnishing the name by which the amendment is known 1493  
and a brief summary of its contents. In addition to meeting the 1494  
requirements of this section, each petition shall be governed by 1495  
the rules specified in section 3501.38 of the Revised Code. 1496

The form of a petition calling for a zoning referendum and 1497  
the statement of the circulator shall be substantially as 1498  
follows: 1499

"PETITION FOR ZONING REFERENDUM 1500

(if the proposal is identified by a particular name or number, 1501  
or both, these should be inserted here) \_\_\_\_\_ 1502

A proposal to amend the zoning map of the unincorporated 1503  
area of \_\_\_\_\_ Township, \_\_\_\_\_ County, 1504  
Ohio, adopted \_\_\_\_\_ (date) \_\_\_\_\_ (followed by brief 1505  
summary of the proposal). 1506

To the Board of County Commissioners of \_\_\_\_\_ 1507  
County, Ohio: 1508

We, the undersigned, being electors residing in the 1509  
unincorporated area of \_\_\_\_\_ Township, included within 1510  
the \_\_\_\_\_ County Zoning Plan, equal to not less than 1511

eight per cent of the total vote cast for all candidates for 1512  
governor in the area at the preceding general election at which 1513  
a governor was elected, request the Board of County 1514  
Commissioners to submit this amendment of the zoning resolution 1515  
to the electors of \_\_\_\_\_ Township residing within the 1516  
unincorporated area of the township included in the 1517  
\_\_\_\_\_ County Zoning Resolution, for approval or 1518  
rejection at a special election to be held on the day of the 1519  
next primary or general election to be held on 1520  
\_\_\_\_\_ (date) \_\_\_\_\_, pursuant to section 303.12 of the Revised 1521  
Code. 1522

|                     |                                  |      |
|---------------------|----------------------------------|------|
| Street Address      | Date of                          | 1523 |
| Signature or R.F.D. | Township Precinct County Signing | 1524 |
| _____               |                                  | 1525 |
| _____               |                                  | 1526 |

STATEMENT OF CIRCULATOR 1527

I, \_\_\_\_\_ (name of circulator) \_\_\_\_\_, 1528  
declare under penalty of election falsification that I am an 1529  
elector of the state of Ohio and reside at the address appearing 1530  
below my signature; that I am the circulator of the foregoing 1531  
part petition containing \_\_\_\_\_ (number) \_\_\_\_\_ signatures; that I 1532  
have witnessed the affixing of every signature; that all signers 1533  
were to the best of my knowledge and belief qualified to sign; 1534  
and that every signature is to the best of my knowledge and 1535  
belief the signature of the person whose signature it purports 1536  
to be or of an attorney in fact acting pursuant to section 1537  
3501.382 of the Revised Code. 1538

\_\_\_\_\_ 1539

|   |      |
|---|------|
| (Signature of circulator)   | 1540 |
| _____   | 1541 |
| (Address of circulator's  | 1542 |
| permanent residence in this                                       | 1543 |
| state)  | 1544 |
| _____   | 1545 |
| (City, village, or township,                                      | 1546 |
| and zip code)   | 1547 |
| WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A             | 1548 |
| FELONY OF THE <del>FIFTH</del> <u>FOURTH</u> DEGREE."             | 1549 |
| No amendment for which such a referendum vote has been            | 1550 |
| requested shall be put into effect unless a majority of the vote  | 1551 |
| cast on the issue is in favor of the amendment. Upon              | 1552 |
| certification by the board of elections that the amendment has    | 1553 |
| been approved by the voters, it shall take immediate effect.      | 1554 |
| Within five working days after an amendment's effective           | 1555 |
| date, the board of county commissioners shall file the text and   | 1556 |
| maps of the amendment in the office of the county recorder and    | 1557 |
| with the regional or county planning commission, if one exists.   | 1558 |
| The failure to file any amendment, or any text and maps,          | 1559 |
| or duplicates of any of these documents, with the office of the   | 1560 |
| county recorder or the county or regional planning commission as  | 1561 |
| required by this section does not invalidate the amendment and    | 1562 |
| is not grounds for an appeal of any decision of the board of      | 1563 |
| zoning appeals.   | 1564 |
| <b>Sec. 307.96.</b> Except as provided by Section 3 of Article X, | 1565 |
| Ohio Constitution, a county charter or amendment shall become     | 1566 |
| effective if it has been approved by the majority of the          | 1567 |

electors voting thereon. The charter or amendment shall take 1568  
effect on the thirtieth day after approval unless another date 1569  
is fixed in the charter or amendment. 1570

No charter or amendment adopted by the electors of any 1571  
county shall be held ineffective or void on account of the 1572  
insufficiency of the petitions by which such submission of the 1573  
resolution was procured, nor shall the rejection of any charter 1574  
or amendment submitted to the electors of such county, be held 1575  
invalid for such insufficiency. 1576

Any charter or charter amendment proposal that is 1577  
submitted to the electors of the county shall be posted in each 1578  
~~polling place~~ location where ballots may be cast in person for 1579  
the election in some location that is easily accessible to the 1580  
electors. 1581

**Sec. 519.12.** (A) (1) Amendments to the zoning resolution 1582  
may be initiated by motion of the township zoning commission, by 1583  
the passage of a resolution by the board of township trustees, 1584  
or by the filing of an application by one or more of the owners 1585  
or lessees of property within the area proposed to be changed or 1586  
affected by the proposed amendment with the township zoning 1587  
commission. The board of township trustees may require that the 1588  
owner or lessee of property filing an application to amend the 1589  
zoning resolution pay a fee to defray the cost of advertising, 1590  
mailing, filing with the county recorder, and other expenses. If 1591  
the board of township trustees requires such a fee, it shall be 1592  
required generally, for each application. The board of township 1593  
trustees, upon the passage of such a resolution, shall certify 1594  
it to the township zoning commission. 1595

(2) Upon the adoption of a motion by the township zoning 1596  
commission, the certification of a resolution by the board of 1597

township trustees to the commission, or the filing of an 1598  
application by property owners or lessees as described in 1599  
division (A) (1) of this section with the commission, the 1600  
commission shall set a date for a public hearing, which date 1601  
shall not be less than twenty nor more than forty days from the 1602  
date of the certification of such a resolution, the date of 1603  
adoption of such a motion, or the date of the filing of such an 1604  
application. Notice of the hearing shall be given by the 1605  
commission by one publication in one or more newspapers of 1606  
general circulation in the township at least ten days before the 1607  
date of the hearing. 1608

(B) If the proposed amendment intends to rezone or 1609  
redistrict ten or fewer parcels of land, as listed on the county 1610  
auditor's current tax list, written notice of the hearing shall 1611  
be mailed by the township zoning commission, by first class 1612  
mail, at least ten days before the date of the public hearing to 1613  
all owners of property within and contiguous to and directly 1614  
across the street from the area proposed to be rezoned or 1615  
redistricted to the addresses of those owners appearing on the 1616  
county auditor's current tax list. The failure of delivery of 1617  
that notice shall not invalidate any such amendment. 1618

(C) If the proposed amendment intends to rezone or 1619  
redistrict ten or fewer parcels of land as listed on the county 1620  
auditor's current tax list, the published and mailed notices 1621  
shall set forth the time, date, and place of the public hearing 1622  
and include all of the following: 1623

(1) The name of the township zoning commission that will 1624  
be conducting the hearing; 1625

(2) A statement indicating that the motion, resolution, or 1626  
application is an amendment to the zoning resolution; 1627



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

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

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

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

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

(8) Any other information requested by the commission.

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

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

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

(3) The time and place where the text and maps of the

proposed amendment will be available for examination for a 1656  
period of at least ten days prior to the hearing; 1657

(4) The name of the person responsible for giving notice 1658  
of the hearing by publication; 1659

(5) A statement that, after the conclusion of the hearing, 1660  
the matter will be submitted to the board of township trustees 1661  
for its action; 1662

(6) Any other information requested by the commission. 1663

(E) (1) (a) Except as provided in division (E) (1) (b) of this 1664  
section, within five days after the adoption of the motion 1665  
described in division (A) of this section, the certification of 1666  
the resolution described in division (A) of this section, or the 1667  
filing of the application described in division (A) of this 1668  
section, the township zoning commission shall transmit a copy of 1669  
it together with text and map pertaining to it to the county or 1670  
regional planning commission, if there is such a commission, for 1671  
approval, disapproval, or suggestions. 1672

The county or regional planning commission shall recommend 1673  
the approval or denial of the proposed amendment or the approval 1674  
of some modification of it and shall submit its recommendation 1675  
to the township zoning commission. The recommendation shall be 1676  
considered at the public hearing held by the township zoning 1677  
commission on the proposed amendment. 1678

(b) The township zoning commission of a township that has 1679  
adopted a limited home rule government under Chapter 504. of the 1680  
Revised Code is not subject to division (E) (1) (a) of this 1681  
section but may choose to comply with division (E) (1) (a) of this 1682  
section. 1683

(2) The township zoning commission, within thirty days 1684

after the hearing, shall recommend the approval or denial of the 1685  
proposed amendment, or the approval of some modification of it, 1686  
and submit that recommendation together with the motion, 1687  
application, or resolution involved, the text and map pertaining 1688  
to the proposed amendment, and the recommendation of the county 1689  
or regional planning commission on it to the board of township 1690  
trustees. 1691

(3) The board of township trustees, upon receipt of that 1692  
recommendation, shall set a time for a public hearing on the 1693  
proposed amendment, which date shall not be more than thirty 1694  
days from the date of the receipt of that recommendation. Notice 1695  
of the hearing shall be given by the board by one publication in 1696  
one or more newspapers of general circulation in the township, 1697  
at least ten days before the date of the hearing. 1698

(F) If the proposed amendment intends to rezone or 1699  
redistrict ten or fewer parcels of land as listed on the county 1700  
auditor's current tax list, the published notice shall set forth 1701  
the time, date, and place of the public hearing and include all 1702  
of the following: 1703

(1) The name of the board of township trustees that will 1704  
be conducting the hearing; 1705

(2) A statement indicating that the motion, application, 1706  
or resolution is an amendment to the zoning resolution; 1707

(3) A list of the addresses of all properties to be 1708  
rezoned or redistricted by the proposed amendment and of the 1709  
names of owners of those properties, as they appear on the 1710  
county auditor's current tax list; 1711

(4) The present zoning classification of property named in 1712  
the proposed amendment and the proposed zoning classification of 1713

that property; 1714

(5) The time and place where the motion, application, or 1715  
resolution proposing to amend the zoning resolution will be 1716  
available for examination for a period of at least ten days 1717  
prior to the hearing; 1718

(6) The name of the person responsible for giving notice 1719  
of the hearing by publication, by mail, or by both publication 1720  
and mail; 1721

(7) Any other information requested by the board. 1722

(G) If the proposed amendment alters the text of the 1723  
zoning resolution, or rezones or redistricts more than ten 1724  
parcels of land as listed on the county auditor's current tax 1725  
list, the published notice shall set forth the time, date, and 1726  
place of the public hearing and include all of the following: 1727

(1) The name of the board of township trustees that will 1728  
be conducting the hearing on the proposed amendment; 1729

(2) A statement indicating that the motion, application, 1730  
or resolution is an amendment to the zoning resolution; 1731

(3) The time and place where the text and maps of the 1732  
proposed amendment will be available for examination for a 1733  
period of at least ten days prior to the hearing; 1734

(4) The name of the person responsible for giving notice 1735  
of the hearing by publication; 1736

(5) Any other information requested by the board. 1737

(H) Within twenty days after its public hearing, the board 1738  
of township trustees shall either adopt or deny the 1739  
recommendations of the township zoning commission or adopt some 1740

modification of them. If the board denies or modifies the 1741  
commission's recommendations, a majority vote of the board shall 1742  
be required. 1743

The proposed amendment, if adopted by the board, shall 1744  
become effective in thirty days after the date of its adoption, 1745  
unless, within thirty days after the adoption, there is 1746  
presented to the board of township trustees a petition, signed 1747  
by a number of registered electors residing in the 1748  
unincorporated area of the township or part of that 1749  
unincorporated area included in the zoning plan equal to not 1750  
less than eight per cent of the total vote cast for all 1751  
candidates for governor in that area at the most recent general 1752  
election at which a governor was elected, requesting the board 1753  
of township trustees to submit the amendment to the electors of 1754  
that area for approval or rejection at a special election to be 1755  
held on the day of the next primary or general election that 1756  
occurs at least ninety days after the petition is filed. Each 1757  
part of this petition shall contain the number and the full and 1758  
correct title, if any, of the zoning amendment resolution, 1759  
motion, or application, furnishing the name by which the 1760  
amendment is known and a brief summary of its contents. In 1761  
addition to meeting the requirements of this section, each 1762  
petition shall be governed by the rules specified in section 1763  
3501.38 of the Revised Code. 1764

The form of a petition calling for a zoning referendum and 1765  
the statement of the circulator shall be substantially as 1766  
follows: 1767

"PETITION FOR ZONING REFERENDUM 1768

(if the proposal is identified by a particular name or number, 1769  
or both, these should be inserted here) \_\_\_\_\_ 1770

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

To the Board of Township Trustees of \_\_\_\_\_  
Township, \_\_\_\_\_ County, Ohio:

We, the undersigned, being electors residing in the  
unincorporated area of \_\_\_\_\_ Township,  
included within the \_\_\_\_\_ Township Zoning Plan, equal to  
not less than eight per cent of the total vote cast for all  
candidates for governor in the area at the preceding general  
election at which a governor was elected, request the Board of  
Township Trustees to submit this amendment of the zoning  
resolution to the electors of \_\_\_\_\_ Township  
residing within the unincorporated area of the township included  
in the \_\_\_\_\_ Township Zoning Resolution, for  
approval or rejection at a special election to be held on the  
day of the primary or general election to be held on  
\_\_\_\_ (date) \_\_\_\_, pursuant to section 519.12 of the Revised  
Code.

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

STATEMENT OF CIRCULATOR

I, \_\_\_\_\_ (name of circulator) \_\_\_\_\_, declare under  
penalty of election falsification that I am an elector of the  
state of Ohio and reside at the address appearing below my

signature; that I am the circulator of the foregoing part 1800  
petition containing \_\_\_\_\_ (number) \_\_\_\_\_ signatures; that I 1801  
have witnessed the affixing of every signature; that all signers 1802  
were to the best of my knowledge and belief qualified to sign; 1803  
and that every signature is to the best of my knowledge and 1804  
belief the signature of the person whose signature it purports 1805  
to be or of an attorney in fact acting pursuant to section 1806  
3501.382 of the Revised Code. 1807

\_\_\_\_\_ 1808

(Signature of circulator) 1809

\_\_\_\_\_ 1810

(Address of circulator's permanent 1811

residence in this state) 1812

\_\_\_\_\_ 1813

(City, village, or township, 1814

and zip code) 1815

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 1816  
FELONY OF THE ~~FIFTH~~ FOURTH DEGREE." 1817

The petition shall be filed with the board of township 1818  
trustees and shall be accompanied by an appropriate map of the 1819  
area affected by the zoning proposal. Within two weeks after 1820  
receiving a petition filed under this section, the board of 1821  
township trustees shall certify the petition to the board of 1822  
elections. A petition filed under this section shall be 1823  
certified to the board of elections not less than ninety days 1824  
prior to the election at which the question is to be voted upon. 1825

The board of elections shall determine the sufficiency and 1826

validity of each petition certified to it by a board of township trustees under this section. If the board of elections determines that a petition is sufficient and valid, the question shall be voted upon at a special election to be held on the day of the next primary or general election that occurs at least ninety days after the date the petition is filed with the board of township trustees, regardless of whether any election will be held to nominate or elect candidates on that day.

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

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

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

**Sec. 718.01.** Any term used in this chapter that is not otherwise defined in this chapter has the same meaning as when used in a comparable context in laws of the United States relating to federal income taxation or in Title LVIII of the Revised Code, unless a different meaning is clearly required. Except as provided in section 718.81 of the Revised Code, if a term used in this chapter that is not otherwise defined in this



chapter is used in a comparable context in both the laws of the 1857  
United States relating to federal income tax and in Title LVII 1858  
of the Revised Code and the use is not consistent, then the use 1859  
of the term in the laws of the United States relating to federal 1860  
income tax shall control over the use of the term in Title LVII 1861  
of the Revised Code. 1862

Except as otherwise provided in section 718.81 of the 1863  
Revised Code, as used in this chapter: 1864

(A) (1) "Municipal taxable income" means the following: 1865

(a) For a person other than an individual, income 1866  
apportioned or situated to the municipal corporation under 1867  
section 718.02 of the Revised Code, as applicable, reduced by 1868  
any pre-2017 net operating loss carryforward available to the 1869  
person for the municipal corporation. 1870

(b) (i) For an individual who is a resident of a municipal 1871  
corporation other than a qualified municipal corporation, income 1872  
reduced by exempt income to the extent otherwise included in 1873  
income, then reduced as provided in division (A) (2) of this 1874  
section, and further reduced by any pre-2017 net operating loss 1875  
carryforward available to the individual for the municipal 1876  
corporation. 1877

(ii) For an individual who is a resident of a qualified 1878  
municipal corporation, Ohio adjusted gross income reduced by 1879  
income exempted, and increased by deductions excluded, by the 1880  
qualified municipal corporation from the qualified municipal 1881  
corporation's tax. If a qualified municipal corporation, on or 1882  
before December 31, 2013, exempts income earned by individuals 1883  
who are not residents of the qualified municipal corporation and 1884  
net profit of persons that are not wholly located within the 1885

qualified municipal corporation, such individual or person shall 1886  
have no municipal taxable income for the purposes of the tax 1887  
levied by the qualified municipal corporation and may be 1888  
exempted by the qualified municipal corporation from the 1889  
requirements of section 718.03 of the Revised Code. 1890

(c) For an individual who is a nonresident of a municipal 1891  
corporation, income reduced by exempt income to the extent 1892  
otherwise included in income and then, as applicable, 1893  
apportioned or situated to the municipal corporation under 1894  
section 718.02 of the Revised Code, then reduced as provided in 1895  
division (A)(2) of this section, and further reduced by any pre- 1896  
2017 net operating loss carryforward available to the individual 1897  
for the municipal corporation. 1898

(2) In computing the municipal taxable income of a 1899  
taxpayer who is an individual, the taxpayer may subtract, as 1900  
provided in division (A)(1)(b)(i) or (c) of this section, the 1901  
amount of the individual's employee business expenses reported 1902  
on the individual's form 2106 that the individual deducted for 1903  
federal income tax purposes for the taxable year, subject to the 1904  
limitation imposed by section 67 of the Internal Revenue Code. 1905  
For the municipal corporation in which the taxpayer is a 1906  
resident, the taxpayer may deduct all such expenses allowed for 1907  
federal income tax purposes. For a municipal corporation in 1908  
which the taxpayer is not a resident, the taxpayer may deduct 1909  
such expenses only to the extent the expenses are related to the 1910  
taxpayer's performance of personal services in that nonresident 1911  
municipal corporation. 1912

(B) "Income" means the following: 1913

(1)(a) For residents, all income, salaries, qualifying 1914  
wages, commissions, and other compensation from whatever source 1915

earned or received by the resident, including the resident's 1916  
distributive share of the net profit of pass-through entities 1917  
owned directly or indirectly by the resident and any net profit 1918  
of the resident, except as provided in division (D) (5) of this 1919  
section. 1920

(b) For the purposes of division (B) (1) (a) of this 1921  
section: 1922

(i) Any net operating loss of the resident incurred in the 1923  
taxable year and the resident's distributive share of any net 1924  
operating loss generated in the same taxable year and 1925  
attributable to the resident's ownership interest in a pass- 1926  
through entity shall be allowed as a deduction, for that taxable 1927  
year and the following five taxable years, against any other net 1928  
profit of the resident or the resident's distributive share of 1929  
any net profit attributable to the resident's ownership interest 1930  
in a pass-through entity until fully utilized, subject to 1931  
division (B) (1) (d) of this section; 1932

(ii) The resident's distributive share of the net profit 1933  
of each pass-through entity owned directly or indirectly by the 1934  
resident shall be calculated without regard to any net operating 1935  
loss that is carried forward by that entity from a prior taxable 1936  
year and applied to reduce the entity's net profit for the 1937  
current taxable year. 1938

(c) Division (B) (1) (b) of this section does not apply with 1939  
respect to any net profit or net operating loss attributable to 1940  
an ownership interest in an S corporation unless shareholders' 1941  
distributive shares of net profits from S corporations are 1942  
subject to tax in the municipal corporation as provided in 1943  
division (C) (14) (b) or (c) of this section. 1944

(d) Any amount of a net operating loss used to reduce a taxpayer's net profit for a taxable year shall reduce the amount of net operating loss that may be carried forward to any subsequent year for use by that taxpayer. In no event shall the cumulative deductions for all taxable years with respect to a taxpayer's net operating loss exceed the original amount of that net operating loss available to that taxpayer.

(2) In the case of nonresidents, all income, salaries, qualifying wages, commissions, and other compensation from whatever source earned or received by the nonresident for work done, services performed or rendered, or activities conducted in the municipal corporation, including any net profit of the nonresident, but excluding the nonresident's distributive share of the net profit or loss of only pass-through entities owned directly or indirectly by the nonresident.

(3) For taxpayers that are not individuals, net profit of the taxpayer;

(4) Lottery, sweepstakes, gambling and sports winnings, winnings from games of chance, and prizes and awards. If the taxpayer is a professional gambler for federal income tax purposes, the taxpayer may deduct related wagering losses and expenses to the extent authorized under the Internal Revenue Code and claimed against such winnings.

(C) "Exempt income" means all of the following:

(1) The military pay or allowances of members of the armed forces of the United States or members of their reserve components, including the national guard of any state;

(2) (a) Except as provided in division (C) (2) (b) of this section, intangible income;

(b) A municipal corporation that taxed any type of 1974  
intangible income on March 29, 1988, pursuant to Section 3 of 1975  
S.B. 238 of the 116th general assembly, may continue to tax that 1976  
type of income if a majority of the electors of the municipal 1977  
corporation voting on the question of whether to permit the 1978  
taxation of that type of intangible income after 1988 voted in 1979  
favor thereof at an election held on November 8, 1988. 1980

(3) Social security benefits, railroad retirement 1981  
benefits, unemployment compensation, pensions, retirement 1982  
benefit payments, payments from annuities, and similar payments 1983  
made to an employee or to the beneficiary of an employee under a 1984  
retirement program or plan, disability payments received from 1985  
private industry or local, state, or federal governments or from 1986  
charitable, religious or educational organizations, and the 1987  
proceeds of sickness, accident, or liability insurance policies. 1988  
As used in division (C) (3) of this section, "unemployment 1989  
compensation" does not include supplemental unemployment 1990  
compensation described in section 3402(o) (2) of the Internal 1991  
Revenue Code. 1992

(4) The income of religious, fraternal, charitable, 1993  
scientific, literary, or educational institutions to the extent 1994  
such income is derived from tax-exempt real estate, tax-exempt 1995  
tangible or intangible property, or tax-exempt activities. 1996

(5) Compensation paid under section 3501.28 or 3501.36 of 1997  
the Revised Code to a person serving as ~~a precinct~~ an election 1998  
official to the extent that such compensation does not exceed 1999  
one thousand dollars for the taxable year. Such compensation in 2000  
excess of one thousand dollars for the taxable year may be 2001  
subject to taxation by a municipal corporation. A municipal 2002  
corporation shall not require the payer of such compensation to 2003

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| withhold any tax from that compensation.   | 2004   |
| (6) Dues, contributions, and similar payments received by charitable, religious, educational, or literary organizations or labor unions, lodges, and similar organizations;  | 2005<br>2006<br>2007                         |
| (7) Alimony and child support received;  | 2008   |
| (8) Compensation for personal injuries or for damages to property from insurance proceeds or otherwise, excluding compensation paid for lost salaries or wages or compensation from punitive damages;  | 2009<br>2010<br>2011<br>2012                 |
| (9) Income of a public utility when that public utility is subject to the tax levied under section 5727.24 or 5727.30 of the Revised Code. Division (C) (9) of this section does not apply for purposes of Chapter 5745. of the Revised Code.  | 2013<br>2014<br>2015<br>2016                 |
| (10) Gains from involuntary conversions, interest on federal obligations, items of income subject to a tax levied by the state and that a municipal corporation is specifically prohibited by law from taxing, and income of a decedent's estate during the period of administration except such income from the operation of a trade or business; | 2017<br>2018<br>2019<br>2020<br>2021<br>2022 |
| (11) Compensation or allowances excluded from federal gross income under section 107 of the Internal Revenue Code;   | 2023<br>2024                                 |
| (12) Employee compensation that is not qualifying wages as defined in division (R) of this section;  | 2025<br>2026                                 |
| (13) Compensation paid to a person employed within the boundaries of a United States air force base under the jurisdiction of the United States air force that is used for the housing of members of the United States air force and is a center for air force operations, unless the person is subject to   | 2027<br>2028<br>2029<br>2030<br>2031         |

taxation because of residence or domicile. If the compensation 2032  
is subject to taxation because of residence or domicile, tax on 2033  
such income shall be payable only to the municipal corporation 2034  
of residence or domicile. 2035

(14) (a) Except as provided in division (C) (14) (b) or (c) 2036  
of this section, an S corporation shareholder's distributive 2037  
share of net profits of the S corporation, other than any part 2038  
of the distributive share of net profits that represents wages 2039  
as defined in section 3121(a) of the Internal Revenue Code or 2040  
net earnings from self-employment as defined in section 1402(a) 2041  
of the Internal Revenue Code. 2042

(b) If, pursuant to division (H) of former section 718.01 2043  
of the Revised Code as it existed before March 11, 2004, a 2044  
majority of the electors of a municipal corporation voted in 2045  
favor of the question at an election held on November 4, 2003, 2046  
the municipal corporation may continue after 2002 to tax an S 2047  
corporation shareholder's distributive share of net profits of 2048  
an S corporation. 2049

(c) If, on December 6, 2002, a municipal corporation was 2050  
imposing, assessing, and collecting a tax on an S corporation 2051  
shareholder's distributive share of net profits of the S 2052  
corporation to the extent the distributive share would be 2053  
allocated or apportioned to this state under divisions (B) (1) 2054  
and (2) of section 5733.05 of the Revised Code if the S 2055  
corporation were a corporation subject to taxes imposed under 2056  
Chapter 5733. of the Revised Code, the municipal corporation may 2057  
continue to impose the tax on such distributive shares to the 2058  
extent such shares would be so allocated or apportioned to this 2059  
state only until December 31, 2004, unless a majority of the 2060  
electors of the municipal corporation voting on the question of 2061

continuing to tax such shares after that date voted in favor of 2062  
that question at an election held November 2, 2004. If a 2063  
majority of those electors voted in favor of the question, the 2064  
municipal corporation may continue after December 31, 2004, to 2065  
impose the tax on such distributive shares only to the extent 2066  
such shares would be so allocated or apportioned to this state. 2067

(d) A municipal corporation shall be deemed to have 2068  
elected to tax S corporation shareholders' distributive shares 2069  
of net profits of the S corporation in the hands of the 2070  
shareholders if a majority of the electors of a municipal 2071  
corporation voted in favor of a question at an election held 2072  
under division (C) (14) (b) or (c) of this section. The municipal 2073  
corporation shall specify by resolution or ordinance that the 2074  
tax applies to the distributive share of a shareholder of an S 2075  
corporation in the hands of the shareholder of the S 2076  
corporation. 2077

(15) To the extent authorized under a resolution or 2078  
ordinance adopted by a municipal corporation before January 1, 2079  
2016, all or a portion of the income of individuals or a class 2080  
of individuals under eighteen years of age. 2081

(16) (a) Except as provided in divisions (C) (16) (b), (c), 2082  
and (d) of this section, qualifying wages described in division 2083  
(B) (1) or (E) of section 718.011 of the Revised Code to the 2084  
extent the qualifying wages are not subject to withholding for 2085  
the municipal corporation under either of those divisions. 2086

(b) The exemption provided in division (C) (16) (a) of this 2087  
section does not apply with respect to the municipal corporation 2088  
in which the employee resided at the time the employee earned 2089  
the qualifying wages. 2090



(c) The exemption provided in division (C)(16)(a) of this section does not apply to qualifying wages that an employer elects to withhold under division (D)(2) of section 718.011 of the Revised Code.

(d) The exemption provided in division (C)(16)(a) of this section does not apply to qualifying wages if both of the following conditions apply:

(i) For qualifying wages described in division (B)(1) of section 718.011 of the Revised Code, the employee's employer withholds and remits tax on the qualifying wages to the municipal corporation in which the employee's principal place of work is situated, or, for qualifying wages described in division (E) of section 718.011 of the Revised Code, the employee's employer withholds and remits tax on the qualifying wages to the municipal corporation in which the employer's fixed location is located;

(ii) The employee receives a refund of the tax described in division (C)(16)(d)(i) of this section on the basis of the employee not performing services in that municipal corporation.

(17)(a) Except as provided in division (C)(17)(b) or (c) of this section, compensation that is not qualifying wages paid to a nonresident individual for personal services performed in the municipal corporation on not more than twenty days in a taxable year.

(b) The exemption provided in division (C)(17)(a) of this section does not apply under either of the following circumstances:

(i) The individual's base of operation is located in the municipal corporation.

(ii) The individual is a professional athlete, 2120  
professional entertainer, or public figure, and the compensation 2121  
is paid for the performance of services in the individual's 2122  
capacity as a professional athlete, professional entertainer, or 2123  
public figure. For purposes of division (C)(17)(b)(ii) of this 2124  
section, "professional athlete," "professional entertainer," and 2125  
"public figure" have the same meanings as in section 718.011 of 2126  
the Revised Code. 2127

(c) Compensation to which division (C)(17) of this section 2128  
applies shall be treated as earned or received at the 2129  
individual's base of operation. If the individual does not have 2130  
a base of operation, the compensation shall be treated as earned 2131  
or received where the individual is domiciled. 2132

(d) For purposes of division (C)(17) of this section, 2133  
"base of operation" means the location where an individual owns 2134  
or rents an office, storefront, or similar facility to which the 2135  
individual regularly reports and at which the individual 2136  
regularly performs personal services for compensation. 2137

(18) Compensation paid to a person for personal services 2138  
performed for a political subdivision on property owned by the 2139  
political subdivision, regardless of whether the compensation is 2140  
received by an employee of the subdivision or another person 2141  
performing services for the subdivision under a contract with 2142  
the subdivision, if the property on which services are performed 2143  
is annexed to a municipal corporation pursuant to section 2144  
709.023 of the Revised Code on or after March 27, 2013, unless 2145  
the person is subject to such taxation because of residence. If 2146  
the compensation is subject to taxation because of residence, 2147  
municipal income tax shall be payable only to the municipal 2148  
corporation of residence. 2149

(19) In the case of a tax administered, collected, and 2150  
enforced by a municipal corporation pursuant to an agreement 2151  
with the board of directors of a joint economic development 2152  
district under section 715.72 of the Revised Code, the net 2153  
profits of a business, and the income of the employees of that 2154  
business, exempted from the tax under division (Q) of that 2155  
section. 2156

(20) All of the following: 2157

(a) Income derived from disaster work conducted in this 2158  
state by an out-of-state disaster business during a disaster 2159  
response period pursuant to a qualifying solicitation received 2160  
by the business; 2161

(b) Income of a qualifying employee described in division 2162  
(A) (14) (a) of section 5703.94 of the Revised Code, to the extent 2163  
such income is derived from disaster work conducted in this 2164  
state by the employee during a disaster response period pursuant 2165  
to a qualifying solicitation received by the employee's 2166  
employer; 2167

(c) Income of a qualifying employee described in division 2168  
(A) (14) (b) of section 5703.94 of the Revised Code, to the extent 2169  
such income is derived from disaster work conducted in this 2170  
state by the employee during a disaster response period on 2171  
critical infrastructure owned or used by the employee's 2172  
employer. 2173

(21) Income the taxation of which is prohibited by the 2174  
constitution or laws of the United States. 2175

Any item of income that is exempt income of a pass-through 2176  
entity under division (C) of this section is exempt income of 2177  
each owner of the pass-through entity to the extent of that 2178

owner's distributive or proportionate share of that item of the 2179  
entity's income. 2180

(D) (1) "Net profit" for a person who is an individual 2181  
means the individual's net profit required to be reported on 2182  
schedule C, schedule E, or schedule F reduced by any net 2183  
operating loss carried forward. For the purposes of division (D) 2184  
(1) of this section, the net operating loss carried forward 2185  
shall be calculated and deducted in the same manner as provided 2186  
in division (D) (3) of this section. 2187

(2) "Net profit" for a person other than an individual 2188  
means adjusted federal taxable income reduced by any net 2189  
operating loss incurred by the person in a taxable year 2190  
beginning on or after January 1, 2017, subject to the 2191  
limitations of division (D) (3) of this section. 2192

(3) (a) The amount of such net operating loss shall be 2193  
deducted from net profit to the extent necessary to reduce 2194  
municipal taxable income to zero, with any remaining unused 2195  
portion of the net operating loss carried forward to not more 2196  
than five consecutive taxable years following the taxable year 2197  
in which the loss was incurred, but in no case for more years 2198  
than necessary for the deduction to be fully utilized. 2199

(b) No person shall use the deduction allowed by division 2200  
(D) (3) of this section to offset qualifying wages. 2201

(c) (i) For taxable years beginning in 2018, 2019, 2020, 2202  
2021, or 2022, a person may not deduct, for purposes of an 2203  
income tax levied by a municipal corporation that levies an 2204  
income tax before January 1, 2016, more than fifty per cent of 2205  
the amount of the deduction otherwise allowed by division (D) (3) 2206  
of this section. 2207

(ii) For taxable years beginning in 2023 or thereafter, a person may deduct, for purposes of an income tax levied by a municipal corporation that levies an income tax before January 1, 2016, the full amount allowed by division (D) (3) of this section without regard to the limitation of division (D) (3) (b) (i) of this section.

(d) Any pre-2017 net operating loss carryforward deduction that is available may be utilized before a taxpayer may deduct any amount pursuant to division (D) (3) of this section.

(e) Nothing in division (D) (3) (c) (i) of this section precludes a person from carrying forward, for use with respect to any return filed for a taxable year beginning after 2018, any amount of net operating loss that was not fully utilized by operation of division (D) (3) (c) (i) of this section. To the extent that an amount of net operating loss that was not fully utilized in one or more taxable years by operation of division (D) (3) (c) (i) of this section is carried forward for use with respect to a return filed for a taxable year beginning in 2019, 2020, 2021, or 2022, the limitation described in division (D) (3) (c) (i) of this section shall apply to the amount carried forward.

(4) For the purposes of this chapter, and notwithstanding division (D) (2) of this section, net profit of a disregarded entity shall not be taxable as against that disregarded entity, but shall instead be included in the net profit of the owner of the disregarded entity.

(5) For the purposes of this chapter, and notwithstanding any other provision of this chapter, the net profit of a publicly traded partnership that makes the election described in division (D) (5) of this section shall be taxed as if the

partnership were a C corporation, and shall not be treated as 2238  
the net profit or income of any owner of the partnership. 2239

A publicly traded partnership that is treated as a 2240  
partnership for federal income tax purposes and that is subject 2241  
to tax on its net profits in one or more municipal corporations 2242  
in this state may elect to be treated as a C corporation for 2243  
municipal income tax purposes. The publicly traded partnership 2244  
shall make the election in every municipal corporation in which 2245  
the partnership is subject to taxation on its net profits. The 2246  
election shall be made on the annual tax return filed in each 2247  
such municipal corporation. The publicly traded partnership 2248  
shall not be required to file the election with any municipal 2249  
corporation in which the partnership is not subject to taxation 2250  
on its net profits, but division (D) (5) of this section applies 2251  
to all municipal corporations in which an individual owner of 2252  
the partnership resides. 2253

(E) "Adjusted federal taxable income," for a person 2254  
required to file as a C corporation, or for a person that has 2255  
elected to be taxed as a C corporation under division (D) (5) of 2256  
this section, means a C corporation's federal taxable income 2257  
before net operating losses and special deductions as determined 2258  
under the Internal Revenue Code, adjusted as follows: 2259

(1) Deduct intangible income to the extent included in 2260  
federal taxable income. The deduction shall be allowed 2261  
regardless of whether the intangible income relates to assets 2262  
used in a trade or business or assets held for the production of 2263  
income. 2264

(2) Add an amount equal to five per cent of intangible 2265  
income deducted under division (E) (1) of this section, but 2266  
excluding that portion of intangible income directly related to 2267

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| the sale, exchange, or other disposition of property described   | 2268 |
| in section 1221 of the Internal Revenue Code;                    | 2269 |
| (3) Add any losses allowed as a deduction in the                 | 2270 |
| computation of federal taxable income if the losses directly     | 2271 |
| relate to the sale, exchange, or other disposition of an asset   | 2272 |
| described in section 1221 or 1231 of the Internal Revenue Code;  | 2273 |
| (4) (a) Except as provided in division (E) (4) (b) of this       | 2274 |
| section, deduct income and gain included in federal taxable      | 2275 |
| income to the extent the income and gain directly relate to the  | 2276 |
| sale, exchange, or other disposition of an asset described in    | 2277 |
| section 1221 or 1231 of the Internal Revenue Code;               | 2278 |
| (b) Division (E) (4) (a) of this section does not apply to       | 2279 |
| the extent the income or gain is income or gain described in     | 2280 |
| section 1245 or 1250 of the Internal Revenue Code.               | 2281 |
| (5) Add taxes on or measured by net income allowed as a          | 2282 |
| deduction in the computation of federal taxable income;          | 2283 |
| (6) In the case of a real estate investment trust or             | 2284 |
| regulated investment company, add all amounts with respect to    | 2285 |
| dividends to, distributions to, or amounts set aside for or      | 2286 |
| credited to the benefit of investors and allowed as a deduction  | 2287 |
| in the computation of federal taxable income;                    | 2288 |
| (7) Deduct, to the extent not otherwise deducted or              | 2289 |
| excluded in computing federal taxable income, any income derived | 2290 |
| from a transfer agreement or from the enterprise transferred     | 2291 |
| under that agreement under section 4313.02 of the Revised Code;  | 2292 |
| (8) Deduct exempt income to the extent not otherwise             | 2293 |
| deducted or excluded in computing adjusted federal taxable       | 2294 |
| income.  | 2295 |

(9) Deduct any net profit of a pass-through entity owned 2296  
directly or indirectly by the taxpayer and included in the 2297  
taxpayer's federal taxable income unless an affiliated group of 2298  
corporations includes that net profit in the group's federal 2299  
taxable income in accordance with division (E) (3) (b) of section 2300  
718.06 of the Revised Code. 2301

(10) Add any loss incurred by a pass-through entity owned 2302  
directly or indirectly by the taxpayer and included in the 2303  
taxpayer's federal taxable income unless an affiliated group of 2304  
corporations includes that loss in the group's federal taxable 2305  
income in accordance with division (E) (3) (b) of section 718.06 2306  
of the Revised Code. 2307

If the taxpayer is not a C corporation, is not a 2308  
disregarded entity that has made the election described in 2309  
division (L) (2) of this section, is not a publicly traded 2310  
partnership that has made the election described in division (D) 2311  
(5) of this section, and is not an individual, the taxpayer 2312  
shall compute adjusted federal taxable income under this section 2313  
as if the taxpayer were a C corporation, except guaranteed 2314  
payments and other similar amounts paid or accrued to a partner, 2315  
former partner, shareholder, former shareholder, member, or 2316  
former member shall not be allowed as a deductible expense 2317  
unless such payments are in consideration for the use of capital 2318  
and treated as payment of interest under section 469 of the 2319  
Internal Revenue Code or United States treasury regulations. 2320  
Amounts paid or accrued to a qualified self-employed retirement 2321  
plan with respect to a partner, former partner, shareholder, 2322  
former shareholder, member, or former member of the taxpayer, 2323  
amounts paid or accrued to or for health insurance for a 2324  
partner, former partner, shareholder, former shareholder, 2325  
member, or former member, and amounts paid or accrued to or for 2326



life insurance for a partner, former partner, shareholder, 2327  
former shareholder, member, or former member shall not be 2328  
allowed as a deduction. 2329

Nothing in division (E) of this section shall be construed 2330  
as allowing the taxpayer to add or deduct any amount more than 2331  
once or shall be construed as allowing any taxpayer to deduct 2332  
any amount paid to or accrued for purposes of federal self- 2333  
employment tax. 2334

(F) "Schedule C" means internal revenue service schedule C 2335  
(form 1040) filed by a taxpayer pursuant to the Internal Revenue 2336  
Code. 2337

(G) "Schedule E" means internal revenue service schedule E 2338  
(form 1040) filed by a taxpayer pursuant to the Internal Revenue 2339  
Code. 2340

(H) "Schedule F" means internal revenue service schedule F 2341  
(form 1040) filed by a taxpayer pursuant to the Internal Revenue 2342  
Code. 2343

(I) "Internal Revenue Code" has the same meaning as in 2344  
section 5747.01 of the Revised Code. 2345

(J) "Resident" means an individual who is domiciled in the 2346  
municipal corporation as determined under section 718.012 of the 2347  
Revised Code. 2348

(K) "Nonresident" means an individual that is not a 2349  
resident. 2350

(L) (1) "Taxpayer" means a person subject to a tax levied 2351  
on income by a municipal corporation in accordance with this 2352  
chapter. "Taxpayer" does not include a grantor trust or, except 2353  
as provided in division (L) (2) (a) of this section, a disregarded 2354

entity. 2355

(2) (a) A single member limited liability company that is a 2356  
disregarded entity for federal tax purposes may be a separate 2357  
taxpayer from its single member in all Ohio municipal 2358  
corporations in which it either filed as a separate taxpayer or 2359  
did not file for its taxable year ending in 2003, if all of the 2360  
following conditions are met: 2361

(i) The limited liability company's single member is also 2362  
a limited liability company. 2363

(ii) The limited liability company and its single member 2364  
were formed and doing business in one or more Ohio municipal 2365  
corporations for at least five years before January 1, 2004. 2366

(iii) Not later than December 31, 2004, the limited 2367  
liability company and its single member each made an election to 2368  
be treated as a separate taxpayer under division (L) of this 2369  
section as this section existed on December 31, 2004. 2370

(iv) The limited liability company was not formed for the 2371  
purpose of evading or reducing Ohio municipal corporation income 2372  
tax liability of the limited liability company or its single 2373  
member. 2374

(v) The Ohio municipal corporation that was the primary 2375  
place of business of the sole member of the limited liability 2376  
company consented to the election. 2377

(b) For purposes of division (L) (2) (a) (v) of this section, 2378  
a municipal corporation was the primary place of business of a 2379  
limited liability company if, for the limited liability 2380  
company's taxable year ending in 2003, its income tax liability 2381  
was greater in that municipal corporation than in any other 2382  
municipal corporation in Ohio, and that tax liability to that 2383

municipal corporation for its taxable year ending in 2003 was at 2384  
least four hundred thousand dollars. 2385

(M) "Person" includes individuals, firms, companies, joint 2386  
stock companies, business trusts, estates, trusts, partnerships, 2387  
limited liability partnerships, limited liability companies, 2388  
associations, C corporations, S corporations, governmental 2389  
entities, and any other entity. 2390

(N) "Pass-through entity" means a partnership not treated 2391  
as an association taxable as a C corporation for federal income 2392  
tax purposes, a limited liability company not treated as an 2393  
association taxable as a C corporation for federal income tax 2394  
purposes, an S corporation, or any other class of entity from 2395  
which the income or profits of the entity are given pass-through 2396  
treatment for federal income tax purposes. "Pass-through entity" 2397  
does not include a trust, estate, grantor of a grantor trust, or 2398  
disregarded entity. 2399

(O) "S corporation" means a person that has made an 2400  
election under subchapter S of Chapter 1 of Subtitle A of the 2401  
Internal Revenue Code for its taxable year. 2402

(P) "Single member limited liability company" means a 2403  
limited liability company that has one direct member. 2404

(Q) "Limited liability company" means a limited liability 2405  
company formed under Chapter 1705. of the Revised Code or under 2406  
the laws of another state. 2407

(R) "Qualifying wages" means wages, as defined in section 2408  
3121(a) of the Internal Revenue Code, without regard to any wage 2409  
limitations, adjusted as follows: 2410

(1) Deduct the following amounts: 2411

(a) Any amount included in wages if the amount constitutes 2412  
compensation attributable to a plan or program described in 2413  
section 125 of the Internal Revenue Code. 2414

(b) Any amount included in wages if the amount constitutes 2415  
payment on account of a disability related to sickness or an 2416  
accident paid by a party unrelated to the employer, agent of an 2417  
employer, or other payer. 2418

(c) Any amount attributable to a nonqualified deferred 2419  
compensation plan or program described in section 3121(v)(2)(C) 2420  
of the Internal Revenue Code if the compensation is included in 2421  
wages and the municipal corporation has, by resolution or 2422  
ordinance adopted before January 1, 2016, exempted the amount 2423  
from withholding and tax. 2424

(d) Any amount included in wages if the amount arises from 2425  
the sale, exchange, or other disposition of a stock option, the 2426  
exercise of a stock option, or the sale, exchange, or other 2427  
disposition of stock purchased under a stock option and the 2428  
municipal corporation has, by resolution or ordinance adopted 2429  
before January 1, 2016, exempted the amount from withholding and 2430  
tax. 2431

(e) Any amount included in wages that is exempt income. 2432

(2) Add the following amounts: 2433

(a) Any amount not included in wages solely because the 2434  
employee was employed by the employer before April 1, 1986. 2435

(b) Any amount not included in wages because the amount 2436  
arises from the sale, exchange, or other disposition of a stock 2437  
option, the exercise of a stock option, or the sale, exchange, 2438  
or other disposition of stock purchased under a stock option and 2439  
the municipal corporation has not, by resolution or ordinance, 2440

exempted the amount from withholding and tax adopted before 2441  
January 1, 2016. Division (R) (2) (b) of this section applies only 2442  
to those amounts constituting ordinary income. 2443

(c) Any amount not included in wages if the amount is an 2444  
amount described in section 401(k), 403(b), or 457 of the 2445  
Internal Revenue Code. Division (R) (2) (c) of this section 2446  
applies only to employee contributions and employee deferrals. 2447

(d) Any amount that is supplemental unemployment 2448  
compensation benefits described in section 3402(o) (2) of the 2449  
Internal Revenue Code and not included in wages. 2450

(e) Any amount received that is treated as self-employment 2451  
income for federal tax purposes in accordance with section 2452  
1402(a) (8) of the Internal Revenue Code. 2453

(f) Any amount not included in wages if all of the 2454  
following apply: 2455

(i) For the taxable year the amount is employee 2456  
compensation that is earned outside of the United States and 2457  
that either is included in the taxpayer's gross income for 2458  
federal income tax purposes or would have been included in the 2459  
taxpayer's gross income for such purposes if the taxpayer did 2460  
not elect to exclude the income under section 911 of the 2461  
Internal Revenue Code; 2462

(ii) For no preceding taxable year did the amount 2463  
constitute wages as defined in section 3121(a) of the Internal 2464  
Revenue Code; 2465

(iii) For no succeeding taxable year will the amount 2466  
constitute wages; and 2467

(iv) For any taxable year the amount has not otherwise 2468

been added to wages pursuant to either division (R) (2) of this 2469  
section or section 718.03 of the Revised Code, as that section 2470  
existed before the effective date of H.B. 5 of the 130th general 2471  
assembly, March 23, 2015. 2472

(S) "Intangible income" means income of any of the 2473  
following types: income yield, interest, capital gains, 2474  
dividends, or other income arising from the ownership, sale, 2475  
exchange, or other disposition of intangible property including, 2476  
but not limited to, investments, deposits, money, or credits as 2477  
those terms are defined in Chapter 5701. of the Revised Code, 2478  
and patents, copyrights, trademarks, tradenames, investments in 2479  
real estate investment trusts, investments in regulated 2480  
investment companies, and appreciation on deferred compensation. 2481  
"Intangible income" does not include prizes, awards, or other 2482  
income associated with any lottery winnings, gambling winnings, 2483  
or other similar games of chance. 2484

(T) "Taxable year" means the corresponding tax reporting 2485  
period as prescribed for the taxpayer under the Internal Revenue 2486  
Code. 2487

(U) "Tax administrator" means the individual charged with 2488  
direct responsibility for administration of an income tax levied 2489  
by a municipal corporation in accordance with this chapter, and 2490  
also includes the following: 2491

(1) A municipal corporation acting as the agent of another 2492  
municipal corporation; 2493

(2) A person retained by a municipal corporation to 2494  
administer a tax levied by the municipal corporation, but only 2495  
if the municipal corporation does not compensate the person in 2496  
whole or in part on a contingency basis; 2497

|  |                                      |
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| (3) The central collection agency or the regional income tax agency or their successors in interest, or another entity organized to perform functions similar to those performed by the central collection agency and the regional income tax agency.                        | 2498<br>2499<br>2500<br>2501         |
| "Tax administrator" does not include the tax commissioner.   | 2502                                 |
| (V) "Employer" means a person that is an employer for federal income tax purposes.   | 2503<br>2504                         |
| (W) "Employee" means an individual who is an employee for federal income tax purposes.   | 2505<br>2506                         |
| (X) "Other payer" means any person, other than an individual's employer or the employer's agent, that pays an individual any amount included in the federal gross income of the individual. "Other payer" includes casino operators and video lottery terminal sales agents. | 2507<br>2508<br>2509<br>2510<br>2511 |
| (Y) "Calendar quarter" means the three-month period ending on the last day of March, June, September, or December.   | 2512<br>2513                         |
| (Z) "Form 2106" means internal revenue service form 2106 filed by a taxpayer pursuant to the Internal Revenue Code.  | 2514<br>2515                         |
| (AA) "Municipal corporation" includes a joint economic development district or joint economic development zone that levies an income tax under section 715.691, 715.70, 715.71, or 715.72 of the Revised Code.   | 2516<br>2517<br>2518<br>2519         |
| (BB) "Disregarded entity" means a single member limited liability company, a qualifying subchapter S subsidiary, or another entity if the company, subsidiary, or entity is a disregarded entity for federal income tax purposes.  | 2520<br>2521<br>2522<br>2523         |
| (CC) "Generic form" means an electronic or paper form that is not prescribed by a particular municipal corporation and that  | 2524<br>2525                         |

is designed for reporting taxes withheld by an employer, agent 2526  
of an employer, or other payer, estimated municipal income 2527  
taxes, or annual municipal income tax liability or for filing a 2528  
refund claim. 2529

(DD) "Tax return preparer" means any individual described 2530  
in section 7701(a)(36) of the Internal Revenue Code and 26 2531  
C.F.R. 301.7701-15. 2532

(EE) "Ohio business gateway" means the online computer 2533  
network system, created under section 125.30 of the Revised 2534  
Code, that allows persons to electronically file business reply 2535  
forms with state agencies and includes any successor electronic 2536  
filing and payment system. 2537

(FF) "Local board of tax review" and "board of tax review" 2538  
mean the entity created under section 718.11 of the Revised 2539  
Code. 2540

(GG) "Net operating loss" means a loss incurred by a 2541  
person in the operation of a trade or business. "Net operating 2542  
loss" does not include unutilized losses resulting from basis 2543  
limitations, at-risk limitations, or passive activity loss 2544  
limitations. 2545

(HH) "Casino operator" and "casino facility" have the same 2546  
meanings as in section 3772.01 of the Revised Code. 2547

(II) "Video lottery terminal" has the same meaning as in 2548  
section 3770.21 of the Revised Code. 2549

(JJ) "Video lottery terminal sales agent" means a lottery 2550  
sales agent licensed under Chapter 3770. of the Revised Code to 2551  
conduct video lottery terminals on behalf of the state pursuant 2552  
to section 3770.21 of the Revised Code. 2553



(KK) "Postal service" means the United States postal service. 2554  
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(LL) "Certified mail," "express mail," "United States mail," "postal service," and similar terms include any delivery service authorized pursuant to section 5703.056 of the Revised Code. 2556  
2557  
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(MM) "Postmark date," "date of postmark," and similar terms include the date recorded and marked in the manner described in division (B) (3) of section 5703.056 of the Revised Code. 2560  
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(NN) "Related member" means a person that, with respect to the taxpayer during all or any portion of the taxable year, is either a related entity, a component member as defined in section 1563(b) of the Internal Revenue Code, or a person to or from whom there is attribution of stock ownership in accordance with section 1563(e) of the Internal Revenue Code except, for purposes of determining whether a person is a related member under this division, "twenty per cent" shall be substituted for "5 percent" wherever "5 percent" appears in section 1563(e) of the Internal Revenue Code. 2564  
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(OO) "Related entity" means any of the following: 2574

(1) An individual stockholder, or a member of the stockholder's family enumerated in section 318 of the Internal Revenue Code, if the stockholder and the members of the stockholder's family own directly, indirectly, beneficially, or constructively, in the aggregate, at least fifty per cent of the value of the taxpayer's outstanding stock; 2575  
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(2) A stockholder, or a stockholder's partnership, estate, trust, or corporation, if the stockholder and the stockholder's 2581  
2582

partnerships, estates, trusts, or corporations own directly, 2583  
indirectly, beneficially, or constructively, in the aggregate, 2584  
at least fifty per cent of the value of the taxpayer's 2585  
outstanding stock; 2586

(3) A corporation, or a party related to the corporation 2587  
in a manner that would require an attribution of stock from the 2588  
corporation to the party or from the party to the corporation 2589  
under division (00) (4) of this section, provided the taxpayer 2590  
owns directly, indirectly, beneficially, or constructively, at 2591  
least fifty per cent of the value of the corporation's 2592  
outstanding stock; 2593

(4) The attribution rules described in section 318 of the 2594  
Internal Revenue Code apply for the purpose of determining 2595  
whether the ownership requirements in divisions (00) (1) to (3) 2596  
of this section have been met. 2597

(PP) (1) "Assessment" means a written finding by the tax 2598  
administrator that a person has underpaid municipal income tax, 2599  
or owes penalty and interest, or any combination of tax, 2600  
penalty, or interest, to the municipal corporation that 2601  
commences the person's time limitation for making an appeal to 2602  
the local board of tax review pursuant to section 718.11 of the 2603  
Revised Code, and has "ASSESSMENT" written in all capital 2604  
letters at the top of such finding. 2605

(2) "Assessment" does not include an informal notice 2606  
denying a request for refund issued under division (B) (3) of 2607  
section 718.19 of the Revised Code, a billing statement 2608  
notifying a taxpayer of current or past-due balances owed to the 2609  
municipal corporation, a tax administrator's request for 2610  
additional information, a notification to the taxpayer of 2611  
mathematical errors, or a tax administrator's other written 2612

correspondence to a person or taxpayer that does meet the 2613  
criteria prescribed by division (PP) (1) of this section. 2614

(QQ) "Taxpayers' rights and responsibilities" means the 2615  
rights provided to taxpayers in sections 718.11, 718.12, 718.19, 2616  
718.23, 718.36, 718.37, 718.38, 5717.011, and 5717.03 of the 2617  
Revised Code and the responsibilities of taxpayers to file, 2618  
report, withhold, remit, and pay municipal income tax and 2619  
otherwise comply with Chapter 718. of the Revised Code and 2620  
resolutions, ordinances, and rules adopted by a municipal 2621  
corporation for the imposition and administration of a municipal 2622  
income tax. 2623

(RR) "Qualified municipal corporation" means a municipal 2624  
corporation that, by resolution or ordinance adopted on or 2625  
before December 31, 2011, adopted Ohio adjusted gross income, as 2626  
defined by section 5747.01 of the Revised Code, as the income 2627  
subject to tax for the purposes of imposing a municipal income 2628  
tax. 2629

(SS) (1) "Pre-2017 net operating loss carryforward" means 2630  
any net operating loss incurred in a taxable year beginning 2631  
before January 1, 2017, to the extent such loss was permitted, 2632  
by a resolution or ordinance of the municipal corporation that 2633  
was adopted by the municipal corporation before January 1, 2016, 2634  
to be carried forward and utilized to offset income or net 2635  
profit generated in such municipal corporation in future taxable 2636  
years. 2637

(2) For the purpose of calculating municipal taxable 2638  
income, any pre-2017 net operating loss carryforward may be 2639  
carried forward to any taxable year, including taxable years 2640  
beginning in 2017 or thereafter, for the number of taxable years 2641  
provided in the resolution or ordinance or until fully utilized, 2642

whichever is earlier. 2643

(TT) "Small employer" means any employer that had total 2644  
revenue of less than five hundred thousand dollars during the 2645  
preceding taxable year. For purposes of this division, "total 2646  
revenue" means receipts of any type or kind, including, but not 2647  
limited to, sales receipts; payments; rents; profits; gains, 2648  
dividends, and other investment income; compensation; 2649  
commissions; premiums; money; property; grants; contributions; 2650  
donations; gifts; program service revenue; patient service 2651  
revenue; premiums; fees, including premium fees and service 2652  
fees; tuition payments; unrelated business revenue; 2653  
reimbursements; any type of payment from a governmental unit, 2654  
including grants and other allocations; and any other similar 2655  
receipts reported for federal income tax purposes or under 2656  
generally accepted accounting principles. "Small employer" does 2657  
not include the federal government; any state government, 2658  
including any state agency or instrumentality; any political 2659  
subdivision; or any entity treated as a government for financial 2660  
accounting and reporting purposes. 2661

(UU) "Audit" means the examination of a person or the 2662  
inspection of the books, records, memoranda, or accounts of a 2663  
person for the purpose of determining liability for a municipal 2664  
income tax. 2665

(VV) "Publicly traded partnership" means any partnership, 2666  
an interest in which is regularly traded on an established 2667  
securities market. A "publicly traded partnership" may have any 2668  
number of partners. 2669

(WW) "Tax commissioner" means the tax commissioner 2670  
appointed under section 121.03 of the Revised Code. 2671

(XX) "Out-of-state disaster business," "qualifying solicitation," "qualifying employee," "disaster work," "critical infrastructure," and "disaster response period" have the same meanings as in section 5703.94 of the Revised Code.

(YY) "Pension" means a retirement benefit plan, regardless of whether the plan satisfies the qualifications described under section 401(a) of the Internal Revenue Code, including amounts that are taxable under the "Federal Insurance Contributions Act," Chapter 21 of the Internal Revenue Code, excluding employee contributions and elective deferrals, and regardless of whether such amounts are paid in the same taxable year in which the amounts are included in the employee's wages, as defined by section 3121(a) of the Internal Revenue Code.

(ZZ) "Retirement benefit plan" means an arrangement whereby an entity provides benefits to individuals either on or after their termination of service because of retirement or disability. "Retirement benefit plan" does not include wage continuation payments, severance payments, or payments made for accrued personal or vacation time.

**Sec. 3313.77.** (A) For purposes of this section:

(1) "General public" means members of the community, including both of the following:

(a) Students during nonschool hours;

(b) Employees of a school or school district when not working in the scope of their employment.

(2) "Nonschool hours" means both of the following:

(a) Any time prior to and after regular classroom instruction on a day that school is in session;

|   |  |
|---|--|
| (b) Any day that school is not in session, including weekends, holidays, and vacation breaks.   | 2700<br>2701                                 |
| (3) "Recreational meetings and entertainments" means all indoor or outdoor games or physical activities, either organized or unorganized, that are undertaken for exercise, relaxation, diversion, sport, or pleasure.  | 2702<br>2703<br>2704<br>2705                 |
| (4) "School premises" means all indoor and outdoor structures, facilities, and land owned, rented, or leased by a school or school district.  | 2706<br>2707<br>2708                         |
| (B) The board of education of any city, exempted village, or local school district shall, upon request and the payment of a reasonable fee, subject to such regulation as is adopted by such board, permit the use of school premises, when not in actual use for school purposes, for any of the following purposes: | 2709<br>2710<br>2711<br>2712<br>2713<br>2714 |
| (1) Giving instructions in any branch of education, learning, or the arts;  | 2715<br>2716                                 |
| (2) Holding educational, religious, civic, social, or recreational meetings and entertainments, and for such other purposes as promote the welfare of the community; provided such meetings and entertainments shall be nonexclusive and open to the general public;  | 2717<br>2718<br>2719<br>2720<br>2721         |
| (3) Public library purposes, as a station for a public library, or as reading rooms;  | 2722<br>2723                                 |
| (4) <del>Polling</del> <u>Precinct polling places and voter service and polling centers</u> , for holding elections and for the registration of voters, <del>or for holding;</del>  | 2724<br>2725<br>2726                         |
| <u>(5) Holding grange or similar meetings.</u>  | 2727   |

The board of education of each school district shall adopt 2728  
a policy for the use of school premises by the general public, 2729  
including a list of all fees to be paid for the use of such 2730  
premises and the costs used to determine such fees. Once 2731  
adopted, the policy shall remain in effect until formally 2732  
amended by the board. A copy of the policy shall be made 2733  
available to any resident of the district upon request. 2734

**Sec. 3501.01.** As used in the sections of the Revised Code 2735  
relating to elections and political communications: 2736

(A) "General election" means the election held on the 2737  
first Tuesday after the first Monday in each November. 2738

(B) "Regular municipal election" means the election held 2739  
on the first Tuesday after the first Monday in November in each 2740  
odd-numbered year. 2741

(C) "Regular state election" means the election held on 2742  
the first Tuesday after the first Monday in November in each 2743  
even-numbered year. 2744

(D) "Special election" means any election other than those 2745  
elections defined in other divisions of this section. A special 2746  
election may be held only on the first Tuesday after the first 2747  
Monday in May, August, or November, or on the day authorized by 2748  
a particular municipal or county charter for the holding of a 2749  
primary election, except that in any year in which a 2750  
presidential primary election is held, no special election shall 2751  
be held in May, except as authorized by a municipal or county 2752  
charter, but may be held on the third Tuesday after the first 2753  
Monday in March. 2754

(E) (1) "Primary" or "primary election" means an election 2755  
held for the purpose of nominating persons as candidates of 2756

political parties for election to offices, and for the purpose 2757  
of electing persons as members of the controlling committees of 2758  
political parties and as delegates and alternates to the 2759  
conventions of political parties. Primary elections shall be 2760  
held on the first Tuesday after the first Monday in May of each 2761  
year except in years in which a presidential primary election is 2762  
held. 2763

(2) "Presidential primary election" means a primary 2764  
election as defined by division (E) (1) of this section at which 2765  
an election is held for the purpose of choosing delegates and 2766  
alternates to the national conventions of the major political 2767  
parties pursuant to section 3513.12 of the Revised Code. Unless 2768  
otherwise specified, presidential primary elections are included 2769  
in references to primary elections. In years in which a 2770  
presidential primary election is held, all primary elections 2771  
shall be held on the third Tuesday after the first Monday in 2772  
March except as otherwise authorized by a municipal or county 2773  
charter. 2774

(F) "Political party" means any group of voters meeting 2775  
the requirements set forth in section 3517.01 of the Revised 2776  
Code for the formation and existence of a political party. 2777

(1) "Major political party" means any political party 2778  
organized under the laws of this state whose candidate for 2779  
governor or nominees for presidential electors received not less 2780  
than twenty per cent of the total vote cast for such office at 2781  
the most recent regular state election. 2782

(2) "Minor political party" means any political party 2783  
organized under the laws of this state that meets either of the 2784  
following requirements: 2785



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

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

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

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

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

primary, general, or special election to be held in this state. 2816

~~(I)~~ (H) "Independent candidate" means any candidate who 2817  
claims is not ~~to be~~ affiliated with a political party, and whose 2818  
name has been certified on the office-type ballot at a general 2819  
or special election through the filing of a statement of 2820  
candidacy and nominating petition, as prescribed in section 2821  
3513.257 of the Revised Code. 2822

~~(J)~~ (I) "Nonpartisan candidate" means any candidate whose 2823  
name is required, pursuant to section 3505.04 of the Revised 2824  
Code, to be listed on the nonpartisan ballot, including all 2825  
candidates for judicial office, for member of any board of 2826  
education, for municipal or township offices in which primary 2827  
elections are not held for nominating candidates by political 2828  
parties, and for offices of municipal corporations having 2829  
charters that provide for separate ballots for elections for 2830  
these offices. 2831

~~(K)~~ (J) "Party candidate" means any candidate who ~~claims~~ 2832  
~~to be~~ is a member of a political party and who has been 2833  
certified to appear on the office-type ballot at a general or 2834  
special election as the nominee of a political party because the 2835  
candidate has won the primary election of the candidate's party 2836  
for the public office the candidate seeks, has been nominated 2837  
under section 3517.012, or is selected by party committee in 2838  
accordance with section 3513.31 of the Revised Code. 2839

~~(L)~~ (K) "Officer of a political party" includes, but is 2840  
not limited to, any member, elected or appointed, of a 2841  
controlling committee, whether representing the territory of the 2842  
state, a district therein, a county, township, a city, a ward, a 2843  
precinct, or other territory, of a major or minor political 2844  
party. 2845

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

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

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

~~(P)~~ (O) "Voting residence" means that place of residence of an elector which shall determine the precinct in candidates, questions, and issues on which the elector may vote.

~~(Q)~~ (P) "Precinct" means a district within a county established by the board of elections of such county within which all qualified electors having a voting residence therein may vote at on the same polling place candidates, questions, and issues.

~~(R)~~ (Q) (1) "Polling Precinct polling place" means that a place provided for each a precinct at which the electors having a voting residence in such the precinct may vote cast ballots in person on the day of an election.

~~(S)~~ (2) "Voter service and polling center" means a place other than a precinct polling place or the office of a board of elections at which the electors having a voting residence in the county may cast ballots in person, obtain mail ballots, or return voted mail ballots.

(3) "Ballot drop box" means a secure box located in a place other than a precinct polling place, a voter service and polling center, or the office of a board of elections at which the electors having a voting residence in the county may deposit

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| <u>voted mail ballots for delivery to the office of the board</u>  | 2875                                 |
| <u>without the payment of postage.</u>   | 2876                                 |
| <u>(R)</u> "Board" or "board of elections" means the board of elections appointed in a county pursuant to section 3501.06 of the Revised Code.   | 2877<br>2878<br>2879                 |
| <del>(T)</del> <u>(S)</u> "Political subdivision" means a county, township, city, village, or school district.   | 2880<br>2881                         |
| <del>(U)</del> <u>(T)</u> "Election officer" or "election official" means any of the following:  | 2882<br>2883                         |
| (1) Secretary of state;  | 2884                                 |
| (2) Employees of the secretary of state serving the division of elections in the capacity of attorney, administrative officer, administrative assistant, elections administrator, office manager, or clerical supervisor;  | 2885<br>2886<br>2887<br>2888         |
| (3) Director of a board of elections;  | 2889                                 |
| (4) Deputy director of a board of elections;   | 2890                                 |
| (5) Member of a board of elections;  | 2891                                 |
| (6) Employees of a board of elections;   | 2892                                 |
| (7) <del>Precinct election</del> <u>Election officials appointed under section 3501.22 of the Revised Code;</u>  | 2893<br>2894                         |
| (8) Employees appointed by the boards of elections on a temporary or part-time basis.  | 2895<br>2896                         |
| <del>(V)</del> <u>(U)</u> "Acknowledgment notice" means a notice sent by a board of elections <u>under section 3503.19 of the Revised Code</u> , on a form prescribed by the secretary of state, informing a <u>person who has applied to register to vote or to update the person's voter registration</u> <del>applicant or an applicant, or who wishes to</del> | 2897<br>2898<br>2899<br>2900<br>2901 |

~~change the applicant's residence or name~~ has had the person's 2902  
registration updated under section 3503.111 of the Revised Code, 2903  
~~of the~~ all of the following: 2904

(1) The status of the~~application~~ registration; ~~the~~ 2905

(2) The information necessary to complete or update the 2906  
application registration, if any; ~~and if~~ 2907

(3) If the ~~application~~ registration is complete, the 2908  
precinct in which the applicant is registered to vote; 2909

(4) Any other information required to be included in the 2910  
acknowledgment notice under section 3503.19 of the Revised Code, 2911  
as applicable. 2912

~~(W)~~ (V) "Confirmation notice" means a notice sent by a 2913  
board of elections, on a form prescribed by the secretary of 2914  
state, by forwardable mail and with return postage prepaid, to a 2915  
registered elector to confirm the registered elector's current 2916  
address. The notice shall comply with all applicable 2917  
requirements of the National Voter Registration Act of 1993. 2918

~~(X)~~ (W) "Designated agency" means an office or agency in 2919  
the state that provides public assistance or that provides 2920  
state-funded programs primarily engaged in providing services to 2921  
persons with disabilities and that is required by the National 2922  
Voter Registration Act of 1993 to implement a program designed 2923  
and administered by the secretary of state for registering 2924  
voters, or any other public or government office or agency that 2925  
implements a program designed and administered by the secretary 2926  
of state for registering voters, including the department of job 2927  
and family services, the program administered under section 2928  
3701.132 of the Revised Code by the department of health, the 2929  
department of mental health and addiction services, the 2930

department of developmental disabilities, the opportunities for 2931  
Ohioans with disabilities agency, and any other agency the 2932  
secretary of state designates. "Designated agency" does not 2933  
include public high schools and vocational schools, public 2934  
libraries, or the office of a county treasurer. 2935

~~(Y)~~(X) (1) "Help America Vote Act of 2002" means the "Help 2936  
America Vote Act of 2002," 52 U.S.C. 20901, et seq. 2937

(2) "National Voter Registration Act of 1993" means the 2938  
"National Voter Registration Act of 1993," 107 Stat. 77, ~~42-52~~ 2939  
U.S.C.A. ~~1973gg-20501,~~ et seq. 2940

~~(Z)~~(3) "Uniformed and Overseas Citizens Absentee Voting 2941  
Act" means the "Uniformed and Overseas Citizens Absentee Voting 2942  
Act," 52 U.S.C. 20301, et seq. 2943

(4) "Voting Rights Act of 1965" means the "Voting Rights 2944  
Act of 1965," 79 Stat. 437, ~~42-52~~ U.S.C.A. ~~1973-10301~~ et seq., 2945  
as amended. 2946

~~(AA)~~(Y) "Photo identification" means a document that 2947  
meets each of the following requirements: 2948

(1) It shows the name of the individual to whom it was 2949  
issued, which shall conform to the name in the ~~poll list or~~ 2950  
~~signature pollbook~~ individual's voter registration record. 2951

(2) It shows the current address of the individual to whom 2952  
it was issued, which shall conform to the address in the ~~poll~~ 2953  
~~list or signature pollbook~~ individual's voter registration 2954  
record, except for a driver's license or a state identification 2955  
card issued under section 4507.50 of the Revised Code, which may 2956  
show either the current or former address of the individual to 2957  
whom it was issued, regardless of whether that address conforms 2958  
to the address in the ~~poll list or signature pollbook~~ 2959

|   |                                      |
|---|--------------------------------------|
| <u>individual's voter registration record.</u>  | 2960                                 |
| (3) It shows a photograph of the individual to whom it was issued.  | 2961<br>2962                         |
| (4) It includes an expiration date that has not passed.   | 2963                                 |
| (5) It was issued by the government of the United States or this state.   | 2964<br>2965                         |
| <u>(Z) "Active elector" means any elector other than an elector who has been sent a confirmation notice and has failed to take any of the actions listed in division (A) (7) of section 3503.21 of the Revised Code subsequent to the mailing of the confirmation notice.</u> | 2966<br>2967<br>2968<br>2969<br>2970 |
| <u>(AA) "Mail ballot" includes a mail ballot cast under Chapter 3509. of the Revised Code and a uniformed service or overseas mail ballot or a federal write-in absentee ballot cast under Chapter 3511. of the Revised Code.</u>   | 2971<br>2972<br>2973<br>2974         |
| <b>Sec. 3501.05.</b> The secretary of state shall do all of the following:  | 2975<br>2976                         |
| (A) Appoint all members of boards of elections;   | 2977                                 |
| (B) Issue instructions by directives and advisories in accordance with section 3501.053 of the Revised Code to members of the boards as to the proper methods of conducting elections.  | 2978<br>2979<br>2980                 |
| (C) Prepare rules and instructions for the conduct of elections, <u>including adopting rules to do all of the following:</u>  | 2981<br>2982                         |
| <u>(1) Provide for uniformity in the conduct of state elections by mail;</u>  | 2983<br>2984                         |
| <u>(2) Govern the procedures for conducting elections by mail.</u>  | 2985<br>2986                         |

|   |                                      |
|---|--------------------------------------|
| (D) Publish and furnish to the boards from time to time a sufficient number of indexed copies of all election laws then in force;   | 2987<br>2988<br>2989                 |
| (E) Edit and issue all pamphlets concerning proposed laws or amendments required by law to be submitted to the voters;  | 2990<br>2991                         |
| (F) Prescribe the form of registration cards, blanks, and records;  | 2992<br>2993                         |
| (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;                                   | 2994<br>2995<br>2996<br>2997         |
| (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;  | 2998<br>2999<br>3000                 |
| (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; | 3001<br>3002<br>3003<br>3004<br>3005 |
| (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;            | 3006<br>3007<br>3008<br>3009<br>3010 |
| (K) Receive all initiative and referendum petitions on state questions and issues and determine and certify to the sufficiency of those petitions;  | 3011<br>3012<br>3013                 |
| (L) Require such reports from the several boards as are   | 3014                                 |



provided by law, or as the secretary of state considers 3015  
necessary; 3016

(M) Compel the observance by election officers in the 3017  
several counties of the requirements of the election laws; 3018

(N) (1) Except as otherwise provided in division (N) (2) of 3019  
this section, investigate the administration of election laws, 3020  
frauds, and irregularities in elections in any county, and 3021  
report violations of election laws to the attorney general or 3022  
prosecuting attorney, or both, for prosecution; 3023

(2) On and after August 24, 1995, report a failure to 3024  
comply with or a violation of a provision in sections 3517.08 to 3025  
3517.13, 3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised 3026  
Code, whenever the secretary of state has or should have 3027  
knowledge of a failure to comply with or a violation of a 3028  
provision in one of those sections, by filing a complaint with 3029  
the Ohio elections commission under section 3517.153 of the 3030  
Revised Code. 3031

(O) Make an annual report to the governor containing the 3032  
results of elections, the cost of elections in the various 3033  
counties, a tabulation of the votes in the several political 3034  
subdivisions, and other information and recommendations relative 3035  
to elections the secretary of state considers desirable; 3036

(P) Prescribe and distribute to boards of elections a list 3037  
of instructions indicating all legal steps necessary to petition 3038  
successfully for local option elections under sections 4301.32 3039  
to 4301.41, 4303.29, 4305.14, and 4305.15 of the Revised Code; 3040

(Q) Adopt rules pursuant to Chapter 119. of the Revised 3041  
Code for the removal by boards of elections of ineligible voters 3042  
from the statewide voter registration database and, if 3043

applicable, from the poll list or signature pollbook used in 3044  
each precinct, ~~which~~. Those rules shall provide for all of the 3045  
~~following:~~ 3046

~~(1) A process for the removal of voters who have changed~~ 3047  
~~residence, which shall be uniform, nondiscriminatory, and in~~ 3048  
~~compliance with the Voting Rights Act of 1965 and the National~~ 3049  
~~Voter Registration Act of 1993, including a program that uses~~ 3050  
~~the national change of address service provided by the United~~ 3051  
~~States postal system through its licensees;~~ 3052

~~(2) A include rules governing the removal of ineligible~~ 3053  
~~voters under section 3503.111 of the Revised Code, a process for~~ 3054  
~~the removal of ineligible voters under section 3503.21 of the~~ 3055  
~~Revised Code;~~ 3056

~~(3) A, and a uniform system for marking or removing the~~ 3057  
~~name of a voter who is ineligible to vote from the statewide~~ 3058  
~~voter registration database and, if applicable, from the poll~~ 3059  
~~list or signature pollbook used in each precinct and noting the~~ 3060  
~~reason for that mark or removal.~~ 3061

(R) Prescribe a general program for registering voters or 3062  
updating voter registration information, such as name and 3063  
residence changes, by boards of elections, designated agencies, 3064  
offices of deputy registrars of motor vehicles, public high 3065  
schools and vocational schools, public libraries, and offices of 3066  
county treasurers consistent with the requirements of section 3067  
3503.09 of the Revised Code; 3068

(S) Prescribe a program of distribution of voter 3069  
registration forms through boards of elections, designated 3070  
agencies, offices of the registrar and deputy registrars of 3071  
motor vehicles, public high schools and vocational schools, 3072

public libraries, and offices of county treasurers; 3073

(T) To the extent feasible, provide copies, at no cost and 3074  
upon request, of the voter registration form in post offices in 3075  
this state; 3076

(U) Adopt rules pursuant to section 111.15 of the Revised 3077  
Code for the purpose of implementing the program for registering 3078  
voters through boards of elections, designated agencies, and the 3079  
offices of the registrar and deputy registrars of motor vehicles 3080  
consistent with this chapter; 3081

(V) Establish the full-time position of Americans with 3082  
Disabilities Act coordinator within the office of the secretary 3083  
of state to do all of the following: 3084

(1) Assist the secretary of state with ensuring that ~~there~~ 3085  
~~is equal access to polling places for persons with disabilities~~ 3086  
have the same access to locations where ballots may be cast in 3087  
person as persons without disabilities; 3088

(2) Assist the secretary of state with ensuring that each 3089  
voter may cast the voter's ballot in a manner that provides the 3090  
same opportunity for access and participation, including privacy 3091  
and independence, as for other voters; 3092

(3) Advise the secretary of state in the development of 3093  
standards for the certification of ~~voting machines,~~ marking 3094  
devices, and automatic tabulating equipment. 3095

(W) Establish and maintain a computerized statewide 3096  
database of all legally registered voters under section 3503.15 3097  
of the Revised Code that complies with the requirements of the 3098  
~~"Help America Vote Act of 2002," Pub. L. No. 107-252, 116 Stat.~~ 3099  
~~1666,~~ and provide training in the operation of that system; 3100

(X) Ensure that all directives, advisories, other 3101  
instructions, or decisions issued or made during or as a result 3102  
of any conference or teleconference call with a board of 3103  
elections to discuss the proper methods and procedures for 3104  
conducting elections, to answer questions regarding elections, 3105  
or to discuss the interpretation of directives, advisories, or 3106  
other instructions issued by the secretary of state are posted 3107  
on a web site of the office of the secretary of state as soon as 3108  
is practicable after the completion of the conference or 3109  
teleconference call, but not later than the close of business on 3110  
the same day as the conference or teleconference call takes 3111  
place. 3112

(Y) Publish a report on a web site of the office of the 3113  
secretary of state not later than one month after the completion 3114  
of the canvass of the election returns for each primary and 3115  
general election, identifying, by county, the number of ~~absent-~~ 3116  
~~voter's mail~~ ballots cast and the number of those ballots that 3117  
were counted, and the number of provisional ballots cast and the 3118  
number of those ballots that were counted, for that election. 3119  
The secretary of state shall maintain the information on the web 3120  
site in an archive format for each subsequent election. 3121

(Z) Conduct voter education outlining voter 3122  
identification, ~~absent voters mail~~ ballot, provisional ballot, 3123  
and other voting requirements; 3124

(AA) Establish a procedure by which a registered elector 3125  
may make available to a board of elections a more recent 3126  
signature to be used in the ~~poll list or signature pollbook-~~ 3127  
~~produced by the board of elections of the county in which the~~ 3128  
~~elector resides~~ elector's voter registration record; 3129

(BB) Disseminate information, which may include all or 3130

part of the official explanations and arguments, by means of 3131  
direct mail or other written publication, broadcast, or other 3132  
means or combination of means, as directed by the Ohio ballot 3133  
board under division (F) of section 3505.062 of the Revised 3134  
Code, in order to inform the voters as fully as possible 3135  
concerning each proposed constitutional amendment, proposed law, 3136  
or referendum; 3137

(CC) Be the single state office responsible for the 3138  
implementation of the "Uniformed and Overseas Citizens Absentee 3139  
Voting Act," ~~Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C.~~ 3140  
~~1973ff, et seq., as amended,~~ in this state. The secretary of 3141  
state may delegate to the boards of elections responsibilities 3142  
for the implementation of that act, including responsibilities 3143  
arising from amendments to that act made by the "Military and 3144  
Overseas Voter Empowerment Act," Subtitle H of the "National 3145  
Defense Authorization Act for Fiscal Year 2010," Pub. L. No. 3146  
111-84, 123 Stat. 3190. 3147

(DD) Adopt rules, under Chapter 119. of the Revised Code, 3148  
to establish procedures and standards for determining when a 3149  
board of elections shall be placed under the official oversight 3150  
of the secretary of state, placing a board of elections under 3151  
the official oversight of the secretary of state, a board that 3152  
is under official oversight to transition out of official 3153  
oversight, and the secretary of state to supervise a board of 3154  
elections that is under official oversight of the secretary of 3155  
state. 3156

(EE) Perform other duties required by law. 3157

Whenever a primary election is held under section 3513.32 3158  
of the Revised Code or a special election is held under section 3159  
3521.03 of the Revised Code to fill a vacancy in the office of 3160

representative to congress, the secretary of state shall 3161  
establish a deadline, notwithstanding any other deadline 3162  
required under the Revised Code, by which any or all of the 3163  
following shall occur: the filing of a declaration of candidacy 3164  
and petitions or a statement of candidacy and nominating 3165  
petition together with the applicable filing fee; the filing of 3166  
protests against the candidacy of any person filing a 3167  
declaration of candidacy or nominating petition; the filing of a 3168  
declaration of intent to be a write-in candidate; the filing of 3169  
campaign finance reports; the preparation of, and the making of 3170  
corrections or challenges to, precinct voter registration lists; 3171  
the sending of ballots; the receipt of applications for ~~absent-~~ 3172  
~~voter's ballots or uniformed services or overseas absent voter's~~ 3173  
~~mail ballots;~~ the supplying of election materials ~~to precincts-~~ 3174  
by boards of elections to locations where ballots may be cast in 3175  
person; the holding of hearings by boards of elections to 3176  
consider challenges to the right of a person to appear on a 3177  
voter registration list; and the scheduling of programs to 3178  
instruct or reinstruct election officers. 3179

In the performance of the secretary of state's duties as 3180  
the chief election officer, the secretary of state may 3181  
administer oaths, issue subpoenas, summon witnesses, compel the 3182  
production of books, papers, records, and other evidence, and 3183  
fix the time and place for hearing any matters relating to the 3184  
administration and enforcement of the election laws. 3185

In any controversy involving or arising out of the 3186  
adoption of registration or the appropriation of funds for 3187  
registration, the secretary of state may, through the attorney 3188  
general, bring an action in the name of the state in the court 3189  
of common pleas of the county where the cause of action arose or 3190  
in an adjoining county, to adjudicate the question. 3191

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

The secretary of state may apply to any court that is hearing a case in which the secretary of state is a party, for a change of venue as a substantive right, and the change of venue shall be allowed, and the case removed to the court of common pleas of an adjoining county named in the application or, if there are cases pending in more than one jurisdiction that 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. 3501.051.** (A) Notwithstanding any other section of the Revised Code, the secretary of state may authorize, ~~in one or more precincts~~ in one or more counties, a program allowing individuals under the age of eighteen to enter ~~the polling place~~ a location where ballots may be cast in person and vote in a

simulated election held at the same time as a general election. 3222  
Any individual working in or supervising at a simulated election 3223  
may enter the ~~polling place~~ location and remain within it during 3224  
the entire period the ~~polls are~~ location is open. 3225

(B) A program established under division (A) of this 3226  
section shall require all of the following: 3227

(1) That the duties imposed on ~~precinct~~ election officials 3228  
and peace officers under section 3501.33 of the Revised Code be 3229  
performed by those officials and officers in regard to simulated 3230  
elections and all activities related to simulated elections; 3231

(2) That volunteers provide the personnel necessary to 3232  
conduct the simulated election, except that employees of the 3233  
secretary of state, employees or members of boards of elections, 3234  
and ~~precinct~~ election officials may aid in operating the program 3235  
to the extent permitted by the secretary of state; 3236

(3) That individuals under the age of fourteen be 3237  
accompanied to the simulated election by an individual eighteen 3238  
years of age or over; 3239

(4) Any other requirements the secretary of state 3240  
considers necessary for the orderly administration of the 3241  
election process. 3242

**Sec. 3501.11.** Each board of elections shall exercise by a 3243  
majority vote all powers granted to the board by Title XXXV of 3244  
the Revised Code, shall perform all the duties imposed by law, 3245  
and shall do all of the following: 3246

(A) Establish, define, provide, rearrange, and combine 3247  
election precincts; 3248

(B) Fix and provide the places for registration and for 3249



~~holding primaries and elections casting ballots in person;~~ 3250

(C) Provide for the purchase, preservation, and 3251  
maintenance of booths, ballot boxes, books, maps, flags, blanks, 3252  
cards of instructions, and other forms, papers, and equipment 3253  
used in registration, nominations, and elections; 3254

(D) Appoint and remove its director, deputy director, and 3255  
employees and all registrars, ~~precinct and~~ election officials, 3256  
~~and other officers of elections,~~ fill vacancies, and designate 3257  
the ~~ward or district and precinct~~ location in which each shall 3258  
serve; 3259

(E) Make and issue rules and instructions, not 3260  
inconsistent with law or the rules, directives, or advisories 3261  
issued by the secretary of state, as it considers necessary for 3262  
the guidance of election officers and voters; 3263

(F) Advertise and contract for the printing of all ballots 3264  
and other supplies used in registrations and elections; 3265

(G) Provide for the issuance of all notices, 3266  
advertisements, and publications concerning elections, except as 3267  
otherwise provided in division (G) of section 3501.17 and 3268  
divisions (F) and (G) of section 3505.062 of the Revised Code; 3269

(H) Provide for the delivery of ballots, pollbooks, and 3270  
other required papers and material to the ~~polling places~~ 3271  
locations where ballots may be cast in person; 3272

(I) Cause the ~~polling places~~ locations where ballots may 3273  
be cast in person to be suitably provided with ~~voting machines,~~ 3274  
marking devices, automatic tabulating equipment, stalls, and 3275  
other required supplies. In fulfilling this duty, each board of 3276  
a county that uses ~~voting machines,~~ marking devices, or 3277  
automatic tabulating equipment shall conduct a full vote of the 3278

board during a public session of the board on the allocation and 3279  
distribution of ~~voting machines,~~ marking devices, and automatic 3280  
tabulating equipment for each ~~precinct~~ such location in the 3281  
county. 3282

(J) Investigate irregularities, nonperformance of duties, 3283  
or violations of Title XXXV of the Revised Code by election 3284  
officers and other persons; administer oaths, issue subpoenas, 3285  
summon witnesses, and compel the production of books, papers, 3286  
records, and other evidence in connection with any such 3287  
investigation; and report the facts to the prosecuting attorney 3288  
or the secretary of state; 3289

(K) (1) Review, examine, and certify the sufficiency and 3290  
validity of petitions and nomination papers, and, after 3291  
certification, return to the secretary of state all petitions 3292  
and nomination papers that the secretary of state forwarded to 3293  
the board; 3294

(2) Examine each initiative petition, or a petition filed 3295  
under section 307.94 or 307.95 of the Revised Code, received by 3296  
the board to determine whether the petition falls within the 3297  
scope of authority to enact via initiative and whether the 3298  
petition satisfies the statutory prerequisites to place the 3299  
issue on the ballot, as described in division (M) of section 3300  
3501.38 of the Revised Code. The petition shall be invalid if 3301  
any portion of the petition is not within the initiative power. 3302

(L) Receive the returns of elections, canvass the returns, 3303  
make abstracts of them, and transmit those abstracts to the 3304  
proper authorities; 3305

(M) Issue certificates of election on forms to be 3306  
prescribed by the secretary of state; 3307

(N) Make an annual report to the secretary of state, on 3308  
the form prescribed by the secretary of state, containing a 3309  
statement of the number of voters registered, elections held, 3310  
votes cast, appropriations received, expenditures made, and 3311  
other data required by the secretary of state; 3312

(O) Prepare and submit to the proper appropriating officer 3313  
a budget estimating the cost of elections for the ensuing fiscal 3314  
year; 3315

(P) Perform other duties as prescribed by law or the 3316  
rules, directives, or advisories of the secretary of state; 3317

(Q) Investigate and determine the residence qualifications 3318  
of electors; 3319

(R) Administer oaths in matters pertaining to the 3320  
administration of the election laws; 3321

(S) Prepare and submit to the secretary of state, whenever 3322  
the secretary of state requires, a report containing the names 3323  
and residence addresses of all incumbent county, municipal, 3324  
township, and board of education officials serving in their 3325  
respective counties; 3326

(T) Establish and maintain a voter registration database 3327  
of all qualified electors in the county who offer to register; 3328

(U) Maintain voter registration records, make reports 3329  
concerning voter registration as required by the secretary of 3330  
state, and remove ineligible electors from voter registration 3331  
lists in accordance with law and directives of the secretary of 3332  
state; 3333

(V) Give approval to ballot language for any local 3334  
question or issue and transmit the language to the secretary of 3335

state for the secretary of state's final approval; 3336

(W) Prepare and cause the following notice to be displayed 3337  
in a prominent location in every ~~polling place~~location where 3338  
ballots may be cast in person: 3339

"NOTICE 3340

Ohio law prohibits any person from voting or attempting to 3341  
vote more than once at the same election. 3342

Violators are guilty of a felony of the fourth degree and 3343  
shall be imprisoned and additionally may be fined in accordance 3344  
with law." 3345

(X) In all cases of a tie vote or a disagreement in the 3346  
board, if no decision can be arrived at, the director or 3347  
chairperson shall submit the matter in controversy, not later 3348  
than fourteen days after the tie vote or the disagreement, to 3349  
the secretary of state, who shall summarily decide the question, 3350  
and the secretary of state's decision shall be final. 3351

(Y) Assist each designated agency, deputy registrar of 3352  
motor vehicles, public high school and vocational school, public 3353  
library, and office of a county treasurer in the implementation 3354  
of a program for registering voters at all voter registration 3355  
locations as prescribed by the secretary of state. Under this 3356  
program, each board of elections shall direct to the appropriate 3357  
board of elections any voter registration applications for 3358  
persons residing outside the county where the board is located 3359  
within five days after receiving the applications. 3360

~~(Z) On any day on which an elector may vote in person at 3361  
the office of the board or at another site designated by the 3362  
board, consider the board or other designated site a polling- 3363  
place for that day. All requirements or prohibitions of law that 3364~~

~~apply to a polling place shall apply to the office of the board-~~ 3365  
~~or other designated site on that day.~~ 3366

~~(AA)~~ Perform any duties with respect to voter registration 3367  
and voting by uniformed services and overseas voters that are 3368  
delegated to the board by law or by the rules, directives, or 3369  
advisories of the secretary of state. 3370

**Sec. 3501.13.** (A) The director of the board of elections 3371  
shall keep a full and true record of the proceedings of the 3372  
board and of all moneys received and expended; file and preserve 3373  
in the board's office all orders and records pertaining to the 3374  
administration of registrations, primaries, and elections; 3375  
receive and have the custody of all books, papers, and property 3376  
belonging to the board; and perform other duties in connection 3377  
with the office of director and the proper conduct of elections 3378  
as the board determines. 3379

(B) Before entering upon the duties of the office, the 3380  
director shall subscribe to an oath that the director will 3381  
support the Constitution of the United States and the Ohio 3382  
Constitution, perform all the duties of the office to the best 3383  
of the director's ability, enforce the election laws, and 3384  
preserve all records, documents, and other property pertaining 3385  
to the conduct of elections placed in the director's custody. 3386

(C) The director may administer oaths to persons required 3387  
by law to file certificates or other papers with the board, to 3388  
~~precinct~~ election officials, to witnesses who are called to 3389  
testify before the board, and to voters filling out blanks at 3390  
the board's offices. Except as otherwise provided by state or 3391  
federal law, the records of the board and papers and books filed 3392  
in its office are public records and open to inspection under 3393  
such reasonable regulations as shall be established by the 3394

board. The following notice shall be posted in a prominent place 3395  
at each board office: 3396

"Except as otherwise provided by state or federal law, 3397  
records filed in this office of the board of elections are open 3398  
to public inspection during normal office hours, pursuant to the 3399  
following reasonable regulations: (the board shall here list its 3400  
regulations). Whoever prohibits any person from inspecting the 3401  
public records of this board is subject to the penalties of 3402  
section 3599.161 of the Revised Code." 3403

(D) Upon receipt of a written declaration of intent to 3404  
retire as provided for in section 145.38 of the Revised Code, 3405  
the director shall provide a copy to each member of the board of 3406  
elections. 3407

**Sec. 3501.15.** No person shall serve as a member, director, 3408  
deputy director, or employee of the board of elections who is a 3409  
candidate for any office to be filled at an election, except the 3410  
office of delegate or alternate to a convention, member of the 3411  
board of directors of a county agricultural society, 3412  
presidential elector, or a member of a party committee. No 3413  
person who is a candidate for an office or position to be voted 3414  
for by the electors of a ~~precinct~~ county, except for a candidate 3415  
for county central committee who is not opposed by any other 3416  
candidate in that election ~~and precinct~~, shall serve as a 3417  
~~precinct~~ an election officer official in said precinct that 3418  
county. 3419

**Sec. 3501.17.** (A) The expenses of the board of elections 3420  
shall be paid from the county treasury, in pursuance of 3421  
appropriations by the board of county commissioners, in the same 3422  
manner as other county expenses are paid. If the board of county 3423  
commissioners fails to appropriate an amount sufficient to 3424

provide for the necessary and proper expenses of the board of 3425  
elections pertaining to the conduct of elections, the board of 3426  
elections may apply to the court of common pleas within the 3427  
county, which shall fix the amount necessary to be appropriated 3428  
and the amount shall be appropriated. Payments shall be made 3429  
upon vouchers of the board of elections certified to by its 3430  
chairperson or acting chairperson and the director or deputy 3431  
director, upon warrants of the county auditor. 3432

The board of elections shall not incur any obligation 3433  
involving the expenditure of money unless there are moneys 3434  
sufficient in the funds appropriated therefor to meet the 3435  
obligation. If the board of elections requests a transfer of 3436  
funds from one of its appropriation items to another, the board 3437  
of county commissioners shall adopt a resolution providing for 3438  
the transfer except as otherwise provided in section 5705.40 of 3439  
the Revised Code. The expenses of the board of elections shall 3440  
be apportioned among the county and the various subdivisions as 3441  
provided in this section, and the amount chargeable to each 3442  
subdivision shall be paid as provided in division (J) of this 3443  
section or withheld by the county auditor from the moneys 3444  
payable thereto at the time of the next tax settlement. At the 3445  
time of submitting budget estimates in each year, the board of 3446  
elections shall submit to the taxing authority of each 3447  
subdivision, upon the request of the subdivision, an estimate of 3448  
the amount to be paid or withheld from the subdivision during 3449  
the current or next fiscal year. 3450

A board of township trustees may, by resolution, request 3451  
that the county auditor withhold expenses charged to the 3452  
township from a specified township fund that is to be credited 3453  
with revenue at a tax settlement. The resolution shall specify 3454  
the tax levy ballot issue, the date of the election on the levy 3455

issue, and the township fund from which the expenses the board 3456  
of elections incurs related to that ballot issue shall be 3457  
withheld. 3458

(B) Except as otherwise provided in division (F) of this 3459  
section, the compensation of the members of the board of 3460  
elections and of the director, deputy director, and regular 3461  
employees in the board's offices, other than compensation for 3462  
overtime worked; the expenditures for the rental, furnishing, 3463  
and equipping of the office of the board and for the necessary 3464  
office supplies for the use of the board; the expenditures for 3465  
the acquisition, repair, care, and custody of ~~the precinct~~ 3466  
polling places, voter service and polling centers, ballot drop 3467  
boxes, booths, guardrails, and other equipment used for polling 3468  
places casting ballots in person; the cost of tally sheets, 3469  
maps, flags, ballot boxes, and all other permanent records and 3470  
equipment; the cost of all elections held in and for the state 3471  
and county; and all other expenses of the board which are not 3472  
chargeable to a political subdivision in accordance with this 3473  
section shall be paid in the same manner as other county 3474  
expenses are paid. 3475

(C) The compensation of ~~precinct~~-election officials and 3476  
intermittent employees in the board's offices; the cost of 3477  
renting, moving, heating, and lighting precinct polling places 3478  
and voter service and polling centers, of placing and removing 3479  
ballot drop boxes, and of placing and removing ballot boxes and 3480  
other fixtures and equipment thereof used for casting ballots in 3481  
person, including voting machines, marking devices, and 3482  
automatic tabulating equipment; the cost of printing and 3483  
delivering ballots, cards of instructions, registration lists 3484  
required under section 3503.23 of the Revised Code, and other 3485  
election supplies, ~~including the supplies required to comply~~ 3486



~~with division (H) of section 3506.01 of the Revised Code; the~~ 3487  
cost of contractors engaged by the board to prepare, program, 3488  
test, and operate ~~voting machines, marking devices, and~~ 3489  
automatic tabulating equipment; and all other expenses of 3490  
conducting primaries and elections in the odd-numbered years 3491  
shall be charged to the subdivisions in and for which such 3492  
primaries or elections are held. The charge for each primary or 3493  
general election in odd-numbered years for each subdivision 3494  
shall be determined in the following manner: first, the total 3495  
cost of all chargeable items used in conducting such elections 3496  
shall be ascertained; second, the total charge shall be divided 3497  
by the number of precincts participating in such election, in 3498  
order to fix the cost per precinct; third, the cost per precinct 3499  
shall be prorated by the board of elections to the subdivisions 3500  
conducting elections for the nomination or election of offices 3501  
in such precinct; fourth, the total cost for each subdivision 3502  
shall be determined by adding the charges prorated to it in each 3503  
precinct within the subdivision. 3504

(D) The entire cost of special elections held on a day 3505  
other than the day of a primary or general election, both in 3506  
odd-numbered or in even-numbered years, shall be charged to the 3507  
subdivision. Where a special election is held on the same day as 3508  
a primary or general election in an even-numbered year, the 3509  
subdivision submitting the special election shall be charged 3510  
only for the cost of ballots and advertising. Where a special 3511  
election is held on the same day as a primary or general 3512  
election in an odd-numbered year, the subdivision submitting the 3513  
special election shall be charged for the cost of ballots and 3514  
advertising for such special election, in addition to the 3515  
charges prorated to such subdivision for the election or 3516  
nomination of candidates in each precinct within the 3517

subdivision, as set forth in the preceding paragraph. 3518

(E) Where a special election is held on the day specified 3519  
by division (E) of section 3501.01 of the Revised Code for the 3520  
holding of a primary election, for the purpose of submitting to 3521  
the voters of the state constitutional amendments proposed by 3522  
the general assembly, and a subdivision conducts a special 3523  
election on the same day, the entire cost of the special 3524  
election shall be divided proportionally between the state and 3525  
the subdivision based upon a ratio determined by the number of 3526  
issues placed on the ballot by each, except as otherwise 3527  
provided in division (G) of this section. Such proportional 3528  
division of cost shall be made only to the extent funds are 3529  
available for such purpose from amounts appropriated by the 3530  
general assembly to the secretary of state. If a primary 3531  
election is also being conducted in the subdivision, the costs 3532  
shall be apportioned as otherwise provided in this section. 3533

(F) When ~~the ballot for a precinct is open during a~~ 3534  
~~general, primary, or special election solely for the purpose of~~ 3535  
~~submitting to the voters contains only~~ a statewide ballot issue, 3536  
the state shall bear the entire cost of the election in that 3537  
precinct and shall reimburse the county for all expenses 3538  
incurred in ~~opening~~ conducting the election in the precinct. 3539

(G) (1) The state shall bear the entire cost of advertising 3540  
in newspapers statewide ballot issues, explanations of those 3541  
issues, and arguments for or against those issues, as required 3542  
by Section 1g of Article II and Section 1 of Article XVI, Ohio 3543  
Constitution, and any other section of law. Appropriations made 3544  
to the controlling board shall be used to reimburse the 3545  
secretary of state for all expenses the secretary of state 3546  
incurs for such advertising under division (G) of section 3547

3505.062 of the Revised Code. 3548

(2) There is hereby created in the state treasury the 3549  
statewide ballot advertising fund. The fund shall receive 3550  
transfers approved by the controlling board, and shall be used 3551  
by the secretary of state to pay the costs of advertising state 3552  
ballot issues as required under division (G)(1) of this section. 3553  
Any such transfers may be requested from and approved by the 3554  
controlling board prior to placing the advertising, in order to 3555  
facilitate timely provision of the required advertising. 3556

(H) The cost of renting, heating, and lighting 3557  
registration places; the cost of the necessary books, forms, and 3558  
supplies for the conduct of registration; and the cost of 3559  
printing and posting precinct registration lists shall be 3560  
charged to the subdivision in which such registration is held. 3561

(I)(1)(a) At the request of a majority of the members of 3562  
the board of elections, the board of county commissioners may, 3563  
by resolution, establish an elections revenue fund. Except as 3564  
otherwise provided in this division and in division (I)(2) of 3565  
this section, the purpose of the fund shall be to accumulate 3566  
revenue withheld by or paid to the county under this section for 3567  
the payment of any expense related to the duties of the board of 3568  
elections specified in section 3501.11 of the Revised Code, upon 3569  
approval of a majority of the members of the board of elections. 3570  
The fund shall not accumulate any revenue withheld by or paid to 3571  
the county under this section for the compensation of the 3572  
members of the board of elections or of the director, deputy 3573  
director, or other regular employees in the board's offices, 3574  
other than compensation for overtime worked. 3575

(b) Notwithstanding sections 5705.14, 5705.15, and 5705.16 3576  
of the Revised Code, the board of county commissioners may, by 3577

resolution, transfer money to the elections revenue fund from 3578  
any other fund of the political subdivision from which such 3579  
payments lawfully may be made. Following an affirmative vote of 3580  
a majority of the members of the board of elections, the board 3581  
of county commissioners may, by resolution, rescind an elections 3582  
revenue fund established under this division. If an elections 3583  
revenue fund is rescinded, money that has accumulated in the 3584  
fund shall be transferred to the county general fund. 3585

(2) (a) The board of county commissioners of a county that 3586  
receives a payment from a political subdivision under division 3587  
(J) of this section shall, by resolution, establish a special 3588  
elections fund. The purpose of the fund shall be to accumulate 3589  
revenue paid to the county by political subdivisions under 3590  
division (J) of this section for the cost of preparing for and 3591  
conducting special elections. 3592

(b) If both of the following apply, the board of county 3593  
commissioners may, by resolution, rescind the special elections 3594  
fund and transfer any remaining money in the fund to the county 3595  
general fund or to the elections revenue fund: 3596

(i) All notifications and payments required under division 3597  
(J) (3) of this section have been made. 3598

(ii) The county has not received any payments from 3599  
political subdivisions under division (J) (2) of this section for 3600  
a future special election. 3601

(J) (1) Not less than fifteen business days before the 3602  
deadline for submitting a question or issue for placement on the 3603  
ballot at a special election, the board of elections shall 3604  
prepare and file with the board of county commissioners and the 3605  
office of the secretary of state the estimated cost, based on 3606

the factors enumerated in this section, for preparing for and 3607  
conducting an election on one question or issue, one nomination 3608  
for office, or one election to office in each precinct in the 3609  
county at that special election and shall divide that cost by 3610  
the number of registered voters in the county. 3611

(2) The board of elections shall provide to a political 3612  
subdivision seeking to submit a question or issue, a nomination 3613  
for office, or an election to office for placement on the ballot 3614  
at a special election with the estimated cost for preparing for 3615  
and conducting that election, which shall be calculated either 3616  
by multiplying the number of registered voters in the political 3617  
subdivision with the cost calculated under division (J) (1) of 3618  
this section or by multiplying the cost per precinct with the 3619  
number or precincts in the political subdivision. A political 3620  
subdivision submitting a question or issue, a nomination for 3621  
office, or an election to office for placement on the ballot at 3622  
that special election shall pay to the county special elections 3623  
fund sixty-five per cent of the estimated cost of the election 3624  
not less than ten business days after the deadline for 3625  
submitting a question or issue for placement on the ballot for 3626  
that special election. 3627

(3) Not later than sixty days after the date of a special 3628  
election, the board of elections shall provide to each political 3629  
subdivision the true and accurate cost for the question or 3630  
issue, nomination for office, or election to office that the 3631  
subdivision submitted to the voters on the special election 3632  
ballots. If the board of elections determines that a subdivision 3633  
paid less for the cost of preparing and conducting a special 3634  
election under division (J) (2) of this section than the actual 3635  
cost calculated under this division, the subdivision shall remit 3636  
to the county special elections fund the difference between the 3637

payment made under division (J) (2) of this section and the final 3638  
cost calculated under this division within thirty days after 3639  
being notified of the final cost. If the board of elections 3640  
determines that a subdivision paid more for the cost of 3641  
preparing and conducting a special election under division (J) 3642  
(2) of this section than the actual cost calculated under this 3643  
division, the board of elections promptly shall notify the board 3644  
of county commissioners of that difference. The board of county 3645  
commissioners shall remit from the county special elections fund 3646  
to the political subdivision the difference between the payment 3647  
made under division (J) (2) of this section and the final cost 3648  
calculated under this division within thirty days after 3649  
receiving that notification. 3650

(K) As used in this section: 3651

(1) "Political subdivision" and "subdivision" mean any 3652  
board of county commissioners, board of township trustees, 3653  
legislative authority of a municipal corporation, board of 3654  
education, or any other board, commission, district, or 3655  
authority that is empowered to levy taxes or permitted to 3656  
receive the proceeds of a tax levy, regardless of whether the 3657  
entity receives tax settlement moneys as described in division 3658  
(A) of this section; 3659

(2) "Statewide ballot issue" means any ballot issue, 3660  
whether proposed by the general assembly or by initiative or 3661  
referendum, that is submitted to the voters throughout the 3662  
state. 3663

**Sec. 3501.18.** (A) Subject to section 3501.291 of the 3664  
Revised Code: 3665

(1) The board of elections may divide a political 3666

subdivision within its jurisdiction into precincts, establish, 3667  
define, divide, rearrange, and combine the several election 3668  
precincts within its jurisdiction, and change the location of 3669  
the precinct polling place for each precinct when it is 3670  
necessary to maintain the requirements as to the number of 3671  
voters in a precinct and to provide for the convenience of the 3672  
voters and the proper conduct of elections. No change in the 3673  
number of precincts or in precinct boundaries shall be made 3674  
during the twenty-five days immediately preceding a primary or 3675  
general election or between the first day of January and the day 3676  
on which the members of county central committees are elected in 3677  
the years in which those committees are elected. Except as 3678  
otherwise provided in division (C) of this section, each 3679  
precinct shall contain a number of electors, not to exceed one 3680  
thousand four hundred, that the board of elections determines to 3681  
be a reasonable number after taking into consideration the type 3682  
and amount of available equipment, prior voter turnout, the size 3683  
and location of each selected precinct polling place, available 3684  
parking, availability of an adequate number of ~~poll workers~~ 3685  
election officials, and handicap accessibility and other 3686  
accessibility to the precinct polling place. 3687

(2) If the board changes the boundaries of a precinct 3688  
after the filing of a local option election petition pursuant to 3689  
sections 4301.32 to 4301.41, 4303.29, or 4305.14 of the Revised 3690  
Code that calls for a local option election to be held in that 3691  
precinct, the local option election shall be held in the area 3692  
that constituted the precinct at the time the local option 3693  
petition was filed, regardless of the change in the boundaries. 3694

(3) If the board changes the boundaries of a precinct in 3695  
order to meet the requirements of division (B)(1) of this 3696  
section in a manner that causes a member of a county central 3697

committee to no longer qualify as a representative of an 3698  
election precinct in the county, of a ward of a city in the 3699  
county, or of a township in the county, the member shall 3700  
continue to represent the precinct, ward, or township for the 3701  
remainder of the member's term, regardless of the change in 3702  
boundaries. 3703

(4) In an emergency, the board may provide more than one 3704  
precinct polling place in a precinct. In order to provide for 3705  
the convenience of the voters, the board may locate precinct 3706  
polling places for voting or registration outside the boundaries 3707  
of precincts, provided that the nearest public school or public 3708  
building shall be used if the board determines it to be 3709  
available and suitable for use as a precinct polling place. 3710  
Except in an emergency, no change in the number or location of 3711  
the precinct polling places in a precinct shall be made during 3712  
the twenty-five days immediately preceding a primary or general 3713  
election. 3714

~~Electors who have failed to respond within thirty days to~~ 3715  
~~any confirmation notice are not active electors~~ shall not be 3716  
counted in determining the size of any precinct under this 3717  
section. 3718

(B) (1) Except as otherwise provided in division (B) (2) of 3719  
this section, a board of elections shall determine all precinct 3720  
boundaries using geographical units used by the United States 3721  
department of commerce, bureau of the census, in reporting the 3722  
decennial census of Ohio. 3723

(2) The board of elections may apply to the secretary of 3724  
state for a waiver from the requirement of division (B) (1) of 3725  
this section when it is not feasible to comply with that 3726  
requirement because of unusual physical boundaries or 3727



residential development practices that would cause unusual 3728  
hardship for voters. The board shall identify the affected 3729  
precincts and census units, explain the reason for the waiver 3730  
request, and include a map illustrating where the census units 3731  
will be split because of the requested waiver. If the secretary 3732  
of state approves the waiver and so notifies the board of 3733  
elections in writing, the board may change a precinct boundary 3734  
as necessary under this section, notwithstanding the requirement 3735  
in division (B) (1) of this section. 3736

(C) The board of elections may apply to the secretary of 3737  
state for a waiver from the requirement of division (A) of this 3738  
section regarding the number of electors in a precinct when the 3739  
use of geographical units used by the United States department 3740  
of commerce, bureau of the census, will cause a precinct to 3741  
contain more than one thousand four hundred electors. The board 3742  
shall identify the affected precincts and census units, explain 3743  
the reason for the waiver request, and include a map 3744  
illustrating where census units will be split because of the 3745  
requested waiver. If the secretary of state approves the waiver 3746  
and so notifies the board of elections in writing, the board may 3747  
change a precinct boundary as necessary to meet the requirements 3748  
of division (B) (1) of this section. 3749

**Sec. 3501.21.** When the board of elections considers it 3750  
necessary to change, divide, or combine any precinct ~~or,~~ to 3751  
relocate a precinct polling place, or to eliminate a precinct 3752  
polling place as permitted or required under section 3501.291 of 3753  
the Revised Code, it shall notify, prior to the next election, 3754  
each of the registrants in the precinct of the change by mail. 3755  
~~On and after August 1, 2000, when~~ When the board changes the 3756  
boundaries of any precinct, it shall notify the secretary of 3757  
state of the change not later than forty-five days after making 3758

the change. 3759

**Sec. 3501.22.** (A) ~~(1)~~ Subject to section 3501.291 of the 3760  
Revised Code: 3761

(1)(a) Except as otherwise provided in division (A)(2) of 3762  
this section, on or before the fifteenth day of September in 3763  
each year, the board of elections by a majority vote shall, 3764  
after careful examination and investigation as to their 3765  
qualifications, appoint for each election precinct four 3766  
residents of the county in which the precinct is located, as 3767  
~~precinct~~ election officials to assist the board in conducting 3768  
elections in the precinct. Except as otherwise provided in 3769  
division (C) of this section, all ~~precinct~~ election officials 3770  
shall be qualified electors. The ~~precinct~~ election officials 3771  
shall constitute the election officers of the precinct. Not more 3772  
than one-half of the total number of ~~precinct~~ election officials 3773  
shall be members of the same political party. The term of such 3774  
~~precinct officers~~ election officials shall be for one year. The 3775  
board may, at any time, designate any number of election 3776  
~~officers~~ officials, not more than one-half of whom shall be 3777  
members of the same political party, to perform their duties at 3778  
any precinct polling place or any voter service and polling 3779  
center or at the office of the board in any election. ~~The~~ 3780

(b)(i) Except as otherwise provided in division (A)(1)(b) 3781  
(iii) of this section, the board may appoint additional election 3782  
officials, equally divided between the two major political 3783  
parties, when necessary to expedite ~~voting~~ the conduct of an 3784  
election. ~~If~~ 3785

(ii) If the board of elections determines that four 3786  
~~precinct~~ election officials are not required ~~in~~ for a precinct 3787  
for a special election, the board of elections may select two of 3788

the precinct's election ~~officers~~officials, who are not members 3789  
of the same political party, to serve as the ~~precinct~~-election 3790  
officials for that precinct in that special election. 3791

(iii) The board of elections shall not appoint more than 3792  
four election officials for a precinct to serve at a precinct 3793  
polling place for a special election at which no candidates are 3794  
to be elected or for a primary election at which only one party 3795  
primary is to be held for the nomination of candidates for 3796  
municipal office. In the case of a primary election at which 3797  
only one party primary is to be held for the nomination of 3798  
candidates for municipal office, the election officials shall be 3799  
equally divided between the two major political parties. 3800

(c) Vacancies for unexpired terms shall be filled by the 3801  
board. When new precincts have been created, the board shall 3802  
appoint ~~precinct~~-election officials for those precincts for the 3803  
unexpired term. Any ~~precinct~~-election official appointed under 3804  
this section may be summarily removed from office at any time by 3805  
the board for neglect of duty, malfeasance, or misconduct in 3806  
office or for any other good and sufficient reason. 3807

~~Precinct election~~-(d) Election officials shall perform all 3808  
of the duties provided by law for receiving the ballots and 3809  
supplies for a precinct polling place, a voter service and 3810  
polling center, or the office of the board, opening and closing 3811  
the polls ~~precinct polling place, the voter service and polling 3812~~  
center, or the office of the board, and overseeing the casting 3813  
of ballots during the time the ~~polls are~~ location is open, and 3814  
any other duties ~~required~~ provided by section 3501.26 of the 3815  
~~Revised Code~~ law. 3816

(e) A board of elections may designate two ~~precinct~~ 3817  
election officials for a precinct as counting officials to count 3818

and tally the votes cast and certify the results of the election 3819  
~~at each in the precinct~~, and perform other duties as provided by 3820  
law. To expedite the counting of votes ~~at in~~ each precinct, the 3821  
board may appoint additional officials, not more than one-half 3822  
of whom shall be members of the same political party. 3823

(f) Except as otherwise provided in division (A) (2) of 3824  
this section, the board shall designate one of the ~~precinct~~ 3825  
election officials ~~who is a member of the dominant political~~ 3826  
~~party for a precinct~~ to serve as ~~a the~~ voting location manager 3827  
of the precinct polling place, whose duty it is to deliver the 3828  
returns of the election and all supplies to the office of the 3829  
board. The voting location manager shall be a member of the 3830  
political party whose candidate for election to the office of 3831  
governor at the most recent regular state election at which a 3832  
governor was elected received more votes than any other person 3833  
received for election to that office in that precinct at that 3834  
election. For these services, the voting location manager shall 3835  
receive additional compensation in an amount, consistent with 3836  
section 3501.28 of the Revised Code, determined by the board of 3837  
elections. 3838

(g) The board shall designate an election official as the 3839  
voting location manager of a voter service and polling center or 3840  
of the area of the office of the board where ballots may be cast 3841  
in person, whose duty it is to deliver voted ballots and all 3842  
supplies to the appropriate area of the office of the board. The 3843  
voting location manager shall be a member of the political party 3844  
whose candidate for election to the office of governor at the 3845  
most recent regular state election at which a governor was 3846  
elected received more votes than any other person received for 3847  
election to that office in that county at that election. For 3848  
these services, the voting location manager shall receive 3849

additional compensation in an amount, consistent with section 3850  
3501.28 of the Revised Code, determined by the board of 3851  
elections. 3852

(h) The board shall issue to each ~~precinct~~-election 3853  
official a certificate of appointment, ~~which the~~. An election 3854  
official shall present the election official's certificate of 3855  
appointment to the voting location manager at the time the ~~polls~~ 3856  
~~are opened~~ election official begins the election official's 3857  
duties at that location. 3858

(2) If the board of elections, by a vote of at least three 3859  
members of the board, opts to have a single voting location 3860  
serve as the precinct polling place for more than one precinct, 3861  
the board may do any of the following: 3862

(a) Designate a single voting location manager for the 3863  
voting location. The voting location manager shall be a member 3864  
of the political party whose candidate received the highest 3865  
number of votes for governor at the most recent general election 3866  
for that office in the precincts whose polling places are 3867  
located at the applicable voting location, when tallying the 3868  
combined vote for governor in all such precincts. 3869

(b) Combine the pollbooks for those precincts to create a 3870  
single pollbook for the voting location; 3871

(c) If electronic pollbooks are being used in the voting 3872  
location, as described in section 3506.021 of the Revised Code, 3873  
appoint not less than two ~~precinct~~-election officials for each 3874  
precinct, so long as the board approves the decision to reduce 3875  
the number of ~~precinct~~-election officials by the affirmative 3876  
vote of at least three of its members. 3877

(B) If the board of elections determines that not enough 3878

qualified electors in ~~a precinct~~ the county are available to 3879  
serve as ~~precinct officers~~ election officials, it may appoint 3880  
persons to serve as ~~precinct officers~~ election officials at a 3881  
primary, special, or general election who are at least seventeen 3882  
years of age and are registered to vote in accordance with 3883  
section 3503.07 of the Revised Code. 3884

(C) (1) A board of elections, in conjunction with the board 3885  
of education of a city, local, or exempted village school 3886  
district, the governing authority of a community school 3887  
established under Chapter 3314. of the Revised Code, or the 3888  
chief administrator of a nonpublic school may establish a 3889  
program permitting certain high school students to apply and, if 3890  
appointed by the board of elections, to serve as ~~precinct~~ 3891  
~~officers~~ election officials at a primary, special, or general 3892  
election. 3893

In addition to the requirements established by division 3894  
(C) (2) of this section, a board of education, governing 3895  
authority, or chief administrator that establishes a program 3896  
under this division in conjunction with a board of elections may 3897  
establish additional criteria that students shall meet to be 3898  
eligible to participate in that program. 3899

(2) (a) To be eligible to participate in a program 3900  
established under division (C) (1) of this section, a student 3901  
shall be a United States citizen, a resident of the county, at 3902  
least seventeen years of age, and enrolled in the senior year of 3903  
high school. 3904

(b) Any student applying to participate in a program 3905  
established under division (C) (1) of this section, ~~as part of~~ 3906  
~~the student's application process,~~ who is not a registered 3907  
elector shall declare the student's political party affiliation 3908

~~with to~~ the board of elections. 3909

(3) No student appointed as a ~~precinct officer~~ an election official pursuant to a program established under division (C) (1) of this section shall be designated as a voting location manager. 3910  
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(4) Any student participating in a program established under division (C) (1) of this section shall be excused for that student's absence from school on the day of an election at which the student is serving as a ~~an election official at a precinct officer polling place~~. 3914  
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(D) In any precinct with six or more ~~precinct officers~~ election officials, up to two students participating in a program established under division (C) (1) of this section who are under eighteen years of age may serve as ~~precinct officers~~ election officials. Not more than one ~~precinct officer~~ election official in any given precinct with fewer than six ~~precinct officers~~ election officials shall be under eighteen years of age. 3919  
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**Sec. 3501.221.** (A) (1) To encourage voting, a board of elections may appoint persons who are fluent in a non-English language to serve as interpreters to assist voters ~~in certain election precincts~~ at precinct polling places, voter service and polling centers, or the office of the board. ~~If~~ 3927  
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(2) Subject to section 3501.291 of the Revised Code, if the board determines that the number of non-English-speaking electors in a precinct indicates a need for an interpreter and provision of an interpreter is feasible and practical in terms of the number of such electors, the board may appoint an interpreter for ~~such~~ the precinct polling place in the same 3932  
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manner as other ~~precinct~~-election officials are appointed. ~~A-~~ 3938  
~~person-~~ 3939

(3) If the board determines that the number of non- 3940  
English-speaking electors in the county indicates a need for 3941  
interpreters and provision of interpreters is feasible and 3942  
practical in terms of the number of those electors, the board 3943  
may appoint one or more interpreters to serve at each voter 3944  
service and polling center and at the office of the board in the 3945  
same manner as other election officials are appointed. 3946

(4) An interpreter appointed pursuant to this section may 3947  
only provide to voters such assistance in ~~the~~a non-English 3948  
language as may be provided by election officials to English 3949  
speaking voters. All requirements relating to the qualifications 3950  
of election officials apply to persons appointed under this 3951  
section. Interpreters shall complete a program of instruction as 3952  
provided in section 3501.27 of the Revised Code and shall be 3953  
compensated in the manner and amount as provided by section 3954  
3501.28 of the Revised Code for other election officials. A 3955  
person appointed pursuant to this section may also serve as~~a-~~ 3956  
~~precinct election officer~~an election official; such person 3957  
shall be compensated as though~~he~~the person served only in the 3958  
capacity of an election official, and~~he~~the person need not 3959  
undergo a program of instruction a second time for the same 3960  
election unless required by the board. 3961

(B) No person appointed under division (A) of this 3962  
section, while performing the duties of such office, shall: 3963

(1) Wear any badge, sign, or other insignia or thing 3964  
indicating a preference for any candidate or for any question 3965  
submitted; 3966



(2) Influence or attempt to influence any voter to vote 3967  
for or against any candidate or issue submitted at such 3968  
election. 3969

(C) Whoever violates division (B) of this section is 3970  
guilty of a misdemeanor of the first degree. 3971

**Sec. 3501.27.** (A) All ~~precinct~~ election officials 3972  
appointed under section 3501.22 of the Revised Code shall 3973  
complete a program of instruction pursuant to division (B) of 3974  
this section. No person who has been convicted of a felony or 3975  
any violation of the election laws, who is unable to read and 3976  
write the English language readily, or who is a candidate for an 3977  
office to be voted for by the voters of the ~~precinct~~ county in 3978  
which the person is to serve shall serve as an election ~~officer~~ 3979  
official. A person when appointed as an election ~~officer~~ 3980  
official shall receive from the board of elections a certificate 3981  
of appointment that may be revoked at any time by the board for 3982  
good and sufficient reasons. The certificate shall be in the 3983  
form the board prescribes and shall specify the ~~precinct, ward,~~ 3984  
~~or district in and for~~ location at which the person to whom it 3985  
is issued is appointed to serve, the date of appointment, and 3986  
the expiration of the person's term of service. 3987

(B) Each board shall establish a program as prescribed by 3988  
the secretary of state for the instruction of election ~~officers~~ 3989  
officials in the rules, procedures, and law relating to 3990  
elections. In each program, the board shall use training 3991  
materials prepared by the secretary of state and may use 3992  
additional materials prepared by or on behalf of the board. The 3993  
board may use the services of unpaid volunteers in conducting 3994  
its program and may reimburse those volunteers for necessary and 3995  
actual expenses incurred in participating in the program. 3996

The board shall train each new election ~~officer~~official 3997  
before the new ~~officer~~official participates in the first 3998  
election in that capacity. The board shall instruct election 3999  
officials who have been trained previously only when the board 4000  
or secretary of state considers that instruction necessary, but 4001  
the board shall reinstruct such persons, other than voting 4002  
location managers, at least once in every three years and shall 4003  
reinstruct voting location managers before the primary election 4004  
in even-numbered years. The board shall schedule any program of 4005  
instruction within sixty days prior to the election in which the 4006  
officials to be trained will participate. 4007

(C) The duties of ~~a precinct an~~ election official in ~~each~~  
~~polling place~~ shall be performed only by an individual who has 4008  
successfully completed the requirements of the program, unless 4009  
such an individual is unavailable after reasonable efforts to 4010  
obtain such services. 4011  
4012

(D) The secretary of state shall establish a program for 4013  
the instruction of members of boards of elections and employees 4014  
of boards in the rules, procedures, and law relating to 4015  
elections. Each member and employee shall complete the training 4016  
program within six months after the member's or employee's 4017  
original appointment or employment, and thereafter each member 4018  
and employee shall complete a training program to update their 4019  
knowledge once every four years or more often as determined by 4020  
the secretary of state. 4021

(E) The secretary of state shall reimburse each county for 4022  
the cost of programs established pursuant to division (B) of 4023  
this section, once the secretary of state has received an 4024  
itemized statement of expenses for such instruction programs 4025  
from the county. The itemized statement shall be in a form 4026

prescribed by the secretary of state. 4027

**Sec. 3501.28.** (A) As used in this section: 4028

(1) "Fair Labor Standards Act" or "Act" means the "Fair 4029  
Labor Standards Act of 1938," 52 Stat. 1062, 29 U.S.C.A. 201, as 4030  
amended. 4031

(2) "Full election day" means the period of time between 4032  
the opening of the polls on the day of an election and the 4033  
completion of the procedures contained in section ~~3501.26-~~ 4034  
3505.26 of the Revised Code. 4035

(3) "Services" means services at each general, primary, or 4036  
special election. 4037

(B) Beginning with calendar year 2004, each ~~precinct-~~ 4038  
election official in a county who is appointed under section 4039  
3501.22 of the Revised Code shall be paid for the official's 4040  
services at the same hourly rate, which shall be not less than 4041  
the minimum hourly rate established by the Fair Labor Standards 4042  
Act and, if the election official serves at a precinct polling 4043  
place, a voter service and polling center, or the office of the 4044  
board on the day of the election, not more than ninety-five 4045  
dollars ~~per diem~~ for that full election day. 4046

(C) The secretary of state shall establish, by rule 4047  
adopted under section 111.15 of the Revised Code, the maximum 4048  
amount of ~~per diem~~ compensation that may be paid to ~~precinct-~~ 4049  
election officials who serve at a precinct polling place, a 4050  
voter service and polling center, or the office of the board on 4051  
the day of an election for that full election day under this 4052  
section each time the Fair Labor Standards Act is amended to 4053  
increase the minimum hourly rate established by the act. Upon 4054  
learning of such an increase, the secretary of state shall 4055

determine by what percentage the minimum hourly rate has been 4056  
increased under the act and establish a new maximum amount ~~of~~ 4057  
~~per diem compensation that precinct election officials may be~~ 4058  
~~paid under this section~~ that is increased by the same percentage 4059  
that the minimum hourly rate has been increased under the act. 4060

(D) (1) (a) No board of elections shall increase the pay of 4061  
~~a precinct~~ an election official under this section during a 4062  
calendar year unless the board has given written notice of the 4063  
proposed increase to the board of county commissioners not later 4064  
than the first day of October of the preceding calendar year. 4065

(b) Except as otherwise provided in division (D) (2) of 4066  
this section, a board of elections may increase the pay of ~~a~~ 4067  
~~precinct~~ an election official during a calendar year by up to, 4068  
but not exceeding, nine per cent over the compensation paid to ~~a~~ 4069  
~~precinct~~ an election official in the county where the board is 4070  
located during the previous calendar year, if the compensation 4071  
so paid during the previous calendar year was eighty-five 4072  
dollars or less per diem. 4073

(c) Except as otherwise provided in division (D) (2) of 4074  
this section, a board of elections may increase the pay of ~~a~~ 4075  
~~precinct~~ an election official during a calendar year by up to, 4076  
but not exceeding, four and one-half per cent over the 4077  
compensation paid to ~~a precinct~~ an election official in the 4078  
county where the board is located during the previous calendar 4079  
year, if the compensation so paid during the previous calendar 4080  
year was more than eighty-five but less than ninety-five dollars 4081  
per diem. 4082

(2) The board of county commissioners may review and 4083  
comment upon a proposed increase and may enter into a written 4084  
agreement with a board of elections to permit an increase in the 4085

compensation paid to ~~precinct~~ election officials for their 4086  
services during a calendar year that is greater than the 4087  
applicable percentage limitation described in division (E) (1) (b) 4088  
or (c) of this section. 4089

(E) No ~~precinct~~ election official who works at a precinct 4090  
polling place, a voter service and polling center, or the office 4091  
of the board of elections on the day of an election for less 4092  
than the full election day shall be paid for that day the 4093  
maximum amount allowed under this section or the maximum amount 4094  
as set by the board of elections, whichever is less. 4095

(F) (1) Except as otherwise provided in divisions (F) (4) to 4096  
(6) of this section, any employee of the state or of any 4097  
political subdivision of the state may serve as a ~~precinct~~ an 4098  
election official on the day of an election without loss of the 4099  
employee's regular compensation for that day as follows: 4100

(a) For employees of a county office, department, 4101  
commission, board, or other entity, or of a court of common 4102  
pleas, county court, or county-operated municipal court, as 4103  
defined in section 1901.03 of the Revised Code, the employee's 4104  
appointing authority may permit leave with pay for this service 4105  
in accordance with a resolution setting forth the terms and 4106  
conditions for that leave passed by the board of county 4107  
commissioners. 4108

(b) For all other employees of a political subdivision of 4109  
the state, leave with pay for this service shall be subject to 4110  
the terms and conditions set forth in an ordinance or a 4111  
resolution passed by the legislative authority of the applicable 4112  
political subdivision. 4113

(c) For state employees, leave with pay for this service 4114

shall be subject to the terms and conditions set forth by the 4115  
head of the state agency, as defined in section 1.60 of the 4116  
Revised Code, by which the person is employed. 4117

(2) Any terms and conditions set forth by a board of 4118  
county commissioners, legislative authority of a political 4119  
subdivision, or head of a state agency under division ~~(G)(1)~~(F) 4120  
(1) of this section shall include a standard procedure for 4121  
deciding which employees are permitted to receive leave with pay 4122  
if multiple employees of an entity or court described in 4123  
division ~~(G)(1)(a)~~(F)(1)(a) of this section, of an entity of a 4124  
political subdivision described in division ~~(G)(1)(b)~~(F)(1)(b) 4125  
of this section, or of a state agency as defined in section 1.60 4126  
of the Revised Code apply to serve as a ~~precinct~~an election 4127  
official on the day of an election. This procedure shall be 4128  
applied uniformly to all similarly situated employees. 4129

(3) Any employee who is eligible for leave with pay under 4130  
division ~~(G)(1)~~(F)(1) of this section shall receive, in 4131  
addition to the employee's regular compensation, the 4132  
compensation paid to the ~~precinct~~ election official under 4133  
division (B) or (C) of this section. 4134

(4) Division (F)(1) of this section does not apply to 4135  
either of the following: 4136

(a) Election officials; 4137

(b) Public school teachers. 4138

(5) Nothing in division (F)(1) of this section supersedes 4139  
or negates any provision of a collective bargaining agreement in 4140  
effect under Chapter 4117. of the Revised Code. 4141

(6) If a board of county commissioners, legislative 4142  
authority of a political subdivision, or head of a state agency 4143

fails to set forth any terms and conditions under division (F) 4144  
(1) of this section, an employee of an entity or court described 4145  
in division (F) (1) (a) of this section, of an entity of a 4146  
political subdivision described in division (F) (1) (b) of this 4147  
section, or of a state agency as defined in section 1.60 of the 4148  
Revised Code may use personal leave, vacation leave, or 4149  
compensatory time, or take unpaid leave, to serve as a ~~precinct~~ 4150  
an election official on the day of an election. 4151

(G) The board of elections may withhold the compensation 4152  
of any ~~precinct~~ election official appointed under section 4153  
3501.22 of the Revised Code for failure to obey the instructions 4154  
of the board or to comply with the law relating to the duties of 4155  
a ~~precinct~~ an election official. Any payment a ~~precinct~~ an 4156  
election official is entitled to receive under section 3501.36 4157  
of the Revised Code is in addition to the compensation the 4158  
official is entitled to receive under this section. 4159

**Sec. 3501.29.** (A) The Subject to section 3501.291 of the 4160  
Revised Code, on the day of each election, the board of 4161  
elections shall provide for each precinct a precinct polling 4162  
place and provide adequate facilities at each precinct polling 4163  
place for conducting the election. ~~The board shall provide a~~ 4164  
~~sufficient number of screened or curtained voting compartments~~ 4165  
~~to which electors may retire and conveniently mark their~~ 4166  
~~ballots, protected from the observation of others. Each voting~~ 4167  
~~compartment shall be provided at all times with writing~~ 4168  
~~implements, instructions how to vote, and other necessary~~ 4169  
~~conveniences for marking the ballot. The voting location manager~~ 4170  
~~shall ensure that the voting compartments at all times are~~ 4171  
~~adequately lighted and contain the necessary supplies.~~ 4172

(B) The board of elections shall provide voter service and 4173

polling centers in the county, at which electors may cast 4174  
ballots in person, obtain mail ballots, or return voted mail 4175  
ballots, in addition to the ballot drop boxes and the office of 4176  
the board. The board shall provide those voter service and 4177  
polling centers as follows: 4178

(1) If, as of the ninetieth day before the day of the 4179  
election, there are at least two hundred fifty thousand active 4180  
electors in the county, the board shall provide voter service 4181  
and polling centers as follows: 4182

(a) During the period beginning on the fifteenth day 4183  
before the day of the election and ending on the fifth day 4184  
before the day of the election, at least one voter service and 4185  
polling center for each seventy-five thousand active electors in 4186  
the county; 4187

(b) During the period beginning on the fourth day before 4188  
the day of the election and ending on the second day before the 4189  
day of the election, at least one voter service and polling 4190  
center for each twenty thousand active electors in the county; 4191

(c) During the period beginning on the day before the day 4192  
of the election and ending on the day of the election, at least 4193  
one voter service and polling center for each twelve thousand 4194  
five hundred active electors in the county. 4195

(2) If, as of the ninetieth day before the day of the 4196  
election, there are at least thirty-seven thousand five hundred 4197  
active electors in the county, but fewer than two hundred fifty 4198  
thousand active electors in the county, the board shall provide 4199  
voter service and polling centers as follows: 4200

(a) During the period beginning on the fifteenth day 4201  
before the day of the election and ending on the fifth day 4202



before the day of the election, at least one voter service and 4203  
polling center for each seventy-five thousand active electors in 4204  
the county, provided that the board shall provide at least one 4205  
voter service and polling center during that period; 4206

(b) During the period beginning on the fourth day before 4207  
the day of the election and ending on the day before the day of 4208  
the election, at least one voter service and polling center for 4209  
each twenty thousand active electors in the county; 4210

(c) On the day of the election, at least one voter service 4211  
and polling center for each twelve thousand five hundred active 4212  
electors in the county. 4213

(3) If, as of the ninetieth day before the day of the 4214  
election, there are at least ten thousand active electors in the 4215  
county, but fewer than thirty-seven thousand five hundred active 4216  
electors in the county, the board shall provide voter service 4217  
and polling centers as follows: 4218

(a) During the period beginning on the fifteenth day 4219  
before the day of the election and ending on the day before the 4220  
day of the election, at least one voter service and polling 4221  
center; 4222

(b) On the day of the election, at least three voter 4223  
service and polling centers. 4224

(4) If, as of the ninetieth day before the day of the 4225  
election, there are fewer than ten thousand active electors in 4226  
the county, the board shall provide at least one voter service 4227  
and polling center during the period beginning on the fifteenth 4228  
day before the day of the election and ending on the day of the 4229  
election. 4230

(C) During the period beginning on the fifteenth day 4231

before the day of the election and ending on the day of the 4232  
election, the board of elections shall provide secure ballot 4233  
drop boxes in the county, in which electors may deposit voted 4234  
mail ballots without the payment of postage twenty-four hours a 4235  
day during the period beginning fifteen days before the day of 4236  
the election and ending at seven-thirty p.m. on the day of the 4237  
election, in addition to the voter service and polling centers 4238  
and the office of the board, as follows: 4239

(1) If, as of the ninetieth day before the day of the 4240  
election, there are at least two hundred fifty thousand active 4241  
electors in the county, the board shall provide at least one 4242  
ballot drop box for each twelve thousand five hundred active 4243  
electors in the county. 4244

(2) If, as of the ninetieth day before the day of the 4245  
election, there are at least thirty-seven thousand five hundred 4246  
active electors in the county, but fewer than two hundred fifty 4247  
thousand active electors in the county, the board shall provide 4248  
at least one ballot drop box for each fifteen thousand active 4249  
electors in the county. 4250

(3) If, as of the ninetieth day before the day of the 4251  
election, there are at least fifteen thousand active electors in 4252  
the county, but fewer than thirty-seven thousand five hundred 4253  
active electors in the county, the board shall provide at least 4254  
two ballot drop boxes. 4255

(4) If, as of the ninetieth day before the day of the 4256  
election, there are fewer than fifteen thousand active electors 4257  
in the county, the board shall provide at least one ballot drop 4258  
box. 4259

(D) During the period beginning on the fifteenth day 4260

before the day of the election and ending on the day of the 4261  
election, the board of elections shall permit electors to cast 4262  
ballots in person, obtain mail ballots, or return voted mail 4263  
ballots at the office of the board. 4264

(E) (1) The board shall utilize, in so far as practicable, 4265  
rooms in public schools and other public buildings, or other 4266  
space on the property of those buildings, for precinct polling 4267  
places, voter service and polling centers, and ballot drop 4268  
boxes. Upon application of the board of elections, the authority 4269  
which has the control of any building or grounds supported by 4270  
taxation under the laws of this state, shall make available the 4271  
necessary space therein for the purpose of holding elections and 4272  
adequate space for the storage of voting ~~machines~~ equipment, 4273  
without charge for the use thereof. A reasonable sum may be paid 4274  
for necessary janitorial service. ~~When~~ 4275

(2) When precinct polling places, voter service and 4276  
polling centers, and ballot drop boxes are established in 4277  
private buildings or on private property, the board may pay a 4278  
reasonable rental therefor, and also the cost of liability 4279  
insurance covering the premises when used for election purposes, 4280  
or the board may purchase a single liability policy covering the 4281  
board and the owners of the premises when used for election 4282  
purposes. ~~When~~ 4283

(3) When removable buildings are supplied by the board, 4284  
they shall be constructed under the contract let to the lowest 4285  
and best bidder, and the board shall observe all ordinances and 4286  
regulations then in force as to safety. The board shall remove 4287  
all such buildings from streets and other public places within 4288  
thirty days after an election, unless another election is to be 4289  
held within ninety days. 4290

~~(B) (1)~~ (F) (1) Except as otherwise provided in division (F) 4291  
(2) of this section, the board shall ensure all of the following 4292  
apply to every precinct polling place, voter service and polling 4293  
center, and ballot drop box and to the office of the board: 4294

(a) That ~~polling places are~~ it is free of barriers that 4295  
would impede ingress and egress of handicapped persons; 4296

(b) That the minimum number of special parking locations, 4297  
also known as handicapped parking spaces or disability parking 4298  
spaces, for handicapped persons are designated at ~~each polling~~ 4299  
the place in accordance with 28 C.F.R. Part 36, Appendix A, and 4300  
in compliance with division (E) of section 4511.69 of the 4301  
Revised Code; 4302

(c) That ~~the entrances of polling places are~~ its entrance 4303  
is level or are is provided with a nonskid ramp that meets the 4304  
requirements of the "Americans with Disabilities Act of 1990," 4305  
104 Stat. 327, 42 U.S.C. 12101; 4306

(d) That its doors are a minimum of thirty-two inches 4307  
wide. 4308

~~(2) Notwithstanding division (B) (1) (a), (c), or (d) of~~ 4309  
~~this section, certain polling places may be specifically~~ 4310  
~~exempted by the~~ (a) The secretary of state may exempt a place 4311  
from one or more requirements of division (F) (1) of this section 4312  
upon certification by a board of elections that a good faith, 4313  
but unsuccessful, effort has been made to modify, or change the 4314  
location of, ~~such polling places~~ that place. 4315

~~(C) (b)~~ At any precinct polling place or voter service and 4316  
polling center or at the office of a board that is exempted from 4317  
compliance by the secretary of state, the board of elections 4318  
shall permit any handicapped elector who travels to that 4319

~~elector's polling place, but who is unable to enter the polling-~~ 4320  
~~place, to vote cast ballots in person, obtain mail ballots, or~~ 4321  
~~return voted mail ballots, as applicable, with the assistance of~~ 4322  
two ~~polling place~~ election officials of different major 4323  
political parties, either in the vehicle that conveyed that 4324  
elector to the ~~polling place,~~ or ~~to receive and cast that~~ 4325  
~~elector's ballot at the door of the polling place.~~ 4326

~~(D)~~ (3) The secretary of state shall: 4327

~~(1)~~ (a) Work with other state agencies to facilitate the 4328  
distribution of information and technical assistance to boards 4329  
of elections to meet the requirements of division ~~(B)~~ (F) of 4330  
this section; 4331

~~(2)~~ (b) Work with organizations that represent or provide 4332  
services to handicapped, disabled, or elderly citizens to effect 4333  
a wide dissemination of information about the availability of 4334  
~~absentee voting, voting in the voter's vehicle or at the door of~~ 4335  
~~the polling place, or other election services to handicapped,~~ 4336  
disabled, or elderly citizens. 4337

~~(E)~~ (4) Before the day of an election, the director of the 4338  
board of elections of each county shall sign a statement 4339  
verifying that each ~~polling~~ place that will be used in that 4340  
county at that election meets the requirements of division ~~(B)~~ 4341  
~~(1)(b)~~ (F) (1) (b) of this section. The signed statement shall be 4342  
sent to the secretary of state by certified mail or 4343  
electronically. 4344

~~(F)~~ (5) As used in division (F) of this section, 4345  
"handicapped" means having lost the use of one or both legs, one 4346  
or both arms, or any combination thereof, or being blind or so 4347  
severely disabled as to be unable to move about without the aid 4348

of crutches or a wheelchair.

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Sec. 3501.291. Notwithstanding any contrary provision of  
Title XXXV of the Revised Code:

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(A) A board of elections may decide to permanently  
discontinue providing precinct polling places for all elections  
held in the county. A board shall not make such a decision  
during the ninety days immediately preceding an election.

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(B) Not later than thirty days after all of the final  
results of a general election held in an even numbered year have  
been certified, the secretary of state shall determine the  
percentage of ballots cast in this state in that election that  
were cast in person at precinct polling places and shall certify  
that percentage to the boards of elections. After the first such  
election for which the secretary of state certifies that less  
than fifty per cent of the ballots cast in this state were cast  
in person at precinct polling places, no board of elections  
shall provide precinct polling places for any election, and the  
secretary of state shall cease making that certification for  
subsequent elections.

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Sec. 3501.30. (A) The board of elections shall provide all  
of the following for each polling place the location where  
ballots may be cast in person:

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(1) A sufficient number of screened or curtained voting  
compartments to which electors may retire and conveniently mark  
their ballots, protected from the observation of others. Each  
voting compartment shall be provided at all times with writing  
implements, instructions how to vote, and other necessary  
conveniences for marking the ballot. The voting location manager  
shall ensure that the voting compartments at all times are

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adequately lighted and contain the necessary supplies. 4378

(2) The necessary ballot box, official ballots, cards of 4379  
instructions, registration forms, pollbooks or poll lists, tally 4380  
sheets, forms on which to make summary statements, writing 4381  
implements, paper, and all other supplies necessary for casting 4382  
and counting the ballots and recording the results of the voting 4383  
~~at the polling place, as applicable.~~ The pollbooks or poll lists 4384  
shall have certificates appropriately printed on them for the 4385  
signatures of all the ~~precinct election~~ officials, by which they 4386  
shall certify that, to the best of their knowledge and belief, 4387  
the pollbooks or poll lists correctly show the names of all 4388  
electors who voted ~~in the polling place at that location~~ at the 4389  
election indicated in the pollbooks or poll lists. 4390

~~All of the following shall be included among the supplies~~ 4391  
~~provided to each polling place:~~ 4392

~~(1) A.~~ 4393

(3) For a precinct polling place, a large map of each 4394  
appropriate precinct, which shall be displayed prominently to 4395  
assist persons who desire to register or vote on election day. 4396  
Each map shall show all streets within the precinct and contain 4397  
identifying symbols of the precinct in bold print. 4398

~~(2)-(4)~~ Any materials, postings, or instructions required 4399  
to comply with state or federal laws, including all of the 4400  
following: 4401

(a) A sample version of the ballot that will be used for 4402  
the election; 4403

(b) Information regarding the date of the election and the 4404  
hours during which locations where ballots may be cast in person 4405  
will be open; 4406

(c) Instructions on how to vote, including how to cast a 4407  
vote and how to cast a provisional ballot; 4408

(d) General information on voting rights under applicable 4409  
federal and state laws, including information on the right of an 4410  
individual to cast a provisional ballot and instructions on how 4411  
to contact the board of elections or the secretary of state if 4412  
those rights are alleged to have been violated; 4413

(e) General information on federal and state laws 4414  
regarding prohibitions against acts of fraud and 4415  
misrepresentation. 4416

~~(3)-(5)~~ A flag of the United States approximately two and 4417  
one-half feet in length along the top, which shall be displayed 4418  
outside the entrance to the ~~polling place~~ location during the 4419  
time it is open ~~for voting~~; 4420

~~(4)-(6)~~ (a) Two or more small flags of the United States 4421  
approximately fifteen inches in length along the top, which 4422  
shall be placed at a distance of one hundred feet from the 4423  
~~polling place~~ entrance to the location on the thoroughfares or 4424  
walkways leading to the ~~polling place~~ location, to mark the 4425  
distance within which persons other than election officials, 4426  
observers, police officers, and electors waiting to ~~mark,~~ 4427  
~~marking, or casting their cast, request, or deliver~~ ballots 4428  
shall not loiter, congregate, or engage in any kind of election 4429  
campaigning. Where small flags cannot reasonably be placed one 4430  
hundred feet from the ~~polling place~~ entrance to the location, 4431  
the ~~voting location manager~~ board shall place the flags as near 4432  
to one hundred feet from the entrance to the ~~polling place~~ 4433  
location as is physically possible. Police officers and all 4434  
election officials shall see that this prohibition against 4435  
loitering and congregating is enforced. 4436



(b) When the period of time during which the ~~polling place~~ location is open ~~for voting~~ expires, all of the flags described in ~~this~~ division (A) (6) (a) of this section shall be taken into the ~~polling place~~ location and shall be returned to the board together with all other election supplies required to be delivered to the board.

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

**Sec. 3501.31.** (A) The board of elections shall mail to each ~~precinct~~ election official appointed under section 3501.22 of the Revised Code notice of the date, hours, and place ~~of~~ holding each election in the official's respective precinct at which it desires the official to serve. Each of such officials shall notify the board immediately upon receipt of such notice of any inability to serve.

~~The~~ (B) An election official designated as a voting location manager under section 3501.22 of the Revised Code shall call at the office of the board at such time ~~before the day of the election, not earlier than the tenth day before the day of the election,~~ as the board designates to obtain the ballots, pollbooks, registration forms and lists, and other material to be used in the ~~official's polling place on election day~~ location at which the official is to serve.

The board may also provide for the delivery of such materials to ~~polling places~~ a location in a municipal corporation by members of the police department of such municipal corporation; or the board may provide for the delivery of such materials to the voting location manager not earlier than the tenth day before the ~~election~~ materials are to be used,

in any manner it finds to be advisable. 4467

~~(C) On election the first day the precinct on which an~~ 4468  
~~election officials shall punctually attend the polling place~~ 4469  
~~one-half hour before the time fixed for opening the polls. Each~~ 4470  
~~of official is scheduled to serve before an election, the~~ 4471  
~~precinct election officials official shall thereupon make and~~ 4472  
subscribe to a statement which shall be as follows: 4473

"State of Ohio 4474

County of \_\_\_\_\_ 4475

I do solemnly swear under the penalty of perjury that I 4476  
will support the ~~constitution~~ Constitution of the United States 4477  
of America and the ~~constitution~~ Constitution of the ~~state~~ State 4478  
of Ohio and its laws; that I have not been convicted of a felony 4479  
or any violation of the election laws; that I will discharge to 4480  
the best of my ability the duties of ~~precinct an election~~ 4481  
official ~~in and for precinct \_\_\_\_\_ in the~~ 4482  
~~\_\_\_\_\_ (township) or (ward and city or village)~~ 4483  
~~\_\_\_\_\_ in the county of \_\_\_\_\_, in~~ 4484  
for the election to be held on the \_\_\_\_\_ day of 4485  
\_\_\_\_\_, \_\_\_\_\_, as required by law and the rules and 4486  
instructions of the board of elections of said county; and that 4487  
I will endeavor to prevent fraud in such election, and will 4488  
report immediately to said board any violations of the election 4489  
laws which come to my attention, and will not disclose any 4490  
information as to how any elector voted which is gained by me in 4491  
the discharge of my official duties. 4492

\_\_\_\_\_  
\_\_\_\_\_ 4493

\_\_\_\_\_  
\_\_\_\_\_ 4494

\_\_\_\_\_  
\_\_\_\_\_ 4495

\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_ 4496  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ 4497  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ 4498

(~~Signatures~~ Signature of precinct election officials official)" 4499

(D) If any of the other precinct an election officials 4500  
official is absent from a location at that the time the election 4501  
official is scheduled to serve at the location, the voting 4502  
location manager, with the concurrence of a majority of the 4503  
~~precinct~~ election officials present, shall appoint a qualified 4504  
elector who is a member of the same political party as the 4505  
political party of which such absent ~~precinct~~ election official 4506  
is a member to fill the vacancy until the board appoints a 4507  
person to fill such vacancy and the person so appointed reports 4508  
for duty ~~at the polling place~~. The voting location manager shall 4509  
promptly notify the board of such vacancy by telephone or 4510  
otherwise. ~~The~~ 4511

(E) The voting location manager also shall assign the 4512  
~~precinct~~ election officials to their respective duties and shall 4513  
have general charge of the precinct polling place or voter 4514  
service and polling center or of the area of the office of the 4515  
board where ballots may be cast in person. 4516

**Sec. 3501.32.** (A) ~~Except~~ Subject to section 3501.291 of 4517  
the Revised Code and except as otherwise provided in division 4518  
(B) of this section, on the day of ~~the an election the polls,~~ 4519  
every precinct polling place and voter service and polling 4520  
center and the office of the board of elections shall be opened 4521  
by proclamation by the voting location manager, or in the 4522  
manager's absence by a voting location manager chosen by the 4523  
~~precinct~~ election officials, at six-thirty a.m. and shall be 4524

closed by proclamation at seven-thirty p.m. unless there are 4525  
voters waiting in line to cast their ballots or deliver voted 4526  
mail ballots, in which case the ~~polls~~ location shall be kept 4527  
open until such waiting voters have voted or delivered their 4528  
voted mail ballots. 4529

(B) On the day of ~~the~~ an election, any precinct polling 4530  
place located on an island not connected to the mainland by a 4531  
highway or a bridge may close earlier than seven-thirty p.m. if 4532  
all registered voters in the precinct have voted. When a 4533  
precinct polling place closes under division (B) of this section 4534  
the voting location manager shall immediately notify the board 4535  
of elections of the closing. 4536

**Sec. 3501.33.** All ~~precinct~~ election officials shall 4537  
enforce peace and good order in and about the place of 4538  
registration or election. They shall especially keep the place 4539  
of access of the electors to ~~the~~ every polling place, voter 4540  
service and polling center, and ballot drop box and to the 4541  
office of the board of elections open and unobstructed and 4542  
prevent and stop any improper practices or attempts tending to 4543  
obstruct, intimidate, or interfere with any elector in 4544  
registering or voting. They shall protect observers against 4545  
molestation and violence in the performance of their duties, and 4546  
may eject ~~from the polling place~~ any observer for violation of 4547  
any provision of Title XXXV of the Revised Code. They shall 4548  
prevent riots, violence, tumult, or disorder. In the discharge 4549  
of these duties, they may call upon the sheriff, police, or 4550  
other peace officers to aid them in enforcing the law. They may 4551  
order the arrest of any person violating Title XXXV of the 4552  
Revised Code, but such an arrest shall not prevent the person 4553  
from registering or voting if the person is entitled to do so. 4554  
The sheriff, all constables, police officers, and other officers 4555

of the peace shall immediately obey and aid in the enforcement 4556  
of any lawful order made by the ~~precinct~~ election officials in 4557  
the enforcement of Title XXXV of the Revised Code. 4558

**Sec. 3501.34.** The officer or authority having command of 4559  
the police force of any municipal corporation or the sheriff of 4560  
any county, on requisition of the board of elections or the 4561  
secretary of state, shall promptly detail for service such force 4562  
as the board or the secretary of state considers necessary at 4563  
the polling place in any precinct of such polling place, voter 4564  
service and polling center, ballot drop box, or office of a 4565  
board of elections located in the municipal corporation or 4566  
county ~~such force as the board or secretary of state considers~~ 4567  
~~necessary~~. On every day of election such officer or authority 4568  
shall have a special force in readiness for any emergency and 4569  
for assignment to duty in the precinct polling ~~places~~place, 4570  
voter service and polling center, ballot drop box location, or 4571  
office of a board of elections. At least one ~~policeman~~police 4572  
officer shall be assigned to duty ~~in~~for each precinct on each 4573  
day of an election, when requested by the board or the secretary 4574  
of state. Such police officer shall have access at all times to 4575  
~~the~~any polling place, voter service and polling center, ballot 4576  
drop box location, or office of a board of elections and ~~he~~ 4577  
shall promptly place under arrest any person found violating any 4578  
provisions of Title XXXV of the Revised Code. 4579

**Sec. 3501.35.** (A) During the time that ballots may be cast 4580  
in person for an election and during the counting of the 4581  
ballots, no person shall do any of the following: 4582

(1) Loiter, congregate, or engage in any kind of election 4583  
campaigning within the area between the ~~polling place~~entrance 4584  
to a location where ballots may be cast in person and the small 4585

flags of the United States placed on the thoroughfares and 4586  
walkways leading to the ~~polling place~~ entrance to the location, 4587  
and if the line of electors waiting to ~~vote~~ enter the location 4588  
extends beyond those small flags, within ten feet of any elector 4589  
in that line; 4590

(2) In any manner hinder or delay an elector in reaching 4591  
or leaving a precinct polling place, a voter service and polling 4592  
center, a ballot drop box, or the place fixed for casting the 4593  
elector's office of the board of elections ballot; 4594

(3) Give, tender, or exhibit any ballot or ticket to any 4595  
person other than the elector's own ballot to ~~the precinct~~ an 4596  
election ~~officials~~ official within the area between the ~~polling~~ 4597  
~~place~~ entrance to a location where ballots may be cast in person 4598  
and the small flags of the United States placed on the 4599  
thoroughfares and walkways leading to the ~~polling~~ entrance to 4600  
that place, and if the line of electors waiting to vote extends 4601  
beyond those small flags, within ten feet of any elector in that 4602  
line; 4603

(4) Exhibit any ticket or ballot which the elector intends 4604  
to cast; 4605

(5) Solicit or in any manner attempt to influence any 4606  
elector in casting the elector's vote. 4607

(B) (1) Except as otherwise provided in division (B) (2) of 4608  
this section and division (C) of section 3503.23 of the Revised 4609  
Code, no person who is not an election official, employee, 4610  
observer, or police officer shall be allowed to enter ~~the~~ 4611  
~~polling place~~ a location where ballots may be cast in person 4612  
during the ~~election~~ time that ballots may be cast there, except 4613  
for the purpose of ~~voting or~~ requesting or delivering ballots, 4614

assisting another person to ~~vote as provided in section 3505.24~~ 4615  
~~of the Revised Code request or deliver ballots, registering to~~ 4616  
~~vote or updating the person's registration, or otherwise~~ 4617  
~~conducting official business with the board of elections.~~ 4618

(2) Notwithstanding any provision of this section to the 4619  
contrary, a journalist shall be allowed reasonable access to a 4620  
~~polling place location where ballots may be cast in person~~ 4621  
during an election ~~the time that ballots may be cast there.~~ As 4622  
used in this division, "journalist" ~~has the same meaning as in~~ 4623  
~~division (B) (2) of section 2923.129 of the Revised Code~~ means a 4624  
person engaged in, connected with, or employed by any news 4625  
medium, including a newspaper, magazine, press association, news 4626  
agency, or wire service, a radio or television station, or a 4627  
similar medium, for the purpose of gathering, processing, 4628  
transmitting, compiling, editing, or disseminating information 4629  
for the general public. 4630

(C) No more electors shall be allowed to approach the 4631  
voting shelves at any time than there are voting shelves 4632  
provided. 4633

(D) The ~~precinct~~ election officials and the police officer 4634  
shall strictly enforce the observance of this section. 4635

**Sec. 3501.36.** Each ~~precinct~~ election official who ~~before~~ 4636  
~~the day of an election in his precinct~~ obtains ballots, 4637  
pollbooks, or other materials to be used in ~~his polling place on~~ 4638  
~~the day of such election~~ a location where ballots may be cast in 4639  
person, and delivers such materials to his polling that place on 4640  
~~the day of such election~~ as required by section 3501.31 of the 4641  
Revised Code and the orders of the board of elections, and each 4642  
~~precinct~~ election official who delivers such materials ~~and,~~ 4643  
returns and records of an election, or voted mail ballots from 4644

~~the a precinct polling place, a voter service and polling~~ 4645  
~~center, or a ballot drop box~~ to the office of the board ~~after an~~ 4646  
~~election, as required by section 3505.31 of the Revised Code and~~ 4647  
~~of elections under~~ the orders of the board, may receive, in 4648  
addition to the compensation provided under section 3501.28 of 4649  
the Revised Code, a sum not to exceed five dollars for each trip 4650  
to ~~the a precinct polling place, a voter service and polling~~ 4651  
~~center, or a ballot drop box~~ and five dollars for each trip from 4652  
~~the polling place such a location~~ to the office of the board, 4653  
plus mileage for each trip at the rate provided by rules 4654  
governing travel adopted by the office of budget and management 4655  
in accordance with Chapter 119. of the Revised Code. 4656

**Sec. 3501.37.** After each election, the ~~precinct~~ election 4657  
officials ~~of each precinct, except when the board of elections~~ 4658  
~~assumes the duty,~~ shall see that the movable booths and other 4659  
equipment are returned for safekeeping to the ~~fiscal officer of~~ 4660  
~~the township or to the clerk or auditor of the municipal~~ 4661  
~~corporation in which the precinct is situated. The fiscal~~ 4662  
~~officer, clerk, or auditor shall have booths and equipment on~~ 4663  
~~hand and in place at the polling places in each precinct before~~ 4664  
~~the time for opening the polls on election days, and for this~~ 4665  
~~service the board may allow the necessary expenses incurred. In~~ 4666  
~~cities, this duty shall devolve on office of~~ the board. 4667

**Sec. 3501.38.** All declarations of candidacy, nominating 4668  
petitions, or other petitions presented to or filed with the 4669  
secretary of state or a board of elections or with any other 4670  
public office for the purpose of becoming a candidate for any 4671  
nomination or office or for the holding of an election on any 4672  
issue shall, in addition to meeting the other specific 4673  
requirements prescribed in the sections of the Revised Code 4674  
relating to them, be governed by the following rules: 4675



(A) Only electors qualified to vote on the candidacy or 4676  
issue which is the subject of the petition shall sign a 4677  
petition. Each signer shall be a registered elector pursuant to 4678  
section 3503.01 of the Revised Code. The facts of qualification 4679  
shall be determined as of the date when the petition is filed. 4680

(B) Signatures shall be affixed in ink. Each signer may 4681  
also print the signer's name, so as to clearly identify the 4682  
signer's signature. 4683

(C) Each signer shall place on the petition after the 4684  
signer's name the date of signing and the location of the 4685  
signer's voting residence, including the street and number if in 4686  
a municipal corporation or the rural route number, post office 4687  
address, or township if outside a municipal corporation. The 4688  
voting address given on the petition shall be the address 4689  
appearing in the registration records at the board of elections. 4690

(D) Except as otherwise provided in section 3501.382 of 4691  
the Revised Code, no person shall write any name other than the 4692  
person's own on any petition. Except as otherwise provided in 4693  
section 3501.382 of the Revised Code, no person may authorize 4694  
another to sign for the person. If a petition contains the 4695  
signature of an elector two or more times, only the first 4696  
signature shall be counted. 4697

(E) (1) On each petition paper, the circulator shall 4698  
indicate the number of signatures contained on it, and shall 4699  
sign a statement made under penalty of election falsification 4700  
that the circulator witnessed the affixing of every signature, 4701  
that all signers were to the best of the circulator's knowledge 4702  
and belief qualified to sign, and that every signature is to the 4703  
best of the circulator's knowledge and belief the signature of 4704  
the person whose signature it purports to be or of an attorney 4705

in fact acting pursuant to section 3501.382 of the Revised Code. 4706  
On the circulator's statement for a declaration of candidacy or 4707  
nominating petition for a person seeking to become a statewide 4708  
candidate or for a statewide initiative or a statewide 4709  
referendum petition, the circulator shall identify the 4710  
circulator's name, the address of the circulator's permanent 4711  
residence, and the name and address of the person employing the 4712  
circulator to circulate the petition, if any. 4713

(2) As used in division (E) of this section, "statewide 4714  
candidate" means the joint candidates for the offices of 4715  
governor and lieutenant governor or a candidate for the office 4716  
of secretary of state, auditor of state, treasurer of state, or 4717  
attorney general. 4718

(F) Except as otherwise provided in section 3501.382 of 4719  
the Revised Code, if a circulator knowingly permits an 4720  
unqualified person to sign a petition paper or permits a person 4721  
to write a name other than the person's own on a petition paper, 4722  
that petition paper is invalid; otherwise, the signature of a 4723  
person not qualified to sign shall be rejected but shall not 4724  
invalidate the other valid signatures on the paper. 4725

(G) The circulator of a petition may, before filing it in 4726  
a public office, strike from it any signature the circulator 4727  
does not wish to present as a part of the petition. 4728

(H) Any signer of a petition or an attorney in fact acting 4729  
pursuant to section 3501.382 of the Revised Code on behalf of a 4730  
signer may remove the signer's signature from that petition at 4731  
any time before the petition is filed in a public office by 4732  
striking the signer's name from the petition; no signature may 4733  
be removed after the petition is filed in any public office. 4734

(I) (1) No alterations, corrections, or additions may be 4735  
made to a petition after it is filed in a public office. 4736

(2) (a) No declaration of candidacy, nominating petition, 4737  
or other petition for the purpose of becoming a candidate may be 4738  
withdrawn after it is filed in a public office. Nothing in this 4739  
division prohibits a person from withdrawing as a candidate as 4740  
otherwise provided by law. 4741

(b) No petition presented to or filed with the secretary 4742  
of state, a board of elections, or any other public office for 4743  
the purpose of the holding of an election on any question or 4744  
issue may be resubmitted after it is withdrawn from a public 4745  
office or rejected as containing insufficient signatures. 4746  
Nothing in this division prevents a question or issue petition 4747  
from being withdrawn by the filing of a written notice of the 4748  
withdrawal by a majority of the members of the petitioning 4749  
committee with the same public office with which the petition 4750  
was filed prior to the sixtieth day before the election at which 4751  
the question or issue is scheduled to appear on the ballot. 4752

(J) All declarations of candidacy, nominating petitions, 4753  
or other petitions under this section shall be accompanied by 4754  
the following statement in boldface capital letters: WHOEVER 4755  
COMMITTS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE 4756  
~~FIFTH~~FOURTH DEGREE. 4757

(K) All separate petition papers shall be filed at the 4758  
same time, as one instrument. 4759

(L) If a board of elections distributes for use a petition 4760  
form for a declaration of candidacy, nominating petition, or any 4761  
type of question or issue petition that does not satisfy the 4762  
requirements of law as of the date of that distribution, the 4763

board shall not invalidate the petition on the basis that the 4764  
petition form does not satisfy the requirements of law, if the 4765  
petition otherwise is valid. Division (L) of this section 4766  
applies only if the candidate received the petition from the 4767  
board within ninety days of when the petition is required to be 4768  
filed. 4769

(M) (1) Upon receiving an initiative petition, or a 4770  
petition filed under section 307.94 or 307.95 of the Revised 4771  
Code, concerning a ballot issue that is to be submitted to the 4772  
electors of a county or municipal political subdivision, the 4773  
board of elections shall examine the petition to determine: 4774

(a) Whether the petition falls within the scope of a 4775  
municipal political subdivision's authority to enact via 4776  
initiative, including, if applicable, the limitations placed by 4777  
Sections 3 and 7 of Article XVIII of the Ohio Constitution on 4778  
the authority of municipal corporations to adopt local police, 4779  
sanitary, and other similar regulations as are not in conflict 4780  
with general laws, and whether the petition satisfies the 4781  
statutory prerequisites to place the issue on the ballot. The 4782  
petition shall be invalid if any portion of the petition is not 4783  
within the initiative power; or 4784

(b) Whether the petition falls within the scope of a 4785  
county's authority to enact via initiative, including whether 4786  
the petition conforms to the requirements set forth in Section 3 4787  
of Article X of the Ohio Constitution, including the exercise of 4788  
only those powers that have vested in, and the performance of 4789  
all duties imposed upon counties and county officers by law, and 4790  
whether the petition satisfies the statutory prerequisites to 4791  
place the issue on the ballot. The finding of the board shall be 4792  
subject to challenge by a protest filed pursuant to division (B) 4793

of section 307.95 of the Revised Code. 4794

(2) After making a determination under division (M) (1) (a) 4795  
or (b) of this section, the board of elections shall promptly 4796  
transmit a copy of the petition and a notice of the board's 4797  
determination to the office of the secretary of state. Notice of 4798  
the board's determination shall be given to the petitioners and 4799  
the political subdivision. 4800

(3) If multiple substantially similar initiative petitions 4801  
are submitted to multiple boards of elections and the 4802  
determinations of the boards under division (M) (1) (a) or (b) of 4803  
this section concerning those petitions differ, the secretary of 4804  
state shall make a single determination under division (M) (1) (a) 4805  
or (b) of this section that shall apply to each such initiative 4806  
petition. 4807

**Sec. 3501.382.** (A) (1) A registered voter who, by reason of 4808  
disability, is unable to physically sign the voter's name as a 4809  
candidate, signer, or circulator on a declaration of candidacy 4810  
and petition, nominating petition, other petition, or other 4811  
document under Title XXXV of the Revised Code may authorize a 4812  
legally competent resident of this state who is eighteen years 4813  
of age or older as an attorney in fact to sign that voter's name 4814  
to the petition or other election document, at the voter's 4815  
direction and in the voter's presence, in accordance with either 4816  
of the following procedures: 4817

(a) The voter may file with the board of elections of the 4818  
voter's county of residence a notarized form that includes or 4819  
has attached all of the following: 4820

(i) The name of the voter who is authorizing an attorney 4821  
in fact to sign petitions or other election documents on that 4822

voter's behalf, at the voter's direction and in the voter's 4823  
presence; 4824

(ii) An attestation of the voter that the voter, by reason 4825  
of disability, is unable to sign physically petitions or other 4826  
election documents and that the voter desires the attorney in 4827  
fact to sign them on the voter's behalf, at the direction of the 4828  
voter and in the voter's presence; 4829

(iii) The name, residence address, date of birth, and, if 4830  
applicable, Ohio supreme court registration number of the 4831  
attorney in fact authorized to sign on the voter's behalf, at 4832  
the voter's direction and in the voter's presence. A photocopy 4833  
of the attorney in fact's driver's license or state 4834  
identification card issued under section 4507.50 of the Revised 4835  
Code shall be attached to the notarized form. 4836

(iv) The form of the signature that the attorney in fact 4837  
will use in signing petitions or other election documents on the 4838  
voter's behalf, at the voter's direction and in the voter's 4839  
presence. 4840

(b) The voter may acknowledge, before an election 4841  
official, and file with the board of elections of the voter's 4842  
county of residence a form that includes or has attached all of 4843  
the following: 4844

(i) The name of the voter who is authorizing an attorney 4845  
in fact to sign petitions or other election documents on that 4846  
voter's behalf, at the voter's direction and in the voter's 4847  
presence; 4848

(ii) An attestation of the voter that the voter, by reason 4849  
of disability, is physically unable to sign petitions or other 4850  
election documents and that the voter desires the attorney in 4851

fact to sign them on the voter's behalf, at the direction of the voter and in the voter's presence;

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

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

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

(2) In addition to performing customary notarial acts with respect to the power of attorney form described in division (A) (1) (a) of this section, the notary public shall acknowledge that the voter in question affirmed in the presence of the notary public the information listed in divisions (A) (1) (a) (i), (ii), and (iii) of this section. A notary public shall not perform any notarial acts with respect to such a power of attorney form unless the voter first gives such an affirmation. Only a notary public satisfying the requirements of section 147.01 of the Revised Code may perform notarial acts with respect to such a power of attorney form.

(B) A board of elections that receives a form under division (A) (1) of this section from a voter shall do both of

the following: 4881

(1) Use the signature provided in accordance with division 4882  
(A) (1) (a) (iv) or (A) (1) (b) (v) of this section for the purpose of 4883  
verifying the voter's signature on all declarations of candidacy 4884  
and petitions, nominating petitions, other petitions, or other 4885  
documents signed by that voter under Title XXXV of the Revised 4886  
Code; 4887

(2) Cause the ~~poll list or signature pollbook for the~~ 4888  
~~relevant precinct voter's registration record~~ to identify the 4889  
voter in question as having authorized an attorney in fact to 4890  
sign petitions or other election documents on the voter's 4891  
behalf, at the voter's direction and in the voter's presence. 4892

(C) Notwithstanding division (D) of section 3501.38 or any 4893  
other provision of the Revised Code to the contrary, an attorney 4894  
in fact authorized to sign petitions or other election documents 4895  
on a disabled voter's behalf, at the direction of and in the 4896  
presence of that voter, in accordance with division (A) of this 4897  
section may sign that voter's name to any petition or other 4898  
election document under Title XXXV of the Revised Code after the 4899  
power of attorney has been filed with the board of elections in 4900  
accordance with division (A) (1) of this section. The signature 4901  
shall be deemed to be that of the disabled voter, and the voter 4902  
shall be deemed to be the signer. 4903

(D) (1) Notwithstanding division (F) of section 3501.38 or 4904  
any other provision of the Revised Code to the contrary, the 4905  
circulator of a petition may knowingly permit an attorney in 4906  
fact to sign the petition on a disabled voter's behalf, at the 4907  
direction of and in the presence of that voter, in accordance 4908  
with division (A) (1) of this section. 4909



(2) Notwithstanding division (F) of section 3501.38 or any other provision of the Revised Code to the contrary, no petition paper shall be invalidated on the ground that the circulator knowingly permitted an attorney in fact to write a name other than the attorney in fact's own name on a petition paper, if that attorney in fact signed the petition on a disabled voter's behalf, at the direction of and in the presence of that voter, in accordance with division (C) of this section.

(E) The secretary of state shall prescribe the form and content of the form for the power of attorney prescribed under division (A)(1) of this section and also shall prescribe the form and content of a distinct form to revoke such a power of attorney.

(F) As used in this section, "unable to physically sign" means that the person with a disability cannot comply with the provisions of section 3501.011 of the Revised Code. A person is not "unable to physically sign" if the person is able to comply with section 3501.011 through reasonable accommodation, including the use of assistive technology or augmentative devices.

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

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

(a) Any of the following types of conduct ~~in or about a polling place or a place of registration or election:~~  
~~obstructing~~

(i) Obstructing access of an elector to a precinct polling place, a voter service and polling center, a ballot drop box, the office of a board of elections, or any other place of voter

registration; another 4939

(ii) Another improper practice or attempt tending to 4940  
obstruct, intimidate, or interfere with an elector in 4941  
registering or voting at a place of registration or election; 4942  
molesting 4943

(iii) Molesting or otherwise engaging in violence against 4944  
observers in the performance of their duties at a precinct 4945  
polling place of registration or election, a voter service and 4946  
polling center, or the office of a board of elections or at any 4947  
other place of voter registration; or participating 4948

(iv) Participating in a riot, violence, tumult, or 4949  
disorder in and about a precinct polling place, a voter service 4950  
and polling center, a ballot drop box, the office of a board of 4951  
elections, or any other place of voter registration or election. 4952

(b) A violation of division (A) (1), (2), (3), or (5) or 4953  
division (B) of section 3501.35 of the Revised Code. 4954

(2) "Person" has the same meaning as in division (C) of 4955  
section 1.59 of the Revised Code and also includes any 4956  
organization that is not otherwise covered by that division. 4957

(3) "Trier of fact" means the jury or, in a nonjury 4958  
action, the court. 4959

(B) An elector who has experienced harassment in violation 4960  
of the election law has a cause of action against each person 4961  
that committed the harassment in violation of the election law. 4962  
In any civil action based on this cause of action, the elector 4963  
may seek a declaratory judgment, an injunction, or other 4964  
appropriate equitable relief. The civil action may be commenced 4965  
by an elector who has experienced harassment in violation of the 4966  
election law either alone or as a party to a class action under 4967

Civil Rule 23. 4968

(C) (1) In addition to the equitable relief authorized by 4969  
division (B) of this section, an elector who has experienced 4970  
harassment in violation of the election law may be entitled to 4971  
relief under division (C) (2) or (3) of this section. 4972

(2) If the harassment in violation of the election law 4973  
involved intentional or reckless threatening or causing of 4974  
bodily harm to the elector while the elector was attempting to 4975  
register to vote, to obtain ~~an absent voter's a~~ ballot, or to 4976  
vote, the elector may seek, in a civil action based on the cause 4977  
of action created by division (B) of this section, monetary 4978  
damages as prescribed in this division. The civil action may be 4979  
commenced by the elector who has experienced harassment in 4980  
violation of the election law either alone or as a party to a 4981  
class action under Civil Rule 23. Upon proof by a preponderance 4982  
of the evidence in the civil action that the harassment in 4983  
violation of the election law involved intentional or reckless 4984  
threatening or causing of bodily harm to the elector, the trier 4985  
of fact shall award the elector the greater of three times of 4986  
the amount of the elector's actual damages or one thousand 4987  
dollars. The court also shall award a prevailing elector 4988  
reasonable attorney's fees and court costs. 4989

(3) Whether a civil action on the cause of action created 4990  
by division (B) of this section is commenced by an elector who 4991  
has experienced harassment in violation of the election law 4992  
alone or as a party to a class action under Civil Rule 23, if 4993  
the defendant in the action is an organization that has 4994  
previously been determined in a court of this state to have 4995  
engaged in harassment in violation of the election law, the 4996  
elector may seek an order of the court granting any of the 4997

|   |  |
|---|--|
| following forms of relief upon proof by a preponderance of the evidence:  | 4998<br>4999   |
| (a) Divestiture of the organization's interest in any enterprise or in any real property;   | 5000<br>5001   |
| (b) Reasonable restrictions upon the future activities or investments of the organization, including, but not limited to, prohibiting the organization from engaging in any harassment in violation of the election law;  | 5002<br>5003<br>5004<br>5005                         |
| (c) The dissolution or reorganization of the organization;  | 5006   |
| (d) The suspension or revocation of any license, permit, or prior approval granted to the organization by any state agency;   | 5007<br>5008<br>5009                                 |
| (e) The revocation of the organization's authorization to do business in this state if the organization is a foreign corporation or other form of foreign entity.   | 5010<br>5011<br>5012                                 |
| (D) It shall not be a defense in a civil action based on the cause of action created by division (B) of this section, whether commenced by an elector who has experienced harassment in violation of the election law alone or as a party to a class action under Civil Rule 23, that no criminal prosecution was commenced or conviction obtained in connection with the conduct alleged to be the basis of the civil action.                        | 5013<br>5014<br>5015<br>5016<br>5017<br>5018<br>5019 |
| (E) In a civil action based on the cause of action created by division (B) of this section, whether commenced by an elector who has experienced harassment in violation of the election law alone or as a party to a class action under Civil Rule 23, the elector may name as defendants each individual who engaged in conduct constituting harassment in violation of the election law as well as any person that employs, sponsors, or uses as an | 5020<br>5021<br>5022<br>5023<br>5024<br>5025<br>5026 |

agent any such individual or that has organized a common scheme 5027  
to cause harassment in violation of the election law. 5028

**Sec. 3503.01.** (A) Every citizen of the United States who 5029  
is of the age of eighteen years or over and who has been a 5030  
resident of the state thirty days immediately preceding the 5031  
election at which the citizen offers to vote, is a resident of 5032  
the county and precinct in which the citizen offers to vote, and 5033  
has been registered to vote for thirty days, has the 5034  
qualifications of an elector and may vote at all elections in 5035  
the precinct in which the citizen resides. 5036

(B) When only a portion of a precinct is included within 5037  
the boundaries of an election district, the board of elections 5038  
may assign the electors residing in such portion of a precinct 5039  
to the nearest precinct or portion of a precinct within the 5040  
boundaries of such election district for the purpose of voting 5041  
at any special election held in such district. In any election 5042  
in which only a part of the electors in a precinct is qualified 5043  
to vote, the board may assign voters in such part to an 5044  
adjoining precinct. Such assignment may be made to an adjoining 5045  
precinct in another county with the consent and approval of the 5046  
board of elections of such other county if the number of voters 5047  
assigned to vote in a precinct in another county is two hundred 5048  
or less. 5049

~~The~~ Subject to section 3501.291 of the Revised Code, the 5050  
board shall notify all such electors so assigned, at least ten 5051  
days prior to the holding of any such election, of the location 5052  
of the precinct polling place where they are entitled to vote at 5053  
such election. 5054

As used in division (B) of this section, "election 5055  
district" means a school district, municipal corporation, 5056

township, or other political subdivision that includes territory 5057  
in more than one precinct or any other district or authority 5058  
that includes territory in more than one precinct and that is 5059  
authorized by law to place an issue on the ballot at a special 5060  
election. 5061

**Sec. 3503.02.** All registrars and ~~precinct~~-election 5062  
officials, in determining the residence of a person offering to 5063  
register or vote, shall be governed by the following rules: 5064

(A) That place shall be considered the residence of a 5065  
person in which the person's habitation is fixed and to which, 5066  
whenever the person is absent, the person has the intention of 5067  
returning. 5068

(B) A person shall not be considered to have lost the 5069  
person's residence who leaves the person's home and goes into 5070  
another state or county of this state, for temporary purposes 5071  
only, with the intention of returning. 5072

(C) A person shall not be considered to have gained a 5073  
residence in any county of this state into which the person 5074  
comes for temporary purposes only, without the intention of 5075  
making such county the permanent place of abode. 5076

(D) The place where the family of a married person resides 5077  
shall be considered to be the person's place of residence; 5078  
except that when the spouses have separated and live apart, the 5079  
place where such a spouse resides the length of time required to 5080  
entitle a person to vote shall be considered to be the spouse's 5081  
place of residence. 5082

(E) If a person removes to another state with the 5083  
intention of making such state the person's residence, the 5084  
person shall be considered to have lost the person's residence 5085

in this state. 5086

(F) Except as otherwise provided in division (G) of this 5087  
section, if a person removes from this state and continuously 5088  
resides outside this state for a period of four years or more, 5089  
the person shall be considered to have lost the person's 5090  
residence in this state, notwithstanding the fact that the 5091  
person may entertain an intention to return at some future 5092  
period. 5093

(G) (1) If a person removes from this state to engage in 5094  
the services of the United States government, the person shall 5095  
not be considered to have lost the person's residence in this 5096  
state, and likewise should the person enter the employment of 5097  
the state, the place where such person resided at the time of 5098  
the person's removal shall be considered to be the person's 5099  
place of residence. 5100

(2) If a person removes from this state to a location 5101  
outside of the United States and the person does not become a 5102  
resident of another state, the person shall not be considered to 5103  
have lost the person's residence in this state. The place where 5104  
the person resided at the time of the person's removal shall be 5105  
considered to be the person's place of residence. 5106

(3) If a person is eligible to vote in this state under 5107  
division (D) (2) of section 3511.011 of the Revised Code, the 5108  
place where the person's parent or legal guardian resided in 5109  
this state prior to that parent or legal guardian's removal to a 5110  
location outside of the United States shall be considered to be 5111  
the person's place of residence. 5112

(4) If an address that is considered to be a person's 5113  
place of residence under division (G) of this section ceases to 5114

be a recognized residential address, the board of elections 5115  
shall assign an address to the applicable person for voting 5116  
purposes. 5117

(H) If a person goes into another state and while there 5118  
exercises the right of a citizen by voting, the person shall be 5119  
considered to have lost the person's residence in this state. 5120

(I) If a person does not have a fixed place of habitation, 5121  
but has a shelter or other location at which the person has been 5122  
a consistent or regular inhabitant and to which the person has 5123  
the intention of returning, that shelter or other location shall 5124  
be deemed the person's residence for the purpose of registering 5125  
to vote. 5126

**Sec. 3503.09.** (A) (1) The secretary of state shall adopt 5127  
rules for the electronic transmission by boards of elections, 5128  
designated agencies, offices of deputy registrars of motor 5129  
vehicles, public high schools and vocational schools, public 5130  
libraries, and offices of county treasurers, where applicable, 5131  
of change of name and, change of residence changes, and change 5132  
of political party affiliation forms for voter registration 5133  
~~records in the statewide voter registration database.~~ 5134

(2) The secretary of state shall adopt rules for the 5135  
purpose of improving the speed of processing new voter 5136  
registrations that permit information from a voter registration 5137  
application received by a designated agency or an office of 5138  
deputy registrar of motor vehicles to be made available 5139  
electronically, in addition to requiring the original voter 5140  
registration application to be transmitted to the applicable 5141  
board of elections under division (E) (2) of section 3503.10 or 5142  
section 3503.11 of the Revised Code. 5143



(B) Rules adopted under division (A) of this section shall 5144  
do all of the following: 5145

(1) Prohibit any direct electronic connection between a 5146  
designated agency, office of deputy registrar of motor vehicles, 5147  
public high school or vocational school, public library, or 5148  
office of a county treasurer and the statewide voter 5149  
registration database; 5150

(2) Require any updated voter registration information to 5151  
be verified by the secretary of state or a board of elections 5152  
before the information is added to the statewide voter 5153  
registration database for the purpose of modifying an existing 5154  
voter registration; 5155

(3) Require each designated agency or office of deputy 5156  
registrar of motor vehicles that transmits voter registration 5157  
information electronically to transmit an identifier for data 5158  
relating to each new voter registration that shall be used by 5159  
the secretary of state or a board of elections to match the 5160  
electronic data to the original voter registration application. 5161

**Sec. 3503.10.** (A) Each designated agency shall designate 5162  
one person within that agency to serve as coordinator for the 5163  
voter registration program within the agency and its 5164  
departments, divisions, and programs. The designated person 5165  
shall be trained under a program designed by the secretary of 5166  
state and shall be responsible for administering all aspects of 5167  
the voter registration program for that agency as prescribed by 5168  
the secretary of state. The designated person shall receive no 5169  
additional compensation for performing such duties. 5170

(B) Every designated agency, public high school and 5171  
vocational school, public library, and office of a county 5172

treasurer shall provide in each of its offices or locations 5173  
voter registration applications and assistance in the 5174  
registration of persons qualified to register to vote, in 5175  
accordance with this chapter. 5176

(C) Every designated agency shall distribute to its 5177  
applicants, prior to or in conjunction with distributing a voter 5178  
registration application, a form prescribed by the secretary of 5179  
state that includes all of the following: 5180

(1) The question, "Do you want to register to vote or 5181  
update your current voter registration?"--followed by boxes for 5182  
the applicant to indicate whether the applicant would like to 5183  
register or decline to register to vote, and the statement, 5184  
highlighted in bold print, "If you do not check either box, you 5185  
will be considered to have decided not to register to vote at 5186  
this time."; 5187

(2) If the agency provides public assistance, the 5188  
statement, "Applying to register or declining to register to 5189  
vote will not affect the amount of assistance that you will be 5190  
provided by this agency."; 5191

(3) The statement, "If you would like help in filling out 5192  
the voter registration application form, we will help you. The 5193  
decision whether to seek or accept help is yours. You may fill 5194  
out the application form in private."; 5195

(4) The statement, "If you believe that someone has 5196  
interfered with your right to register or to decline to register 5197  
to vote, your right to privacy in deciding whether to register 5198  
or in applying to register to vote, or your right to choose your 5199  
own political party or other political preference, you may file 5200  
a complaint with the prosecuting attorney of your county or with 5201

the secretary of state," with the address and telephone number 5202  
for each such official's office. 5203

(D) Each designated agency shall distribute a voter 5204  
registration form prescribed by the secretary of state to each 5205  
applicant with each application for service or assistance, and 5206  
with each written application or form for recertification, 5207  
renewal, or change of address. 5208

(E) Each designated agency shall do all of the following: 5209

(1) Have employees trained to administer the voter 5210  
registration program in order to provide to each applicant who 5211  
wishes to register to vote and who accepts assistance, the same 5212  
degree of assistance with regard to completion of the voter 5213  
registration application as is provided by the agency with 5214  
regard to the completion of its own form; 5215

(2) Accept completed voter registration applications, 5216  
voter registration change of residence forms, ~~and~~ voter 5217  
registration change of name forms, and voter registration change 5218  
of political party affiliation forms, regardless of whether the 5219  
application or form was distributed by the designated agency, 5220  
for transmittal to the office of the board of elections in the 5221  
county in which the agency is located. Each designated agency 5222  
and the appropriate board of elections shall establish a method 5223  
by which the voter registration applications and other voter 5224  
registration forms are transmitted to that board of elections 5225  
within five days after being accepted by the agency. 5226

(3) If the designated agency is one that is primarily 5227  
engaged in providing services to persons with disabilities under 5228  
a state-funded program, and that agency provides services to a 5229  
person with disabilities at a person's home, provide the 5230

services described in divisions (E) (1) and (2) of this section 5231  
at the person's home; 5232

(4) Keep as confidential, except as required by the 5233  
secretary of state for record-keeping purposes, the identity of 5234  
an agency through which a person registered to vote or updated 5235  
the person's voter registration records, and information 5236  
relating to a declination to register to vote made in connection 5237  
with a voter registration application issued by a designated 5238  
agency. 5239

(F) The secretary of state shall prepare and transmit 5240  
written instructions on the implementation of the voter 5241  
registration program within each designated agency, public high 5242  
school and vocational school, public library, and office of a 5243  
county treasurer. The instructions shall include directions as 5244  
follows: 5245

(1) That each person designated to assist with voter 5246  
registration maintain strict neutrality with respect to a 5247  
person's political philosophies, a person's right to register or 5248  
decline to register, and any other matter that may influence a 5249  
person's decision to register or not register to vote; 5250

(2) That each person designated to assist with voter 5251  
registration not seek to influence a person's decision to 5252  
register or not register to vote, not display or demonstrate any 5253  
political preference or party allegiance, and not make any 5254  
statement to a person or take any action the purpose or effect 5255  
of which is to lead a person to believe that a decision to 5256  
register or not register has any bearing on the availability of 5257  
services or benefits offered, on the grade in a particular class 5258  
in school, or on credit for a particular class in school; 5259

(3) Regarding when and how to assist a person in 5260  
completing the voter registration application, what to do with 5261  
the completed voter registration application or voter 5262  
registration update form, and when the application must be 5263  
transmitted to the appropriate board of elections; 5264

(4) Regarding what records must be kept by the agency and 5265  
where and when those records should be transmitted to satisfy 5266  
reporting requirements imposed on the secretary of state under 5267  
the National Voter Registration Act of 1993; 5268

(5) Regarding whom to contact to obtain answers to 5269  
questions about voter registration forms and procedures. 5270

(G) If the voter registration activity is part of an in- 5271  
class voter registration program in a public high school or 5272  
vocational school, whether prescribed by the secretary of state 5273  
or independent of the secretary of state, the board of education 5274  
shall do all of the following: 5275

(1) Establish a schedule of school days and hours during 5276  
these days when the person designated to assist with voter 5277  
registration shall provide voter registration assistance; 5278

(2) Designate a person to assist with voter registration 5279  
from the public high school's or vocational school's staff; 5280

(3) Make voter registration applications and materials 5281  
available, as outlined in the voter registration program 5282  
established by the secretary of state pursuant to section 5283  
3501.05 of the Revised Code; 5284

(4) Distribute the statement, "applying to register or 5285  
declining to register to vote, or registering as affiliated with 5286  
a particular political party or registering to vote and 5287  
remaining unaffiliated, will not affect or be a condition of 5288

your receiving a particular grade in or credit for a school 5289  
course or class, participating in a curricular or 5290  
extracurricular activity, receiving a benefit or privilege, or 5291  
participating in a program or activity otherwise available to 5292  
pupils enrolled in this school district's schools." 5293

(5) Establish a method by which the voter registration 5294  
application and other voter registration forms are transmitted 5295  
to the board of elections within five days after being accepted 5296  
by the public high school or vocational school. 5297

(H) Any person employed by the designated agency, public 5298  
high school or vocational school, public library, or office of a 5299  
county treasurer may be designated to assist with voter 5300  
registration pursuant to this section. The designated agency, 5301  
public high school or vocational school, public library, or 5302  
office of a county treasurer shall provide the designated 5303  
person, and make available such space as may be necessary, 5304  
without charge to the county or state. 5305

(I) The secretary of state shall prepare and cause to be 5306  
displayed in a prominent location in each designated agency a 5307  
notice that identifies the person designated to assist with 5308  
voter registration, the nature of that person's duties, and 5309  
where and when that person is available for assisting in the 5310  
registration of voters. 5311

A designated agency may furnish additional supplies and 5312  
services to disseminate information to increase public awareness 5313  
of the existence of a person designated to assist with voter 5314  
registration in every designated agency. 5315

(J) This section does not limit any authority a board of 5316  
education, superintendent, or principal has to allow, sponsor, 5317

or promote voluntary election registration programs within a 5318  
high school or vocational school, including programs in which 5319  
pupils serve as persons designated to assist with voter 5320  
registration, provided that no pupil is required to participate. 5321

(K) Each public library and office of the county treasurer 5322  
shall establish a method by which voter registration forms are 5323  
transmitted to the board of elections within five days after 5324  
being accepted by the public library or office of the county 5325  
treasurer. 5326

(L) The department of job and family services and its 5327  
departments, divisions, and programs shall limit administration 5328  
of the aspects of the voter registration program for the 5329  
department to the requirements prescribed by the secretary of 5330  
state and the requirements of this section and the National 5331  
Voter Registration Act of 1993. 5332

**Sec. 3503.11.** When any person applies for a driver's 5333  
license, commercial driver's license, a state of Ohio 5334  
identification card issued under section 4507.50 of the Revised 5335  
Code, or motorcycle operator's license or endorsement, or the 5336  
renewal or duplicate of any license or endorsement under Chapter 5337  
4506. or 4507. of the Revised Code, the registrar of motor 5338  
vehicles or deputy registrar shall offer the applicant the 5339  
opportunity to register to vote or to update the applicant's 5340  
voter registration. The registrar of motor vehicles or deputy 5341  
registrar also shall make available to all other customers voter 5342  
registration applications and change of residence ~~and,~~ change of 5343  
name, and change of political party affiliation forms, but is 5344  
not required to offer assistance to these customers in 5345  
completing a voter registration application or other form. 5346

The deputy registrar shall send any registration 5347

application or any change of residence~~or~~, change of name, and 5348  
change of political party affiliation form that was completed 5349  
and submitted in paper form to the deputy registrar to the board 5350  
of elections of the county in which the office of the deputy 5351  
registrar is located, within five days after accepting the 5352  
application or other form. The registrar shall send any 5353  
completed registration application received at the bureau of 5354  
motor vehicles headquarters location and any completed change of 5355  
residence~~or~~, change of name, or change of political party 5356  
affiliation form processed electronically in systems or programs 5357  
operated and maintained by the bureau of motor vehicles to the 5358  
secretary of state within five days after accepting the 5359  
application or other form. 5360

The registrar shall collect from each deputy registrar 5361  
through the reports filed under division (J) of section 4503.03 5362  
of the Revised Code and transmit to the secretary of state 5363  
information on the number of voter registration applications and 5364  
change of residence~~or~~, change of name, or change of political 5365  
party affiliation forms completed or declined, and any 5366  
additional information required by the secretary of state to 5367  
comply with the National Voter Registration Act of 1993. No 5368  
information relating to an applicant's decision to decline to 5369  
register or update the applicant's voter registration at the 5370  
office of the registrar or deputy registrar may be used for any 5371  
purpose other than voter registration record-keeping required by 5372  
the secretary of state, and all such information shall be kept 5373  
confidential. 5374

The secretary of state shall prescribe voter registration 5375  
applications and change of residence~~and~~, change of name, and 5376  
change of political party affiliation forms for use by the 5377  
bureau of motor vehicles. The bureau of motor vehicles shall 5378



supply all of its deputy registrars with a sufficient number of 5379  
voter registration applications and change of residence ~~and,~~ 5380  
change of name, and change of political party affiliation forms. 5381

**Sec. 3503.111.** (A) Each month, the secretary of state 5382  
shall send the information in the statewide voter registration 5383  
database to the national change of address service provided by 5384  
the United States postal system through its licensees and 5385  
request that service to provide the secretary of state with a 5386  
list of any registered electors who have had a permanent change 5387  
of residence address within the past month. The secretary of 5388  
state promptly shall transmit the information concerning each 5389  
elector who has had a permanent change of residence address 5390  
electronically to the appropriate board of elections. 5391

(B) (1) When a board of elections receives information 5392  
concerning a registered elector under division (A) of this 5393  
section and determines that the elector is eligible to update 5394  
the elector's registration, except as provided in division (C) 5395  
of this section, the board promptly shall update the elector's 5396  
registration and send the elector an acknowledgment notice under 5397  
section 3503.19 of the Revised Code. The electronic record 5398  
transmitted to the board under this section shall be considered 5399  
the elector's voter registration form. 5400

(2) If an elector whose registration has been updated 5401  
under division (B) (1) of this section declines to have the 5402  
elector's registration updated, the board shall correct the 5403  
elector's registration to reflect the name, address, and 5404  
signature that it contained before the board updated the 5405  
elector's registration under this section. 5406

(3) If a person who is not eligible to update the person's 5407  
voter registration nonetheless has the person's registration 5408

updated under this section, the person shall not be considered 5409  
to knowingly update or attempt to update the person's 5410  
registration in violation of section 3599.11 of the Revised Code 5411  
based solely on the person's failure to decline to have the 5412  
person's registration updated. 5413

(C) When a board of elections receives information 5414  
concerning an elector under division (A) of this section and 5415  
determines that the elector has had a permanent change of 5416  
residence address to a location outside this state, the board 5417  
shall send the elector a confirmation notice at the address at 5418  
which the elector is registered to vote in this state. The board 5419  
shall not send that notice during the ninety days immediately 5420  
preceding a primary or general election for federal office. 5421

(D) The secretary of state may prescribe additional 5422  
procedures to identify and send confirmation notices to electors 5423  
who appear to have moved or had a change of name. Any procedures 5424  
to identify and send confirmation notices to electors who appear 5425  
to have moved to a location outside this state shall be 5426  
completed not later than ninety days before the day of any 5427  
primary or general election for federal office. 5428

(E) All procedures for maintaining the statewide voter 5429  
registration database implemented under this section shall be 5430  
uniform and nondiscriminatory and shall comply with the Voting 5431  
Rights Act of 1965, the National Voter Registration Act of 1993, 5432  
and all other applicable federal laws. 5433

**Sec. 3503.12.** All registrations shall be carefully 5434  
checked, and in case any person is found to have ~~registered~~ more 5435  
~~than one~~ one registration form, the additional all registration 5436  
forms other than the most recent registration form shall be 5437  
canceled by the board of elections. 5438

Six weeks prior to the day of a special, primary, or 5439  
general election, the board shall publish notices in one or more 5440  
newspapers of general circulation advertising the places, dates, 5441  
times, methods of registration, and voter qualifications for 5442  
registration. 5443

The board shall ~~establish a schedule or program to assure~~ 5444  
to the extent reasonably possible that, ~~on or before November 1,~~ 5445  
~~1980,~~ all registration places shall be free of barriers that 5446  
would impede the ingress and egress of handicapped persons. 5447  
Entrances shall be level or shall be provided with a nonskid 5448  
ramp of not over eight per cent gradient, and doors shall be a 5449  
minimum of thirty-two inches wide. Registration places located 5450  
at precinct polling places shall, however, comply with the 5451  
requirements of section 3501.29 of the Revised Code for the 5452  
elimination of barriers. 5453

As used in this section, "handicapped" means having lost 5454  
the use of one or both legs, one or both arms, or any 5455  
combination thereof, or being blind or so severely disabled as 5456  
to be unable to move about without the aid of crutches or a 5457  
wheelchair. 5458

**Sec. 3503.13.** (A) Except as otherwise provided in section 5459  
111.44 of the Revised Code or by state or federal law, 5460  
registration forms ~~submitted by applicants~~ and the statewide 5461  
voter registration database established under section 3503.15 of 5462  
the Revised Code shall be open to public inspection at all times 5463  
when the office of the board of elections is open for business, 5464  
under such regulations as the board adopts, provided that no 5465  
person shall be permitted to inspect voter registration forms 5466  
except in the presence of an employee of the board. 5467

(B) A board of elections may use a legible digitized 5468

signature list of voter signatures, copied from the signatures 5469  
on the registration forms in a form and manner prescribed by the 5470  
secretary of state, provided that the board includes the 5471  
required voter registration information in the statewide voter 5472  
registration database established under section 3503.15 of the 5473  
Revised Code, and provided that the ~~precinct~~ election officials 5474  
have computer printouts at the ~~polls~~ locations where ballots may 5475  
be cast in person prepared in the manner required under section 5476  
3503.23 of the Revised Code. 5477

**Sec. 3503.14.** (A) The secretary of state shall prescribe 5478  
the form and content of the registration, change of residence, 5479  
~~and change of name, and change of political party affiliation~~ 5480  
forms used in this state. The forms shall meet the requirements 5481  
of the National Voter Registration Act of 1993 and shall include 5482  
spaces for all of the following: 5483

(1) The voter's name; 5484

(2) The voter's address; 5485

(3) The current date; 5486

(4) The voter's date of birth; 5487

(5) The voter to provide one or more of the following: 5488

(a) The voter's driver's license number, if any; 5489

(b) The last four digits of the voter's social security 5490  
number, if any; 5491

(c) A copy of a current and valid photo identification, a 5492  
copy of a military identification, or a copy of a current 5493  
utility bill, bank statement, government check, paycheck, or 5494  
other government document, other than ~~a~~ an acknowledgment notice 5495  
~~of voter registration~~ mailed by a board of elections under 5496

section 3503.19 of the Revised Code, that shows the voter's name 5497  
and address. 5498

(6) The voter's telephone number, if the voter wishes to 5499  
provide it; 5500

(7) The voter's electronic mail address, if the voter 5501  
wishes to provide it; 5502

(8) The voter's signature. 5503

~~The registration form shall include a space on which the~~ 5504  
~~person registering an applicant shall sign the person's name and~~ 5505  
~~provide the person's address and a space on which the person~~ 5506  
~~registering an applicant shall name the employer who is~~ 5507  
~~employing that person to register the applicant~~ 5508

(B) The registration form shall include a list of the 5509  
political parties that are recognized in this state at the time 5510  
the form is printed, accompanied by boxes for the applicant to 5511  
check to select a party with which the applicant wishes to be 5512  
affiliated. The form also shall include a space for the 5513  
applicant to write the name of a recognized political party that 5514  
is not listed on the form, if the applicant wishes to be 5515  
affiliated with that party, and a box for the applicant to check 5516  
to indicate that the applicant does not wish to be affiliated 5517  
with a political party. The form shall instruct the applicant to 5518  
select or write the name of only one recognized political party 5519  
and shall state that the applicant is not required to select a 5520  
political party. If the applicant does not select or write the 5521  
name of a recognized political party with which the applicant 5522  
wishes to be affiliated, or if the applicant indicates that the 5523  
applicant does not wish to be affiliated with a political party, 5524  
the applicant, upon registration, shall not be affiliated with 5525

any political party. 5526

(C) Except for forms prescribed by the secretary of state 5527  
under section 3503.11 of the Revised Code, the secretary of 5528  
state shall permit boards of elections to produce forms that 5529  
have subdivided spaces for each individual alphanumeric 5530  
character of the information provided by the voter so as to 5531  
accommodate the electronic reading and conversion of the voter's 5532  
information to data and the subsequent electronic transfer of 5533  
that data to the statewide voter registration database 5534  
established under section 3503.15 of the Revised Code. 5535

~~(B) None of the following persons who are registering an 5536  
applicant in the course of that official's or employee's normal 5537  
duties shall sign the person's name, provide the person's 5538  
address, or name the employer who is employing the person to 5539  
register an applicant on a form prepared under this section: 5540~~

~~(1) An election official; 5541~~

~~(2) A county treasurer; 5542~~

~~(3) A deputy registrar of motor vehicles; 5543~~

~~(4) An employee of a designated agency; 5544~~

~~(5) An employee of a public high school; 5545~~

~~(6) An employee of a public vocational school; 5546~~

~~(7) An employee of a public library; 5547~~

~~(8) An employee of the office of a county treasurer; 5548~~

~~(9) An employee of the bureau of motor vehicles; 5549~~

~~(10) An employee of a deputy registrar of motor vehicles; 5550~~

~~(11) An employee of an election official. 5551~~

~~(C)-(D)~~ Except as provided in section 3501.382 of the Revised Code, any applicant who is unable to sign the applicant's own name shall make an "X," if possible, which shall be certified by the signing of the name of the applicant by the person filling out the form, who shall add the person's own signature. If an applicant is unable to make an "X," the applicant shall indicate in some manner that the applicant desires to register to vote or to change the applicant's name ~~or, residence, or political party affiliation~~. The person ~~registering the applicant filling out the form~~ shall sign the form and attest that the applicant indicated that the applicant desired to register to vote or to change the applicant's name ~~or, residence, or political party affiliation~~.

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

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

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

**Sec. 3503.15.** (A) (1) The secretary of state shall

establish and maintain a statewide voter registration database 5582  
that shall be administered by the office of the secretary of 5583  
state and made continuously available to each board of elections 5584  
and to other agencies as authorized by law. 5585

(2) (a) State agencies, including, but not limited to, the 5586  
department of health, the bureau of motor vehicles, the 5587  
department of job and family services, the department of 5588  
medicaid, and the department of rehabilitation and corrections, 5589  
shall provide any information and data to the secretary of state 5590  
that is collected in the course of normal business and that is 5591  
necessary to register to vote, to update an elector's 5592  
registration, or to maintain the statewide voter registration 5593  
database established pursuant to this section, except where 5594  
prohibited by federal law or regulation. The department of 5595  
health, the bureau of motor vehicles, the department of job and 5596  
family services, the department of medicaid, and the department 5597  
of rehabilitation and corrections shall provide that information 5598  
and data to the secretary of state not later than the last day 5599  
of each month. The secretary of state shall ensure that any 5600  
information or data provided to the secretary of state that is 5601  
confidential in the possession of the entity providing the data 5602  
remains confidential while in the possession of the secretary of 5603  
state. No public office, and no public official or employee, 5604  
shall sell that information or data or use that information or 5605  
data for profit. 5606

(b) Information provided under this division for 5607  
maintenance of the statewide voter registration database shall 5608  
not be used to update the name ~~or~~, address, or political party 5609  
affiliation of a registered elector. ~~The~~ Except for cases in 5610  
which an elector's registration is updated under section 5611  
3503.111 of the Revised Code, the name ~~or~~, address, or political 5612



party affiliation of a registered elector shall only be updated 5613  
as a result of the elector's actions in filing a notice of 5614  
change of name, ~~change of address, or both~~ political party 5615  
affiliation, as applicable. 5616

(c) A board of elections shall contact a registered 5617  
elector pursuant to the rules adopted under division (D) (7) of 5618  
this section to verify the accuracy of the information in the 5619  
statewide voter registration database regarding that elector if 5620  
that information does not conform with information provided 5621  
under division (A) (2) (a) of this section and the discrepancy 5622  
would affect the elector's eligibility to cast a regular ballot. 5623

(3) (a) The secretary of state shall enter into agreements 5624  
to share information or data that is in the possession of the 5625  
secretary of state with other states or groups of states, as the 5626  
secretary of state considers necessary, in order to maintain the 5627  
statewide voter registration database established pursuant to 5628  
this section. Except as otherwise provided in division (A) (3) (b) 5629  
of this section, the secretary of state shall ensure that any 5630  
information or data provided to the secretary of state that is 5631  
confidential in the possession of the state providing the data 5632  
remains confidential while in the possession of the secretary of 5633  
state. 5634

(b) The secretary of state may provide such otherwise 5635  
confidential information or data to persons or organizations 5636  
that are engaging in legitimate governmental purposes related to 5637  
the maintenance of the statewide voter registration database. 5638  
The secretary of state shall adopt rules pursuant to Chapter 5639  
119. of the Revised Code identifying the persons or 5640  
organizations who may receive that information or data. The 5641  
secretary of state shall not share that information or data with 5642

a person or organization not identified in those rules. The 5643  
secretary of state shall ensure that a person or organization 5644  
that receives confidential information or data under this 5645  
division keeps the information or data confidential in the 5646  
person's or organization's possession by, at a minimum, entering 5647  
into a confidentiality agreement with the person or 5648  
organization. Any confidentiality agreement entered into under 5649  
this division shall include a requirement that the person or 5650  
organization submit to the jurisdiction of this state in the 5651  
event that the person or organization breaches the agreement. 5652

(4) No person or entity that receives information or data 5653  
under division (A) (3) of this section shall sell the information 5654  
or data or use the information or data for profit. 5655

(5) The secretary of state shall regularly transmit to the 5656  
boards of elections, to the extent permitted by state and 5657  
federal law, the information and data the secretary of state 5658  
receives under divisions (A) (2) and (3) of this section that is 5659  
necessary to do the following, in order to ensure that the 5660  
accuracy of the statewide voter registration database is 5661  
maintained on a regular basis in accordance with applicable 5662  
state and federal law: 5663

(a) Require the boards of elections to maintain the 5664  
database in a manner that ensures that the name of each 5665  
registered elector appears in the database, that only 5666  
individuals who are not registered or eligible to vote are 5667  
removed from the database, and that duplicate registrations are 5668  
eliminated from the database; 5669

(b) Require the boards of elections to make a reasonable 5670  
effort to remove individuals who are not eligible to vote from 5671  
the database; 5672

- (c) Establish safeguards to ensure that eligible electors  
are not removed in error from the database. 5673  
5674
- (B) The statewide voter registration database established 5675  
under this section shall be the official list of registered 5676  
~~voters~~electors for all elections conducted in this state. 5677
- (C) The statewide voter registration database established 5678  
under this section shall, at a minimum, include all of the 5679  
following: 5680
- (1) An electronic network that connects all board of 5681  
elections offices with the office of the secretary of state and 5682  
with the offices of all other boards of elections; 5683
- (2) A computer program that harmonizes the records 5684  
contained in the database with records maintained by each board 5685  
of elections; 5686
- (3) An interactive computer program that allows access to 5687  
the records contained in the database by each board of elections 5688  
and by any persons authorized by the secretary of state to add, 5689  
delete, modify, or print database records, and to conduct 5690  
updates of the database; 5691
- (4) A search program capable of verifying registered 5692  
~~voters~~electors and their registration information by name, 5693  
driver's license number, birth date, social security number, or 5694  
current address; 5695
- (5) Safeguards and components to ensure that the 5696  
integrity, security, and confidentiality of the voter 5697  
registration information is maintained; 5698
- (6) Methods to retain canceled voter registration records 5699  
for not less than five years after they are canceled and to 5700

record the reason for their cancellation. 5701

(D) The secretary of state shall adopt rules pursuant to 5702  
Chapter 119. of the Revised Code doing all of the following: 5703

(1) Specifying the manner in which existing voter 5704  
registration records maintained by boards of elections shall be 5705  
converted to electronic files for inclusion in the statewide 5706  
voter registration database; 5707

(2) Establishing a uniform method for entering voter 5708  
registration records into the statewide voter registration 5709  
database on an expedited basis, but not less than once per day, 5710  
if new registration information is received; 5711

(3) Establishing a uniform method for purging canceled 5712  
voter registration records from the statewide voter registration 5713  
database in accordance with section 3503.21 of the Revised Code; 5714

(4) Specifying the persons authorized to add, delete, 5715  
modify, or print records contained in the statewide voter 5716  
registration database and to make updates of that database; 5717

(5) Establishing a process for annually auditing the 5718  
information contained in the statewide voter registration 5719  
database; 5720

(6) Establishing, by mutual agreement with the bureau of 5721  
motor vehicles, the content and format of the information and 5722  
data the bureau of motor vehicles shall provide to the secretary 5723  
of state under division (A) (2) (a) of this section and the 5724  
frequency with which the bureau shall provide that information 5725  
and data; 5726

(7) Establishing a uniform method for addressing instances 5727  
in which records contained in the statewide voter registration 5728

database do not conform with records maintained by an agency, 5729  
state, or group of states described in division (A) (2) (a) or (3) 5730  
(a) of this section. That method shall prohibit an elector's 5731  
voter registration from being canceled on the sole basis that 5732  
the information in the registration record does not conform to 5733  
records maintained by such an agency. 5734

(E) A board of elections promptly shall purge ~~a voter's an~~ 5735  
elector's name and voter registration information from the 5736  
statewide voter registration database in accordance with the 5737  
rules adopted by the secretary of state under division (D) (3) of 5738  
this section after the cancellation of ~~a voter's an~~ elector's 5739  
registration under section 3503.21 of the Revised Code. 5740

(F) The secretary of state shall provide training in the 5741  
operation of the statewide voter registration database to each 5742  
board of elections and to any persons authorized by the 5743  
secretary of state to add, delete, modify, or print database 5744  
records, and to conduct updates of the database. 5745

(G) (1) The statewide voter registration database 5746  
established under this section shall be made available on a web 5747  
site of the office of the secretary of state as follows: 5748

(a) Except as otherwise provided in division (G) (1) (b) of 5749  
this section, the following information from the statewide voter 5750  
registration database regarding a registered ~~voter~~ elector shall 5751  
be made available on the web site: 5752

(i) The ~~voter's~~ elector's name; 5753

(ii) The ~~voter's~~ elector's address; 5754

(iii) The ~~voter's~~ elector's precinct number; 5755

(iv) The elector's political party affiliation, if any; 5756

- (v) The ~~voter's~~ elector's voting history; 5757
- (vi) Whether the elector is an active elector. 5758
- (b) During the thirty days before the day of a primary or 5759  
general election, the web site interface of the statewide voter 5760  
registration database shall permit a voter to search for the 5761  
~~polling location~~ locations at which that voter may cast a ballot 5762  
in person, obtain mail ballots, or return voted mail ballots. 5763
- (2) The secretary of state shall establish, by rule 5764  
adopted under Chapter 119. of the Revised Code, a process for 5765  
boards of elections to notify the secretary of state of changes 5766  
in the availability or locations of precinct polling places,  5767  
voter service and polling centers, ballot drop boxes, or the 5768  
office of the board for the purpose of updating the information 5769  
made available on the secretary of state's web site under 5770  
division (G) (1) (b) of this section. Those rules shall require a 5771  
board of elections, during the thirty days before the day of a 5772  
primary or general election, to notify the secretary of state 5773  
within one business day of any such change ~~to the location of a 5774  
precinct polling place~~ within the county. 5775
- (3) During the thirty days before the day of a primary or 5776  
general election, not later than one business day after 5777  
receiving a notification from a county pursuant to division (G) 5778  
(2) of this section ~~that the location of a precinct polling 5779  
place has changed~~, the secretary of state shall update that 5780  
information on the secretary of state's web site for the purpose 5781  
of division (G) (1) (b) of this section. 5782
- (H) The secretary of state shall conduct an annual review 5783  
of the statewide voter registration database as follows: 5784
- (1) The secretary of state shall compare the information 5785

in the statewide voter registration database with the 5786  
information the secretary of state obtains from the bureau of 5787  
motor vehicles under division (A) (2) of this section to identify 5788  
any person who does all of the following, in the following 5789  
order: 5790

(a) Submits documentation to the bureau of motor vehicles 5791  
that indicates that the person is not a United States citizen; 5792

(b) Registers to vote, submits a voter registration change 5793  
of residence ~~or~~, change of name, or change of political party 5794  
affiliation form, or votes in this state; 5795

(c) Submits documentation to the bureau of motor vehicles 5796  
that indicates that the person is not a United States citizen. 5797

(2) The secretary of state shall send a written notice to 5798  
each person identified under division (H) (1) of this section, 5799  
instructing the person either to confirm that the person is a 5800  
United States citizen or to submit a completed voter 5801  
registration cancellation form to the secretary of state. The 5802  
secretary of state shall include a blank voter registration 5803  
cancellation form with the notice. If the person fails to 5804  
respond to the secretary of state in the manner described in 5805  
division (H) (3) or (4) of this section not later than thirty 5806  
days after the notice was sent, the secretary of state promptly 5807  
shall send the person a second notice and form. 5808

(3) If, not later than sixty days after the first notice 5809  
was sent, a person who is sent a notice under division (H) (2) of 5810  
this section responds to the secretary of state, confirming that 5811  
the person is a United States citizen, the secretary of state 5812  
shall take no action concerning the person's voter registration. 5813

(4) If, not later than sixty days after the first notice 5814

was sent, a person who receives a notice under division (H) (2) 5815  
of this section sends a completed voter registration 5816  
cancellation form to the secretary of state, the secretary of 5817  
state shall instruct the board of elections of the county in 5818  
which the person is registered to cancel the person's 5819  
registration. 5820

(5) If a person who was sent a second notice under 5821  
division (H) (2) of this section fails to respond to the 5822  
secretary of state in the manner described in division (H) (3) or 5823  
(4) of this section not later than thirty days after the second 5824  
notice was sent, the secretary of state shall refer the matter 5825  
to the attorney general for further investigation and possible 5826  
prosecution under section 3599.11, 3599.12, 3599.13, or any 5827  
other applicable section of the Revised Code. If, after the 5828  
thirtieth day after the second notice was sent, the person sends 5829  
a completed voter registration cancellation form to the 5830  
secretary of state, the secretary of state shall instruct the 5831  
board of elections of the county in which the person is 5832  
registered to cancel the person's registration and shall notify 5833  
the attorney general of the cancellation. 5834

(6) The secretary of state shall not conduct the review 5835  
described in division (H) of this section during the ninety days 5836  
immediately preceding a primary or general election for federal 5837  
office. 5838

**Sec. 3503.16.** (A) ~~Except as otherwise provided in division~~ 5839  
~~(E) of section 111.44 of the Revised Code, whenever~~ Whenever a 5840  
registered elector changes the place of residence of that 5841  
registered elector from one precinct to another within a county 5842  
or from one county to another, ~~or~~ has a change of name, or 5843  
wishes to change the elector's political party affiliation, that 5844



registered elector shall report the change by ~~delivering a~~ 5845  
~~change of residence or change of name form, whichever is~~ 5846  
~~appropriate, as prescribed by the secretary of state under~~ 5847  
~~section 3503.14 of the Revised Code to the state or local office~~ 5848  
~~of a designated agency, a public high school or vocational~~ 5849  
~~school, a public library, the office of the county treasurer,~~ 5850  
~~the office of the secretary of state, any office of the~~ 5851  
~~registrar or deputy registrar of motor vehicles, or any office~~ 5852  
~~of a board of elections in person or by a third person. Any~~ 5853  
~~voter registration, change of address, or change of name~~ 5854  
~~application, returned by mail, may be sent only to the secretary~~ 5855  
~~of state or the board of elections.~~ 5856

A registered elector also may update the registration of 5857  
that registered elector by filing a change of residence or 5858  
change of name form on the day of a special, primary, or general 5859  
election at the polling place in the precinct in which that 5860  
registered elector resides or at the board of elections or at 5861  
another site designated by the board one of the methods 5862  
described in section 3503.19 of the Revised Code. 5863

(B) (1) (a) Any registered elector who moves within a 5864  
precinct on or prior to the day of a general, primary, or 5865  
special election and has not ~~filed a notice of~~ reported the 5866  
change of residence with the board of elections in accordance 5867  
with section 3503.19 of the Revised Code, and any registered 5868  
elector who wishes to change the elector's political party 5869  
affiliation on or prior to the day of a primary election and has 5870  
not reported the change of political party affiliation in 5871  
accordance with that section, may vote in that election by going 5872  
to that registered elector's assigned precinct polling place, a 5873  
voter service and polling center, or the office of the board of 5874  
elections, completing and signing a notice of change of 5875

residence or change of political party affiliation, as 5876  
applicable, and casting a regular ballot in person or by 5877  
submitting a signed notice of change of residence, showing 5878  
identification in the form of a current and valid photo 5879  
identification, a military identification, or a copy of a 5880  
current utility bill, bank statement, government check, 5881  
paycheck, or other government document, other than a notice of 5882  
voter registration mailed by a board of elections under section 5883  
3503.19 of the Revised Code, that shows the name and current 5884  
address of the elector, or change of political party 5885  
affiliation, as applicable, with the elector's application for 5886  
mail ballots under section 3509.03 of the Revised Code and 5887  
casting a ballot mail ballots. 5888

(b) Any (i) Except as otherwise provided in division (B) 5889  
(1) (b) (ii) of this section, any registered elector who changes 5890  
the name of that registered elector and remains within a 5891  
precinct on or prior to the day of a general, primary, or 5892  
special election and has not filed a notice of reported the 5893  
change of name with the board of elections in accordance with 5894  
section 3503.19 of the Revised Code may vote in that election by 5895  
going to that registered elector's assigned precinct polling 5896  
place, a voter service and polling center, or the office of the 5897  
board of elections, completing and signing a notice of a change 5898  
of name, and casting a provisional ballot under section 3505.181 5899  
of the Revised Code. If the registered 5900

(ii) An elector described in division (B) (1) (b) (i) of this 5901  
section may cast a regular ballot in person if the elector 5902  
provides to the precinct election officials a signed notice of 5903  
change of name and proof of a legal name change, such as a 5904  
marriage license or court order that includes the elector's 5905  
current and prior names. Such an elector may cast a regular mail 5906

ballot if the elector submits a signed notice of change of name 5907  
and proof of a legal name change, such as a marriage license or 5908  
court order that includes the elector's current and prior names, 5909  
~~the elector may complete and sign a notice of change of name and~~ 5910  
~~cast a regular ballot~~with the elector's application for mail 5911  
ballots under section 3509.03 of the Revised Code. 5912

(2) Any registered elector who moves from one precinct to 5913  
another within a county or moves from one precinct to another 5914  
and changes the name of that registered elector on or prior to 5915  
the day of a general, primary, or special election and has not 5916  
~~filed a notice of~~reported the change of residence or change of 5917  
name, whichever is appropriate, in accordance with the board of 5918  
~~elections~~section 3503.19 of the Revised Code may vote in that 5919  
election if that registered elector complies with division ~~(G)~~ 5920  
(E) of this section or does all of the following: 5921

(a) Appears at ~~anytime during regular business hours on or~~ 5922  
~~after the twenty eighth day prior to the election in which that~~ 5923  
~~registered elector wishes to vote or, if the election is held on~~ 5924  
~~the day of a presidential primary election, the twenty fifth day~~ 5925  
~~prior to the election, through noon of the Saturday prior to the~~ 5926  
~~election at the office of the board of elections, appears at any~~ 5927  
~~time during regular business hours on the Monday prior to the~~ 5928  
~~election at the office of the board of elections, or appears on~~ 5929  
~~the day of the election at either of the following locations:~~ 5930

~~(i) The polling place for the precinct in which that~~ 5931  
~~registered elector resides;~~ 5932

~~(ii) The office of the board of elections or, if pursuant~~ 5933  
~~to division (C) of section 3501.10 of the Revised Code the board~~ 5934  
~~has designated another location in the county at which~~ 5935  
~~registered electors may vote, at that other location instead of~~ 5936

~~the office of the board of elections. the precinct polling place  
for the precinct in which the elector resides, a voter service  
and polling center, or the office of the board of elections;~~ 5937  
5938  
5939

(b) Completes and signs, under penalty of election 5940  
falsification, the written affirmation on the provisional ballot 5941  
envelope, which shall serve as a notice of change of residence 5942  
or change of name, whichever is appropriate; 5943

(c) Votes a provisional ballot under section 3505.181 of 5944  
the Revised Code ~~at the polling place, at the office of the~~ 5945  
~~board of elections, or, if pursuant to division (C) of section~~ 5946  
~~3501.10 of the Revised Code the board has designated another~~ 5947  
~~location in the county at which registered electors may vote, at~~ 5948  
~~that other location instead of the office of the board of~~ 5949  
~~elections, whichever is appropriate,~~ using the address to which 5950  
that registered elector has moved or the name of that registered 5951  
elector as changed, whichever is appropriate; 5952

~~(d) Completes and signs, under penalty of election~~ 5953  
~~falsification, a statement attesting that that registered~~ 5954  
~~elector moved or had a change of name, whichever is appropriate,~~ 5955  
~~on or prior to the day of the election, has voted a provisional~~ 5956  
~~ballot at the polling place for the precinct in which that~~ 5957  
~~registered elector resides, at the office of the board of~~ 5958  
~~elections, or, if pursuant to division (C) of section 3501.10 of~~ 5959  
~~the Revised Code the board has designated another location in~~ 5960  
~~the county at which registered electors may vote, at that other~~ 5961  
~~location instead of the office of the board of elections,~~ 5962  
~~whichever is appropriate, and will not vote or attempt to vote~~ 5963  
~~at any other location for that particular election.~~ 5964

(C) Any registered elector who moves from one county to 5965  
another county within the state on or prior to the day of a 5966

general, primary, or special election and has not ~~registered to~~ 5967  
~~vote in the county to which that registered elector moved~~ 5968  
reported the change of residence in accordance with section 5969  
3503.19 of the Revised Code may vote in that election if that 5970  
registered elector complies with division ~~(G)~~ (E) of this 5971  
section or does all of the following: 5972

(1) ~~Appears at any time during regular business hours on~~ 5973  
~~or after the twenty eighth day prior to the election in which~~ 5974  
~~that registered elector wishes to vote or, if the election is~~ 5975  
~~held on the day of a presidential primary election, the twenty~~ 5976  
~~fifth day prior to the election, through noon of the Saturday~~ 5977  
~~prior to the election at the office of the board of elections~~ 5978  
~~or, if pursuant to division (C) of section 3501.10 of the~~ 5979  
~~Revised Code the board has designated another location in the~~ 5980  
~~county at which registered electors may vote, at that other~~ 5981  
~~location instead of the office of the board of elections,~~ 5982  
~~appears during regular business hours on the Monday prior to the~~ 5983  
~~election at the office of the board of elections or, if pursuant~~ 5984  
~~to division (C) of section 3501.10 of the Revised Code the board~~ 5985  
~~has designated another location in the county at which~~ 5986  
~~registered electors may vote, at that other location instead of~~ 5987  
~~the office of the board of elections, or appears on the day of~~ 5988  
~~the election at the office of the board of elections or, if~~ 5989  
~~pursuant to division (C) of section 3501.10 of the Revised Code~~ 5990  
~~the board has designated another location in the county at which~~ 5991  
~~registered electors may vote, at that other location instead of~~ 5992  
a voter service and polling center or the office of the board of 5993  
elections; 5994

(2) Completes and signs, under penalty of election 5995  
falsification, the written affirmation on the provisional ballot 5996  
envelope, which shall serve as a notice of change of residence; 5997

(3) Votes a provisional ballot under section 3505.181 of 5998  
the Revised Code at the office of the board of elections or, if 5999  
~~pursuant to division (C) of section 3501.10 of the Revised Code~~ 6000  
~~the board has designated another location in the county at which~~ 6001  
~~registered electors may vote, at that other location instead of~~ 6002  
~~the office of the board of elections, using the address to which~~ 6003  
~~that registered elector has moved.~~ 6004

~~(4) Completes and signs, under penalty of election~~ 6005  
~~falsification, a statement attesting that that registered~~ 6006  
~~elector has moved from one county to another county within the~~ 6007  
~~state on or prior to the day of the election, has voted at the~~ 6008  
~~office of the board of elections or, if pursuant to division (C)~~ 6009  
~~of section 3501.10 of the Revised Code the board has designated~~ 6010  
~~another location in the county at which registered electors may~~ 6011  
~~vote, at that other location instead of the office of the board~~ 6012  
~~of elections, and will not vote or attempt to vote at any other~~ 6013  
~~location for that particular election.~~ 6014

(D) ~~A person who votes by absent voter's ballots pursuant~~ 6015  
~~to division (G) of this section shall not make written~~ 6016  
~~application for the ballots pursuant to Chapter 3509. of the~~ 6017  
~~Revised Code. Ballots cast pursuant to division (G) (E) of this~~ 6018  
section shall be set aside in a special envelope and counted 6019  
during the official canvass of votes in the manner provided for 6020  
in sections 3505.32 and 3509.06 of the Revised Code insofar as 6021  
that manner is applicable. The board shall examine the pollbooks 6022  
to verify that no ballot was cast at the polls or by absent 6023  
voter's ballots under Chapter 3509. or 3511. of the Revised Code 6024  
by an elector who has voted by absent voter's ballots pursuant 6025  
to division (G) of this section. Any ballot determined to be 6026  
insufficient for any of the reasons stated above or stated in 6027  
section 3509.07 of the Revised Code shall not be counted. 6028

~~Subject to division (C) of section 3501.10 of the Revised Code, a board of elections may lease or otherwise acquire a site different from the office of the board at which registered electors may vote pursuant to division (B) or (C) of this section.~~ 6029  
6030  
6031  
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6033

~~(E) Upon receiving a notice of change of residence or change of name, the board of elections shall immediately send the registrant an acknowledgment notice. If the change of residence or change of name notice is valid, the board shall update the voter's registration as appropriate. If that form is incomplete, the board shall inform the registrant in the acknowledgment notice specified in this division of the information necessary to complete or update that registrant's registration.~~ 6034  
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~~(F) Change of residence and change of name forms shall be available at each polling place, and when these forms are completed, noting changes of residence or name, as appropriate, they shall be filed with election officials at the polling place. Election officials shall return completed forms, together with the pollbooks and tally sheets, to the board of elections.~~ 6043  
6044  
6045  
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6048

~~The board of elections shall provide change of residence and change of name forms to the probate court and court of common pleas. The court shall provide the forms to any person eighteen years of age or older who has a change of name by order of the court or who applies for a marriage license. The court shall forward all completed forms to the board of elections within five days after receiving them.~~ 6049  
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6055

~~(G) A registered elector who otherwise would qualify to vote under division (B) or (C) of this section but is unable to appear at the office of the board of elections or, if pursuant~~ 6056  
6057  
6058

~~to division (C) of section 3501.10 of the Revised Code the board~~ 6059  
~~has designated another location in the county at which~~ 6060  
~~registered electors may vote, at that other location, cast~~ 6061  
~~ballots in person on account of personal illness, physical~~ 6062  
~~disability, or infirmity, may apply to the board of elections to~~ 6063  
~~vote on the day of the election if that registered elector does~~ 6064  
~~all of the following:~~ 6065

~~(1) Makes a written application that includes all of the~~ 6066  
~~information required by mail ballots under section 3509.03 or~~ 6067  
~~3509.08 of the Revised Code to the appropriate board for an~~ 6068  
~~absent voter's ballot on or after the twenty-seventh day prior~~ 6069  
~~to the election in which the registered elector wishes to vote~~ 6070  
~~through noon of the Saturday prior to that election and requests~~ 6071  
~~that the absent voter's ballot be sent to the address to which~~ 6072  
~~the registered elector has moved if the registered elector has~~ 6073  
~~moved, or to the address of that registered elector who has not~~ 6074  
~~moved but has had a change of name;~~ 6075

~~(2) Declares that the registered elector has moved or had~~ 6076  
~~a change of name, whichever is appropriate, and otherwise is~~ 6077  
~~qualified to vote under the circumstances described in division~~ 6078  
~~(B) or (C) of this section, whichever is appropriate, but that~~ 6079  
~~the registered elector is unable to appear at the board of~~ 6080  
~~elections because of personal illness, physical disability, or~~ 6081  
~~infirmity;~~ 6082

~~(3) Completes and returns along with the completed absent~~ 6083  
~~voter's ballot. The elector shall include with the elector's~~ 6084  
~~application submitted under section 3509.03 or 3509.08 of the~~ 6085  
~~Revised Code a notice of change of residence indicating the~~ 6086  
~~address to which the registered elector has moved, or a notice~~ 6087  
~~of change of name, whichever is appropriate;~~ 6088



~~(4) Completes and signs, under penalty of election~~ 6089  
~~falsification, and a statement signed under penalty of election~~ 6090  
~~falsification, attesting that the registered elector has moved~~ 6091  
or had a change of name on or prior to the day before the 6092  
election, ~~has voted~~ wishes to vote by absent voter's ballot mail 6093  
ballots because of personal illness, physical disability, or 6094  
infirmity that ~~prevented~~ prevents the registered elector from 6095  
~~appearing at the board of elections casting ballots in person,~~ 6096  
and will not vote or attempt to vote at ~~any other location or by~~ 6097  
~~absent voter's ballot mailed to any other location or address~~ 6098  
another ballot for that particular election. 6099

**Sec. 3503.19.** (A) ~~Persons~~ (1) Except as otherwise provided 6100  
in division (E) of section 111.44 of the Revised Code, persons 6101  
qualified to register or to change their registration because of 6102  
a change of address ~~or,~~ change of name, or change of political 6103  
party affiliation may register or change their registration ~~in~~ 6104  
by doing any of the following: 6105

(a) Submitting a voter registration, change of address, 6106  
change of name, or change of political party affiliation form in 6107  
person or through another person at any state or local office of 6108  
a designated agency, at the office of the registrar or any 6109  
deputy registrar of motor vehicles, at a public high school or 6110  
vocational school, at a public library, at the office of a 6111  
county treasurer, or at a branch office established by the board 6112  
of elections, ~~or in;~~ 6113

(b) Submitting a voter registration, change of address, 6114  
change of name, or change of political party affiliation form in 6115  
person or through another person at a probate court or a court 6116  
of common pleas. The board of elections shall provide the forms 6117  
to the courts, and the courts shall provide the forms to any 6118

person eighteen years of age or older who has a change of name 6119  
by order of the court or who applies for a marriage license. 6120

(c) Submitting a voter registration, change of address, 6121  
change of name, or change of political party affiliation form in 6122  
person, through another person, or by mail at the office of the 6123  
secretary of state or at the office of a ~~any~~ board of elections. 6124  
~~A registered elector may also change the elector's registration~~ 6125  
~~on election day;~~ 6126

(d) Having the elector's registration updated under 6127  
section 3503.111 of the Revised Code; 6128

(e) Submitting an application through the online voter 6129  
registration system under section 3503.20 of the Revised Code; 6130

(f) Submitting a voter registration, change of address, 6131  
change of name, or change of political party affiliation form in 6132  
person to the election officials at any ~~polling place~~ location 6133  
~~where the elector is eligible to vote, in the manner provided~~ 6134  
~~under section 3503.16 of the Revised Code~~ ballots may be cast in 6135  
person. Voter registration, change of address, change of name, 6136  
and change of political party affiliation forms shall be 6137  
available at each such location, and the election officials 6138  
shall return all completed forms to the board of elections. 6139

(g) In the case of a person who is eligible to vote as a 6140  
uniformed services voter or an overseas voter in accordance with 6141  
the Uniformed and Overseas Citizens Absentee Voting Act, 6142  
returning the person's completed voter registration, change of 6143  
address, change of name, or change of political party 6144  
affiliation form electronically to the office of the secretary 6145  
of state or to the board of elections of the county in which the 6146  
person's voting residence is located pursuant to section 6147

3503.191 of the Revised Code. 6148

(2) Any state or local office of a designated agency, the 6149  
office of the registrar or any deputy registrar of motor 6150  
vehicles, a public high school or vocational school, a public 6151  
library, a probate court or court of common pleas, or the office 6152  
of a county treasurer shall transmit any voter registration 6153  
application or change of registration form that it receives to 6154  
the board of elections of the county in which the state or local 6155  
office is located, within five days after receiving the voter 6156  
registration application or change of registration form. 6157

(3) An otherwise valid voter registration application that 6158  
is returned to the appropriate office other than by mail must be 6159  
received by a state or local office of a designated agency, the 6160  
office of the registrar or any deputy registrar of motor 6161  
vehicles, a public high school or vocational school, a public 6162  
library, the office of a county treasurer, a probate court or 6163  
court of common pleas, the office of the secretary of state, or 6164  
the office of a board of elections no later than the thirtieth 6165  
day preceding a primary, special, or general election for the 6166  
person to qualify as an elector eligible to vote at that 6167  
election. An otherwise valid registration application received 6168  
after that day entitles the elector to vote at all subsequent 6169  
elections. 6170

(4) Any state or local office of a designated agency, the 6171  
office of the registrar or any deputy registrar of motor 6172  
vehicles, a public high school or vocational school, a public 6173  
library, a probate court or court of common pleas, or the office 6174  
of a county treasurer shall date stamp a registration 6175  
application or change of name ~~or,~~ change of address, or change 6176  
of political party affiliation form it receives using a date 6177

stamp that does not disclose the identity of the state or local 6178  
office that receives the registration. 6179

(5) Voter registration applications, if otherwise valid, 6180  
that are returned by mail to the office of the secretary of 6181  
state or to the office of a board of elections must be 6182  
postmarked no later than the thirtieth day preceding a primary, 6183  
special, or general election in order for the person to qualify 6184  
as an elector eligible to vote at that election. If an otherwise 6185  
valid voter registration application that is returned by mail 6186  
does not bear a postmark or a legible postmark, the registration 6187  
shall be valid for that election if received by the office of 6188  
the secretary of state or the office of a board of elections no 6189  
later than twenty-five days preceding any special, primary, or 6190  
general election. 6191

(B) (1) Any person may apply in person, by telephone, by 6192  
mail, or through another person for voter registration forms to 6193  
the office of the secretary of state or the office of a board of 6194  
elections. An individual who is eligible to vote as a uniformed 6195  
services voter or an overseas voter in accordance with ~~42 U.S.C.~~ 6196  
~~1973ff-6~~ the Uniformed and Overseas Citizens Absentee Voting Act 6197  
also may apply for voter registration forms by electronic means 6198  
to the office of the secretary of state or to the board of 6199  
elections of the county in which the person's voting residence 6200  
is located pursuant to section 3503.191 of the Revised Code. 6201

~~(2) (a) An applicant may return the applicant's completed~~ 6202  
~~registration form in person or by mail to any state or local~~ 6203  
~~office of a designated agency, to a public high school or~~ 6204  
~~vocational school, to a public library, to the office of a~~ 6205  
~~county treasurer, to the office of the secretary of state, or to~~ 6206  
~~the office of a board of elections. An applicant who is eligible~~ 6207

~~to vote as a uniformed services voter or an overseas voter in accordance with 42 U.S.C. 1973ff-6 also may return the applicant's completed voter registration form electronically to the office of the secretary of state or to the board of elections of the county in which the person's voting residence is located pursuant to section 3503.191 of the Revised Code.~~

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

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

~~(d) If a board of elections or the office of the secretary of state receives a registration form under division (B) (2) (b) or (c) of this section before the thirtieth day before an election, the board or the office of the secretary of state, as applicable, shall forward the registration to the board of elections of the county in which the applicant is seeking to register to vote within ~~ten~~ eight days after receiving the application. If a board of elections or the office of the secretary of state receives a registration form under division (B) (2) (b) or (c) of this section on or after the thirtieth day before an election, the board or the office of the secretary of state, as applicable, shall forward the registration to the board of elections of the county in which the applicant is seeking to register to vote within thirty days after that election.~~

(C) (1) (a) A board of elections that receives a voter

~~registration application, change of address, change of name, or~~ 6238  
~~change of political party affiliation form~~ and is satisfied as 6239  
to the truth of the statements made in the ~~registration~~ form 6240  
shall register the ~~applicant person~~ or update the person's 6241  
~~registration, as applicable,~~ not later than twenty business days 6242  
after receiving the application, unless that application is 6243  
received during the thirty days immediately preceding the day of 6244  
an election. The board shall promptly ~~notify send~~ the ~~applicant~~ 6245  
~~in writing of each elector an acknowledgment notice that~~ 6246  
~~includes all of~~ the following: 6247

~~(a) (i) The applicant's registration fact that the elector~~ 6248  
~~has been registered to vote or had the elector's registration~~ 6249  
~~updated, as applicable;~~ 6250

~~(b) (ii) The political party, if any, with which the~~ 6251  
~~elector is registered as affiliated;~~ 6252

~~(iii) The precinct in which the applicant is to vote~~ 6253  
~~elector resides;~~ 6254

~~(c) (iv) In bold type as follows:~~ 6255

"Voters must ~~bring provide~~ identification ~~to the polls~~ 6256  
~~when voting in person~~ in order to verify identity. 6257  
Identification may include a current and valid photo 6258  
identification, a military identification, or a copy of a 6259  
current utility bill, bank statement, government check, 6260  
paycheck, or other government document, other than this 6261  
notification, that shows the voter's name and current address. 6262  
Voters who do not ~~have or cannot~~ provide one of these documents 6263  
will still be able to vote ~~in person~~ by casting a provisional 6264  
~~ballot or to vote by mail.~~ ~~Voters who do not have any of the~~ 6265  
~~above forms of identification, including a social security~~ 6266

~~number, will still be able to vote by signing an affirmation- 6267  
swearing to the voter's identity under penalty of election- 6268  
falsification and by casting a provisional ballot." 6269~~

(v) If the elector had the elector's registration updated 6270  
under section 3503.111 of the Revised Code, the process to 6271  
decline the update or to submit corrected registration 6272  
information by signing and returning the notice to the secretary 6273  
of state or the board of elections and a statement that if the 6274  
elector declines to have the elector's registration updated, 6275  
that fact will remain confidential and will only be used for 6276  
voter registration purposes. 6277

(b) The notification-acknowledgment notice shall be sent 6278  
by nonforwardable mail. If the mail is returned to the board, it 6279  
shall investigate and cause the notification-acknowledgment 6280  
notice to be delivered to the correct address. 6281

(c) If the board of elections receives a voter 6282  
registration, change of address, change of name, or change of 6283  
political party affiliation form that is incomplete, the board 6284  
shall send the person an acknowledgment notice informing the 6285  
person of the information necessary to complete or update the 6286  
person's registration. 6287

(2) If, after investigating as required under division (C) 6288  
(1) (b) of this section, the board is unable to verify the 6289  
~~voter's-elector's~~ correct address, it shall cause the ~~voter's-~~ 6290  
elector's name in the official registration list and in the poll 6291  
list or signature pollbook to be marked to indicate that the 6292  
~~voter's notification-elector's~~ acknowledgment notice was 6293  
returned to the board. 6294

At the first election at which a ~~voter~~-an elector whose 6295

name has been so marked ~~appears~~ offers to vote, the ~~voter-~~ 6296  
~~elector~~ shall be required to ~~provide identification to the~~ 6297  
~~election officials and to vote by provisional ballot under~~ 6298  
section 3505.181 of the Revised Code. If the provisional ballot 6299  
is counted pursuant to ~~division (B) (3) of~~ section 3505.183 of 6300  
the Revised Code, the board shall correct that ~~voter's~~ elector's 6301  
registration, if needed, and shall remove the indication that 6302  
the ~~voter's notification~~ elector's acknowledgment notice was 6303  
returned from that ~~voter's~~ elector's name on the official 6304  
registration list and on the poll list or signature pollbook. If 6305  
the provisional ballot is not counted pursuant to division (B) 6306  
(4) (a) (i), ~~(v), or (vi)~~ of section 3505.183 of the Revised Code, 6307  
the ~~voter's~~ elector's registration shall be canceled. The board 6308  
shall notify the voter by United States mail of the 6309  
cancellation. 6310

(3) If ~~a~~ an acknowledgment notice of the disposition of 6311  
concerning an otherwise valid registration application is sent 6312  
by nonforwardable mail and is returned undelivered, the person 6313  
shall be registered as provided in division (C) (2) of this 6314  
section and sent a confirmation notice ~~by forwardable mail. If~~ 6315  
~~the person fails to respond to the confirmation notice, update~~ 6316  
~~the person's registration, or vote by provisional ballot as~~ 6317  
~~provided in division (C) (2) of this section in any election~~ 6318  
~~during the period of two federal elections subsequent to the~~ 6319  
~~mailing of the confirmation notice, the person's registration~~ 6320  
~~shall be canceled.~~ 6321

**Sec. 3503.20.** (A) The secretary of state shall establish a 6322  
secure online voter registration system. The system shall 6323  
provide for all of the following: 6324

(1) An applicant to submit a voter registration 6325



application to the secretary of state online through the internet; 6326  
6327

(2) The online applicant to be registered to vote, if all of the following apply: 6328  
6329

(a) The application contains all of the following information: 6330  
6331

(i) The applicant's name; 6332

(ii) The applicant's address; 6333

(iii) The applicant's date of birth; 6334

(iv) The last four digits of the applicant's social security number; 6335  
6336

(v) The applicant's Ohio driver's license number or the number of the applicant's state identification card issued under section 4507.50 of the Revised Code. 6337  
6338  
6339

(b) The applicant's name, address, and date of birth, the last four digits of the applicant's social security number, and the applicant's Ohio driver's license number or the number of the applicant's state identification card as they are provided in the application are not inconsistent with the information on file with the bureau of motor vehicles; 6340  
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(c) The applicant is a United States citizen, will have lived in this state for thirty days immediately preceding the next election, will be at least eighteen years of age on or before the day of the next general election, and is otherwise eligible to register to vote; 6346  
6347  
6348  
6349  
6350

(d) The applicant attests to the truth and accuracy of the information submitted in the online application under penalty of 6351  
6352

election falsification. 6353

(3) The application shall include spaces for the applicant 6354  
to provide the applicant's telephone number and electronic mail 6355  
address, if the applicant wishes to do so. 6356

(4) The application shall include a list of the political 6357  
parties that are currently recognized in this state and allow 6358  
the applicant to select not more than one party with which the 6359  
applicant wishes to be affiliated. The application also shall 6360  
include a means by which the applicant may indicate that the 6361  
applicant does not wish to be affiliated with a political party. 6362  
The application shall state that the applicant is not required 6363  
to select a political party. If the applicant does not select a 6364  
political party, or if the applicant indicates that the 6365  
applicant does not wish to be affiliated with a political party, 6366  
the applicant, upon registration, shall not be affiliated with 6367  
any political party. 6368

(B) If an individual registers to vote or a registered 6369  
elector updates the elector's name, address, or ~~both~~ political 6370  
party affiliation under this section, the secretary of state 6371  
shall obtain an electronic copy of the applicant's or elector's 6372  
signature that is on file with the bureau of motor vehicles. 6373  
That electronic signature shall be used as the applicant's or 6374  
elector's signature on voter registration records, for all 6375  
election and signature-matching purposes. 6376

(C) The secretary of state shall employ whatever security 6377  
measures the secretary of state considers necessary to ensure 6378  
the integrity and accuracy of voter registration information 6379  
submitted electronically pursuant to this section. Errors in 6380  
processing voter registration applications in the online system 6381  
shall not prevent an applicant from becoming registered or from 6382

voting. 6383

(D) The online voter registration application established 6384  
under division (A) of this section shall include the following 6385  
language: 6386

"By clicking the box below, I affirm all of the following 6387  
under penalty of election falsification, which is a felony of 6388  
the fifth degree: 6389

(1) I am the person whose name and identifying information 6390  
is provided on this form, and I desire to register to vote, or 6391  
update my voter registration, in the State of Ohio. 6392

(2) All of the information I have provided on this form is 6393  
true and correct as of the date I am submitting this form. 6394

(3) I am a United States citizen. 6395

(4) I will have lived in Ohio for thirty days immediately 6396  
preceding the next election. 6397

(5) I will be at least eighteen years of age on or before 6398  
the day of the next general election. 6399

(6) I authorize the Bureau of Motor Vehicles to transmit 6400  
to the Ohio Secretary of State my signature that is on file with 6401  
the Bureau of Motor Vehicles, and I understand and agree that 6402  
the signature transmitted by the Bureau of Motor Vehicles will 6403  
be used by the Secretary of State to validate this electronic 6404  
voter registration application as if I had signed this form 6405  
personally." 6406

In order to register to vote or update a voter 6407  
registration under division (A) of this section, an applicant or 6408  
elector shall be required to mark the box in the online voter 6409  
registration application that appears in conjunction with the 6410

previous statement. 6411

~~(E) The online voter registration process established~~ 6412  
~~under division (A) of this section shall be in operation and~~ 6413  
~~available for use by individuals who wish to register to vote or~~ 6414  
~~update their voter registration information online not earlier~~ 6415  
~~than January 1, 2017.~~ During the period beginning on the first 6416  
day after the close of voter registration before an election and 6417  
ending on the day of the election, the online voter registration 6418  
system shall display a notice indicating that the applicant will 6419  
not be registered to vote for the purposes of that election. 6420

(F) Notwithstanding section 1.50 of the Revised Code, if 6421  
any provision of this section or of division (E) of section 6422  
3503.14 of the Revised Code is held invalid, or if the 6423  
application of any provision of this section or of that division 6424  
to any person or circumstance is held invalid, then this section 6425  
and that division cease to operate. 6426

**Sec. 3503.21.** (A) The registration of a registered elector 6427  
shall be canceled upon the occurrence of any of the following: 6428

(1) The filing by a registered elector of a written 6429  
request with a board of elections or the secretary of state, on 6430  
a form prescribed by the secretary of state and signed by the 6431  
elector, that the registration be canceled. The filing of such a 6432  
request does not prohibit an otherwise qualified elector from 6433  
reregistering to vote at any time. 6434

(2) The filing of a notice of the death of a registered 6435  
elector as provided in section 3503.18 of the Revised Code; 6436

(3) The filing with the board of elections of a certified 6437  
copy of the death certificate of a registered elector by the 6438  
deceased elector's spouse, parent, or child, by the 6439

administrator of the deceased elector's estate, or by the 6440  
executor of the deceased elector's will; 6441

(4) The conviction of the registered elector of a felony 6442  
under the laws of this state, any other state, or the United 6443  
States as provided in section 2961.01 of the Revised Code; 6444

(5) The adjudication of incompetency of the registered 6445  
elector for the purpose of voting as provided in section 6446  
5122.301 of the Revised Code; 6447

(6) The change of residence of the registered elector to a 6448  
location outside the county of registration, in accordance with 6449  
~~division (B) of this section 3503.33 of the Revised Code;~~ 6450

(7) (a) The failure of the registered elector, after having 6451  
been mailed a confirmation notice, to do either one or more of 6452  
the following at least once during a period of four consecutive 6453  
years, which period shall include two federal general elections: 6454

~~(a) (i) Respond to such a confirmation notice and vote at~~ 6455  
~~least once during a period of four consecutive years, which~~ 6456  
~~period shall include two general federal elections;~~ 6457

~~(b) (ii) Update the elector's registration and vote at~~ 6458  
~~least once during a period of four consecutive years, which~~ 6459  
~~period shall include two general federal elections;~~ 6460

(iii) Have the elector's registration updated under 6461  
section 3503.111 of the Revised Code; 6462

(iv) Vote in an election. 6463

(b) The registration of a registered elector described in 6464  
division (A) (7) (a) of this section shall be canceled not later 6465  
than one hundred twenty days after the date of the second 6466  
federal general election occurring after the elector is mailed a 6467

confirmation notice or not later than one hundred twenty days 6468  
after the expiration of the four-year period described in that 6469  
division, whichever is later, provided that the registration 6470  
shall not be canceled during the ninety days immediately 6471  
preceding a federal primary or general election. 6472

(8) The receipt by the board of elections of a 6473  
cancellation notice or request pursuant to section 111.44 of the 6474  
Revised Code. 6475

~~(B)(1) The secretary of state shall prescribe procedures~~ 6476  
~~to identify and cancel the registration in a prior county of~~ 6477  
~~residence of any registrant who changes the registrant's voting~~ 6478  
~~residence to a location outside the registrant's current county~~ 6479  
~~of registration. Any procedures prescribed in this division~~ 6480  
~~shall be uniform and nondiscriminatory, and shall comply with~~ 6481  
~~the Voting Rights Act of 1965. The secretary of state may~~ 6482  
~~prescribe procedures under this division that include the use of~~ 6483  
~~the national change of address service provided by the United~~ 6484  
~~States postal system through its licensees. Any program so~~ 6485  
~~prescribed shall be completed not later than ninety days prior~~ 6486  
~~to the date of any primary or general election for federal~~ 6487  
~~office.~~ 6488

~~(2) The registration of any elector identified as having~~ 6489  
~~changed the elector's voting residence to a location outside the~~ 6490  
~~elector's current county of registration shall not be canceled~~ 6491  
~~unless the registrant is sent a confirmation notice on a form~~ 6492  
~~prescribed by the secretary of state and the registrant fails to~~ 6493  
~~respond to the confirmation notice or otherwise update the~~ 6494  
~~registration and fails to vote in any election during the period~~ 6495  
~~of two federal elections subsequent to the mailing of the~~ 6496  
~~confirmation notice.~~ 6497

~~(C) The registration of a registered elector shall not be canceled except as provided in this section, section 111.44 of the Revised Code, division (Q) of section 3501.05 of the Revised Code, division (C) (2) of section 3503.19 of the Revised Code, or division (C) of section 3503.24 of the Revised Code.~~

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

~~(E) The registration of a registered elector described in division (A) (7) or (B) (2) of this section shall be canceled not later than one hundred twenty days after the date of the second general federal election in which the elector fails to vote or not later than one hundred twenty days after the expiration of the four year period in which the elector fails to vote or respond to a confirmation notice, whichever is later.~~

~~(F) (1)~~ (C) (1) When a registration is canceled pursuant to 6529  
division (A) (2) or (3) of this section, the applicable board of 6530  
elections shall send a written notice, on a form prescribed by 6531  
the secretary of state, to the address at which the elector was 6532  
registered, informing the recipient that the elector's 6533  
registration has been canceled, of the reason for the 6534  
cancellation, and that if the cancellation was made in error, 6535  
the elector may contact the board of elections to correct the 6536  
error. 6537

(2) If the elector's registration is canceled pursuant to 6538  
division (A) (2) or (3) of this section in error, it shall be 6539  
restored and treated as though it were never canceled. 6540

**Sec. 3503.23.** (A) Fourteen days before an election, the 6541  
board of elections shall cause to be prepared from the statewide 6542  
voter registration database established under section 3503.15 of 6543  
the Revised Code a complete and official registration list for 6544  
each precinct, containing the names, addresses, and political 6545  
party ~~whose ballot the elector voted in the most recent primary~~ 6546  
~~election within the current year and the immediately preceding~~ 6547  
~~two calendar years,~~ affiliations of all qualified registered 6548  
~~voters~~ electors in the precinct, except as otherwise provided in 6549  
section 111.44 of the Revised Code. ~~All~~ 6550

An elector's political party affiliation shall be 6551  
determined based on the elector's registration form or most 6552  
recent change of political party affiliation form. If the 6553  
elector was registered before the effective date of this 6554  
amendment, the elector's registration form shall be considered 6555  
to indicate an affiliation with the political party whose ballot 6556  
the elector voted at the most recent primary election within the 6557  
year of that effective date and the immediately preceding two 6558



calendar years.

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All the names, insofar as practicable, shall be arranged  
in alphabetical order. The lists may be prepared either in sheet  
form on one side of the paper or in electronic form, at the  
discretion of the board. Each precinct list shall be headed  
"Register of Voters," and under the heading shall be indicated  
the district or ward and precinct.

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Appended to each precinct list shall be attached the names  
of the members of the board and the name of the director. A  
sufficient number of such lists shall be provided for  
distribution to the candidates, political parties, or organized  
groups that apply for them. The board shall have each precinct  
list available at the board for viewing by the public during  
normal business hours. The board shall ensure that, by the  
opening of ~~the polls~~ a location where ballots may be cast in  
person on the a given day of a general or primary election, each  
precinct the location has a paper copy of the registration list  
of voters ~~in that precinct who are eligible to cast ballots at~~  
that location.

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(B) ~~On the day of~~ During the time that ballots may be cast  
for a general or primary election, precinct the election  
officials shall do both of the following:

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(1) ~~By the time the polls open, conspicuously~~  
Conspicuously post and display at the polling place each  
location where ballots may be cast in person one copy of the  
registration list of voters ~~in that precinct who are eligible to~~  
cast ballots at that location in an area of the polling place  
location that is easily accessible;

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(2) ~~At 11 a.m. and 4 p.m. place~~ Place a mark, on the

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~~official registration list posted at the polling place,~~ before 6588  
the name of those registered voters who have voted. 6589

(C) Notwithstanding division (B) of section 3501.35 of the 6590  
Revised Code, any person may enter ~~the polling place~~ a location 6591  
where ballots may be cast in person for the sole purpose of 6592  
reviewing the official registration list posted in accordance 6593  
with division (B) of this section, provided that the person does 6594  
not engage in conduct that would constitute harassment in 6595  
violation of the election law, as defined in section 3501.90 of 6596  
the Revised Code. 6597

**Sec. 3503.24.** (A) Application for the correction of any 6598  
precinct registration list or a challenge of the right to vote 6599  
of any registered elector may be made by any qualified elector 6600  
at the office of the board of elections not later than the 6601  
thirtieth day before the day of the election. The applications 6602  
or challenges, with the reasons for the application or 6603  
challenge, shall be filed with the board in person or by mail on 6604  
a form prescribed by the secretary of state. The form shall 6605  
include the applicant's or challenger's address and voting 6606  
precinct and shall be signed under penalty of election 6607  
falsification. 6608

(B) On receiving an application or challenge filed under 6609  
this section, the board of elections promptly shall review the 6610  
board's records. If the board is able to determine that an 6611  
application or challenge should be granted or denied solely on 6612  
the basis of the records maintained by the board, the board 6613  
immediately shall vote to grant or deny that application or 6614  
challenge. 6615

If the board is not able to determine whether an 6616  
application or challenge should be granted or denied solely on 6617

the basis of the records maintained by the board, the director 6618  
shall promptly set a time and date for a hearing before the 6619  
board. The hearing shall be held, and the application or 6620  
challenge shall be decided, no later than ten days after the 6621  
board receives the application or challenge. The director shall 6622  
send written notice to any elector whose right to vote is 6623  
challenged and to any person whose name is alleged to have been 6624  
omitted from a registration list. The notice shall inform the 6625  
person of the time and date of the hearing, and of the person's 6626  
right to appear and testify, call witnesses, and be represented 6627  
by counsel. The notice shall be sent by first class mail no 6628  
later than three days before the day of any scheduled hearing. 6629  
Except as otherwise provided in division (D) of this section, 6630  
the director shall also provide the person who filed the 6631  
application or challenge with such written notice of the date 6632  
and time of the hearing. 6633

At the request of either party or any member of the board, 6634  
the board shall issue subpoenas to witnesses to appear and 6635  
testify before the board at a hearing held under this section. 6636  
All witnesses shall testify under oath. The board shall reach a 6637  
decision on all applications and challenges immediately after 6638  
hearing. 6639

(C) If the board decides that any such person is not 6640  
entitled to have the person's name on the registration list, the 6641  
person's name shall be removed from the list and the person's 6642  
registration forms canceled. If the board decides that the name 6643  
of any such person should appear on the registration list, it 6644  
shall be added to the list, and the person's registration forms 6645  
placed in the proper registration files. All such corrections 6646  
and additions shall be made on a copy of the precinct lists, 6647  
which shall constitute the poll lists, to be furnished to the 6648

~~respective precincts—locations where ballots may be cast in~~ 6649  
~~person, along with other election supplies—on the day preceding~~ 6650  
~~the election,~~ to be used by the election officials in receiving 6651  
the signatures of voters and in checking against the 6652  
registration forms. 6653

(D) If an elector who is the subject of an application or 6654  
challenge hearing has a confidential voter registration record, 6655  
as described in section 111.44 of the Revised Code, all of the 6656  
following apply: 6657

(1) If the elector's right to vote has been challenged, 6658  
the person who filed the challenge shall not receive notice of 6659  
the date and time of any hearing held concerning the challenge, 6660  
shall not be permitted to attend the hearing, and shall not 6661  
receive notice of the disposition of the challenge. 6662

(2) If the elector is the subject of an application for 6663  
the correction of the precinct registration list and the elector 6664  
is not the person who filed the application, the person who 6665  
filed the application shall not receive notice of the date and 6666  
time of any hearing held concerning the application, shall not 6667  
be permitted to attend the hearing, and shall not receive notice 6668  
of the disposition of the application. 6669

(3) Notwithstanding section 121.22 of the Revised Code, 6670  
any hearing held concerning the application or challenge shall 6671  
not be open to the public. 6672

(4) Any records created as a result of the application or 6673  
challenge that include the elector's residence address or 6674  
precinct shall not be open to public inspection. 6675

**Sec. 3503.26.** (A) All registration forms and lists, when 6676  
not in official use by the registrars or ~~precinct~~ election 6677

officials, shall be in the possession of the board of elections. 6678  
Names and addresses of electors may be copied from the 6679  
registration lists only in the office of the board when it is 6680  
open for business; but no such copying shall be permitted during 6681  
the period of time commencing twenty-one days before an election 6682  
and ending on the eleventh day after an election if such copying 6683  
will, in the opinion of the board, interfere with the necessary 6684  
work of the board. Except as provided in section 111.44 of the 6685  
Revised Code, the board shall keep in convenient form and 6686  
available for public inspection a correct set of the 6687  
registration lists of all precincts in the county. 6688

(B) Notwithstanding division (A) of this section, and 6689  
except as provided in section 111.44 of the Revised Code, the 6690  
board of elections shall maintain and make available for public 6691  
inspection and copying at a reasonable cost all records 6692  
concerning the implementation of programs and activities 6693  
conducted for the purpose of ensuring the accuracy and currency 6694  
of voter registration lists, including the names and addresses 6695  
of all registered electors sent confirmation notices and whether 6696  
or not the elector responded to the confirmation notice. The 6697  
board shall maintain all records described in this division for 6698  
a period of two years. 6699

**Sec. 3503.28.** (A) The secretary of state shall develop an 6700  
information brochure regarding voter registration. The brochure 6701  
shall include, but is not limited to, all of the following 6702  
information: 6703

(1) The applicable deadlines for registering to vote or 6704  
for returning an applicant's completed registration form; 6705

~~(2) The applicable deadline for returning an applicant's~~ 6706  
~~completed registration form if the person returning the form is~~ 6707

~~being compensated for registering voters;~~ 6708

~~(3) The locations to which a person may return an  
applicant's completed registration form;~~ 6709  
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~~(4) The location to which a person who is compensated for  
registering voters may return an applicant's completed  
registration form;~~ 6711  
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~~(5) The registration and affirmation requirements  
applicable to persons who are compensated for registering voters  
under section 3503.29 of the Revised Code;~~ 6714  
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~~(6) (3) A notice, which shall be written in bold type,  
stating as follows:~~ 6717  
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~~"Voters must bring provide identification ~~to the polls~~  
when casting ballots in person in order to verify identity.  
Identification may include 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 voter  
registration notification sent by a board of elections, that  
shows the voter's name and current address. Voters who do not  
have or cannot provide one of these documents will still be able  
to vote by casting a provisional ballot in person or by casting  
a mail ballot. ~~Voters who do not have any of the above forms of~~  
~~identification, including a social security number, will still~~  
~~be able to vote by signing an affirmation swearing to the~~  
~~voter's identity under penalty of election falsification and by~~  
~~casting a provisional ballot."~~ 6719  
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(B) Except as otherwise provided in division (D) of this 6734  
section, a board of elections, designated agency, public high 6735  
school, public vocational school, public library, office of a 6736

county treasurer, or deputy registrar of motor vehicles shall 6737  
distribute a copy of the brochure developed under division (A) 6738  
of this section to any person who requests more than two voter 6739  
registration forms at one time. 6740

(C) (1) The secretary of state shall provide the 6741  
information required to be included in the brochure developed 6742  
under division (A) of this section to any person who prints a 6743  
voter registration form that is made available on a web site of 6744  
the office of the secretary of state. 6745

(2) If a board of elections operates and maintains a web 6746  
site, the board shall provide the information required to be 6747  
included in the brochure developed under division (A) of this 6748  
section to any person who prints a voter registration form that 6749  
is made available on that web site. 6750

(D) A board of elections shall not be required to 6751  
distribute a copy of a brochure under division (B) of this 6752  
section to any of the following officials or employees who are 6753  
requesting more than two voter registration forms at one time in 6754  
the course of the official's or employee's normal duties: 6755

- (1) An election official; 6756
- (2) A county treasurer; 6757
- (3) A deputy registrar of motor vehicles; 6758
- (4) An employee of a designated agency; 6759
- (5) An employee of a public high school; 6760
- (6) An employee of a public vocational school; 6761
- (7) An employee of a public library; 6762
- (8) An employee of the office of a county treasurer; 6763

(9) An employee of the bureau of motor vehicles; 6764

(10) An employee of a deputy registrar of motor vehicles; 6765

(11) An employee of an election official. 6766

~~(E) As used in this section, "registering voters" includes any effort, for compensation, to provide voter registration forms or to assist persons in completing or returning those forms.~~ 6767  
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**Sec. 3503.30.** (A) When by mistake a qualified elector has 6771  
caused ~~himself~~the elector to be registered in a precinct which 6772  
was not ~~his~~the elector's place of residence, the board of 6773  
elections, on full and satisfactory proof that such error was 6774  
committed by mistake, may, on ~~his~~the elector's personal 6775  
application and proof of ~~his~~the elector's true residence, 6776  
correct ~~his~~the elector's registration form. The board may 6777  
correct all errors occurring in the registration of electors 6778  
when it finds that the errors subject to correction were not of 6779  
fraudulent intent. 6780

(B) When by mistake a qualified elector has been 6781  
registered under section 3503.111 of the Revised Code in a 6782  
precinct that is not the elector's place of residence, the board 6783  
of elections, upon application of the elector and proof of the 6784  
elector's true residence, shall correct the elector's 6785  
registration form. If the elector casts a provisional ballot 6786  
because the elector's registration has been updated erroneously 6787  
under that section, the elector's provisional ballot shall be 6788  
eligible to be counted, as described in division (E) of section 6789  
3505.183 of the Revised Code. 6790

**Sec. 3503.33.** (A) If an elector applying for registration 6791  
is already registered in another state or in another county 6792



within this state, the elector shall declare this fact ~~to the~~ 6793  
~~registration officer and shall sign on the registration form,~~ 6794  
which shall operate as an authorization to cancel the previous 6795  
~~registration on a form prescribed by the secretary of state.~~ 6796

(B) When the board of elections updates an elector's 6797  
registration under section 3503.111 of the Revised Code, if the 6798  
board is aware of the elector's previous residence address and 6799  
that address is located in another state or in another county 6800  
within this state, the board shall create a notice to cancel the 6801  
previous registration for the purpose of complying with division 6802  
(C) of this section. 6803

(C) The director of the board of elections shall mail all 6804  
~~such~~ authorizations and notices described in division (A) or (B) 6805  
of this section to the board of elections or comparable agency 6806  
of the proper state and county. In the case of a notice 6807  
described in division (B) of this section, the board shall 6808  
include with the notice a copy of the elector's most recent 6809  
registration form. Upon the receipt of this authorization from 6810  
the forwarding county, the director of a board of elections in 6811  
Ohio, upon a comparison of the elector's signature with the 6812  
elector's signature as it appears on the registration files, 6813  
shall remove the elector's registration from the files, and 6814  
place it with the cancellation authorization in a separate file 6815  
which shall be kept for a period of two calendar years. The 6816  
board shall notify the elector at the present address ~~as~~ shown 6817  
on the cancellation authorization or notice that his 6818  
elector's prior registration has been canceled. 6819

(D) If, after the cancellation of an elector's prior 6820  
registration under division (C) of this section, the board of 6821  
elections that sent the notice under division (B) of this 6822

section receives a declination to update the elector's 6823  
registration under section 3503.111 of the Revised Code, the 6824  
board shall notify the board of elections or comparable agency 6825  
to which the board sent the notice under division (B) of this 6826  
section to restore the elector's previous registration and treat 6827  
it as though it were never canceled. 6828

**Sec. 3504.01.** Each citizen of the United States who, on 6829  
the day of the succeeding presidential election, will be 6830  
eighteen years of age or over, who has moved the citizen's 6831  
residence from this state not more than ninety days prior to the 6832  
day of such presidential election, who has not registered to 6833  
vote in the state to which that citizen has moved that citizen's 6834  
residence, and who, because of that citizen's removal from this 6835  
state, is not entitled to vote for the offices of president and 6836  
vice-president or for presidential and vice-presidential 6837  
electors in the state of that citizen's current residence may be 6838  
entitled to vote in this state, in the precinct in which that 6839  
citizen's voting residence was located at the time the citizen 6840  
moved from this state, for presidential and vice-presidential 6841  
electors but for no other offices if the citizen meets all of 6842  
the following conditions: 6843

(A) The citizen otherwise possesses the substantive 6844  
qualifications to vote in this state, except the requirements of 6845  
residence and registration. 6846

(B) The citizen complies with sections 3504.01 to 3504.06 6847  
of the Revised Code. 6848

(C) The citizen completes ~~a certificate of intent~~ an 6849  
application to vote in a presidential election under section 6850  
3504.02 of the Revised Code under penalty of election 6851  
falsification. 6852

**Sec. 3504.02.** (A) Any citizen who desires to vote in a 6853  
presidential election under this chapter shall, not later than 6854  
four p.m. of the thirtieth day prior to the date of the 6855  
presidential election, complete ~~a certificate of intent~~ an 6856  
application to vote for presidential and vice-presidential 6857  
electors. The ~~certificate of intent~~ application shall be 6858  
completed in duplicate on a form prescribed by the secretary of 6859  
state ~~that~~ and may be obtained and filed personally in the 6860  
office of the board of elections of the county in which such 6861  
person last resided before removal from this state, or mailed to 6862  
such board of elections. 6863

(B) Immediately following the spaces on the ~~certificate~~ 6864  
application for inserting information as requested by the 6865  
secretary of state, the following statement shall be printed: "I 6866  
declare under penalty of election falsification that the 6867  
statements herein contained are true to the best of my knowledge 6868  
and belief; that I am legally qualified to vote; that I am not 6869  
registered to vote in any other state; and that I have not voted 6870  
in an election in any other state since removing myself from the 6871  
state of Ohio. 6872

\_\_\_\_\_ 6873

Signature of applicant 6874

\_\_\_\_\_ 6875

Date 6876

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 6877  
FELONY OF THE ~~FIFTH~~ FOURTH DEGREE." 6878

(C) If the applicant has a confidential voter registration 6879  
record, as described in section 111.44 of the Revised Code, the 6880  
applicant may include the applicant's program participant 6881

identification number instead of the applicant's residence 6882  
address or precinct in the ~~certificate of intent~~ application. 6883

**Sec. 3504.04.** (A) ~~Except as provided in division (B) of~~ 6884  
~~this section, on or~~ Not later than the fourteenth day before the 6885  
day of a presidential election day, the director of the board of 6886  
elections shall send a presidential mail ballot to each former 6887  
resident who has submitted a valid application under section 6888  
3504.02 of the Revised Code and shall deliver to the polling 6889  
place each location where ballots may be cast in person a list 6890  
of persons who have ~~filed certificates of intent to vote as~~ 6891  
~~former resident voters~~ submitted valid applications under that 6892  
section and who appear, from their voting address ~~addresses,~~ 6893  
entitled to vote ~~cast ballots in person at such polling place~~ 6894  
that location. ~~Those persons whose names appear on the list of~~ 6895  
~~former resident voters, and who have otherwise complied with~~ 6896  
~~sections 3504.01 to 3504.06 of the Revised Code, Such a person~~ 6897  
shall then be entitled to vote only for presidential and vice- 6898  
presidential electors ~~only~~ either by casting a presidential 6899  
ballot in person at their ~~the person's precinct polling place on~~ 6900  
~~election day or by absent voter's ballots,~~ at a voter service 6901  
and polling center, or at the office of the board, or by 6902  
returning a voted presidential mail ballot in accordance with 6903  
section 3509.05 of the Revised Code. ~~Such voter who votes at~~ 6904  
~~that voter's polling place on election day~~ If the person casts a 6905  
presidential ballot in person, the person shall sign that 6906  
~~voter's~~ person's name in the poll book or poll list followed by, 6907  
"Former Resident's Presidential Ballot." ~~Qualified former~~ 6908  
~~residents shall be entitled to cast absent voter's ballots for~~ 6909  
~~presidential and vice presidential electors.~~ 6910

(B) The list of persons described in division (A) of this 6911  
section shall not include any person who has a confidential 6912

voter registration record, as described in section 111.44 of the Revised Code. Such a person may vote for presidential and vice-presidential electors only by casting ~~absent voter's mail~~ ballots.

**Sec. 3504.05.** The director of the board of elections shall forward copies of all ~~certificates of intent applications~~ received from former residents to the secretary of state no later than the twenty-fifth day prior to the day of the election in which such former resident desires to vote. Upon receipt of such ~~certificate applications,~~ the secretary of state shall immediately notify the chief elections officer of the state of each applicant's prior residence of the fact that such applicant has ~~declared his intention applied~~ to vote for presidential and vice-presidential electors in this state.

**Sec. 3505.01.** (A) (1) Except as otherwise provided in section 3519.08 of the Revised Code, on the seventieth day before the day of the next general election, the secretary of state shall certify to the board of elections of each county the forms of the official ballots to be used at that general election, together with the names of the candidates to be printed on those ballots whose candidacy is to be submitted to the electors of the entire state. On the seventieth day before a special election to be held on the day specified by division (E) of section 3501.01 of the Revised Code for the holding of a primary election, designated by the general assembly for the purpose of submitting to the voters of the state constitutional amendments proposed by the general assembly, the secretary of state shall certify to the board of elections of each county the forms of the official ballots to be used at that election.

(2) The board of the most populous county in each district

comprised of more than one county but less than all of the 6943  
counties of the state, in which there are candidates whose 6944  
candidacies are to be submitted to the electors of that 6945  
district, shall, on the seventieth day before the day of the 6946  
next general election, certify to the board of each county in 6947  
the district the names of those candidates to be printed on such 6948  
ballots. 6949

(3) The board of a county in which the major portion of a 6950  
subdivision, located in more than one county, is located shall, 6951  
on the seventieth day before the day of the next general 6952  
election, certify to the board of each county in which other 6953  
portions of that subdivision are located the names of candidates 6954  
whose candidacies are to be submitted to the electors of that 6955  
subdivision, to be printed on such ballots. 6956

(B) If, subsequently to the seventieth day before and 6957  
prior to the ~~tenth~~ thirtieth day before the day of a general 6958  
election, a certificate is filed with the secretary of state to 6959  
fill a vacancy caused by the death of a candidate, the secretary 6960  
of state shall forthwith make a supplemental certification to 6961  
the board of each county amending and correcting the secretary 6962  
of state's original certification provided for in the first 6963  
paragraph of this section. If, within that time, such a 6964  
certificate is filed with the board of the most populous county 6965  
in a district comprised of more than one county but less than 6966  
all of the counties of the state, or with the board of a county 6967  
in which the major portion of the population of a subdivision, 6968  
located in more than one county, is located, the board with 6969  
which the certificate is filed shall forthwith make a 6970  
supplemental certification to the board of each county in the 6971  
district or to the board of each county in which other portions 6972  
of the subdivision are located, amending and correcting its 6973

original certification provided for in division (A) (2) or (3) of 6974  
this section. If, at the time such supplemental certification is 6975  
received by a board, ballots carrying the name of the deceased 6976  
candidate have been printed, the board shall cause strips of 6977  
paper bearing the name of the candidate certified to fill the 6978  
vacancy to be printed and pasted on ~~those~~ the ballots that have 6979  
not yet been sent to electors so as to cover the name of the 6980  
deceased candidate, except that ~~in voting places for ballots to~~ 6981  
be cast using marking devices, the board shall cause strips of 6982  
paper bearing the revised list of candidates for the office, 6983  
after certification of a candidate to fill the vacancy, to be 6984  
printed and pasted on the ballot cards so as to cover the names 6985  
of candidates shown prior to the new certification, before such 6986  
ballots are delivered to electors. 6987

**Sec. 3505.03.** On the office type ballot shall be printed 6988  
the names of all candidates for election to offices, except 6989  
judicial offices, who were nominated at the most recent primary 6990  
election as candidates of a political party or who were 6991  
nominated in accordance with section 3513.02 of the Revised 6992  
Code, and the names of all candidates for election to offices 6993  
who were nominated by nominating petitions, except candidates 6994  
for judicial offices, for member of the state board of 6995  
education, for member of a board of education, for municipal 6996  
offices, and for township offices. 6997

The face of the ballot below the stub shall be 6998  
substantially in the following form: 6999

"OFFICIAL OFFICE TYPE BALLOT 7000

(A) To vote for a candidate record your vote in the manner 7001  
provided next to the name of such candidate. 7002

(B) If you tear, soil, deface, or erroneously mark this ballot, return it to the ~~precinct~~-election ~~officers~~-officials or, if you cannot return it, notify the ~~precinct~~-election ~~officers~~ officials, and obtain another ballot."

The order in which the offices shall be listed on the ballot shall be prescribed by, and certified to each board of elections by, the secretary of state; provided that for state, district, and county offices the order from top to bottom shall be as follows: governor and lieutenant governor, attorney general, auditor of state, secretary of state, treasurer of state, United States senator, representative to congress, state senator, state representative, county commissioner, county auditor, prosecuting attorney, clerk of the court of common pleas, sheriff, county recorder, county treasurer, county engineer, and coroner. The offices of governor and lieutenant governor shall be printed on the ballot in a manner that requires a voter to cast one vote jointly for the candidates who have been nominated by the same political party or petition.

The names of all candidates for an office shall be arranged in a group under the title of that office, and, except for ~~absentee-mail~~ ballots or when the number of candidates for a particular office is the same as the number of candidates to be elected for that office, shall be rotated from one precinct to another. On ~~absentee-mail~~ ballots, the names of all candidates for an office shall be arranged in a group under the title of that office and shall be so alternated that each name shall appear, insofar as may be reasonably possible, substantially an equal number of times at the beginning, at the end, and in each intermediate place, if any, of the group in which such name belongs, unless the number of candidates for a particular office is the same as the number of candidates to be elected for that



office. 7034

The method of printing the ballots to meet the rotation 7035  
requirement of this section shall be as follows: the least 7036  
common multiple of the number of names in each of the several 7037  
groups of candidates shall be used, and the number of changes 7038  
made in the printer's forms in printing the ballots shall 7039  
correspond with that multiple. The board of elections shall 7040  
number all precincts in regular serial sequence. In the first 7041  
precinct, the names of the candidates in each group shall be 7042  
listed in alphabetical order. In each succeeding precinct, the 7043  
name in each group that is listed first in the preceding 7044  
precinct shall be listed last, and the name of each candidate 7045  
shall be moved up one place. ~~In each precinct using paper~~ 7046  
~~ballots, the~~ The printed ballots shall then be assembled in 7047  
tablets. 7048

Under the name of each candidate nominated at a primary 7049  
election, nominated by petition under section 3517.012 of the 7050  
Revised Code, or certified by a party committee to fill a 7051  
vacancy under section 3513.31 of the Revised Code shall be 7052  
printed, in less prominent type face than that in which the 7053  
candidate's name is printed, the name of the political party by 7054  
which the candidate was nominated or certified. Under the name 7055  
of each candidate appearing on the ballot who filed a nominating 7056  
petition and requested a ballot designation as a nonparty 7057  
candidate under section 3513.257 of the Revised Code shall be 7058  
printed, in less prominent type face than that in which the 7059  
candidate's name is printed, the designation of "nonparty 7060  
candidate." Under the name of each candidate appearing on the 7061  
ballot who filed a nominating petition and requested a ballot 7062  
designation as an other-party candidate under section 3513.257 7063  
of the Revised Code shall be printed, in less prominent type 7064

face than that in which the candidate's name is printed, the 7065  
designation of "other-party candidate." No designation shall 7066  
appear under the name of a candidate appearing on the ballot who 7067  
filed a nominating petition and requested that no ballot 7068  
designation appear under the candidate's name under section 7069  
3513.257 of the Revised Code, or who filed a nominating petition 7070  
and failed to request a ballot designation either as a nonparty 7071  
candidate or as an other-party candidate under that section. 7072

Except as provided in this section, no words, 7073  
designations, or emblems descriptive of a candidate or the 7074  
candidate's political affiliation, or indicative of the method 7075  
by which the candidate was nominated or certified, shall be 7076  
printed under or after a candidate's name that is printed on the 7077  
ballot. 7078

**Sec. 3505.06.** (A) On the questions and issues ballot shall 7079  
be printed all questions and issues to be submitted at any one 7080  
election together with the percentage of affirmative votes 7081  
necessary for passage as required by law. Such ballot shall have 7082  
printed across the top thereof, and below the stubs, "Official 7083  
Questions and Issues Ballot." 7084

(B) (1) Questions and issues shall be grouped together on 7085  
the ballot from top to bottom as provided in division (B) (1) of 7086  
this section, except as otherwise provided in division (B) (2) of 7087  
this section. State questions and issues shall always appear as 7088  
the top group of questions and issues. In calendar year 1997, 7089  
the following questions and issues shall be grouped together on 7090  
the ballot, in the following order from top to bottom, after the 7091  
state questions and issues: 7092

(a) County questions and issues; 7093

- (b) Municipal questions and issues; 7094
- (c) Township questions and issues; 7095
- (d) School or other district questions and issues. 7096

In each succeeding calendar year after 1997, each group of 7097  
questions and issues described in division (B)(1)(a) to (d) of 7098  
this section shall be moved down one place on the ballot except 7099  
that the group that was last on the ballot during the 7100  
immediately preceding calendar year shall appear at the top of 7101  
the ballot after the state questions and issues. The rotation 7102  
shall be performed only once each calendar year, beginning with 7103  
the first election held during the calendar year. The rotation 7104  
of groups of questions and issues shall be performed during each 7105  
calendar year as required by division (B)(1) of this section, 7106  
even if no questions and issues from any one or more such groups 7107  
appear on the ballot at any particular election held during that 7108  
calendar year. 7109

(2) Questions and issues shall be grouped together on the 7110  
ballot, from top to bottom, in the following order when it is 7111  
not practicable to group them together as required by division 7112  
(B)(1) of this section because of the type of voting machines 7113  
used by the board of elections: state questions and issues, 7114  
county questions and issues, municipal questions and issues, 7115  
township questions and issues, and school or other district 7116  
questions and issues. The particular order in which each of a 7117  
group of state questions or issues is placed on the ballot shall 7118  
be determined by, and certified to each board of elections by, 7119  
the secretary of state. 7120

(3) Failure of the board of elections to rotate questions 7121  
and issues as required by division (B)(1) of this section does 7122

not affect the validity of the election at which the failure 7123  
occurred, and is not grounds for contesting an election under 7124  
section 3515.08 of the Revised Code. 7125

(C) The particular order in which each of a group of 7126  
county, municipal, township, or school district questions or 7127  
issues is placed on the ballot shall be determined by the board 7128  
providing the ballots. 7129

(D) The printed matter pertaining to each question or 7130  
issue on the ballot shall be enclosed at the top and bottom 7131  
thereof by a heavy horizontal line across the width of the 7132  
ballot. Immediately below such top line shall be printed a brief 7133  
title descriptive of the question or issue below it, such as 7134  
"Proposed Constitutional Amendment," "Proposed Bond Issue," 7135  
"Proposed Annexation of Territory," "Proposed Increase in Tax 7136  
Rate," or such other brief title as will be descriptive of the 7137  
question or issue to which it pertains, together with a brief 7138  
statement of the percentage of affirmative votes necessary for 7139  
passage, such as "A sixty-five per cent affirmative vote is 7140  
necessary for passage," "A majority vote is necessary for 7141  
passage," or such other brief statement as will be descriptive 7142  
of the percentage of affirmative votes required. 7143

(E) The questions and issues ballot need not contain the 7144  
full text of the proposal to be voted upon. A condensed text 7145  
that will properly describe the question, issue, or an amendment 7146  
proposed by other than the general assembly shall be used as 7147  
prepared and certified by the secretary of state for state-wide 7148  
questions or issues or by the board for local questions or 7149  
issues. If other than a full text is used, the full text of the 7150  
proposed question, issue, or amendment together with the 7151  
percentage of affirmative votes necessary for passage as 7152

required by law shall be posted in each ~~polling place~~ location 7153  
where ballots may be cast in person in some spot that is easily 7154  
accessible to the voters. 7155

(F) Each question and issue appearing on the questions and 7156  
issues ballot may be consecutively numbered. The question or 7157  
issue determined to appear at the top of the ballot may be 7158  
designated on the face thereof by the Arabic numeral "1" and all 7159  
questions and issues placed below on the ballot shall be 7160  
consecutively numbered. Such numeral shall be placed below the 7161  
heavy top horizontal line enclosing such question or issue and 7162  
to the left of the brief title thereof. 7163

**Sec. 3505.08.** (A) Ballots shall be provided by the board 7164  
of elections for all general and special elections. The ballots 7165  
shall be printed with black ink on No. 2 white book paper fifty 7166  
pounds in weight per ream assuming such ream to consist of five 7167  
hundred sheets of such paper twenty-five by thirty-eight inches 7168  
in size. Each ballot shall have attached at the top two stubs, 7169  
each of the width of the ballot and not less than one-half inch 7170  
in length, except that, if the board of elections has an 7171  
alternate method to account for the ballots that the secretary 7172  
of state has authorized, each ballot may have only one stub that 7173  
shall be the width of the ballot and not less than one-half inch 7174  
in length. In the case of ballots with two stubs, the stubs 7175  
shall be separated from the ballot and from each other by 7176  
perforated lines. The top stub shall be known as Stub B and 7177  
shall have printed on its face "Stub B." The other stub shall be 7178  
known as Stub A and shall have printed on its face "Stub A." 7179  
Each stub shall also have printed on its face "Consecutive 7180  
Number \_\_\_\_\_" 7181

Each ballot of each kind of ballot provided for use in 7182

each precinct shall be numbered consecutively beginning with 7183  
number 1 by printing such number upon both of the stubs attached 7184  
to the ballot. On ballots bearing the names of candidates, each 7185  
candidate's name shall be printed in twelve point boldface upper 7186  
case type in an enclosed rectangular space, and an enclosed 7187  
blank rectangular space shall be provided at the left of the 7188  
candidate's name. The name of the political party of a candidate 7189  
nominated at a primary election, nominated by petition under 7190  
section 3517.012 of the Revised Code, or certified by a party 7191  
committee shall be printed in ten point lightface upper and 7192  
lower case type and shall be separated by a two point blank 7193  
space. The name of each candidate shall be indented one space 7194  
within the enclosed rectangular space, and the name of the 7195  
political party shall be indented two spaces within the enclosed 7196  
rectangular space. 7197

The title of each office on the ballots shall be printed 7198  
in twelve point boldface upper and lower case type in a separate 7199  
enclosed rectangular space. A four point rule shall separate the 7200  
name of a candidate or a group of candidates for the same office 7201  
from the title of the office next appearing below on the ballot; 7202  
a two point rule shall separate the title of the office from the 7203  
names of candidates; and a one point rule shall separate names 7204  
of candidates. Headings shall be printed in display Roman type. 7205  
When the names of several candidates are grouped together as 7206  
candidates for the same office, there shall be printed on the 7207  
ballots immediately below the title of the office and within the 7208  
separate rectangular space in which the title is printed "Vote 7209  
for not more than \_\_\_\_\_," in six point boldface upper and 7210  
lower case filling the blank space with that number which will 7211  
indicate the number of persons who may be lawfully elected to 7212  
the office. 7213

Columns on ballots shall be separated from each other by a heavy vertical border or solid line at least one-eighth of an inch wide, and a similar vertical border or line shall enclose the left and right side of ballots. Ballots shall be trimmed along the sides close to such lines.

The ballots provided for by this section shall be comprised of four kinds of ballots designated as follows: office type ballot; nonpartisan ballot; questions and issues ballot; and presidential ballot.

On the back of each office type ballot shall be printed "Official Office Type Ballot;" on the back of each nonpartisan ballot shall be printed "Official Nonpartisan Ballot;" on the back of each questions and issues ballot shall be printed "Official Questions and Issues Ballot;" and on the back of each presidential ballot shall be printed "Official Presidential Ballot." At the end of every ballot also shall be printed the date of the election at which the ballot is used and the facsimile signatures of the members of the board of the county in which the ballot is used. For the purpose of identifying the kind of ballot, the back of every ballot may be numbered in the order the board shall determine. The numbers shall be printed in not less than thirty-six point type above the words "Official Office Type Ballot," "Official Nonpartisan Ballot," "Official Questions and Issues Ballot," or "Official Presidential Ballot," as the case may be. A ballot box bearing corresponding numbers shall be furnished for each ~~precinct~~ location where ballots may be cast in person in which the above-described numbered ballots are used.

On the back of every ballot used, there shall be a solid black line printed opposite the blank rectangular space that is

used to mark the choice of the voter. This line shall be printed 7244  
wide enough so that the mark in the blank rectangular space will 7245  
not be visible from the back side of the ballot. 7246

Sample ballots may be printed by the board of elections 7247  
for all general elections. The ballots shall be printed on 7248  
colored paper, and "Sample Ballot" shall be plainly printed in 7249  
boldface type on the face of each ballot. In counties of less 7250  
than one hundred thousand population, the board may print not 7251  
more than five hundred sample ballots; in all other counties, it 7252  
may print not more than one thousand sample ballots. The sample 7253  
ballots shall not be distributed by a political party or a 7254  
candidate, nor shall a political party or candidate cause their 7255  
title or name to be imprinted on sample ballots. 7256

(B) Notwithstanding division (A) of this section, in 7257  
approving the form of an official ballot, the secretary of state 7258  
may authorize the use of fonts, type face settings, and ballot 7259  
formats other than those prescribed in that division. 7260

**Sec. 3505.10.** (A) On the presidential ballot below the 7261  
stubs at the top of the face of the ballot shall be printed 7262  
"Official Presidential Ballot" centered between the side edges 7263  
of the ballot. Below "Official Presidential Ballot" shall be 7264  
printed a heavy line centered between the side edges of the 7265  
ballot. Below the line shall be printed "Instruction to Voters" 7266  
centered between the side edges of the ballot, and below those 7267  
words shall be printed the following instructions: 7268

"(1) To vote for the candidates for president and vice- 7269  
president whose names are printed below, record your vote in the 7270  
manner provided next to the names of such candidates. That 7271  
recording of the vote will be counted as a vote for each of the 7272  
candidates for presidential elector whose names have been 7273



certified to the secretary of state and who are members of the 7274  
same political party as the nominees for president and vice- 7275  
president. A recording of the vote for independent candidates 7276  
for president and vice-president shall be counted as a vote for 7277  
the presidential electors filed by such candidates with the 7278  
secretary of state. 7279

(2) To vote for candidates for president and vice- 7280  
president in the blank space below, record your vote in the 7281  
manner provided and write the names of your choice for president 7282  
and vice-president under the respective headings provided for 7283  
those offices. Such write-in will be counted as a vote for the 7284  
candidates' presidential electors whose names have been properly 7285  
certified to the secretary of state. 7286

(3) If you tear, soil, deface, or erroneously mark this 7287  
ballot, return it to the ~~precinct~~-election ~~officers~~-officials 7288  
or, if you cannot return it, notify the ~~precinct~~-election 7289  
~~officers~~-officials, and obtain another ballot." 7290

(B) Below those instructions to the voter shall be printed 7291  
a single vertical column of enclosed rectangular spaces equal in 7292  
number to the number of presidential candidates plus one 7293  
additional space for write-in candidates. Each of those 7294  
rectangular spaces shall be enclosed by a heavy line along each 7295  
of its four sides, and such spaces shall be separated from each 7296  
other by one-half inch of open space. 7297

In each of those enclosed rectangular spaces, except the 7298  
space provided for write-in candidates, shall be printed the 7299  
names of the candidates for president and vice-president 7300  
certified to the secretary of state or nominated in one of the 7301  
following manners: 7302

(1) Nominated by the national convention of a political party to which delegates and alternates were elected in this state at the next preceding primary election. A political party certifying candidates so nominated shall certify the names of those candidates to the secretary of state on or before the ninetieth day before the day of the general election.

(2) Nominated by nominating petition in accordance with section 3513.257 of the Revised Code. Such a petition shall be filed on or before the ninetieth day before the day of the general election to provide sufficient time to verify the sufficiency and accuracy of signatures on it.

(3) Certified to the secretary of state for placement on the presidential ballot by authorized officials of a minor political party that has held a state or national convention for the purpose of choosing those candidates or that may, without a convention, certify those candidates in accordance with the procedure authorized by its party rules. The officials shall certify the names of those candidates to the secretary of state on or before the ninetieth day before the day of the general election. The certification shall be accompanied by a designation of a sufficient number of presidential electors to satisfy the requirements of law.

The names of candidates for electors of president and vice-president shall not be placed on the ballot, but shall be certified to the secretary of state as required by sections 3513.11 and 3513.257 of the Revised Code. A vote for any candidates for president and vice-president shall be a vote for the electors of those candidates whose names have been certified to the secretary of state.

(C) The arrangement of the printing in each of the

enclosed rectangular spaces shall be substantially as follows: 7333  
Near the top and centered within the rectangular space shall be 7334  
printed "For President" in ten-point boldface upper and lower 7335  
case type. Below "For President" shall be printed the name of 7336  
the candidate for president in twelve-point boldface upper case 7337  
type. Below the name of the candidate for president shall be 7338  
printed the name of the political party by which that candidate 7339  
for president was nominated in eight-point lightface upper and 7340  
lower case type. Below the name of such political party shall be 7341  
printed "For Vice-President" in ten-point boldface upper and 7342  
lower case type. Below "For Vice-President" shall be printed the 7343  
name of the candidate for vice-president in twelve-point 7344  
boldface upper case type. Below the name of the candidate for 7345  
vice-president shall be printed the name of the political party 7346  
by which that candidate for vice-president was nominated in 7347  
eight-point lightface upper and lower case type. Except for 7348  
candidates nominated by petition under section 3517.012 of the 7349  
Revised Code, no political identification or name of any 7350  
political party shall be printed below the names of presidential 7351  
and vice-presidential candidates nominated by petition. 7352

The rectangular spaces on the ballot described in this 7353  
section shall be rotated and printed as provided in section 7354  
3505.03 of the Revised Code. 7355

**Sec. 3505.11.** (A) The Subject to section 3501.291 of the 7356  
Revised Code, the ballots to be used in a precinct polling 7357  
place, with the stubs attached, shall be bound into tablets for 7358  
each precinct, which tablets shall contain at least one per cent 7359  
more ballots than the total registration in the precinct, except 7360  
as otherwise provided in division (B) of this section. Upon the 7361  
covers of the tablets shall be written, printed, or stamped the 7362  
designation of the precinct for which the ballots have been 7363

prepared. All official ballots shall be printed uniformly upon 7364  
the same kind and quality of paper and shall be of the same 7365  
shape, size, and type. 7366

Electors who ~~have failed to respond within thirty days to~~ 7367  
~~any confirmation notice~~ are not active electors shall not be 7368  
counted in determining the number of ballots to be printed under 7369  
this section. 7370

(B) (1) ~~A~~ Subject to section 3501.291 of the Revised Code, 7371  
a board of elections may choose to provide ballots on demand for 7372  
a precinct polling place. If a board so chooses, the board shall 7373  
have prepared for each precinct at least five per cent more 7374  
ballots for an election than the number specified below for that 7375  
kind of election: 7376

(a) For a primary election or a special election held on 7377  
the day of a primary election, the total number of electors in 7378  
that precinct who voted in the primary election held four years 7379  
previously; 7380

(b) For a general election or a special election held on 7381  
the day of a general election, the total number of electors in 7382  
that precinct who voted in the general election held four years 7383  
previously; 7384

(c) For a special election held at any time other than on 7385  
the day of a primary or general election, the total number of 7386  
electors in that precinct who voted in the most recent primary 7387  
or general election, whichever of those elections occurred in 7388  
the precinct most recently. 7389

(2) If, after the board complies with the requirements of 7390  
division (B) (1) of this section, the election officials of a 7391  
precinct determine that the precinct will not have enough 7392

ballots to enable all the qualified electors in the precinct who 7393  
wish to vote at a particular election to do so, the officials 7394  
shall request that the board provide additional ballots, and the 7395  
board shall provide enough additional ballots, to that precinct 7396  
in a timely manner so that all qualified electors in that 7397  
precinct who wish to vote at that election may do so. 7398

**Sec. 3505.12.** The board of elections shall cause to be 7399  
printed in English in twelve-point type on paper or cardboard 7400  
instructions as issued by the secretary of state for the 7401  
guidance of electors in marking their ballots. Such instructions 7402  
shall inform the voters as to how to prepare the ballots for 7403  
voting, how to obtain a new ballot in case of accidentally 7404  
spoiling one, and, in a smaller type, a summary of the important 7405  
sections of the penal law relating to crimes against the 7406  
elective franchise. The ~~precinct~~-election officials shall cause 7407  
one or more such cards of instructions to be posted immediately 7408  
in front of or on ~~the polling place~~ each location where ballots 7409  
may be cast in person and in each voting shelf ~~one or more of~~ 7410  
~~such cards of instructions.~~ 7411

**Sec. 3505.16.** Before the opening of ~~the polls~~ a location 7412  
where ballots may be cast in person, the package of supplies and 7413  
the ballot box shall be opened in the presence of the ~~precinct~~ 7414  
election officials. The ballot box, the package of ballots, 7415  
registration forms, and other supplies shall at all times be in 7416  
full sight of the observers, and no ballot box or unused ballots 7417  
during the balloting or counting shall be removed or screened 7418  
from their full sight until ~~the counting has been closed and the~~ 7419  
~~final returns completed and the certificate signed by the judges~~ 7420  
all procedures for closing the location for the day have been 7421  
completed. 7422

**Sec. 3505.17.** If by accident or casualty the ballots or 7423  
other required papers, lists, or supplies are lost or destroyed, 7424  
or in case none are delivered at ~~the polling place~~ a location 7425  
where ballots may be cast in person, or if during the time the 7426  
~~polls are~~ location is open additional ballots or supplies are 7427  
required, the board of elections, upon requisition by telephone 7428  
or in writing and signed by a majority of the ~~precinct~~ election 7429  
officials of the ~~precinct~~ location stating why such additional 7430  
supplies are needed, shall supply them as speedily as possible. 7431

**Sec. 3505.18.** (A) (1) When an elector appears ~~in a polling~~ 7432  
~~place to vote~~ cast ballots in person at a precinct polling 7433  
place, a voter service and polling center, or the office of the 7434  
board of elections, the elector shall announce to the ~~precinct~~ 7435  
election officials the elector's full name and current address 7436  
and provide proof of the elector's identity in the form of a 7437  
current and valid photo identification, a military 7438  
identification, or a copy of a current utility bill, bank 7439  
statement, government check, paycheck, or other government 7440  
document, other than ~~a~~ an acknowledgment notice of voter 7441  
~~registration~~ mailed by a board of elections under section 7442  
3503.19 of the Revised Code, that shows the name and current 7443  
address of the elector. 7444

(2) If an elector does not have or is unable to provide to 7445  
the ~~precinct~~ election officials any of the forms of 7446  
identification required under division (A) (1) of this section, 7447  
the elector may vote and return mail ballots sent to the elector 7448  
under section 3509.01 of the Revised Code, request mail ballots 7449  
at a voter service and polling center or the office of the 7450  
board, or cast a provisional ballot under section 3505.181 of 7451  
the Revised Code ~~and do either of the following:~~ 7452

~~(a) Write the elector's driver's license or state  
identification card number or the last four digits of the  
elector's social security number on the provisional ballot  
envelope; or~~ 7453  
7454  
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7456

~~(b) Appear at the office of the board of elections not  
later than the seventh day after the day of the election and  
provide the identification required under division (A) (1) of  
this section, the elector's driver's license or state  
identification card number, or the last four digits of the  
elector's social security number at any location where ballots  
may be cast in person.~~ 7457  
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~~(B) (3) After the elector has announced the elector's full  
name and current address and provided any of the forms of  
identification required under division (A) (1) of this section,  
the elector shall write-sign the elector's ~~name and address~~  
signature at the proper place in the poll list or signature  
pollbook provided for the purpose, except that if, for any  
reason, an elector is unable to write-sign the elector's ~~name~~  
~~and current address~~ signature in the poll list or signature  
pollbook, the elector may make the elector's mark at the place  
intended for the elector's ~~name~~ signature, and a ~~precinct~~ an  
election official shall write the name of the elector at the  
proper place on the poll list or signature pollbook following  
the elector's mark. The making of such a mark shall be attested  
by the ~~precinct~~ election official, who shall evidence the same  
by signing the ~~precinct~~ election official's ~~name~~ signature on  
the poll list or signature pollbook as a witness to the mark.  
Alternatively, if applicable, an attorney in fact acting  
pursuant to section 3501.382 of the Revised Code may sign the  
elector's signature in the poll list or signature pollbook in  
accordance with that section.~~ 7464  
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(4) The elector's signature in the poll list or signature pollbook then shall be compared with the elector's signature on the elector's registration form or a digitized signature list as provided for in section 3503.13 of the Revised Code, and if, in the opinion of a majority of the ~~precinct~~ election officials, the signatures are the signatures of the same person, the election officials shall enter the date of the election on the registration form or shall record the date by other means prescribed by the secretary of state. The validity of an attorney in fact's signature on behalf of an elector shall be determined in accordance with section 3501.382 of the Revised Code.

(5) If the right of the elector to vote is not then challenged, or, if being challenged, the elector establishes the elector's right to vote, the elector shall be allowed to proceed ~~to use the voting machine vote~~. If ~~voting machines paper ballots with stubs~~ are ~~not~~ being used in that ~~precinct location~~, the ~~precinct~~ election official in charge of ballots shall then detach the next ballots to be issued to the elector from Stub B attached to each ballot, leaving Stub A attached to each ballot, hand the ballots to the elector, and call the elector's name and the stub number on each of the ballots. The ~~precinct~~ election official shall enter the stub numbers opposite the signature of the elector in the pollbook. The elector shall then retire to one of the voting compartments to mark the elector's ballots. No mark shall be made on any ballot which would in any way enable any person to identify the person who voted the ballot.

(B) When a person returns voted mail ballots to the election officials at a precinct polling place or a voter service and polling center located in the county in which the voter resides, the election officials shall secure the mail



ballots in a separate container from the ballots being cast in 7515  
person at that location and shall deliver the mail ballots to 7516  
the office of the board in accordance with section 3505.26 of 7517  
the Revised Code. 7518

**Sec. 3505.181.** (A) All of the following individuals shall 7519  
be permitted to cast a provisional ballot at an election at any 7520  
location where ballots may be cast in person: 7521

(1) An individual who declares that the individual is a 7522  
registered voter in the precinct in which the individual desires 7523  
to vote and that the individual is eligible to vote in an 7524  
election, but the name of the individual does not appear on the 7525  
official list of eligible voters for the precinct or an election 7526  
official asserts that the individual is not eligible to vote; 7527

(2) An individual who does not have or is unable to 7528  
provide to the election officials any of the forms of 7529  
identification required under division (A) (1) of section 3505.18 7530  
of the Revised Code to cast a ballot in person and who does not 7531  
cast mail ballots instead; 7532

~~(3) An individual whose name in the poll list or signature~~ 7533  
~~pollbook has been marked under section 3509.09 or 3511.13 of the~~ 7534  
~~Revised Code as having requested an absent voter's ballot or a~~ 7535  
~~uniformed services or overseas absent voter's ballot for that~~ 7536  
~~election and who appears to vote at the polling place;~~ 7537

~~(4) An individual whose notification of registration name~~ 7538  
~~in the poll list or signature pollbook has been marked because~~ 7539  
~~the individual's acknowledgment notice has been returned~~ 7540  
undelivered to the board of elections ~~and whose name in the~~ 7541  
~~official registration list and in the poll list or signature~~ 7542  
~~pollbook has been marked under division (C) (2) of section~~ 7543

~~3503.19 of the Revised Code;~~ 7544

~~(5)~~ (4) An individual who has been successfully challenged 7545  
under section 3505.20 ~~or 3513.20~~ of the Revised Code; 7546

~~(6)~~ (5) An individual who changes the individual's name 7547  
and remains within the precinct without providing proof of that 7548  
name change under division (B) (1) (b) of section 3503.16 of the 7549  
Revised Code, moves from one precinct to another within a 7550  
county, moves from one precinct to another and changes the 7551  
individual's name, or moves from one county to another within 7552  
the state, and completes and signs the required forms and 7553  
statements under division (B) or (C) of section 3503.16 of the 7554  
Revised Code; 7555

~~(7)~~ (6) An individual whose signature, in the opinion of 7556  
the precinct officers under section 3505.22 of the Revised Code, 7557  
is not that of the person who signed that name in the 7558  
registration forms. 7559

(B) An individual who is eligible to cast a provisional 7560  
ballot under division (A) of this section shall be permitted to 7561  
cast a provisional ballot as follows: 7562

(1) An election official ~~at the polling place~~ shall notify 7563  
the individual that the individual may cast a provisional ballot 7564  
in that election. 7565

(2) Except as otherwise provided in division ~~(F)~~ (E) of 7566  
this section, the individual shall complete and execute a 7567  
written affirmation before an election official ~~at the polling~~ 7568  
~~place~~ stating that the individual is both of the following: 7569

(a) A registered voter in the precinct in which the 7570  
individual desires to vote; 7571

(b) Eligible to vote in that election. 7572

(3) An election official ~~at the polling place shall~~ 7573  
transmit the ballot cast by the individual and the voter 7574  
information contained in the written affirmation executed by the 7575  
individual under division (B) (2) of this section to ~~an~~ 7576  
~~appropriate local election official~~ the board of elections for 7577  
verification under division (B) (4) of this section. 7578

(4) If the ~~appropriate local election official to whom the~~ 7579  
~~ballot or voter or address information is transmitted under~~ 7580  
~~division (B) (3) of this section~~ board of elections determines 7581  
that the individual is eligible to vote, the individual's 7582  
provisional ballot shall be counted as a vote in that election. 7583

(5) ~~(a)~~ At the time that an individual casts a provisional 7584  
ballot, the ~~appropriate local election official~~ shall give the 7585  
individual written ~~information that states that any~~ instructions 7586  
for the individual who casts a provisional ballot will be able 7587  
to ascertain ~~under the system established under division (B) (5)~~ 7588  
~~(b) of this section whether the vote was counted, and, if the~~ 7589  
~~vote was not counted, the reason that the vote was not counted~~ 7590  
the status of the individual's provisional ballot using the 7591  
tracking number printed on or affixed to the provisional ballot 7592  
envelope, as described in section 3509.051 of the Revised Code. 7593

~~(b) The appropriate state or local election official shall~~ 7594  
~~establish a free access system, in the form of a toll free~~ 7595  
~~telephone number, that any individual who casts a provisional~~ 7596  
~~ballot may access to discover whether the vote of that~~ 7597  
~~individual was counted, and, if the vote was not counted, the~~ 7598  
~~reason that the vote was not counted. The free access system~~ 7599  
~~established under this division also shall provide to an~~ 7600  
~~individual whose provisional ballot was not counted information~~ 7601

~~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-ten 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 7632  
of the board of elections and provide to the board ~~any~~ 7633  
~~additional information necessary to determine the eligibility of~~ 7634  
~~the individual who cast the provisional ballot.~~ 7635

~~(a) For a provisional ballot cast by an individual who~~ 7636  
~~does not have or is unable to provide to the election officials~~ 7637  
~~any of the required forms of identification to be eligible to be~~ 7638  
~~counted, the individual who cast that ballot, within seven days~~ 7639  
~~after the day of the election, shall do either of the following:~~ 7640

~~(i) Provide to the board of elections proof of the~~ 7641  
~~individual's identity in the form of a current and valid photo~~ 7642  
~~identification, a military identification, or a copy of a~~ 7643  
~~current utility bill, bank statement, government check,~~ 7644  
~~paycheck, or other government document, other than a notice of~~ 7645  
~~voter registration mailed by a board of elections under section~~ 7646  
~~3503.19 of the Revised Code, that shows the individual's name~~ 7647  
~~and current address; or~~ 7648

~~(ii) Provide to the board of elections the individual's~~ 7649  
~~driver's license or state identification card number or the last~~ 7650  
~~four digits of the individual's social security number.~~ 7651

~~(b) For a provisional ballot cast by an individual who has~~ 7652  
~~been successfully challenged under section 3505.20 of the~~ 7653  
~~Revised Code to be eligible to be counted, the individual who~~ 7654  
~~cast that ballot, within seven days after the day of that~~ 7655  
~~election, shall provide to the board of elections any~~ 7656  
~~identification or other documentation required to be provided by~~ 7657  
~~the applicable challenge questions asked of that individual~~ 7658  
~~under section 3505.20 of the Revised Code.~~ 7659

(C) (1) If an individual ~~declares that the individual is~~ 7660

~~eligible requests~~ to vote in a precinct other than the precinct 7661  
in which the individual ~~desires~~ appears to be eligible to vote, 7662  
~~or if, upon~~ based on an election official's review of the 7663  
precinct voting location guide using the residential street 7664  
address provided by the individual, ~~an election official at the~~ 7665  
~~precinct at which the individual desires to vote determines that~~ 7666  
~~the individual is not eligible to vote in that precinct,~~ the 7667  
election official shall direct the individual to vote in the 7668  
~~precinct and polling place~~ in which the individual appears to be 7669  
eligible to vote, explain that the individual may cast a 7670  
provisional ballot ~~at the current location~~ in the precinct in 7671  
which the individual requests to vote but the ballot or a 7672  
portion of the ballot will not be counted if it is cast in the 7673  
wrong precinct, and provide the telephone number of the board of 7674  
elections in case the individual has additional questions. 7675

(2) If the individual refuses to ~~travel to~~ vote in the 7676  
correct precinct ~~or to the office of the board of elections to~~ 7677  
~~cast a ballot,~~ the individual shall be permitted to vote a 7678  
provisional ballot ~~at that~~ in the precinct in which the 7679  
individual requests to vote in accordance with division (B) of 7680  
this section. If the individual is in ~~the correct polling a~~ 7681  
~~location for~~ in which ballots may be cast in the precinct in 7682  
which the individual is registered and eligible to vote, the 7683  
election official shall complete and sign, under penalty of 7684  
election falsification, a form that includes all of the 7685  
following, and attach the form to the individual's provisional 7686  
ballot affirmation: 7687

(a) The name or number of the individual's correct 7688  
precinct; 7689

(b) A statement that the election official instructed the 7690

individual to ~~travel to~~ vote in the correct precinct ~~to vote~~; 7691

(c) A statement that the election official informed the 7692  
individual that casting a provisional ballot in the wrong 7693  
precinct would result in all or a portion of the votes on the 7694  
ballot being rejected; 7695

(d) The name or number of the precinct in which the 7696  
individual is casting a provisional ballot; and 7697

(e) The name of the ~~polling~~ location in which the 7698  
individual is casting a provisional ballot. 7699

~~(D) The appropriate local election official shall cause~~ 7700  
~~voting information to be publicly posted at each polling place~~ 7701  
~~on the day of each election.~~ 7702

~~(E) As used in this section and sections 3505.182 and~~ 7703  
~~3505.183 of the Revised Code:~~ 7704

~~(1),~~ "Precinct precinct voting location guide" means 7705  
either of the following: 7706

~~(a) An~~ (1) Subject to section 3501.291 of the Revised 7707  
Code, an electronic or paper record that lists the correct 7708  
precinct and precinct polling place for either each specific 7709  
residential street address in the county or the range of 7710  
residential street addresses located in each neighborhood block 7711  
in the county; 7712

~~(b) Any~~ (2) Subject to section 3501.291 of the Revised 7713  
Code, any other method that a board of elections creates that 7714  
allows a ~~precinct~~ an election official or any elector who is at 7715  
a ~~polling place~~ location where ballots may be cast in person in 7716  
that county to determine the correct precinct and precinct 7717  
polling place of any qualified elector who resides in the 7718

county. 7719

~~(2) "Voting information" means all of the following:~~ 7720

~~(a) A sample version of the ballot that will be used for  
that election;~~ 7721  
7722

~~(b) Information regarding the date of the election and the  
hours during which polling places will be open;~~ 7723  
7724

~~(c) Instructions on how to vote, including how to cast a  
vote and how to cast a provisional ballot;~~ 7725  
7726

~~(d) Instructions for mail in registrants and first time  
voters under applicable federal and state laws;~~ 7727  
7728

~~(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;~~ 7729  
7730  
7731  
7732  
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~~(f) General information on federal and state laws  
regarding prohibitions against acts of fraud and  
misrepresentation.~~ 7734  
7735  
7736

~~(F)~~ (E) Nothing in this section or section 3505.183 of the 7737  
Revised Code is in derogation of section 3505.24 of the Revised 7738  
Code, which permits a blind, disabled, or illiterate elector to 7739  
receive assistance in the marking of the elector's ballot by two 7740  
~~precinct~~ election officials of different political parties. A 7741  
blind, disabled, or illiterate elector may receive assistance in 7742  
marking that elector's provisional ballot and in completing the 7743  
required affirmation in the same manner as an elector may 7744  
receive assistance ~~on the day of an election~~ under that section. 7745

**Sec. 3505.182.** Each individual who casts a provisional 7746



ballot under section 3505.181 of the Revised Code shall execute 7747  
a written affirmation. The form of the written affirmation shall 7748  
be printed upon the face of the provisional ballot envelope and 7749  
shall be as follows: 7750

"Provisional Ballot Affirmation 7751

(A) Clearly print your full name: \_\_\_\_\_ 7752

(B) Write your date of birth: \_\_\_\_\_ 7753

(C) (1) Write your current address: \_\_\_\_\_ 7754

\_\_\_\_\_ 7755

(2) Have you moved without updating your voter 7756  
registration?: 7757

Yes \_\_\_\_\_ No \_\_\_\_\_ 7758

If yes, write your former address: \_\_\_\_\_ 7759

\_\_\_\_\_ 7760

Failure to provide your former address will not cause your 7761  
provisional ballot to be rejected. 7762

(D) Provide one of the following forms of identification 7763  
(optional): 7764

(1) Write your full Ohio driver's license or state 7765  
identification card number: \_\_\_\_\_ 7766

(2) Write the last four digits of your Social Security 7767  
number: \_\_\_\_\_ 7768

(3) If you ~~did not write your full Ohio driver's license~~ 7769  
~~or state identification card number or the last four digits of~~ 7770  
~~your Social Security number, you must show~~ showed one of the 7771  
following forms of identification to the ~~precinct~~ election 7772

official. ~~If you do not, check one of the following boxes~~ 7773  
affirming the type of identification you showed to the ~~precinct-~~ 7774  
election official, ~~the board of elections will conclude that you-~~ 7775  
~~did not show identification to your precinct election official-~~ 7776  
~~and that you must show identification at the board of elections-~~ 7777  
~~during the seven days after the election for your vote to be-~~ 7778  
~~eligible to be counted.~~ 7779

\_\_\_\_\_ A form of photo identification that was issued by 7780  
the United States government or the State of Ohio, that contains 7781  
your name and current address (or your former address if the 7782  
identification is an Ohio driver's license or state 7783  
identification card), and that has an expiration date that has 7784  
not passed; 7785

\_\_\_\_\_ A military identification card; or 7786

\_\_\_\_\_ A current utility bill, bank statement, government 7787  
check, paycheck, or other government document, other than a 7788  
notice of voter registration mailed by a board of elections, 7789  
that contains your name and current address. 7790

~~(4) If you fail to provide identification at this time,~~ 7791  
~~you must go to the board of elections on or before the seventh-~~ 7792  
~~day following this election to provide a qualifying form of-~~ 7793  
~~identification in order for this ballot to count.~~ 7794

(E) Provide your telephone number: \_\_\_\_\_ (optional) 7795

(F) Provide your email address: \_\_\_\_\_ (optional) 7796

(G) If your right to vote has been challenged, you must 7797  
provide any required additional information to the board of 7798  
elections on or before the ~~seventh-~~tenth day following this 7799  
election. 7800

~~(F)~~ (H) Sign and date the following statement: 7801

I solemnly swear or affirm that I am a citizen of the 7802  
United States; that I will be at least 18 years of age at the 7803  
time of the general election; that I have lived in this state 7804  
for 30 days immediately preceding this election in which I am 7805  
voting this ballot; that I am a registered voter in the precinct 7806  
in which I am voting this provisional ballot; and that I am 7807  
eligible to vote in the election in which I am voting this 7808  
provisional ballot. 7809

I understand that, if the information I provide on this 7810  
provisional ballot affirmation is not fully completed and 7811  
correct, if the board of elections determines that I am not 7812  
registered to vote, a resident of this precinct, or eligible to 7813  
vote in this election, or if the board of elections determines 7814  
that I have already voted in this election, my provisional 7815  
ballot will not be counted. I understand that, if I am not 7816  
currently registered to vote or if I am not registered at my 7817  
current address or under my current name, this form will serve 7818  
as an application to register to vote or update my registration 7819  
for future elections, as long as I provide all of the 7820  
information required to register to vote or update my 7821  
registration. I further understand that knowingly providing 7822  
false information is a violation of law and subjects me to 7823  
possible criminal prosecution. 7824

I hereby declare, under penalty of election falsification, 7825  
that the above statements are true and correct to the best of my 7826  
knowledge and belief. 7827

\_\_\_\_\_ 7828

Signature of Voter 7829

\_\_\_\_\_ 7830  
Date 7831

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 7832  
FELONY OF THE ~~FIFTH~~-FOURTH DEGREE." 7833

In addition to any information required to be included on 7834  
the written affirmation, an individual casting a provisional 7835  
ballot may provide additional information to the election 7836  
official to assist the board of elections in determining the 7837  
individual's eligibility to vote in that election, including the 7838  
date and location at which the individual registered to vote, if 7839  
known. 7840

If the individual provided all of the information required 7841  
under section 3503.14 of the Revised Code to register to vote or 7842  
to update the individual's registration on the provisional 7843  
ballot affirmation, the board of elections shall consider the 7844  
individual's provisional ballot affirmation to also serve as a 7845  
notice of change of name, change of residence, or both, or as a 7846  
voter registration form, as applicable, for that individual only 7847  
for the purposes of future elections. 7848

**Sec. 3505.183.** (A) When ~~the ballot boxes~~ voted ballots are 7849  
delivered to the board of elections from the ~~precincts~~ other 7850  
locations where ballots may be cast in person, the ~~board~~ 7851  
election officials shall separate the provisional ballot 7852  
envelopes from the rest of the ballots. ~~Teams of employees of~~ 7853  
~~the board consisting of one member of each major political party~~ 7854  
~~shall place the sealed provisional ballot envelopes and store~~ 7855  
~~them in a the secure location within the office of the board~~ 7856  
ballot storage room described in section 3505.262 of the Revised 7857  
Code. The sealed provisional ballot envelopes shall remain in 7858

that ~~secure location room~~ until the validity of those ballots is 7859  
determined under division (B) of this section. While the 7860  
provisional ballot is stored in that ~~secure location room~~, and 7861  
prior to the counting of the provisional ballots, if the board 7862  
receives information regarding the validity of a specific 7863  
provisional ballot under division (B) of this section, the board 7864  
may note, on the sealed provisional ballot envelope for that 7865  
ballot, whether the ballot is valid and entitled to be counted. 7866

(B) (1) To determine whether a provisional ballot is valid 7867  
and entitled to be counted, the board shall examine its records 7868  
and determine whether the individual who cast the provisional 7869  
ballot is registered and eligible to vote in the applicable 7870  
election. The board shall examine the information contained in 7871  
the written affirmation executed by the individual who cast the 7872  
provisional ballot under division (B) (2) of section 3505.181 of 7873  
the Revised Code. The following information shall be included in 7874  
the written affirmation or in an addendum filed under division 7875  
(H) (1) of this section in order for the provisional ballot to be 7876  
eligible to be counted: 7877

(a) The individual's printed name, signature, date of 7878  
birth, and current address; 7879

(b) A statement that the individual is a registered voter 7880  
in the precinct in which the provisional ballot is being voted; 7881

(c) A statement that the individual is eligible to vote in 7882  
the election in which the provisional ballot is being voted. 7883

(2) In addition to the information required to be included 7884  
in an affirmation or an addendum under division (B) (1) of this 7885  
section, in determining whether a provisional ballot is valid 7886  
and entitled to be counted, the board also shall examine any 7887

additional information for determining ballot validity provided 7888  
by the provisional voter on the affirmation, provided by the 7889  
provisional voter to an election official under section 3505.182 7890  
of the Revised Code, or provided to the board of elections 7891  
during the ~~seven-ten~~ days after the day of the election ~~under~~ 7892  
~~division (B) (7) of section 3505.181 of the Revised Code,~~ to 7893  
assist the board in determining the individual's eligibility to 7894  
vote. 7895

(3) If, in examining a provisional ballot affirmation, any 7896  
addendum filed under division (H) (1) of this section, and 7897  
additional information under divisions (B) (1) and (2) of this 7898  
section and comparing the information required under division 7899  
(B) (1) of this section with the elector's information in the 7900  
statewide voter registration database, the board determines that 7901  
all of the following apply, the provisional ballot envelope 7902  
shall be opened, and the ballot shall be placed in a ballot box 7903  
to be counted: 7904

(a) The individual ~~named on the affirmation who cast the~~ 7905  
provisional ballot is properly registered to vote. 7906

(b) ~~The~~ Except as otherwise provided in divisions (D) and 7907  
(E) of this section, the individual ~~named on the affirmation who~~ 7908  
cast the provisional ballot is eligible to cast a ballot in the 7909  
precinct and for the election in which the individual cast the 7910  
provisional ballot. 7911

(c) The individual provided all of the information 7912  
required under division (B) (1) of this section in the 7913  
affirmation that the individual executed at the time the 7914  
individual cast the provisional ballot or in an addendum filed 7915  
under division (H) (1) of this section. 7916

(d) The last four digits of the elector's social security number or the elector's driver's license number or state identification card number, if provided, are not different from the last four digits of the elector's social security number or the elector's driver's license number or state identification card number contained in the statewide voter registration database.

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

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 other requirements of division (B) (3) of this section.

(f) The elector's current address is not 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)~~ (A) (5) of section 3505.181 of the Revised Code, and except as otherwise provided in division (E) of this section.

(g) If applicable, the individual provided any additional information required ~~under division (B) (7) of section 3505.181 of the Revised Code~~ within ~~seven~~ ten days after the day of the

election. 7946

(4) (a) Except as otherwise provided in ~~division~~ divisions 7947  
(D) and (E) of this section, if, in examining a provisional 7948  
ballot affirmation, any addendum, and additional information 7949  
under divisions (B) (1) and (2) of this section and comparing the 7950  
information required under division (B) (1) of this section with 7951  
the elector's information in the statewide voter registration 7952  
database, the board determines that any of the following 7953  
applies, the provisional ballot envelope shall not be opened, 7954  
and the ballot shall not be counted: 7955

(i) The individual ~~named on the affirmation who cast the~~ 7956  
provisional ballot is not qualified or is not properly 7957  
registered to vote. 7958

(ii) The individual ~~named on the affirmation who cast the~~ 7959  
provisional ballot is not eligible to cast a ballot in the 7960  
precinct or for the election in which the individual cast the 7961  
provisional ballot. 7962

(iii) The individual did not provide all of the 7963  
information required under division (B) (1) of this section in 7964  
the affirmation that the individual executed at the time the 7965  
individual cast the provisional ballot or in an addendum filed 7966  
under division (H) (1) of this section. 7967

(iv) The individual has already cast a regular ballot in 7968  
person or returned a voted mail ballot for the election in which 7969  
the individual cast the provisional ballot. 7970

(v) If applicable, the individual did not provide any 7971  
additional information required ~~under division (B) (7) of section-~~ 7972  
~~3505.181 of the Revised Code~~ within ~~seven~~ ten days after the day 7973  
of the election. 7974



~~(vi) The individual failed to provide a current and valid photo identification, a military identification, 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, with the voter's name and current address, the individual's driver's license or state identification card number, or the last four digits of the individual's social security number or to execute an affirmation under division (B) of section 3505.181 of the Revised Code.~~

~~(vii)~~ The last four digits of the elector's social security number or the elector's driver's license number or state identification card number, if provided, are different from the last four digits of the elector's social security number or the elector's driver's license number or state identification card number contained in the statewide voter registration database.

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

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)~~ (viii) The elector's current address is different 8004  
from the elector's address contained in the statewide voter 8005  
registration database, unless the elector indicated that the 8006  
elector is casting a provisional ballot because the elector has 8007  
moved and has not submitted a notice of change of address, as 8008  
described in division ~~(A) (6)~~ (A) (5) of section 3505.181 of the 8009  
Revised Code. 8010

(b) If, in examining a provisional ballot affirmation, any 8011  
addendum, and additional information under divisions (B) (1) and 8012  
(2) of this section and comparing the information required under 8013  
division (B) (1) of this section with the elector's information 8014  
in the statewide voter registration database, the board is 8015  
unable to determine either of the following, the provisional 8016  
ballot envelope shall not be opened, and the ballot shall not be 8017  
counted: 8018

(i) Whether the individual ~~named on the affirmation who~~ 8019  
cast the provisional ballot is qualified or properly registered 8020  
to vote; 8021

(ii) Whether the individual ~~named on the affirmation who~~ 8022  
cast the provisional ballot is eligible to cast a ballot in the 8023  
precinct or for the election in which the individual cast the 8024  
provisional ballot. 8025

(C) For each provisional ballot rejected under division 8026  
(B) (4) of this section, the board shall record the name of the 8027  
provisional voter who cast the ballot, the ~~identification~~ 8028  
tracking number of the provisional ballot envelope, the names of 8029  
the election officials who determined the validity of that 8030  
ballot, the date and time that the determination was made, and 8031  
the reason that the ballot was not counted, ~~unless the board has~~ 8032  
~~already recorded~~ and make that information available in another 8033

~~database the electronic ballot tracking system described in~~ 8034  
~~section 3509.051 of the Revised Code.~~ 8035

(D) (1) If an individual cast a provisional ballot in a 8036  
precinct in which the individual is not registered and eligible 8037  
to vote, but in ~~the correct polling~~ a location where ballots may 8038  
be cast in person for the precinct in which the individual is 8039  
registered and eligible to vote, and the election official 8040  
failed to direct the individual to vote in the correct precinct, 8041  
the individual's ballot shall be remade under division (D) (2) of 8042  
this section. The election official shall be deemed to have 8043  
directed the individual to vote in the correct precinct if the 8044  
election official correctly completed the form described in 8045  
division (C) (2) of section 3505.181 of the Revised Code. 8046

(2) A board of elections that remakes a provisional ballot 8047  
under division (D) (1) of this section shall remake the 8048  
provisional ballot on a ballot for the appropriate precinct to 8049  
reflect the offices, questions, and issues for which the 8050  
individual was eligible to cast a ballot and for which the 8051  
individual attempted to cast a provisional ballot. The remade 8052  
ballot shall be counted for each office, question, and issue for 8053  
which the individual was eligible to vote. 8054

(3) ~~If~~ Except as otherwise provided in division (E) (2) of 8055  
this section, if an individual cast a provisional ballot in a 8056  
precinct in which the individual is not registered and eligible 8057  
to vote and in ~~the incorrect polling~~ a location where ballots 8058  
could not be cast in person for the precinct in which the 8059  
individual is registered and eligible to vote, the provisional 8060  
ballot envelope shall not be opened, and the ballot shall not be 8061  
counted. 8062

~~(E) Provisional~~ (1) If the board determines that a 8063

provisional ballot is not eligible to be counted under this 8064  
section because the individual's address provided on the 8065  
provisional ballot affirmation is different from the address 8066  
contained in the statewide voter registration database, and both 8067  
of the following are true, the board shall correct the 8068  
individual's voter registration record to reflect the address 8069  
provided in the provisional ballot affirmation, and the 8070  
provisional ballot nonetheless shall be eligible to be counted: 8071

(a) The individual's voter registration was most recently 8072  
updated under section 3503.111 of the Revised Code and not at 8073  
the request of the individual or using information the 8074  
individual submitted to the board of elections or the secretary 8075  
of state. 8076

(b) The individual's voter registration correctly 8077  
reflected the individual's address, as provided on the 8078  
provisional ballot affirmation, immediately before that update 8079  
occurred. 8080

(2) If an individual who cast a provisional ballot that is 8081  
eligible to be counted under division (E) (1) of this section 8082  
cast that ballot in the precinct indicated by the individual's 8083  
voter registration record as updated under section 3503.111 of 8084  
the Revised Code, and not in the precinct in which the 8085  
individual resides, the board shall remake the provisional 8086  
ballot on a ballot for the precinct in which the individual 8087  
resides to reflect the offices, questions, and issues for which 8088  
the individual was eligible to cast a ballot and for which the 8089  
individual attempted to cast a provisional ballot. The remade 8090  
ballot shall be counted for each office, question, and issue for 8091  
which the individual was eligible to vote. 8092

(F) Provisional ballots that are rejected under division 8093

(B) (4) of this section shall not be counted but shall be 8094  
preserved in their provisional ballot envelopes unopened until 8095  
the time provided by section 3505.31 of the Revised Code for the 8096  
destruction of all other ballots used at the election for which 8097  
ballots were provided, at which time they shall be destroyed. 8098

~~(F)~~ (G) Provisional ballots that the board determines are 8099  
eligible to be counted under ~~division (B) (3) or (D) of this~~ 8100  
section shall be counted in the same manner as provided for 8101  
other ballots under section 3505.27 of the Revised Code on or 8102  
after the eleventh day after the day of the election. No 8103  
provisional ballots shall be counted in a particular county 8104  
until the board determines the eligibility to be counted of all 8105  
provisional ballots cast in that county under ~~division (B) of~~ 8106  
this section for that election. Observers, as provided in 8107  
section 3505.21 of the Revised Code, may be present at all times 8108  
that the board is determining the eligibility of provisional 8109  
ballots to be counted and counting those provisional ballots 8110  
determined to be eligible. No person shall recklessly disclose 8111  
the count or any portion of the count of provisional ballots in 8112  
such a manner as to jeopardize the secrecy of any individual 8113  
ballot. 8114

~~(G) (1) Except as otherwise provided in (H) (1) (a) Subject~~ 8115  
~~to division (G) (2) (H) (2) of this section, nothing in this~~ 8116  
~~section shall prevent a the board of elections from examining~~ 8117  
~~shall examine a provisional ballot affirmations affirmation and~~ 8118  
additional information provided under ~~divisions (B) (1) and (2)~~ 8119  
~~of this section to determine the eligibility of provisional~~ 8120  
~~ballots to be counted during the ten days after the day of an~~ 8121  
~~election promptly after the provisional ballot arrives at the~~ 8122  
office of the board. 8123

(b) If the board determines that a provisional ballot affirmation is incomplete or that the information or signature in the affirmation does not match the information or signature in the elector's voter registration record, then not later than two days after the day of the election, the board shall notify the individual who cast the provisional ballot that in order for the individual's ballot to be counted, the individual must file an addendum containing the missing information or a correct signature, as applicable. The board shall make the notification by mail, electronic mail, or text message or by another method approved by the secretary of state. 8124  
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(c) The individual shall file the addendum containing the information or signature with the board in person or by mail to the office of the board, on a form prescribed by the secretary of state, not later than the tenth day after the day of the election. The addendum shall contain or be accompanied by one of the following: 8135  
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(i) The individual's driver's license or state identification card number; 8141  
8142

(ii) The last four digits of the individual's social security number; 8143  
8144

(iii) A copy of a current and valid photo identification, a copy of a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than an acknowledgment notice mailed by a board of elections under section 3503.19 of the Revised Code, that shows the individual's name and address. 8145  
8146  
8147  
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~~(2) A-The board of elections shall not examine the provisional ballot affirmation and additional information under-~~ 8151  
8152

~~divisions (B) (1) and (2) of this section of any make a final~~ 8153  
~~determination of whether a provisional ballot cast by an~~ 8154  
~~individual who must provide additional information to the board~~ 8155  
~~of elections under division (B) (7) of section 3505.181 of the~~ 8156  
~~Revised Code for the board to determine the individual's~~ 8157  
~~eligibility until the individual provides that information or is~~ 8158  
~~eligible to be counted or, if applicable, open the provisional~~ 8159  
~~ballot envelope until the eleventh day after the day of the~~ 8160  
~~election, whichever is earlier.~~ 8161

(I) The board of elections may use computer software to 8162  
determine whether the signature on a provisional ballot 8163  
affirmation or addendum appears to match the signature in a 8164  
voter registration record. If the software determines that a 8165  
signature on a provisional ballot affirmation does not appear to 8166  
match the signature in a voter registration record, the election 8167  
officials personally shall determine whether those signatures 8168  
match. 8169

**Sec. 3505.20.** ~~Any (A) (1) Except as otherwise provided in~~ 8170  
~~division (A) (2) of this section, any person offering to vote may~~ 8171  
~~be challenged at the polling place by any precinct election~~ 8172  
~~official. If~~ 8173

(2) If the board of elections has ruled on the question 8174  
presented by a challenge prior to election day, its finding and 8175  
decision shall be final, and the voting location manager shall 8176  
be notified in writing. If the board has not ruled, the question 8177  
shall be determined as set forth in this section. 8178

(B) If any person is so challenged under division (A) (1) 8179  
of this section as unqualified to vote, the voting location 8180  
manager shall tender the person the following oath: "You do 8181  
swear or affirm under penalty of election falsification that you 8182

will fully and truly answer all of the following questions put 8183  
to you concerning your qualifications as an elector at this 8184  
election." 8185

~~(A)-(C) (1) If the person is challenged under division (A)~~ 8186  
~~(1) of this section as unqualified on the ground that the person~~ 8187  
~~is not a citizen, the precinct election officials shall put the~~ 8188  
~~following questions:~~ 8189

~~(1) question: Are you a citizen of the United States?~~ 8190

~~(2) Are you a native or naturalized citizen?~~ 8191

~~(3) Where were you born?~~ 8192

~~(4) What official documentation do you possess to prove~~ 8193  
~~your citizenship? Please provide that documentation.~~ 8194

If the person offering to vote ~~claims to be a naturalized~~ 8195  
~~citizen of the United States, the person shall, before the vote~~ 8196  
~~is received, produce for inspection of the precinct election~~ 8197  
~~officials a certificate of naturalization and declare under oath~~ 8198  
~~that the person is the identical person named in the~~ 8199  
~~certificate. If the person states under oath that, by reason of~~ 8200  
~~the naturalization of the person's parents or one of them, the~~ 8201  
~~person has become is a citizen of the United States, and when or~~ 8202  
~~where the person's parents were naturalized, the certificate of~~ 8203  
~~naturalization need not be produced. If the person is unable to~~ 8204  
~~provide a certificate of naturalization on the day of the~~ 8205  
~~election, the precinct election officials shall provide to~~ 8206  
~~permit the person, and the person may to vote, a provisional~~ 8207  
~~ballot under section 3505.181 of the Revised Code. The~~ 8208  
~~provisional ballot shall not be counted unless it is properly~~ 8209  
~~completed and the board of elections determines that the voter~~ 8210  
~~is properly registered and eligible to vote in the election.~~ 8211



~~(B)~~ (2) If the person is challenged under division (A) (1)  
of this section as unqualified on the ground that the person has  
not resided in this state for thirty days immediately preceding  
the election, the ~~precinct~~ election officials shall put the  
following questions:

~~(1)~~ (a) Have you resided in this state for thirty days  
immediately preceding this election? If so, where have you  
resided?

~~(2)~~ (b) Did you properly register to vote?

~~(3)~~ (c) Can you provide some form of identification  
containing your current mailing address in this precinct? Please  
provide that identification.

~~(4)~~ (d) Have you voted or attempted to vote at any other  
location or in any other manner in this or in any other state at  
this election?

~~(5)~~ (e) Have you applied for an absent voter's ballot in  
any state for this election?

If the ~~precinct~~ election officials are unable to verify  
the person's eligibility to cast a ballot in the election, the  
~~precinct~~ election officials shall provide to the person, and the  
person may vote, a provisional ballot under section 3505.181 of  
the Revised Code. The provisional ballot shall not be counted  
unless it is properly completed and the board of elections  
determines that the voter is properly registered and eligible to  
vote in the election.

~~(C)~~ (3) If the person is challenged under division (A) (1)  
of this section as unqualified on the ground that the person is  
not a resident of the precinct ~~where~~ whose ballot the person  
offers to vote, the ~~precinct~~ election officials shall put the

following questions: 8241

~~(1)~~ (a) Do you reside in this precinct? 8242

~~(2)~~ (b) When did you move into this precinct? 8243

~~(3)~~ (c) When you came into this precinct, did you come for 8244  
a temporary purpose merely or for the purpose of making it your 8245  
home? 8246

~~(4)~~ (d) What is your current mailing address? 8247

~~(5)~~ (e) Do you have some official identification 8248  
containing your current address in this precinct? Please provide 8249  
that identification. 8250

~~(6)~~ (f) Have you voted or attempted to vote at any other 8251  
location or in any other manner in this or in any other state at 8252  
this election? 8253

~~(7)~~ (g) Have you applied for any absent voter's ballot in 8254  
any state for this election? 8255

~~The precinct~~ If the individual is in a precinct polling 8256  
place that is not the appropriate precinct polling place, the 8257  
election officials shall direct ~~an~~ the individual who is not in 8258  
~~the appropriate polling place~~ to the appropriate precinct 8259  
polling place, to a voter service and polling center, or to the 8260  
office of the board of elections. If the individual refuses to 8261  
go to the appropriate precinct polling place, to a voter service 8262  
and polling center, or to the office of the board, or if the 8263  
~~precinct~~ election officials are unable to verify the person's 8264  
eligibility to cast a ballot in the election, the ~~precinct~~ 8265  
election officials shall provide to the person, and the person 8266  
may vote, a provisional ballot under section 3505.181 of the 8267  
Revised Code. The provisional ballot shall not be counted unless 8268

it is properly completed and the board of elections determines 8269  
that the voter is properly registered and eligible to vote in 8270  
the election. 8271

~~(D)~~ (4) If the person is challenged as unqualified on the 8272  
ground that the person is not of legal voting age, the ~~precinct~~ 8273  
election officials shall put the following questions: 8274

~~(1)~~ (a) Are you eighteen years of age or more? 8275

~~(2)~~ (b) What is your date of birth? 8276

~~(3)~~ (c) Do you have some official identification verifying 8277  
your age? Please provide that identification. 8278

If the ~~precinct~~ election officials are unable to verify 8279  
the person's age and eligibility to cast a ballot in the 8280  
election, the ~~precinct~~ election officials shall provide to the 8281  
person, and the person may vote, a provisional ballot under 8282  
section 3505.181 of the Revised Code. The provisional ballot 8283  
shall not be counted unless it is properly completed and the 8284  
board of elections determines that the voter is properly 8285  
registered and eligible to vote in the election. 8286

(D) The voting location manager shall put such other 8287  
questions to the person challenged under division (A) (1) of this 8288  
section as are necessary to determine the person's 8289  
qualifications as an elector at the election. If a person 8290  
challenged refuses to answer fully any question put to the 8291  
person, is unable to answer the questions as they were answered 8292  
on the registration form by the person under whose name the 8293  
person offers to vote, or refuses to sign the person's ~~name~~ 8294  
signature or make the person's mark, or if for any other reason 8295  
a majority of the ~~precinct~~ election officials believes the 8296  
person is not entitled to vote, the ~~precinct~~ election officials 8297

shall provide to the person, and the person may vote, a 8298  
provisional ballot under section 3505.181 of the Revised Code. 8299  
The provisional ballot shall not be counted unless it is 8300  
properly completed and the board of elections determines that 8301  
the voter is properly registered and eligible to vote in the 8302  
election. 8303

(E) A qualified citizen who has certified the citizen's 8304  
intention to vote for president and vice-president as provided 8305  
by Chapter 3504. of the Revised Code shall be eligible to 8306  
receive only the ballot containing presidential and vice- 8307  
presidential candidates. 8308

~~However, not later than the thirtieth day before the day 8309  
of an election and in accordance with section 3503.24 of the 8310  
Revised Code, any person qualified to vote may challenge the 8311  
right of any other person to be registered as a voter, or the 8312  
right to cast an absent voter's ballot, or to make application 8313  
for such ballot. Such challenge shall be made in accordance with 8314  
section 3503.24 of the Revised Code, and the board of elections 8315  
of the county in which the voting residence of the challenged 8316  
voter is situated shall make a final determination relative to 8317  
the legality of such registration or application. 8318~~

**Sec. 3505.21.** (A) As used in this section: 8319

(1) "During the casting of the ballots" includes any ~~of~~ 8320  
~~the following:~~ 8321

~~(a) Any time during which a board of elections permits an 8322  
elector to vote an absent voter's ballot ballots may be cast in 8323  
person at the office of the board;~~ 8324

~~(b) Any time ballots may be cast in a precinct polling 8325  
place on the day of for an election;~~ 8326

~~(c) Any time during which a board of elections processes  
absent voter's ballots before the time for counting those  
ballots.~~ 8327  
8328  
8329

(2) "During the counting of the ballots" includes any time 8330  
during which the election officials examine mail ballots and 8331  
provisional ballots before the time for counting those ballots, 8332  
count and tally ballots, make the official canvass of election 8333  
returns, or conduct an audit of the official results of an 8334  
election. 8335

(B) (1) At any primary, special, or general election, the 8336  
county executive committee of any political party supporting 8337  
candidates to be voted upon at such election or, if the election 8338  
is a primary election, participating in the election, and any 8339  
group of five or more candidates may appoint ~~to the board of~~ 8340  
~~elections or to any of the precincts in the county or city one~~ 8341  
person, a qualified elector, ~~who shall~~ to serve as an observer 8342  
for such party or such candidates during the casting of the 8343  
ballots at any time at any location where ballots may be cast in 8344  
person and at any time at the office of the board of elections 8345  
during the counting of the ballots; ~~provided that separate~~ 8346  
~~observers may be appointed to serve during the casting and~~ 8347  
~~during the counting of the ballots.~~ No political party or group 8348  
of candidates shall be represented by more than one observer at 8349  
any location at any time. 8350

(2) None of the following persons shall serve as an 8351  
observer: 8352

(a) A candidate, no other than a candidate who is a member 8353  
of a party controlling committee, as defined in section 3517.03 8354  
of the Revised Code; 8355

(b) A uniformed peace officer, as defined by section 2935.01 of the Revised Code, ~~no;~~ 8356  
8357

(c) A uniformed state highway patrol trooper, ~~no;~~ 8358

(d) A uniformed member of any fire department, ~~no;~~ 8359

(e) A uniformed member of the armed services, ~~no;~~ 8360

(f) A uniformed member of the organized militia, ~~no;~~ 8361

(g) A person wearing any other uniform, ~~and no;~~ 8362

(h) A person carrying a firearm or other deadly weapon 8363  
shall serve as an observer, nor shall any candidate be 8364  
represented by more than one observer at any one precinct or at 8365  
the board of elections except that a candidate who is a member 8366  
of a party controlling committee, as defined in section 3517.03 8367  
of the Revised Code, may serve as an observer. 8368

(C) Any political party or group of candidates appointing 8369  
observers shall notify the board of elections of the names and 8370  
addresses of its appointees and the ~~precincts~~ times and 8371  
locations at which they shall serve ~~or that they will serve at~~ 8372  
~~the board of elections~~. Notification of observers appointed to 8373  
serve ~~on the day of an election~~ shall take place not less than 8374  
eleven days before the day ~~of the election~~ on which they have 8375  
been appointed to serve on forms prescribed by the secretary of 8376  
state and may be amended by filing an amendment with the board 8377  
of elections at any time until four p.m. of the day before the 8378  
election day the observer is appointed to serve. ~~Notification of~~ 8379  
~~observers appointed to serve at the office of the board during~~ 8380  
~~the time absent voter's ballots may be cast in person or during~~ 8381  
~~the time in which the board processes absent voter's ballots~~ 8382  
~~before the time for counting those ballots shall take place not~~ 8383  
~~less than eleven days before absent voter's ballots are required~~ 8384

~~to be ready for use pursuant to section 3509.01 of the Revised Code on forms prescribed by the secretary of state and may be amended by filing an amendment with the board of elections at any time until four p.m. of the day before the observer is appointed to serve.~~ The observer serving on behalf of a political party shall be appointed in writing by the chairperson and secretary of the respective controlling party committee. Observers serving for any five or more candidates shall have their certificates signed by those candidates. Observers appointed to ~~a precinct~~ observe the casting of the ballots may file their certificates of appointment with the voting location manager ~~of the precinct at the meeting on the evening prior to the election, or with the voting location manager of the precinct on the day before or on the day of the election~~ observers are scheduled to serve. Observers appointed to the office of the board to observe the ~~casting counting of absent voter's~~ the ballots in person prior to the day of the election or the processing of absent voter's ballots before the time for counting those ballots may file their certificates with the director of the board of elections the day before or on the day that the observers are scheduled to serve ~~at the office of the board.~~

Upon the filing of a certificate, the person named as observer in the certificate shall be permitted to be in and about the applicable ~~polling place~~ location during the ~~casting of the time that ballots and may be cast in person,~~ shall be permitted to watch every proceeding of the ~~precinct~~ election officials ~~from the during that time of the opening until the closing of the polls.~~ The observer also, and, if applicable, may inspect the counting of all ballots in the ~~polling place or board of elections from the time of the closing of the polls~~

~~until the counting is completed and the final returns are~~ 8416  
~~certified and signed until all procedures for closing the~~ 8417  
~~location for the day have been completed. Observers appointed to~~ 8418  
~~serve at the board of elections on the day of an election under~~ 8419  
~~this section may observe at the board of elections and may~~ 8420  
~~observe at any precinct in the county. The precinct election~~ 8421  
officials shall protect such observers in all of the rights and 8422  
privileges granted to them by Title XXXV of the Revised Code. 8423

(D) No persons other than the ~~precinct~~ election officials, 8424  
the observers, a police officer, other persons who are detailed 8425  
to any ~~precinct location~~ on request of the board of elections, 8426  
or the secretary of state or the secretary of state's legal 8427  
representative shall be admitted to ~~the polling place any~~ 8428  
~~location where ballots may be cast in person~~, or any room in 8429  
which a board of elections is counting ballots, after the 8430  
closing of the polls until the counting, certifying, and signing 8431  
of the final returns of each election have been completed. 8432

(E) ~~(1)~~ Not later than four p.m. of the ~~twentieth thirtieth~~ 8433  
day prior to an election at which questions are to be submitted 8434  
to a vote of the people, any committee that in good faith 8435  
advocates or opposes a measure may file a petition with the 8436  
board of any county asking that the petitioners be recognized as 8437  
the committee entitled to appoint observers ~~to the count at for~~ 8438  
the election. If more than one committee alleging themselves to 8439  
advocate or oppose the same measure file such a petition, the 8440  
board shall decide and announce by registered mail to each 8441  
committee not less than ~~twelve twenty-two~~ days immediately 8442  
preceding the election which committee is recognized as being 8443  
entitled to appoint observers. The decision shall not be final, 8444  
but any aggrieved party may institute mandamus proceedings in 8445  
the court of common pleas of the county in which the board has 8446



jurisdiction to compel the ~~precinct~~-election officials to accept 8447  
the appointees of such aggrieved party. ~~Any~~ 8448

(2) Subject to division (E)(3) of this section, any such 8449  
recognized committee may appoint ~~an observer to the count in~~ 8450  
~~each precinct observers under this section in the same manner as~~ 8451  
a group of candidates. ~~Committees appointing observers shall~~ 8452  
~~notify the board of elections of the names and addresses of its~~ 8453  
~~appointees and the precincts at which they shall serve.~~ 8454  
~~Notification shall take place not less than eleven days before~~ 8455  
~~the election on forms prescribed by the secretary of state and~~ 8456  
~~may be amended by filing an amendment with the board of~~ 8457  
~~elections at any time until four p.m. on the day before the~~ 8458  
~~election. A person so appointed shall file the person's~~ 8459  
~~certificate of appointment with the voting location manager in~~ 8460  
~~the precinct in which the person has been appointed to serve.~~ 8461  
~~Observers shall file their certificates before the polls are~~ 8462  
~~closed. In~~ 8463

(3) In no case shall more than six observers be appointed 8464  
by committees recognized under division (E)(1) of this section 8465  
for any one election in any one precinct location at one time. 8466  
If more than three questions are to be voted on, the committees 8467  
which have appointed observers may agree upon not to exceed six 8468  
observers, and the ~~precinct~~-election officials shall appoint 8469  
such observers. If such committees fail to agree, the ~~precinct~~- 8470  
election officials shall appoint six observers from the 8471  
appointees so certified, in such manner that each side of the 8472  
several questions shall be represented. 8473

(F) No person shall serve as an observer at any precinct 8474  
or at the board of elections unless the board of elections of 8475  
the county in which such observer is to serve has first been 8476

notified of the observer's name, and address, and the time and 8477  
location at which such observer is to serve. Notification to the 8478  
board of elections shall be given by the political party, group 8479  
of candidates, or committee appointing such observer as 8480  
prescribed in this section. No such observers shall receive any 8481  
compensation from the county, municipal corporation, or 8482  
township, and they shall take the following oath, to be 8483  
administered by one of the precinct election officials: 8484

"You do solemnly swear that you will faithfully and 8485  
impartially discharge the duties as an official observer, 8486  
assigned by law; that you will not cause any delay to persons 8487  
offering to vote; and that you will not disclose or communicate 8488  
to any person how any elector has voted at such election." 8489

**Sec. 3505.22.** If any ~~precinct officer~~ election official 8490  
has reason to believe that a person is impersonating an elector, 8491  
that person, before being given a ballot, shall be questioned as 8492  
to the person's right to vote, and shall be required to sign the 8493  
person's ~~name~~ signature or make the person's mark in ink on a 8494  
card to be provided. If, in the opinion of a majority of the 8495  
~~precinct officers~~ election officials, the signature is not that 8496  
of the person who signed the name in the registration forms, 8497  
that person shall be permitted to cast a provisional ballot 8498  
under section 3505.181 of the Revised Code. 8499

**Sec. 3505.23.** (A) (1) Except as otherwise provided in this 8500  
section, no voter shall be allowed to occupy a voting 8501  
compartment or use a ~~voting machine~~ marking device more than ten 8502  
minutes when all the voting compartments or ~~machines~~ marking 8503  
devices are in use and voters are waiting to occupy or use them. 8504  
The ten-minute time limit shall not apply to any person who 8505  
requires the use of a disabled-accessible ~~voting machine~~ marking 8506

device as required under the "~~Help America Vote Act of 2002,~~" 8507  
~~116 Stat. 1704, 42 U.S.C. 15481.~~ 8508

(2) Except as otherwise provided by section 3505.24 of the 8509  
Revised Code, no voter shall occupy a voting compartment or 8510  
~~machine~~ use a marking device with another person or speak to 8511  
anyone, nor shall anyone speak to the voter, while the voter is 8512  
in a voting compartment or ~~machine~~ using a marking device. 8513

~~In precincts that do not use voting machines the following~~ 8514  
~~procedure shall be followed:~~ 8515

(B) If a voter tears, soils, defaces, or erroneously marks 8516  
a ballot the voter may return it to the ~~precinct~~ election 8517  
officials and a second ballot shall be issued to the voter. 8518  
Before returning a torn, soiled, defaced, or erroneously marked 8519  
ballot, the voter shall fold it so as to conceal any marks the 8520  
voter made upon it, but the voter shall not remove Stub A 8521  
therefrom. If the voter tears, soils, defaces, or erroneously 8522  
marks such second ballot, the voter may return it to the 8523  
~~precinct~~ election officials, and a third ballot shall be issued 8524  
to the voter. In no case shall more than three ballots be issued 8525  
to a voter. Upon receiving a returned torn, soiled, defaced, or 8526  
erroneously marked ballot the ~~precinct~~ election officials shall 8527  
detach Stub A therefrom, write "Defaced" on the back of such 8528  
ballot, and place the stub and the ballot in the separate 8529  
containers provided therefor. 8530

(C) (1) No elector shall leave the ~~polling place location~~ 8531  
until the elector returns to the ~~precinct~~ election officials 8532  
every ballot issued to the elector with Stub A on each ballot 8533  
attached thereto, regardless of whether the elector has or has 8534  
not placed any marks upon the ballot. 8535

(2) Before leaving the voting compartment, the voter shall 8536  
fold each ballot marked by the voter so that no part of the face 8537  
of the ballot is visible, and so that the printing thereon 8538  
indicating the kind of ballot it is and the facsimile signatures 8539  
of the members of the board of elections are visible. The voter 8540  
shall then leave the voting compartment, deliver the voter's 8541  
ballots, and state the voter's name to the ~~precinct~~-election 8542  
official having charge of the ballot box, who shall announce the 8543  
name, detach Stub A from each ballot, and announce the number on 8544  
the stubs. The ~~precinct~~-election officials in charge of the poll 8545  
lists or poll books shall check to ascertain whether the number 8546  
so announced is the number on Stub B of the ballots issued to 8547  
such voter, and if no discrepancy appears to exist, the ~~precinct~~- 8548  
election official in charge of the ballot box shall, in the 8549  
presence of the voter, deposit each such ballot in the ballot 8550  
box and shall place Stub A from each ballot in the container 8551  
provided therefor. The voter shall then immediately leave the 8552  
~~polling place location~~. 8553

(3) No ballot delivered by a voter to the ~~precinct~~- 8554  
election official in charge of the ballot box with Stub A 8555  
detached therefrom, and only ballots provided in accordance with 8556  
Title XXXV of the Revised Code, shall be voted or deposited in 8557  
the ballot box. 8558

(D) (1) In marking a presidential ballot, the voter shall 8559  
record the vote in the manner provided on the ballot next to the 8560  
names of the candidates for the offices of president and vice- 8561  
president. Such ballot shall be considered and counted as a vote 8562  
for each of the candidates for election as presidential elector 8563  
whose names were certified to the secretary of state by the 8564  
political party of such nominees for president and vice- 8565  
president. 8566

(2) In marking an office type ballot or nonpartisan ballot, the voter shall record the vote in the manner provided on the ballot next to the name of each candidate for whom the voter desires to vote.

(3) In marking a primary election ballot, the voter shall record the vote in the manner provided on the ballot next to the name of each candidate for whom the voter desires to vote. If the voter desires to vote for the nomination of a person whose name is not printed on the primary election ballot, the voter may do so by writing such person's name on the ballot in the proper place provided for such purpose.

(4) In marking a questions and issues ballot, the voter shall record the vote in the manner provided on the ballot at the left or at the right of "YES" or "NO" or other words of similar import which are printed on the ballot to enable the voter to indicate how the voter votes in connection with each question or issue upon which the voter desires to vote.

(5) In marking any ballot on which a blank space has been provided wherein an elector may write in the name of a person for whom the elector desires to vote, the elector shall write such person's name in such blank space and on no other place on the ballot. Unless specific provision is made by statute, no blank space shall be provided on a ballot for write-in votes, and any names written on a ballot other than in a blank space provided therefor shall not be counted or recorded.

**Sec. 3505.24.** (A) (1) Notwithstanding any provision of the Revised Code to the contrary, any elector who does both of the following may be accompanied in the voting booth and aided by any person of the elector's choice, other than the elector's employer, an agent of the elector's employer, or an officer or

agent of the elector's union, if any: 8597

~~(A) (a) Appears to vote on the day of an election or~~ 8598  
~~appears at the office of the board of elections to cast absent-~~ 8599  
~~voter's ballots in person; and~~ 8600

~~(B) (b) Declares to the presiding judge of elections or to~~ 8601  
~~the election official who is accepting applications to cast~~ 8602  
~~absent voter's ballots in person voting location manager that~~ 8603  
the elector is unable to mark the elector's ballot by reason of 8604  
blindness, disability, or illiteracy. 8605

(2) The elector also may request and receive assistance in 8606  
the marking of the elector's ballot from two election officials 8607  
of different political parties. ~~Any~~ 8608

(B) Any person providing assistance in the marking of an 8609  
elector's ballot under this section shall thereafter provide no 8610  
information in regard to the marking of that ballot. 8611

(C) Any election official may require a declaration of 8612  
inability to be made by the elector under oath before the 8613  
election official. Assistance shall not be rendered for causes 8614  
other than those specified in this section, and no candidate 8615  
whose name appears on the ballot shall assist any person in 8616  
marking that person's ballot. 8617

**Sec. 3505.26.** (A) (1) At the time for ~~closing the polls~~ the 8618  
close of voting for the day at a location where ballots may be 8619  
cast in person, the voting location manager shall by 8620  
proclamation announce that ~~the polls are voting has~~ closed. 8621

(2) The ~~precinct~~ election officials shall then in the 8622  
presence of observers proceed as follows: 8623

~~(A) (a)~~ Count the number of electors who voted at that 8624

location that day, as shown on the pollbooks; 8625

~~(B)~~ (b) Count the unused ballots without removing stubs; 8626

~~(C)~~ (c) Count the soiled and defaced ballots; 8627

~~(D)~~ (d) Insert the totals of divisions (A) (2) (a), ~~(B) (b),~~ 8628  
and ~~(C) (c) of this section~~ on the report forms provided 8629  
therefor in the pollbook; 8630

~~(E)~~ (e) Count the voted ballots. If the number of voted 8631  
ballots exceeds the number of voters whose names appear upon the 8632  
pollbooks, the voting location manager shall enter on the 8633  
pollbooks an explanation of that discrepancy, and that 8634  
explanation, if agreed to, shall be subscribed to by all of the 8635  
~~precinct~~ election officials. Any ~~precinct~~ election official 8636  
having a different explanation shall enter it in the pollbooks 8637  
and subscribe to it. 8638

~~(F)~~ (f) Put the unused ballots with stubs attached, and 8639  
soiled and defaced ballots with stubs attached, in the envelopes 8640  
or containers provided therefor, and certify the number, ~~and.~~ 8641

(B) (1) If the location is a precinct polling place, the 8642  
election officials then shall proceed, in the presence of 8643  
observers, to count and tally the votes in the manner prescribed 8644  
by section 3505.27 of the Revised Code and certify the result of 8645  
the election to the board of elections. 8646

(2) From the time the ballot box is opened and the count 8647  
of ballots begun until the ballots are counted and certificates 8648  
of votes cast are made out, signed, certified and given to the 8649  
voting location manager for delivery to the office of the board, 8650  
the election officials in each precinct shall not separate, nor 8651  
shall an election official leave the precinct polling place 8652  
except from unavoidable necessity. In cases of illness or 8653

unavoidable necessity, the board may substitute another 8654  
qualified person for any election official so incapacitated. 8655

(3) When the election officials have ascertained the 8656  
results of the ballots cast at the precinct polling place, the 8657  
election officials shall prepare and certify a summary statement 8658  
embodying the results, in duplicate, on forms provided by the 8659  
board of elections. 8660

(4) Immediately after preparing and certifying the summary 8661  
statement, the election officials shall do all of the following: 8662

(a) (i) Place all of the regular ballots cast in person at 8663  
the precinct polling place in a locked case that is secured with 8664  
a numbered seal; 8665

(ii) Place any provisional ballots cast at the precinct 8666  
polling place in a separate locked case that is secured with a 8667  
numbered seal and ensure that the case is labeled as containing 8668  
provisional ballots; 8669

(iii) Place any voted mail ballots returned to the 8670  
election officials at the precinct polling place in a separate 8671  
locked case that is secured with a numbered seal and ensure that 8672  
the case is labeled as containing mail ballots. 8673

(b) Place all work sheets the election officials prepared 8674  
inside the pollbook, poll list, or signature pollbook, seal it 8675  
in a manner that the data cannot be seen without breaking the 8676  
seal, and indicate plainly on the outside of the container that 8677  
it is to be filed with the board. 8678

(c) Post one copy of the summary statement on the front of 8679  
the precinct polling place and place the other copy in a sealed 8680  
envelope for delivery to the board. 8681



(5) The voting location manager and an employee or 8682  
appointee of the board of elections who has taken an oath to 8683  
uphold the laws and constitution of this state, including an 8684  
oath that the person will promptly and securely perform the 8685  
duties required under this section and who is a member of a 8686  
different political party than the voting location manager, then 8687  
shall deliver the ballot cases, the pollbook, the summary 8688  
statement, and all other election reports, materials, and 8689  
supplies to the office of the board. The voting location manager 8690  
and the board employee or appointee shall deposit the ballot 8691  
cases in the secure ballot storage room described in section 8692  
3505.262 of the Revised Code. 8693

(C) (1) If the location is a voter service and polling 8694  
center, the election officials then shall, in the presence of 8695  
observers, do all of the following: 8696

(a) Place all of the regular ballots cast in person at the 8697  
voter service and polling center in a locked case that is 8698  
secured with a numbered seal; 8699

(b) Place any provisional ballots cast at the voter 8700  
service and polling center in a separate locked case that is 8701  
secured with a numbered seal and ensure that the case is labeled 8702  
as containing provisional ballots; 8703

(c) Place any voted mail ballots returned to the election 8704  
officials at the voter service and polling center in a separate 8705  
locked case that is secured with a numbered seal and ensure that 8706  
the case is labeled as containing mail ballots. 8707

(2) The voting location manager and another election 8708  
official who is not a member of the same political party 8709  
immediately shall transport the ballot cases to the office of 8710

the board and deposit them in the secure ballot storage room 8711  
described in section 3505.262 of the Revised Code. 8712

(D)(1) If the location is the office of the board, the 8713  
election officials shall, in the presence of observers, do all 8714  
of the following: 8715

(a) Place all of the regular ballots cast in person at the 8716  
office of the board in a locked case that is secured with a 8717  
numbered seal; 8718

(b) Place any provisional ballots cast at the office of 8719  
the board in a separate locked case that is secured with a 8720  
numbered seal and ensure that the case is labeled as containing 8721  
provisional ballots; 8722

(c) Place any voted mail ballots returned in person to the 8723  
election officials at the office of the board in a locked case 8724  
that is secured with a numbered seal along with any other mail 8725  
ballots that have been returned to the board. 8726

(2) The voting location manager and another election 8727  
official who is not a member of the same political party 8728  
immediately shall deposit the ballot cases in the secure ballot 8729  
storage room described in section 3505.262 of the Revised Code. 8730

**Sec. 3505.261.** (A) Subject to division (B) of this 8731  
section, each day on which electors may deposit voted mail 8732  
ballots in a ballot drop box, at a time prescribed by the 8733  
secretary of state, two election officials who are not members 8734  
of the same political party shall remove all of the ballots 8735  
deposited in the ballot drop box, place them in a locked case 8736  
that is secured with a numbered seal, and immediately transport 8737  
the case to the office of the board of elections and deposit it 8738  
in the secure ballot storage room described in section 3505.262 8739

of the Revised Code. 8740

(B) On the day of the election, the election officials 8741  
shall remove the ballots deposited in the ballot drop box and 8742  
close the ballot drop box to any further deposits promptly at 8743  
seven-thirty p.m., except that if there are persons waiting in 8744  
line to deposit voted mail ballots at that time, those persons 8745  
shall be permitted to deposit the voted mail ballots in the 8746  
ballot drop box. 8747

**Sec. 3505.262.** (A) The board of elections shall maintain a 8748  
secure ballot storage room at the office of the board. During 8749  
the casting of the ballots and during the counting of the 8750  
ballots, the board shall keep all voted ballots for that 8751  
election that have been delivered to the office of the board in 8752  
the secure ballot storage room. The election officials may 8753  
remove voted ballots from the secure ballot storage room only as 8754  
necessary to examine, process, or count them. 8755

(B) The board shall permit only election officials to 8756  
enter the secure ballot storage room, and shall permit election 8757  
officials to enter the room only for the purpose of depositing 8758  
voted ballots, removing them as permitted under division (A) of 8759  
this section, and replacing them. 8760

(C) The interior of the secure ballot storage room shall 8761  
be monitored by video surveillance at all times while ballots 8762  
are stored in the room. The board shall maintain all such video 8763  
surveillance recordings in a secure manner for at least two 8764  
years after the day of the election and shall make the 8765  
recordings available to the secretary of state or to a law 8766  
enforcement agency upon request. 8767

(D) As used in this section: 8768

(1) "During the casting of the ballots" and "during the counting of the ballots" have the same meanings as in section 3505.21 of the Revised Code. 8769  
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(2) To "process" a ballot has the same meaning as in section 3505.27 of the Revised Code. 8772  
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(3) "Law enforcement agency" means a police department, the office of a sheriff, the state highway patrol, a county prosecuting attorney, or a federal, state, or local governmental body that enforces criminal laws and that has employees who have a statutory power of arrest. 8774  
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**Sec. 3505.27.** (A) (1) The election officials may process ballots cast in person before seven-thirty p.m. on the day of the election, but the election officials shall not tabulate or count the votes on those ballots before that time. As used in this section, processing a ballot means preparing and sorting a ballot for scanning and scanning it by automatic tabulating equipment, so long as the equipment permits a ballot to be scanned without tabulating or counting the votes on the ballots scanned. 8779  
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(2) No election official or observer shall disclose the count or any portion of the count of any ballots before seven-thirty p.m. on the day of the election. No person shall recklessly disclose the count or any portion of the count of any ballots in such a manner as to jeopardize the secrecy of any individual ballot. 8788  
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(B) Except as permitted under section 3505.26 of the Revised Code with respect to a precinct polling place, all ballots shall be counted and tallied at the office of the board of elections. 8794  
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(C) Unless otherwise ordered by the secretary of state or the board of elections, the counting and tallying of ballots shall be conducted according to procedures prescribed by the board of elections that assure an accurate count of all votes cast and that include all of the following:

~~(A) (1)~~ The counting and tallying of ballots ~~at the appropriate office, as designated by the board,~~ in the full view of members of the board and observers;

~~(B) (2)~~ The recording on a worksheet or other appropriate document of the number of votes cast for each candidate and the number of votes cast for and against each question or issue;

~~(C) (3)~~ The periodic reporting to the public and the office of the secretary of state of the number of votes cast for each candidate and the number of votes cast for and against each question or issue as tallied at the time of the report;

~~(D) (4)~~ An examination and verification by the appropriate authority, as designated by the board, of the ~~votes so tallied and recorded in the pollbook under section 3505.26 of the Revised Code~~ number of electors who cast ballots.

(D) The board shall prescribe additional procedures as necessary to assure an accurate count of all votes cast. These procedures shall be followed until all of the ballots that are required to be counted on the day of the election ~~after the close of the polls~~ have been counted.

~~All work sheets that are prepared at the polling locations shall be preserved and placed inside the pollbook and returned to the board.~~

(E) If there is any disagreement as to how a ballot should be counted, it shall be submitted to the members of the board

for a decision on whether or to what extent the ballot should be 8827  
counted. If three of the members do not agree as to how any part 8828  
of the ballot shall be counted, only that part of the ballot on 8829  
which three of the members do agree shall be counted. A notation 8830  
shall be made upon the ballot indicating what part has not been 8831  
counted, and the ballot shall be placed in an envelope marked 8832  
"Disputed Ballots." 8833

(F) When the election officials who are counting ballots 8834  
at the office of the board have determined the results of the 8835  
voting in a precinct, entered the results upon the proper forms, 8836  
and certified the results, the election officials shall place 8837  
all ballots that they have counted in a locked case that is 8838  
secured with a numbered seal. They shall also seal the pollbook, 8839  
poll list or signature pollbook, and tally sheet of electors who 8840  
cast ballots in a manner that the data contained in these items 8841  
the list cannot be seen without breaking the seal. Two election 8842  
officials who are not members of the same political party 8843  
immediately shall deposit the ballot case in the secure ballot 8844  
storage room described in section 3505.262 of the Revised Code. 8845

**Sec. 3505.28.** No ballot shall be counted which is marked 8846  
contrary to law, except that no ballot shall be rejected for any 8847  
technical error unless it is impossible to determine the voter's 8848  
choice. If two or more ballots are found folded together among 8849  
the ballots removed from a ballot box, they shall be deemed to 8850  
be fraudulent. Such ballots shall not be counted. They shall be 8851  
marked "Fraudulent" and shall be placed in an envelope indorsed 8852  
"Not Counted" with the reasons therefor, and such envelope shall 8853  
be delivered to the board of elections together with other 8854  
uncounted ballots. 8855

No ballot shall be rejected because of being marked with 8856

ink or by any writing instrument other than ~~one of the pencils~~ 8857  
~~provided by the board of elections~~ a pencil. 8858

**Sec. 3505.30.** ~~When the results of the ballots have been~~ 8859  
~~ascertained, such results shall be embodied in a summary~~ 8860  
~~statement to be prepared by the precinct election officials in~~ 8861  
~~duplicate, on forms provided by the board of elections. One copy~~ 8862  
~~shall be certified by the precinct election officials and posted~~ 8863  
~~on the front of the polling place, and one copy, similarly~~ 8864  
~~certified, shall be transmitted without delay to the board in a~~ 8865  
~~sealed envelope along with the other returns of the election.~~ 8866  
~~The board shall, immediately~~ Immediately ~~upon receipt of such~~ 8867  
receiving the relevant summary statements from the election 8868  
officials containing the results of the ballots cast in a 8869  
precinct, the board of elections shall compile and prepare an 8870  
unofficial count and upon its completion shall transmit prepaid, 8871  
immediately by telephone, facsimile machine, or other 8872  
telecommunications device, the results of such unofficial count 8873  
to the secretary of state, or to the board of the most populous 8874  
county of the district which is authorized to canvass the 8875  
returns. Such count, in no event, shall be made later than 8876  
twelve noon on the day following the election. The board shall 8877  
also, at the same time, certify the results thereof to the 8878  
secretary of state by certified mail. The board shall remain in 8879  
session from ~~the time of the opening of the polls~~ seven-thirty 8880  
p.m. on the day of the election, continuously, until the results 8881  
of the election are received ~~from~~ concerning every precinct in 8882  
the county and such results are communicated to the secretary of 8883  
state. 8884

**Sec. 3505.31.** ~~When the results of the voting in a polling~~ 8885  
~~place on the day of an election have been determined and entered~~ 8886  
~~upon the proper forms and the certifications of those results~~ 8887

~~have been signed by the precinct officials, those officials, 8888  
before leaving the polling place, shall place all ballots that 8889  
they have counted in containers provided for that purpose by the 8890  
board of elections, and shall seal each container in a manner 8891  
that it cannot be opened without breaking the seal or the 8892  
material of which the container is made. They shall also seal 8893  
the pollbook, poll list or signature pollbook, and tally sheet 8894  
in a manner that the data contained in these items cannot be 8895  
seen without breaking the seals. On the outside of these items 8896  
shall be a plain indication that they are to be filed with the 8897  
board. The voting location manager and an employee or appointee 8898  
of the board of elections who has taken an oath to uphold the 8899  
laws and constitution of this state, including an oath that the 8900  
person will promptly and securely perform the duties required 8901  
under this section and who is a member of a different political 8902  
party than the voting location manager, shall then deliver to 8903  
the board the containers of ballots and the sealed pollbook, 8904  
poll list, and tally sheet, together with all other election 8905  
reports, materials, and supplies required to be delivered to the 8906  
board.— 8907~~

The board shall carefully preserve all ballots prepared 8908  
and provided by it for use in an election, whether used or 8909  
unused, for sixty days after the day of the election, except 8910  
that, if an election includes the nomination or election of 8911  
candidates for any of the offices of president, vice-president, 8912  
presidential elector, member of the senate of the congress of 8913  
the United States, or member of the house of representatives of 8914  
the congress of the United States, the board shall carefully 8915  
preserve all ballots prepared and provided by it for use in that 8916  
election, whether used or unused, for twenty-two months after 8917  
the day of the election. If an election is held within that 8918



sixty-day period, the board shall have authority to transfer 8919  
those ballots to other containers to preserve them until the 8920  
sixty-day period has expired. After that sixty-day period, the 8921  
ballots shall be disposed of by the board in a manner that the 8922  
board orders, ~~or where voting machines have been used the~~ 8923  
~~counters may be turned back to zero;~~ provided that the secretary 8924  
of state, within that sixty-day period, may order the board to 8925  
preserve the ballots or any part of the ballots for a longer 8926  
period of time, in which event the board shall preserve those 8927  
ballots for that longer period of time. 8928

~~In counties where voting machines are used, if an election~~ 8929  
~~is to be held within the sixty days immediately following a~~ 8930  
~~primary, general, or special election or within any period of~~ 8931  
~~time within which the ballots have been ordered preserved by the~~ 8932  
~~secretary of state or a court of competent jurisdiction, the~~ 8933  
~~board, after giving notice to all interested parties and~~ 8934  
~~affording them an opportunity to have a representative present,~~ 8935  
~~shall open the compartments of the machines and, without~~ 8936  
~~unlocking the machines, shall recanvass the vote cast in them as~~ 8937  
~~if a recount were being held. The results shall be certified by~~ 8938  
~~the board, and this certification shall be filed in the board's~~ 8939  
~~office and retained for the remainder of the period for which~~ 8940  
~~ballots must be kept. After preparation of the certificate, the~~ 8941  
~~counters may be turned back to zero, and the machines may be~~ 8942  
~~used for the election.~~ 8943

The board shall carefully preserve the ~~pollbook~~ pollbooks, 8944  
~~poll list or lists,~~ signature ~~pollbook~~ pollbooks, and tally 8945  
~~sheet delivered to it from each polling place~~ sheets until it 8946  
has completed the official canvass of the election returns from 8947  
all precincts in which electors were entitled to vote at an 8948  
election, and has prepared and certified the abstracts of 8949

election returns, as required by law. The board shall not break, 8950  
or permit anyone to break, the seals upon the ~~pollbook~~ 8951  
pollbooks, poll ~~list or lists~~, signature ~~pollbook~~ pollbooks, and 8952  
or tally sheet sheets, or make, or permit ~~any one~~ anyone to 8953  
make, any changes or notations in these items, while they are in 8954  
its custody, except as provided by section 3505.32 of the 8955  
Revised Code. 8956

Pollbooks and poll lists or signature pollbooks of a party 8957  
primary election ~~delivered to the board from polling places~~ 8958  
shall be carefully preserved by ~~it~~ the board for two years after 8959  
the day of election in which they were used, and shall then be 8960  
disposed of by the board in a manner that the board orders. 8961

Pollbooks, poll lists or signature pollbooks, tally 8962  
sheets, summary statements, and other records and returns of an 8963  
election ~~delivered to it from polling places~~ shall be carefully 8964  
preserved by the board for two years after the day of the 8965  
election in which they were used, and shall then be disposed of 8966  
by the board in a manner that the board orders. 8967

**Sec. 3505.32.** (A) Except as otherwise provided in division 8968  
(D) of this section, not earlier than the eleventh day or later 8969  
than the fifteenth day after a general or special election, the 8970  
board of elections shall begin to canvass the election returns 8971  
from the precincts in which electors were entitled to vote at 8972  
that election. It shall continue the canvass daily until it is 8973  
completed and the results of the voting in that election in each 8974  
of the precincts are determined. 8975

The board shall complete the canvass not later than the 8976  
twenty-first day after the day of the election. Eighty-one days 8977  
after the day of the election, the canvass of election returns 8978  
shall be deemed final, and no amendments to the canvass may be 8979

made after that date. The secretary of state may specify an 8980  
earlier date upon which the canvass of election returns shall be 8981  
deemed final, and after which amendments to the final canvass 8982  
may not be made, if so required by federal law. 8983

(B) The county executive committee of each political 8984  
party, each committee designated in a petition nominating an 8985  
independent or nonpartisan candidate for election at an 8986  
election, each committee designated in a petition to represent 8987  
the petitioners pursuant to which a question or issue was 8988  
submitted at an election, and any committee opposing a question 8989  
or issue submitted at an election that was permitted by section 8990  
3505.21 of the Revised Code to have a qualified elector serve as 8991  
an observer during the counting of the ballots ~~at each polling-~~ 8992  
~~place~~ at an election may designate a qualified elector who may 8993  
be present and may observe the making of the official canvass. 8994  
Each candidate in a primary election also may observe the making 8995  
of the official canvass. 8996

(C) The board shall first open all envelopes containing 8997  
uncounted ballots and shall count and tally them. 8998

In connection with its investigation of any apparent or 8999  
suspected error or defect in the election returns ~~from a polling-~~ 9000  
~~place~~, the board may cause subpoenas to be issued and served 9001  
requiring the attendance before it of the election officials ~~of~~ 9002  
~~that polling place~~, and it may examine them under oath regarding 9003  
the manner in which the votes were cast and counted ~~in that~~ 9004  
~~polling place~~, or the manner in which the returns were prepared 9005  
and certified, or as to any other matters bearing upon the 9006  
voting and the counting of the votes ~~in that polling place~~ at 9007  
that election. 9008

Finally, the board shall open the sealed container 9009

containing the ballots that were counted ~~in the polling place~~ at 9010  
the election and count those ballots, during the official 9011  
canvass, in the presence of all of the members of the board and 9012  
any other persons who are entitled to witness the official 9013  
canvass. 9014

(D) Prior to the tenth day after a primary, general, or 9015  
special election, the board may examine the pollbooks, poll 9016  
lists, and tally sheets ~~received from each polling place~~ for its 9017  
files and may compare the results of the voting in any ~~polling~~ 9018  
~~place precinct~~ with the summary ~~statement~~ statements received 9019  
~~from~~ for the ~~polling place precinct~~. If the board finds that any 9020  
of these records or any portion of them is missing, or that they 9021  
are incomplete, not properly certified, or ambiguous, or that 9022  
the results of the voting in the ~~polling place precinct~~ as shown 9023  
on the summary ~~statement from~~ statements for the ~~polling place~~ 9024  
precinct are different from the results of the voting in the 9025  
~~polling place precinct~~ as shown by the ~~pollbook~~ pollbooks, poll 9026  
~~list lists~~, or tally ~~sheet~~ sheets from the ~~polling place~~ 9027  
precinct, or that there is any other defect in the records, the 9028  
board may make whatever changes to the ~~pollbook~~ pollbooks, poll 9029  
~~list lists~~, or tally ~~sheets~~ sheets it determines to be proper in 9030  
order to correct the errors or defects. 9031

**Sec. 3505.331.** (A) After declaring the official results of 9032  
a general election ~~or of a primary election held in an even~~ 9033  
~~numbered year~~, as described in section 3505.33 of the Revised 9034  
Code, the board of elections shall audit those results in 9035  
accordance with this section. Except as otherwise provided in 9036  
this division, the board shall begin the audit not earlier than 9037  
six days after it declares the official results and shall 9038  
complete the audit not later than the twenty-first day after it 9039  
declares the official results. If the board conducts a recount, 9040

the board shall begin the audit immediately after the board 9041  
certifies the results of the recount and shall complete the 9042  
audit not later than the fourteenth day after it certifies the 9043  
results of the recount. 9044

(B) The board shall conduct the audit in accordance with 9045  
procedures prescribed by the secretary of state, which shall 9046  
include all of the following: 9047

(1) (a) Except as otherwise provided in division (B) (1) (b) 9048  
of this section, a requirement that the board audit not less 9049  
than three contested races, questions, or issues, as directed by 9050  
the secretary of state. If fewer than three contested races, 9051  
questions, or issues appear on the ballot at the election, then 9052  
the board shall audit every contested race, question, and issue. 9053  
In any election, every contested race, question, or issue shall 9054  
be eligible to be audited. 9055

(b) If the board ordered a countywide recount of the 9056  
results of a race, question, or issue under section 3515.011 of 9057  
the Revised Code, the recount shall be considered an audit for 9058  
purposes of meeting the requirement that the board audit not 9059  
less than three contested races, questions, or issues. 9060

(2) A requirement that every ballot that was included in 9061  
the canvass of the election returns be eligible to be audited, 9062  
including regular ballots cast ~~on the day of the election in~~ 9063  
person, absent voter's mail ballots, and provisional ballots. 9064

~~(3) Either a provision allowing the board to choose one of~~ 9065  
~~the following protocols to use in conducting the audit or a~~ 9066  
~~provision requiring the board to use a protocol selected by the~~ 9067  
~~secretary of state from the following protocols in conducting~~ 9068  
~~the audit:~~ 9069

~~(a) A requirement that the board use a risk-limiting audit protocol, which shall use statistical methods to limit to acceptable levels the risk of certifying an incorrect outcome for a particular race, question, or issue. The protocol shall require bipartisan teams of election officials to physically examine and hand count randomly sampled ballots and to continue the hand counting until the results of the hand count provide sufficiently strong evidence that a hand count of all of the ballots would confirm the election result declared under section 3505.33 of the Revised Code or until all of the ballots have been hand counted, whichever occurs first.~~

~~(b) (i) A percentage-based audit protocol, which shall require bipartisan teams of election officials to physically examine and hand count a number of randomly sampled ballots equal to a given percentage of the total number of ballots cast in the county at that election, as prescribed by the secretary of state. After the election officials complete the initial audit, the board shall calculate, as a percentage, the accuracy rate of each audited race, question, or issue by dividing the sum of any discrepancies for the race, question, or issue discovered during the audit by the total number of ballots audited for the race, question, or issue and subtracting the resulting number from one.~~

~~(ii) If the accuracy rate for an audited race, question, or issue is less than the acceptable accuracy rate prescribed by the secretary of state, the board shall escalate the audit of that race, question, or issue by requiring bipartisan teams of election officials to physically examine and hand count a second set of randomly sampled ballots equal to a given percentage of the total number of ballots cast in the county at that election, as prescribed by the secretary of state. The second set of~~

~~ballots shall not include any ballots that were included in the first set of audited ballots. After the election officials have counted the second set of ballots, the board shall calculate the combined accuracy rate for both audited sets of ballots for that race, question, or issue.~~

~~(c) Another audit protocol approved by the secretary of state.~~

(C) The board shall give public notice of the times and places for preparing for and conducting the audit in accordance with section 121.22 of the Revised Code. At all times while the board prepares for and conducts the audit, the board shall permit observers appointed under section 3505.21 of the Revised Code.

No person other than a member of the board or a designated employee of the board shall be permitted to handle a ballot.

(D) (1) Not later than five days after completing the audit, the board shall certify the results of the audit to the secretary of state in the form and by the method prescribed by the secretary of state. The secretary of state shall make the results of the audit available to the public on the secretary of state's official web site.

~~(2) If the board conducted a percentage-based audit and was required to escalate the audit of a race, question, or issue under division (B) (3) (b) (ii) of this section, and the combined accuracy rate for that race, question, or issue is less than the acceptable combined accuracy rate prescribed by the secretary of state, the secretary of state may require the board to order bipartisan teams of election officials to physically examine and hand count all ballots cast for that race, question, or issue.~~

~~The requirements of division (C) of this section apply to any full hand count conducted under this division.~~ 9130  
9131

~~(3) If the results of the completed audit or the results of any full hand count ordered under division (D) (2) of this section indicate that the canvass or the previously declared official election results must be amended, the board promptly shall amend the canvass or issue an amended declaration of the official results, as applicable.~~ 9132  
9133  
9134  
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9137

(E) The secretary of state shall, in accordance with directives issued by the secretary of state, reimburse boards of elections for costs incurred to conduct an audit under this section. 9138  
9139  
9140  
9141

~~(F) As used in this section:~~ 9142

~~(1) "Ballot" means either a paper ballot or the relevant entry on a voter verified paper audit trail.~~ 9143  
9144

~~(2) "Voter verified paper audit trail" has the same meaning as in section 3506.01 of the Revised Code.~~ 9145  
9146

**Sec. 3506.01.** As used in this chapter and Chapters 3501., 3503., 3505., 3509., 3511., 3513., 3515., 3517., 3519., 3521., 3523., and 3599. of the Revised Code: 9147  
9148  
9149

(A) "Marking device" means an apparatus operated by a voter to record the voter's choices through the marking of ballots enabling them to be examined and counted by automatic tabulating equipment. 9150  
9151  
9152  
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(B) "Ballot" means a paper containing the official election presentation of offices and candidates, including write-in candidates, and of questions and issues, and ~~the means by on~~ which votes are recorded. 9154  
9155  
9156  
9157



(C) "Automatic tabulating equipment" means a machine or 9158  
electronic device, or interconnected or interrelated machines or 9159  
electronic devices, that will automatically examine and count 9160  
votes recorded on ballots. Automatic tabulating equipment may 9161  
allow for the voter's selections to be indicated by marks made 9162  
on a paper record by an electronic marking device. 9163

~~(D) "Central counting station" means a location, or one of-~~ 9164  
~~a number of locations, designated by the board of elections for~~ 9165  
~~the automatic examining, sorting, or counting of ballots.~~ 9166

~~(E) "Voting machines" means mechanical or electronic~~ 9167  
~~equipment for the direct recording and tabulation of votes.~~ 9168

~~(F) "Direct recording electronic voting machine" means a~~ 9169  
~~voting machine that records votes by means of a ballot display~~ 9170  
~~provided with mechanical or electro-optical components that can~~ 9171  
~~be actuated by the voter, that processes the data by means of a~~ 9172  
~~computer program, and that records voting data and ballot images~~ 9173  
~~in internal or external memory components. A "direct recording-~~ 9174  
~~electronic voting machine" produces a tabulation of the voting~~ 9175  
~~data stored in a removable memory component and in printed copy.~~ 9176  
~~"Direct recording electronic voting machine" does not include a~~ 9177  
~~voting machine that captures votes by means of a ballot display~~ 9178  
~~but that transfers those votes onto an optical scan ballot or~~ 9179  
~~other paper record for tabulation.~~ 9180

~~(G) "Help America Vote Act of 2002" means the "Help-~~ 9181  
~~America Vote Act of 2002," Pub. L. No. 107-252, 116 Stat. 1666.~~ 9182

~~(H) "Voter verified paper audit trail" means a physical~~ 9183  
~~paper printout on which the voter's ballot choices, as~~ 9184  
~~registered by a direct recording electronic voting machine, are~~ 9185  
~~recorded. The voter shall be permitted to visually or audibly~~ 9186

~~inspect the contents of the physical paper printout. The~~ 9187  
~~physical paper printout shall be securely retained at the~~ 9188  
~~polling place until the close of the polls on the day of the~~ 9189  
~~election; the secretary of state shall adopt rules under Chapter~~ 9190  
~~119. of the Revised Code specifying the manner of storing the~~ 9191  
~~physical paper printout at the polling place. After the physical~~ 9192  
~~paper printout is produced, but before the voter's ballot is~~ 9193  
~~recorded, the voter shall have an opportunity to accept or~~ 9194  
~~reject the contents of the printout as matching the voter's~~ 9195  
~~ballot choices. If a voter rejects the contents of the physical~~ 9196  
~~paper printout, the system that produces the voter verified~~ 9197  
~~paper audit trail shall invalidate the printout and permit the~~ 9198  
~~voter to recast the voter's ballot. On and after the first~~ 9199  
~~federal election that occurs after January 1, 2006, unless~~ 9200  
~~required sooner by the Help America Vote Act of 2002, any system~~ 9201  
~~that produces a voter verified paper audit trail shall be~~ 9202  
~~accessible to disabled voters, including visually impaired~~ 9203  
~~voters, in the same manner as the direct recording electronic~~ 9204  
~~voting machine that produces it. "Electronic pollbook" means a~~ 9205  
~~portable electronic list of registered electors for a particular~~ 9206  
~~precinct or county.~~ 9207

**Sec. 3506.02.** ~~Voting machines, marking~~ Marking devices, 9208  
and automatic tabulating equipment may be adopted for use in 9209  
elections in any county in the following manner: 9210

(A) By the board of elections; 9211

(B) By the board of county commissioners of such county on 9212  
the recommendation of the board of elections; 9213

(C) By the affirmative vote of a majority of the electors 9214  
of such county voting upon the question of the adoption of such 9215  
equipment in such county. 9216

If a petition signed by electors equal in number to two 9217  
per cent of the total votes cast in the county for the office of 9218  
governor at the most recent general election for that office is 9219  
filed with the board of elections, such board shall submit to 9220  
the electors of such county at the next general election 9221  
occurring not less than ninety days thereafter the question 9222  
"Shall ~~voting machines, marking devices,~~ and automatic 9223  
tabulating equipment be adopted in the county of 9224  
\_\_\_\_\_?" Upon the filing of such petition, the 9225  
board of elections shall forthwith notify the board of county 9226  
commissioners, and the board of county commissioners shall 9227  
forthwith determine whether it would prefer to purchase or lease 9228  
such equipment in whole or in part for cash and if so whether it 9229  
will be necessary or advisable to issue bonds to provide funds 9230  
for the purchase of such equipment, if adopted. If the board of 9231  
county commissioners determines that it is necessary or 9232  
advisable to issue bonds therefor, it shall by resolution 9233  
provide for the submission on the same ballot, but as a separate 9234  
issue, the question of issuing such bonds. The question of 9235  
issuing such bonds shall be submitted as required by division 9236  
(A) of section 3506.03 of the Revised Code. 9237

**Sec. 3506.021.** (A) A board of elections may adopt the use 9238  
of any electronic pollbook that has been certified for use in 9239  
this state in accordance with section 3506.05 of the Revised 9240  
Code, instead of using poll lists or signature pollbooks. A 9241  
board of elections that opts to use electronic pollbooks shall 9242  
notify the secretary of state of that decision. 9243

(B) The secretary of state shall provide each board of 9244  
elections that adopts the use of electronic pollbooks under 9245  
division (A) of this section with rules, instructions, 9246  
directives, and advisories regarding the examination, testing, 9247

and use of electronic pollbooks, including rules regarding the 9248  
sealing of the information in those pollbooks as required under 9249  
~~section sections 3505.26 and 3505.31~~ of the Revised Code. 9250

~~(C) As used in this section, "electronic pollbook" has the 9251  
same meaning as in section 3506.05 of the Revised Code. 9252~~

**Sec. 3506.03.** Upon the adoption of ~~voting machines,~~ 9253  
marking devices, and automatic tabulating equipment either by 9254  
the action of the board of elections or by the board of county 9255  
commissioners, on the recommendation of the board of elections 9256  
or by the affirmative vote of a majority of the electors voting 9257  
on the question of the adoption of such equipment, such board of 9258  
county commissioners shall acquire the equipment by any one or 9259  
by any combination of the following methods: 9260

(A) By purchasing in whole or in part such equipment and 9261  
paying the purchase price therefor in cash; or out of the 9262  
proceeds of the issuance and sale of bonds, provided the 9263  
question of issuing bonds for such purpose was submitted to the 9264  
vote of the electors of the county pursuant to section 133.18 of 9265  
the Revised Code and provided the issuance of such bonds was 9266  
approved; 9267

(B) By purchasing in whole or in part such equipment and 9268  
paying the purchase price in a series of consecutive annual 9269  
approximately equal installments the number of which shall not 9270  
exceed the estimated number of years of usefulness of such 9271  
equipment, as determined by the fiscal officer of the county and 9272  
by issuing to the seller negotiable promissory notes of the 9273  
county, evidencing the annual installments to become due, 9274  
specifying the terms of purchase, and bearing interest at a rate 9275  
not exceeding the rate determined as provided in section 9.95 of 9276  
the Revised Code, which notes shall be public obligations as 9277

defined in division (GG) (2) of section 133.01 of the Revised 9278  
Code and shall not be subject to Chapter 133. of the Revised 9279  
Code, provided the legislation authorizing the issuance of such 9280  
notes shall make provision for levying and collecting annually 9281  
by taxation amounts sufficient to pay the interest on such notes 9282  
and to provide for the payment of the principal thereof when 9283  
due, and provided that the amounts of such tax so levied each 9284  
year may be reduced by the amount by which revenues available 9285  
for appropriation for the payment of the expenses of conducting 9286  
elections are appropriated for, and applied to, the payment of 9287  
such interest and principal of such notes; 9288

(C) By leasing such equipment in whole or in part under 9289  
contract of lease which shall provide for the rental, and also 9290  
may provide for an option to purchase them or parts of them at a 9291  
fixed price with the rentals paid to be applied to the purchase 9292  
price, and payments under such contracts of lease may be made by 9293  
the county out of funds of the county not otherwise 9294  
appropriated; or which may be appropriated by the board of 9295  
county commissioners, out of funds appropriated by the board of 9296  
county commissioners to the board of elections for the costs and 9297  
expenses of elections, with the approval of the board of 9298  
elections; or out of the funds the board of county commissioners 9299  
is authorized to provide by a levy and collection thereof 9300  
annually by taxation. 9301

**Sec. 3506.04.** (A) If it is impracticable to supply each 9302  
~~election precinct location where ballots may be cast in person~~ 9303  
with ~~voting machines or marking devices~~ for use at the next 9304  
election following the adoption of such equipment, as many shall 9305  
be supplied for that election and the succeeding elections as it 9306  
is practicable to procure either by purchase or lease, or by a 9307  
combination of both, and such equipment may be used in ~~election~~ 9308

~~precincts~~ locations within the county as the board of elections 9309  
directs until such time as it is practicable to provide the 9310  
total number of ~~voting machines or~~ marking devices necessary to 9311  
supply all ~~precincts~~ locations within the county, provided that 9312  
the total number of ~~voting machines or~~ marking devices necessary 9313  
to supply all ~~precincts~~ locations shall be procured by purchase 9314  
or lease, or by a combination of both as soon as practicable 9315  
after their adoption. 9316

(B) The board of elections shall be charged with the 9317  
custody of all equipment acquired by the county, and shall see 9318  
that all such equipment is kept in proper working order and in 9319  
good repair. The board of county commissioners of any county or 9320  
the board of elections, upon recommendation of the board of 9321  
elections, may, prior to the adoption of such equipment, acquire 9322  
by purchase or lease or by loan, for the experimental use in a 9323  
limited number of precincts, such equipment, and such 9324  
experimental use shall be valid for all purposes as if such 9325  
equipment had been formally adopted, provided that such 9326  
equipment has been approved by the board of voting ~~machine-~~ 9327  
equipment examiners for experimental use. 9328

(C) All equipment acquired by any county by any of the 9329  
methods provided for in this section shall be exempt from levy 9330  
and taxation. 9331

**Sec. 3506.05.** (A) As used in this section: 9332

(1) ~~"Electronic pollbook" means an electronic list of~~ 9333  
~~registered voters for a particular precinct or polling location~~ 9334  
~~that may be transported to a polling location.~~ 9335

~~(2)~~ Except when used as part of the phrase "tabulating 9336  
equipment" or "automatic tabulating equipment," "equipment" 9337

means a ~~voting machine~~, marking device, automatic tabulating 9338  
equipment, software, or an electronic pollbook. 9339

~~(3)~~ (2) "Vendor" means the person that owns, manufactures, 9340  
distributes, or has the legal right to control the use of 9341  
equipment, or the person's agent. 9342

(B) No ~~voting machine~~, marking device, automatic 9343  
tabulating equipment, or software for the purpose of casting or 9344  
tabulating votes or for communications among systems involved in 9345  
the tabulation, ~~storage~~, or casting of votes, and no electronic 9346  
pollbook, shall be purchased, leased, put in use, or continued 9347  
to be used, except for experimental use as provided in division 9348  
(B) of section 3506.04 of the Revised Code, unless it, a manual 9349  
of procedures governing its use, and training materials, 9350  
service, and other support arrangements have been certified by 9351  
the secretary of state and unless the board of elections of each 9352  
county where the equipment will be used has assured that a 9353  
demonstration of the use of the equipment has been made 9354  
available to all interested electors. The secretary of state 9355  
shall appoint a board of voting ~~machine~~ equipment examiners to 9356  
examine and approve equipment and its related manuals and 9357  
support arrangements. The board shall consist of four members, 9358  
who shall be appointed as follows: 9359

(1) Two members appointed by the secretary of state ~~;~~ 9360

(2) One member appointed by either the speaker of the 9361  
house of representatives or the minority leader of the house of 9362  
representatives, whichever is a member of the opposite political 9363  
party from the one to which the secretary of state belongs ~~;~~ 9364

(3) One member appointed by either the president of the 9365  
senate or the minority leader of the senate, whichever is a 9366

member of the opposite political party from the one to which the 9367  
secretary of state belongs. 9368

In all cases of a tie vote or a disagreement in the board, 9369  
if no decision can be arrived at, the board shall submit the 9370  
matter in controversy to the secretary of state, who shall 9371  
summarily decide the question, and the secretary of state's 9372  
decision shall be final. Each member of the board shall be a 9373  
competent and experienced election officer or a person who is 9374  
knowledgeable about the operation of voting equipment and shall 9375  
serve during the secretary of state's term. Any vacancy on the 9376  
board shall be filled in the same manner as the original 9377  
appointment. The secretary of state shall provide staffing 9378  
assistance to the board, at the board's request. 9379

For the member's service, each member of the board shall 9380  
receive three hundred dollars per day for each combination of 9381  
marking device, tabulating equipment, ~~voting machine,~~ or 9382  
electronic pollbook examined and reported, but in no event shall 9383  
a member receive more than six hundred dollars to examine and 9384  
report on any one marking device, item of tabulating equipment, 9385  
~~voting machine,~~ or electronic pollbook. Each member of the board 9386  
shall be reimbursed for expenses the member incurs during an 9387  
examination or during the performance of any related duties that 9388  
may be required by the secretary of state. Reimbursement of 9389  
these expenses shall be made in accordance with, and shall not 9390  
exceed, the rates provided for under section 126.31 of the 9391  
Revised Code. 9392

Neither the secretary of state nor the board, nor any 9393  
public officer who participates in the authorization, 9394  
examination, testing, or purchase of equipment, shall have any 9395  
pecuniary interest in the equipment or any affiliation with the 9396



vendor. 9397

(C) (1) A vendor who desires to have the secretary of state 9398  
certify equipment shall first submit the equipment, all current 9399  
related procedural manuals, and a current description of all 9400  
related support arrangements to the board of voting ~~machine-~~ 9401  
equipment examiners for examination, testing, and approval. The 9402  
submission shall be accompanied by a fee of two thousand four 9403  
hundred dollars and a detailed explanation of the construction 9404  
and method of operation of the equipment, a full statement of 9405  
its advantages, and a list of the patents and copyrights used in 9406  
operations essential to the processes of vote recording and 9407  
tabulating, ~~vote storage,~~ system security, pollbook storage and 9408  
security, and other crucial operations of the equipment as may 9409  
be determined by the board. An additional fee, in an amount to 9410  
be set by rules promulgated by the board, may be imposed to pay 9411  
for the costs of alternative testing or testing by persons other 9412  
than board members, record-keeping, and other extraordinary 9413  
costs incurred in the examination process. Moneys not used shall 9414  
be returned to the person or entity submitting the equipment for 9415  
examination. 9416

(2) Fees collected by the secretary of state under this 9417  
section shall be deposited into the state treasury to the credit 9418  
of the board of voting ~~machine-~~equipment examiners fund, which 9419  
is hereby created. All moneys credited to this fund shall be 9420  
used solely for the purpose of paying for the services and 9421  
expenses of each member of the board or for other expenses 9422  
incurred relating to the examination, testing, reporting, or 9423  
certification of equipment, the performance of any related 9424  
duties as required by the secretary of state, or the 9425  
reimbursement of any person submitting an examination fee as 9426  
provided in this chapter. 9427

(D) Within sixty days after the submission of the 9428  
equipment and payment of the fee, or as soon thereafter as is 9429  
reasonably practicable, but in any event within not more than 9430  
ninety days after the submission and payment, the board of 9431  
voting ~~machine~~equipment examiners shall examine the equipment 9432  
and file with the secretary of state a written report on the 9433  
equipment with its recommendations and, if applicable, its 9434  
determination or condition of approval regarding whether the 9435  
equipment, manual, and other related materials or arrangements 9436  
meet the criteria set forth in ~~sections~~section 3506.07 ~~and~~ 9437  
~~3506.10~~ of the Revised Code and can be safely used by the voters 9438  
at elections under the conditions prescribed in Title XXXV of 9439  
the Revised Code, or a written statement of reasons for which 9440  
testing requires a longer period. The board may grant temporary 9441  
approval for the purpose of allowing experimental use of 9442  
equipment. If the board finds that the equipment meets any 9443  
applicable criteria set forth in sections 3506.06, 3506.07, and 9444  
3506.10 of the Revised Code, can be used safely and, if 9445  
applicable, can be depended upon to record and count accurately 9446  
and continuously the votes of electors, and has the capacity to 9447  
be warranted, maintained, and serviced, it shall approve the 9448  
equipment and recommend that the secretary of state certify the 9449  
equipment. The secretary of state shall notify all boards of 9450  
elections of any such certification. Equipment of the same model 9451  
and make, if it operates in an identical manner, may then be 9452  
adopted for use at elections. 9453

(E) The vendor shall notify the secretary of state, who 9454  
shall then notify the board of voting ~~machine~~equipment 9455  
examiners, of any enhancement and any significant adjustment to 9456  
the hardware or software that could result in a patent or 9457  
copyright change or that significantly alters the methods of 9458

recording voter intent, system security, voter privacy, 9459  
~~retention of the vote,~~ communication of records, and connections 9460  
between the system and other systems. The vendor shall provide 9461  
the secretary of state with an updated operations manual for the 9462  
equipment, and the secretary of state shall forward the manual 9463  
to the board. Upon receiving such a notification and manual, the 9464  
board may require the vendor to submit the equipment to an 9465  
examination and test in order for the equipment to remain 9466  
certified. The board or the secretary of state shall 9467  
periodically examine, test, and inspect certified equipment to 9468  
determine continued compliance with the requirements of this 9469  
chapter and the initial certification. Any examination, test, or 9470  
inspection conducted for the purpose of continuing certification 9471  
of any equipment in which a significant problem has been 9472  
uncovered or in which a record of continuing problems exists 9473  
shall be performed pursuant to divisions (C) and (D) of this 9474  
section, in the same manner as the examination, test, or 9475  
inspection is performed for initial approval and certification. 9476

(F) If, at any time after the certification of equipment, 9477  
the board of voting ~~machine-equipment~~ examiners or the secretary 9478  
of state is notified by a board of elections of any significant 9479  
problem with the equipment or determines that the equipment 9480  
fails to meet the requirements necessary for approval or 9481  
continued compliance with the requirements of this chapter, or 9482  
if the board of voting ~~machine-equipment~~ examiners determines 9483  
that there are significant enhancements or adjustments to the 9484  
hardware or software, or if notice of such enhancements or 9485  
adjustments has not been given as required by division (E) of 9486  
this section, the secretary of state shall notify the users and 9487  
vendors of that equipment that certification of the equipment 9488  
may be withdrawn. 9489

(G) (1) The notice given by the secretary of state under 9490  
division (F) of this section shall be in writing and shall 9491  
specify both of the following: 9492

(a) The reasons why the certification may be withdrawn; 9493

(b) The date on which certification will be withdrawn 9494  
unless the vendor takes satisfactory corrective measures or 9495  
explains why there are no problems with the equipment or why the 9496  
enhancements or adjustments to the equipment are not 9497  
significant. 9498

(2) A vendor who receives a notice under division (F) of 9499  
this section shall, within thirty days after receiving it, 9500  
submit to the board of voting ~~machine~~-equipment examiners in 9501  
writing a description of the corrective measures taken and the 9502  
date on which they were taken, or the explanation required under 9503  
division (G) (1) (b) of this section. 9504

(3) Not later than fifteen days after receiving a written 9505  
description or explanation under division (G) (2) of this section 9506  
from a vendor, the board shall determine whether the corrective 9507  
measures taken or the explanation is satisfactory to allow 9508  
continued certification of the equipment, and the secretary of 9509  
state shall send the vendor a written notice of the board's 9510  
determination, specifying the reasons for it. If the board has 9511  
determined that the measures taken or the explanation given is 9512  
unsatisfactory, the notice shall include the effective date of 9513  
withdrawal of the certification. This date may be different from 9514  
the date originally specified in division (G) (1) (b) of this 9515  
section. 9516

(4) A vendor who receives a notice under division (G) (3) 9517  
of this section indicating a decision to withdraw certification 9518

may, within thirty days after receiving it, request in writing 9519  
that the board hold a hearing to reconsider its decision. Any 9520  
interested party shall be given the opportunity to submit 9521  
testimony or documentation in support of or in opposition to the 9522  
board's recommendation to withdraw certification. Failure of the 9523  
vendor to take appropriate steps as described in division (G) (1) 9524  
(b) or to comply with division (G) (2) of this section results in 9525  
a waiver of the vendor's rights under division (G) (4) of this 9526  
section. 9527

(H) (1) The secretary of state, in consultation with the 9528  
board of voting ~~machine equipment~~ examiners, shall establish, by 9529  
rule, guidelines for the approval, certification, and continued 9530  
certification of the ~~voting machines,~~ marking devices, 9531  
tabulating equipment, and electronic pollbooks to be used under 9532  
Title XXXV of the Revised Code. The guidelines shall establish 9533  
procedures requiring vendors or computer software developers to 9534  
place in escrow with an independent escrow agent approved by the 9535  
secretary of state a copy of all source code and related 9536  
documentation, together with periodic updates as they become 9537  
known or available. The secretary of state shall require that 9538  
the documentation include a system configuration and that the 9539  
source code include all relevant program statements in low- or 9540  
high-level languages. As used in this division, "source code" 9541  
does not include variable codes created for specific elections. 9542

(2) Nothing in any rule adopted under division (H) of this 9543  
section shall be construed to limit the ability of the secretary 9544  
of state to follow or adopt, or to preclude the secretary of 9545  
state from following or adopting, any guidelines proposed by the 9546  
federal election commission, any entity authorized by the 9547  
federal election commission to propose guidelines, the election 9548  
assistance commission, or any entity authorized by the election 9549

assistance commission to propose guidelines. 9550

~~(3) (a) Before the initial certification of any direct recording electronic voting machine with a voter verified paper audit trail, and as a condition for the continued certification and use of those machines, the secretary of state shall establish, by rule, standards for the certification of those machines. Those standards shall include, but are not limited to, all of the following:~~ 9551  
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~~(i) A definition of a voter verified paper audit trail as a paper record of the voter's choices that is verified by the voter prior to the casting of the voter's ballot and that is securely retained by the board of elections;~~ 9558  
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~~(ii) Requirements that the voter verified paper audit trail shall not be retained by any voter and shall not contain individual voter information;~~ 9562  
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~~(iii) A prohibition against the production by any direct recording electronic voting machine of anything that legally could be removed by the voter from the polling place, such as a receipt or voter confirmation;~~ 9565  
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~~(iv) A requirement that paper used in producing a voter verified paper audit trail be sturdy, clean, and resistant to degradation;~~ 9569  
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~~(v) A requirement that the voter verified paper audit trail shall be capable of being optically scanned for the purpose of conducting a recount or other audit of the voting machine and shall be readable in a manner that makes the voter's ballot choices obvious to the voter without the use of computer or electronic codes;~~ 9572  
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~~(vi) A requirement, for office type ballots, that the~~ 9578

~~voter verified paper audit trail include the name of each  
candidate selected by the voter;~~ 9579  
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~~(vii) A requirement, for questions and issues ballots,  
that the voter verified paper audit trail include the title of  
the question or issue, the name of the entity that placed the  
question or issue on the ballot, and the voter's ballot  
selection on that question or issue, but not the entire text of  
the question or issue.~~ 9581  
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~~(b) The secretary of state, by rule adopted under Chapter  
119. of the Revised Code, may waive the requirement under  
division (H) (3) (a) (v) of this section, if the secretary of state  
determines that the requirement is cost prohibitive.~~ 9587  
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~~(4) (a) Except as otherwise provided in divisions (H) (4) (b)  
(H) (3) (b) and (c) of this section, any voting machine, marking  
device, or automatic tabulating equipment used in this state  
shall meet, as a condition of continued certification and use,  
the voting system standards adopted by the federal election  
commission in 2002 or the voluntary voting system guidelines  
most recently adopted by the federal election assistance  
commission. A voting machine, marking device, or automatic  
tabulating equipment initially certified or acquired on or after  
December 1, 2008, also shall have the most recent federal  
certification number issued by the election assistance  
commission.~~ 9591  
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~~(b) Division (H) (4) (a) (H) (3) (a) of this section does not  
apply to any voting machine, marking device, or automatic  
tabulating equipment that the federal election assistance  
commission does not certify as part of its testing and  
certification program.~~ 9603  
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(c) A county that acquires additional ~~voting machines,~~ 9608  
marking devices~~,~~ or automatic tabulating equipment on or after 9609  
December 1, 2008, shall not be considered to have acquired those 9610  
~~machines,~~ devices~~,~~ or equipment on or after December 1, 2008, 9611  
for the purpose of division ~~(H) (4) (a)~~ (H) (3) (a) of this section 9612  
if all of the following apply: 9613

(i) The ~~voting machines,~~ marking devices~~,~~ or automatic 9614  
tabulating equipment acquired are the same as the ~~machines,~~ 9615  
devices~~,~~ or equipment currently used in that county. 9616

(ii) The acquisition of the ~~voting machines,~~ marking 9617  
devices~~,~~ or automatic tabulating equipment does not replace or 9618  
change the primary voting system used in that county. 9619

(iii) The acquisition of the ~~voting machines,~~ marking 9620  
devices~~,~~ or automatic tabulating equipment is for the purpose of 9621  
replacing inoperable ~~machines,~~ devices~~,~~ or equipment or for the 9622  
purpose of providing additional ~~machines,~~ devices~~,~~ or equipment 9623  
required to meet the allocation requirements established 9624  
pursuant to division (I) of section 3501.11 of the Revised Code. 9625

**Sec. 3506.06.** No marking device shall be approved by the 9626  
board of voting ~~machine equipment~~ examiners or certified by the 9627  
secretary of state, or be purchased, rented, or otherwise 9628  
acquired, or used, unless it fulfills the following 9629  
requirements: 9630

(A) It shall permit and require voting in absolute 9631  
secrecy, and shall be so constructed that no person can see or 9632  
know for whom any other elector has voted or is voting, except 9633  
an elector who is assisting a voter as prescribed by section 9634  
3505.24 of the Revised Code. 9635

(B) It shall permit each elector to vote at any election 9636



for all persons and offices for whom and for which the elector 9637  
is lawfully entitled to vote, whether or not the name of any 9638  
such person appears on a ballot as a candidate; to vote for as 9639  
many persons for an office as the elector is entitled to vote 9640  
for; and to vote for or against any question upon which the 9641  
elector is entitled to vote. 9642

(C) It shall permit each elector to write in the names of 9643  
persons for whom the elector desires to vote, whose names do not 9644  
appear upon the ballot, if such write-in candidates are 9645  
permitted by law. 9646

(D) It shall permit each elector, at all presidential 9647  
elections, by one mark to vote for candidates of one party for 9648  
president, vice president, and presidential electors. 9649

(E) It shall be durably constructed of material of good 9650  
quality in a neat and workerlike manner, and in form that shall 9651  
make it safely transportable. 9652

(F) It shall be so constructed that a voter may readily 9653  
learn the method of operating it and may expeditiously cast the 9654  
voter's vote for all candidates of the voter's choice. 9655

(G) It shall not provide to a voter any type of receipt or 9656  
voter confirmation that the voter legally may retain after 9657  
leaving the polling place. 9658

**Sec. 3506.07.** No automatic tabulating equipment shall be 9659  
approved by the board of voting ~~machine~~equipment examiners or 9660  
certified by the secretary of state, or be purchased, rented, or 9661  
otherwise acquired, or used, unless it has been or is capable of 9662  
being manufactured for use and distribution beyond a prototype 9663  
and can be set by election officials, to examine ballots and to 9664  
count votes accurately for each candidate, question, and issue, 9665

excluding any ballots marked contrary to the instructions 9666  
printed on such ballots, provided that such equipment shall not 9667  
be required to count write-in votes ~~or the votes on any ballots~~ 9668  
~~that have been voted other than at the regular polling place on~~ 9669  
~~election day.~~ 9670

**Sec. 3506.12.** In counties where marking devices, ~~automatic~~ 9671  
~~tabulating equipment, voting machines, or any combination of~~ 9672  
~~these~~ are in use or are to be used, both of the board of 9673  
elections following shall apply: 9674

(A) ~~May~~ The board of elections may combine, rearrange, and 9675  
enlarge precincts; but the board shall arrange for a sufficient 9676  
number of ~~these marking devices~~ to accommodate the number of 9677  
electors ~~in assigned to each precinct~~ polling place as 9678  
determined by the number of votes cast in that precinct at the 9679  
most recent election for the office of governor, taking into 9680  
consideration the size and location of each selected precinct 9681  
polling place, available parking, handicap accessibility and 9682  
other accessibility to the precinct polling place, and the 9683  
number of candidates and issues to be voted on. Notwithstanding 9684  
section 3501.22 of the Revised Code, the board may appoint more 9685  
than four ~~precinct officers to election officials for each~~ 9686  
precinct at a precinct polling place if this is made necessary 9687  
by the number of ~~voting machines marking devices~~ to be used ~~in~~ 9688  
~~that precinct at that location.~~ 9689

(B) ~~Except as otherwise provided in this division, shall~~ 9690  
~~establish one or more counting stations to receive voted ballots~~ 9691  
~~and other precinct election supplies after the polling precincts~~ 9692  
~~are closed. Those stations shall be under the supervision and~~ 9693  
~~direction of the board of elections. Processing and counting of~~ 9694  
~~voted ballots, and the preparation of summary sheets, shall be~~ 9695

~~done in the presence of observers approved by the board. A~~ 9696  
~~certified copy of the summary sheet for the precinct shall be~~ 9697  
~~posted at each counting station immediately after completion of~~ 9698  
~~the summary sheet.~~ The board of elections shall arrange for a 9699  
sufficient number of marking devices in each voter service and 9700  
polling center and at the office of the board to accommodate the 9701  
number of electors in the county as determined by the number of 9702  
votes cast in the county at the most recent election for the 9703  
office of governor, taking into consideration the size and 9704  
location of each selected voter service and polling center and 9705  
of the office of the board, available parking, handicap 9706  
accessibility and other accessibility to the location, and the 9707  
number of candidates and issues to be voted on. 9708

**Sec. 3506.14.** (A) Prior to each election, the board of 9709  
elections shall test and audit the variable codes applicable to 9710  
that election to verify the accuracy of any computer program 9711  
that will be used for tallying the ~~ballot cards~~ ballots for ~~each~~ 9712  
~~precinct in which an~~ the ~~election will be held.~~ 9713

(B) Prior to the start of the count of the ballots, the 9714  
board of elections shall have the ~~voting machine or~~ automatic 9715  
tabulating equipment tested to ascertain that it will accurately 9716  
count the votes cast for all offices and on all questions and 9717  
issues. Public notice of the time and place of the test shall be 9718  
given by proclamation or posting as in the case of notice of 9719  
elections. The test shall be conducted by processing a pre- 9720  
audited group of ballots so marked as to record a predetermined 9721  
number of valid votes for each candidate and on each question 9722  
and issue, and shall include for each office one or more ballots 9723  
that have votes in excess of the number allowed by law in order 9724  
to test the ability of the automatic tabulating equipment to 9725  
reject those votes. In that test a different number of valid 9726

votes shall be assigned to each candidate for an office, and for 9727  
and against each question and issue. If an error is detected, 9728  
the cause for the error shall be ascertained and corrected and 9729  
an errorless count shall be made and certified to by the board 9730  
before the count is started. The tabulating equipment shall pass 9731  
the same test at the beginning and conclusion of the election 9732  
day count before the election returns are approved as official. 9733  
On completion of the election day count, the programs, test 9734  
materials, and ballots shall be sealed and retained as provided 9735  
for paper ballots in section 3505.31 of the Revised Code. 9736

**Sec. 3506.15.** The secretary of state shall provide each 9737  
board of elections with rules, instructions, directives, and 9738  
advisories regarding the examination, testing, and use of ~~the~~ 9739  
~~voting machine~~ marking devices and automatic tabulating 9740  
equipment, the assignment of duties of booth officials, the 9741  
procedure for casting a vote on the ~~machine~~ devices, and how the 9742  
vote shall be tallied and reported to the board, and with other 9743  
rules, instructions, directives, and advisories the secretary of 9744  
state finds necessary to ensure the adequate care and custody of 9745  
~~voting~~ marking devices and automatic tabulating equipment, and 9746  
the accurate registering, counting, and canvassing of the votes 9747  
as required by this chapter. The boards of elections shall be 9748  
charged with the responsibility of providing for the adequate 9749  
instruction of voters and election officials in the proper use 9750  
of ~~the voting machine and~~ marking devices and automatic 9751  
tabulating equipment. 9752

The secretary of state's rules, instructions, directives, 9753  
and advisories provided under this section shall comply, insofar 9754  
as practicable, with this chapter. The provisions of Title XXXV 9755  
of the Revised Code, not inconsistent with the provisions 9756  
relating to ~~voting machines~~ marking devices, apply in any county 9757

using ~~a voting machine~~ marking devices. 9758

**Sec. 3506.19.** ~~On and after the first federal election that~~ 9759  
~~occurs after January 1, 2006, unless required sooner by the Help~~ 9760  
~~America Vote Act of 2002, each polling location~~ The board of 9761  
elections shall have available for use at all elections ~~each~~ 9762  
location where ballots may be cast in person for an election at 9763  
least one ~~direct recording electronic voting machine or marking~~ 9764  
device that is accessible for individuals with disabilities, 9765  
including nonvisual accessibility for the blind and visually 9766  
impaired, in a manner that provides the same opportunity for 9767  
access and participation, including privacy and independence, as 9768  
for other voters. 9769

**Sec. 3506.21.** (A) As used in this section, "optical scan 9770  
ballot" means a ballot that is marked manually by using a 9771  
specified writing instrument, and not by using a marking device, 9772  
to fill in a designated position to record a voter's candidate, 9773  
question, or issue choice and that can be scanned and 9774  
electronically read in order to tabulate the vote. 9775

(B) (1) In addition to marks that can be scanned and 9776  
electronically read by automatic tabulating equipment, any of 9777  
the following marks, if a majority of those marks are made in a 9778  
consistent manner throughout an optical scan ballot, shall be 9779  
counted as a valid vote: 9780

(a) A candidate, question, or issue choice that has been 9781  
circled by the voter; 9782

(b) An oval beside the candidate, question, or issue 9783  
choice that has been circled by the voter; 9784

(c) An oval beside the candidate, question, or issue 9785  
choice that has been marked by the voter with an "x," a check 9786

mark, or other recognizable mark; 9787

(d) A candidate, question, or issue choice that has been 9788  
marked with a writing instrument that cannot be recognized by 9789  
automatic tabulating equipment. 9790

(2) Marks made on an optical scan ballot in accordance 9791  
with division (B) (1) of this section shall be counted as valid 9792  
votes only if that optical scan ballot contains no marks that 9793  
can be scanned and electronically read by automatic tabulating 9794  
equipment. 9795

(3) If automatic tabulating equipment detects that more 9796  
marks were made on an optical scan ballot for a particular 9797  
office, question, or issue than the number of selections that a 9798  
voter is allowed by law to make for that office, question, or 9799  
issue, the voter's ballot shall be invalidated for that office, 9800  
question, or issue. The ballot shall not be invalidated for any 9801  
other office, question, or issue for which the automatic 9802  
tabulating equipment detects a vote to have been cast, in 9803  
accordance with the law. 9804

(C) The secretary of state may adopt rules under Chapter 9805  
119. of the Revised Code to authorize additional types of 9806  
optical scan ballots and to specify the types of marks on those 9807  
ballots that shall be counted as a valid vote to ensure 9808  
consistency in the counting of ballots throughout the state. 9809

~~(D) (1) A board of elections of a county that uses optical-~~ 9810  
~~scan ballots and automatic tabulating equipment as the primary-~~ 9811  
~~voting system for the county shall not tabulate the unofficial-~~ 9812  
~~results of optical scan ballots voted on election day at a-~~ 9813  
~~central location.~~ 9814

~~(2) A board of elections that provides for the tabulation~~ 9815

~~at each precinct of voted ballots, and then, at a central- 9816  
location, combines those precinct ballot totals with ballot 9817  
totals from other precincts, including optical scan ballots 9818  
voted by absent voters, shall not be considered to be tabulating- 9819  
the unofficial results of optical scan ballots at a central- 9820  
location for the purpose of division (D)(1) of this section. 9821~~

~~Sec. 3506.23. A voting machine No marking device and no 9822  
automatic tabulating equipment shall ~~not~~ be connected to the 9823  
internet. 9824~~

~~Sec. 3509.01. (A) The board of elections of each county 9825  
shall provide ~~absent voter's~~ mail ballots for use at every 9826  
primary and general election, or special election to be held on 9827  
the day specified by division (E) of section 3501.01 of the 9828  
Revised Code for the holding of a primary election, designated 9829  
by the general assembly for the purpose of submitting 9830  
constitutional amendments proposed by the general assembly to 9831  
the voters of the state. Those ballots shall be the same size, 9832  
shall be printed on the same kind of paper, and shall be in the 9833  
same form as has been approved for use in person at the election 9834  
for which those ballots are to be voted; except that, in 9835  
counties using marking devices, ballot cards may be used for 9836  
~~absent voter's~~ mail ballots, and ~~those absent voters~~ casting 9837  
mail ballots shall be instructed to record the vote in the 9838  
manner provided on the ballot cards. 9839~~

~~(B) The rotation of names of candidates and questions and 9840  
issues shall be substantially complied with on ~~absent voter's~~ 9841  
mail ballots, within the limitation of time allotted. Those 9842  
ballots shall be designated as "~~Absent Voter's~~ Mail Ballots." 9843  
Except as otherwise provided in division (D) of this section, 9844  
the board of elections shall deliver those ballots ~~shall be~~ 9845~~

~~printed and ready for use as follows:~~ 9846

(1) ~~For~~ Not later than the forty-sixth day before the day 9847  
of the election, and thereafter upon request, the board shall 9848  
mail uniformed services and overseas voters and absent uniformed 9849  
services voters eligible to vote under mail ballots to each 9850  
elector of the county who has applied for those ballots, in 9851  
accordance with the Uniformed and Overseas Citizens Absentee 9852  
Voting Act, Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 1973ff, 9853  
et seq., as amended, ballots shall be printed and ready for use 9854  
other than in person on the forty-sixth day before the day of 9855  
the election. 9856

(2) ~~For all voters, other than overseas voters and absent~~ 9857  
~~uniformed services voters, who are applying to vote absent~~ 9858  
~~voter's ballots other than in person, ballots shall be printed~~ 9859  
~~and ready for use on the first day after the close of voter~~ 9860  
~~registration before the election~~ Except as otherwise provided in 9861  
divisions (B) (3) and (4) of this section, not earlier than the 9862  
twentieth day before the day of the election and not later than 9863  
the fourteenth day before the day of the election, the board 9864  
shall mail ballots by special delivery mail, air mail, or 9865  
regular mail, postage prepaid, to each elector of the county who 9866  
is an active elector as of the twenty-first day before the day 9867  
of the election and who has not applied to receive ballots in 9868  
another manner as of that day. 9869

(3) ~~For all voters who are applying to vote absent voter's~~ 9870  
~~ballots in person, ballots shall be printed and ready for use~~ 9871  
~~beginning on the first day after the close of voter registration~~ 9872  
~~before the election.~~ 9873

~~If, at the time for the close of in person absent voting~~ 9874  
~~on a particular day, there are voters waiting in line to cast~~ 9875



~~their ballots, the in-person absent voting location shall be~~ 9876  
~~kept open until such waiting voters have cast their absent-~~ 9877  
~~voter's ballots. If the board determines that an elector of the~~ 9878  
county who is an active elector as of the twenty-first day 9879  
before the day of the election and who has not applied to 9880  
receive ballots in another manner as of that day does not 9881  
receive daily mail service from the United States postal 9882  
service, the board shall send mail ballots to that elector by 9883  
special delivery mail, air mail, or regular mail, postage 9884  
prepaid, not earlier than the twentieth day before the day of 9885  
the election and not later than the eighteenth day before the 9886  
day of the election. 9887

(4) If an elector has submitted a valid application under 9888  
section 3509.03 or 3509.08 of the Revised Code to receive mail 9889  
ballots at an address that is outside this state, the board 9890  
shall send the appropriate ballots to that elector by special 9891  
delivery mail, air mail, or regular mail, postage prepaid, not 9892  
earlier than the twenty-ninth day before the day of the election 9893  
and not later than the fourteenth day before the day of the 9894  
election. 9895

(C) ~~Absent voter's Mail~~ ballots provided for use at a 9896  
general or primary election, or special election to be held on 9897  
the day specified by division (E) of section 3501.01 of the 9898  
Revised Code for the holding of a primary election, designated 9899  
by the general assembly for the purpose of submitting 9900  
constitutional amendments proposed by the general assembly to 9901  
the voters of the state, shall include only those questions, 9902  
issues, and candidacies that have been lawfully ordered 9903  
submitted to the electors voting at that election. 9904

(D) If the laws governing the holding of a special 9905

election on a day other than the day on which a primary or 9906  
general election is held make it impossible for ~~absent voter's~~ 9907  
mail ballots to be printed and ~~ready for use sent~~ by the 9908  
deadlines established in division (B) of this section, ~~absent~~ 9909  
~~voter's~~ mail ballots for those special elections shall be ~~ready~~ 9910  
~~for use sent~~ as many days before the day of the election as 9911  
reasonably possible under the laws governing the holding of that 9912  
special election. 9913

(E) A copy of the ~~absent voter's~~ mail ballots shall be 9914  
forwarded by the director of the board in each county to the 9915  
secretary of state at least ~~twenty-five~~ fifty-six days before 9916  
the election. 9917

**Sec. 3509.021.** All identification envelopes containing 9918  
~~absent voter's~~ mail ballots for former resident voters who are 9919  
entitled to vote for presidential and vice-presidential electors 9920  
only, shall have printed or stamped thereon the words, 9921  
"Presidential Ballot." 9922

**Sec. 3509.03.** (A) ~~Except as provided in division (B) of~~ 9923  
~~section 3509.08 of the Revised Code, any qualified elector~~ 9924  
~~desiring to vote absent voter's ballots at an election shall~~ 9925  
~~make~~ Any of the following electors may submit a written 9926  
application for ~~those~~ mail ballots under this section to the 9927  
~~director board~~ of elections of the county in which the elector's 9928  
voting residence is located. 9929

(1) An elector who is not an active elector; 9930

(2) An elector who wishes to have the elector's mail 9931  
ballots sent to an address other than the elector's current 9932  
residence address; 9933

(3) An elector who has moved within a precinct and has not 9934

submitted a notice of change of address not later than the 9935  
thirtieth day before the day of the election; 9936

(4) An elector who has had a change of name, has remained 9937  
within a precinct, has not submitted a notice of change of name 9938  
not later than the thirtieth day before the day of the election, 9939  
and provides proof of a legal name change in accordance with 9940  
division (B) (1) (b) of section 3503.16 of the Revised Code; 9941

(5) An elector who wishes to cast the primary election 9942  
ballot of a political party with which the elector is not 9943  
currently registered as affiliated and has not submitted a 9944  
notice of change of political party affiliation not later than 9945  
the thirtieth day before the day of the primary election; 9946

(6) An elector who would qualify to cast a provisional 9947  
ballot under division (B) or (C) of section 3503.16 of the 9948  
Revised Code but is unable to cast ballots in person on account 9949  
of personal illness, physical disability, or infirmity, as 9950  
permitted under division (E) of that section; 9951

(7) An elector who is requesting replacement ballots 9952  
because the ballots sent to the elector were destroyed, spoiled, 9953  
or lost or because the elector did not receive those ballots. 9954

(B) Except as otherwise provided in division (C) of this 9955  
section, the application need not be in any particular form but 9956  
shall contain all of the following: 9957

(1) The elector's name; 9958

(2) The elector's signature; 9959

(3) The elector's current residence ~~address at which the~~ 9960  
~~elector is registered to vote;~~ 9961

(4) The address at which the elector wishes to receive 9962

|  |      |
|--|------|
| <u>mail ballots, if that address is different from the elector's</u>       | 9963 |
| <u>current residence address;</u>  | 9964 |
| <u>(5) The elector's date of birth;</u>                                    | 9965 |
| <del>(5) One of the following:</del>                                       | 9966 |
| <del>(a) The elector's driver's license number;</del>                      | 9967 |
| <del>(b) The last four digits of the elector's social security</del>       | 9968 |
| <del>number;</del>   | 9969 |
| <del>(c) A copy of the elector's current and valid photo</del>             | 9970 |
| <del>identification, a copy of a military identification, or a copy</del>  | 9971 |
| <del>of a current utility bill, bank statement, government check,</del>    | 9972 |
| <del>paycheck, or other government document, other than a notice of</del>  | 9973 |
| <del>voter registration mailed by a board of elections under section</del> | 9974 |
| <del>3503.19 of the Revised Code, that shows the name and address of</del> | 9975 |
| <del>the elector.</del>  | 9976 |
| (6) A statement identifying the election for which <del>absent</del>       | 9977 |
| <del>voter's</del> <u>mail ballots</u> are requested;                      | 9978 |
| <del>(7)-(8) A statement that the person requesting the ballots</del>      | 9979 |
| is a qualified elector;  | 9980 |
| <del>(8)-(9) If the request is for primary election ballots,</del>         | 9981 |
| <del>the elector's</del> <u>one of the following:</u>                      | 9982 |
| <u>(a) The political party affiliation with which the elector</u>          | 9983 |
| <u>is registered as affiliated;</u>  | 9984 |
| <del>(9) If the elector desires ballots to be mailed to the</del>          | 9985 |
| <del>elector, the address to which those ballots shall be mailed</del>     | 9986 |
| <u>(b) A statement that the elector wishes to vote only for</u>            | 9987 |
| <u>the questions and issues appearing on the ballot in a special</u>       | 9988 |
| <u>election held on the day of the primary election.</u>                   | 9989 |

(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 elector's current residence address at which the elector is registered to vote.

(D) ~~Each~~ An application for mail ballots may be delivered to the office of the board of elections or to a voter service and polling center located in the county. An application for ~~absent voter's mail~~ 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 mail~~ 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~~. If the elector is requesting to receive mail ballots by mail, the application shall be delivered to the office of the board or to a voter service and polling center not later than twelve noon of the third day before the day of the election at which the ballots are to be voted, or not later than six p.m. on the last Friday before the day of the election at which the ballots are to be voted if the application is delivered in person to the office of the board.

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

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

~~voter's mail~~ ballots before ~~mailing~~ providing that application 10020  
to the applicant, except that if the applicant has a 10021  
confidential voter registration record, the secretary of state 10022  
or a board of elections shall not preprint the applicant's 10023  
address on the application. 10024

(F) If the election officials receive an application for 10025  
mail ballots that does not contain all of the required 10026  
information, the election officials promptly shall notify the 10027  
applicant of the additional information required to be provided 10028  
by the applicant to complete that application. 10029

(G) (1) Except as provided in division (G) (2) of this 10030  
section, if the election officials receive an application for 10031  
mail ballots that contains all of the required information and 10032  
the election officials find that the applicant is a qualified 10033  
elector, the election officials shall provide mail ballots to 10034  
the elector. If the elector is requesting to receive mail 10035  
ballots by mail, the board shall send mail ballots to the 10036  
applicant by special delivery mail, air mail, or regular mail, 10037  
postage prepaid, and in accordance with section 3509.04 of the 10038  
Revised Code. If the elector is requesting to receive mail 10039  
ballots in person at the office of the board or at a voter 10040  
service and polling center, the election officials shall provide 10041  
mail ballots to the elector in person, in accordance with 10042  
section 3509.04 of the Revised Code. 10043

(2) If the elector has previously been provided mail 10044  
ballots for the election, the election officials shall do all of 10045  
the following before providing additional mail ballots to the 10046  
elector: 10047

(a) Verify that the elector has not voted and returned any 10048  
previous mail ballots to the board of elections for the election 10049

and has not cast a ballot in person for the election; 10050

(b) If the elector has the elector's previous mail 10051  
ballots, request the elector to surrender those ballots to the 10052  
election officials, who shall retain the ballots and mark them 10053  
as void; 10054

(c) Note in the appropriate pollbook or list of electors 10055  
that the elector has requested replacement ballots; 10056

(d) Clearly mark the identification envelope as containing 10057  
replacement ballots. 10058

(H) If a board of elections receives an application for 10059  
mail ballots under this section and it is apparent to the board 10060  
that the applicant is a uniformed services voter or overseas 10061  
voter, as defined in section 3511.01 of the Revised Code, the 10062  
board shall consider that applicant to have applied for 10063  
uniformed services or overseas mail ballots under Chapter 3511. 10064  
of the Revised Code and shall provide those ballots to that 10065  
voter in accordance with the timelines and procedures applicable 10066  
to uniformed services and overseas voters. 10067

**Sec. 3509.04.** ~~(A) If a director of a board of elections~~ 10068  
~~receives an application for absent voter's ballots that does not~~ 10069  
~~contain all of the required information, the director promptly~~ 10070  
~~shall notify the applicant of the additional information~~ 10071  
~~required to be provided by the applicant to complete that~~ 10072  
~~application.~~ 10073

~~(B) Upon receipt by the director of elections of an~~ 10074  
~~application for absent voter's ballots that contains all of the~~ 10075  
~~required information, as provided by section 3509.03 and~~ 10076  
~~division (C) of section 3503.16 of the Revised Code, the~~ 10077  
~~director, if the director finds that the applicant is a~~ 10078

~~qualified elector, shall deliver to the applicant in person or~~ 10079  
~~mail directly to the applicant by special delivery mail, air~~ 10080  
~~mail, or regular mail, postage prepaid, proper absent voter's~~ 10081  
~~ballots. The director~~ When the election officials deliver mail 10082  
ballots to an elector, the election officials shall deliver or 10083  
mail include with the ballots an unsealed identification 10084  
envelope upon the face of which shall be printed a form 10085  
substantially as follows: 10086

"Identification Envelope Statement of Voter 10087

I, \_\_\_\_\_ (Name of voter), declare under 10088  
penalty of election falsification that the within ballot or 10089  
ballots contained no voting marks of any kind when I received 10090  
them, and I caused the ballot or ballots to be marked, enclosed 10091  
in the identification envelope, and sealed in that envelope. 10092

My voting residence in Ohio is 10093

\_\_\_\_\_ 10094

(Street and Number, if any, or Rural Route and Number) 10095

of \_\_\_\_\_ (City, Village, or Township) 10096

Ohio, ~~which is in Ward \_\_\_\_\_ Precinct \_\_\_\_\_~~ 10097  
~~in that city, village, or township.~~ 10098

If I have a confidential voter registration record, I am 10099  
providing my program participant identification number instead 10100  
of my residence address: \_\_\_\_\_ 10101

The primary election ballots, if any, within this envelope 10102  
are primary election ballots of the \_\_\_\_\_ Party. 10103

Ballots contained within this envelope are to be voted at 10104  
the \_\_\_\_\_ (general, special, or primary) election to be 10105  
held on the \_\_\_\_\_ day of 10106



\_\_\_\_\_, \_\_\_\_\_ 10107

My date of birth is \_\_\_\_\_ (Month and Day), 10108  
\_\_\_\_\_ (Year). 10109

~~(Voter must provide one of the following:)~~ 10110

~~My driver's license number is \_\_\_\_\_ (Driver's~~ 10111  
~~license number).~~ 10112

~~The last four digits of my Social Security Number are~~ 10113  
~~\_\_\_\_\_ (Last four digits of Social Security Number).~~ 10114

~~\_\_\_\_\_ In lieu of providing a driver's license number or~~ 10115  
~~the last four digits of my Social Security Number, I am~~ 10116  
~~enclosing a copy of one of the following in the return envelope~~ 10117  
~~in which this identification envelope will be mailed: a current~~ 10118  
~~and valid photo identification, a military identification, or a~~ 10119  
~~current utility bill, bank statement, government check,~~ 10120  
~~paycheck, or other government document, other than a notice of~~ 10121  
~~voter registration mailed by a board of elections, that shows my~~ 10122  
~~name and address. My telephone number is: \_\_\_\_\_ (optional)~~ 10123

My email address is: \_\_\_\_\_ (optional) 10124

I hereby declare, under penalty of election falsification, 10125  
that the statements above are true, as I verily believe. 10126

\_\_\_\_\_ (Signature of Voter) 10127

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 10128  
THE ~~FIFTH~~ FOURTH DEGREE." 10129

(B) The director election officials shall mail deliver 10130  
with the ballots and the unsealed identification envelope an 10131  
unsealed return envelope, return postage prepaid, upon the face 10132  
of which shall be printed the official title and post-office 10133

address of the ~~director~~office of the board. In the upper left 10134  
corner on the face of the return envelope, several blank lines 10135  
shall be printed upon which the voter may write the voter's name 10136  
and return address. The return envelope shall be of such size 10137  
that the identification envelope can be conveniently placed 10138  
within it for returning the identification envelope ~~to the~~ 10139  
~~director~~. 10140

~~A board of elections that mails or otherwise delivers~~ 10141  
~~absent voter's ballots to an elector under this section shall~~ 10142  
~~not prepay the return postage for those ballots.~~ 10143

(C) Except as otherwise provided in this section and in 10144  
~~sections 3505.24 and section 3509.08~~ of the Revised Code, an 10145  
election official shall not fill out any portion of an 10146  
identification envelope statement of voter or ~~an absent voter's~~ 10147  
a ballot on behalf of an elector. ~~A board of elections~~ An 10148  
election official may preprint only an elector's name and 10149  
address on an identification envelope statement of voter before 10150  
~~mailing absent voter's~~ delivering ballots to the elector, except 10151  
that if the elector has a confidential voter registration 10152  
record, as described in section 111.44 of the Revised Code, the 10153  
~~board of elections~~ election officials shall not preprint the 10154  
elector's address on the identification envelope statement of 10155  
voter. 10156

(D) The election officials shall include with the mail 10157  
ballots instructions for the voter to ascertain the status of 10158  
the voter's mail ballots using the tracking number printed on or 10159  
affixed to the identification envelope, as described in section 10160  
3509.051 of the Revised Code. 10161

**Sec. 3509.05.** (A) When an elector receives ~~an absent~~ 10162  
~~voter's a mail ballot pursuant to the elector's application or~~ 10163

~~request~~, the elector shall, before placing any marks on the 10164  
ballot, note whether there are any voting marks on it. If there 10165  
are any voting marks, the ballot shall be returned immediately 10166  
to the ~~board of elections~~ election officials; otherwise, the 10167  
elector shall cause the ballot to be marked, folded in a manner 10168  
that the stub on it and the indorsements and facsimile 10169  
signatures of the members of the board of elections on the back 10170  
of it are visible, and placed and sealed within the 10171  
identification envelope received from the ~~director of elections~~ 10172  
election officials for that purpose. Then, the elector shall 10173  
cause the statement of voter on the outside of the 10174  
identification envelope to be completed and signed, under 10175  
penalty of election falsification. 10176

~~If the elector does not provide the elector's driver's~~ 10177  
~~license number or the last four digits of the elector's social~~ 10178  
~~security number on the statement of voter on the identification~~ 10179  
~~envelope, the elector also shall include in the return envelope~~ 10180  
~~with the identification envelope a copy of the elector's current~~ 10181  
~~valid photo identification, a copy of a military identification,~~ 10182  
~~or a copy of a current utility bill, bank statement, government~~ 10183  
~~check, paycheck, or other government document, other than a~~ 10184  
~~notice of voter registration mailed by a board of elections~~ 10185  
~~under section 3503.19 of the Revised Code, that shows the name~~ 10186  
~~and address of the elector.~~ 10187

~~The~~ (B) Except as provided in section 3509.08 of the 10188  
Revised Code, an elector shall return the elector's voted mail 10189  
ballots in the identification envelope and the return envelope 10190  
by one of the following methods: 10191

(1) Mailing the identification envelope to the ~~director~~ 10192  
office of the board of elections from ~~whom~~ which it was received 10193

in the return envelope, ~~postage prepaid, or the elector may~~ 10194  
~~personally deliver it;~~ 10195

(2) Personally delivering the identification envelope in 10196  
the return envelope, or having another person deliver the 10197  
identification envelope in the return envelope, to the director, 10198  
~~or the spouse of the elector, the father, mother, father-in-law,~~ 10199  
~~mother-in-law, grandfather, grandmother, brother, or sister of~~ 10200  
~~the whole or half blood, or the son, daughter, adopting parent,~~ 10201  
~~adopted child, stepparent, stepchild, uncle, aunt, nephew, or~~ 10202  
~~niece of the elector may deliver it to the director. The return~~ 10203  
~~envelope shall be transmitted to the director in no other~~ 10204  
~~manner, except as provided in section 3509.08 of the Revised~~ 10205  
~~Code.~~ 10206

~~When absent voter's ballots are delivered to an elector at~~ 10207  
~~the office of the board, the elector may retire to a voting~~ 10208  
~~compartment provided by the board and there mark the ballots.~~ 10209  
~~Thereupon, the elector shall fold them, place them in the~~ 10210  
~~identification envelope provided, seal the envelope, fill in and~~ 10211  
~~sign the statement on the envelope under penalty of election~~ 10212  
~~falsification, and deliver the envelope to the director of the~~ 10213  
~~board.~~ 10214

~~Except as otherwise provided in division (B) of this~~ 10215  
~~section, all other envelopes containing marked absent voter's~~ 10216  
~~ballots shall be delivered to the director not later than the~~ 10217  
~~close of the polls on the day of an election. Absent voter's~~ 10218  
~~ballots delivered to the director later than the times specified~~ 10219  
~~shall not be counted, but shall be kept by the board in the~~ 10220  
~~sealed identification envelopes in which they are delivered to~~ 10221  
~~the director, until the time provided by section 3505.31 of the~~ 10222  
~~Revised Code for the destruction of all other ballots used at~~ 10223

~~the election for which ballots were provided, at which time they shall be destroyed.~~ 10224  
10225

~~(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.~~ 10226  
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~~(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.office of the board of elections from which it was received, to a voter service and polling center in the county, or to a ballot drop box in the county or, subject to section 3501.291 of the Revised Code, to any precinct polling place in the county. A person who receives an elector's ballots for the purpose of delivering them under this division shall deliver those ballots not later than two days after receiving them or not later than seven-thirty p.m. on the day of the election, whichever is earlier.~~ 10240  
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~~(C) (1) Except as otherwise provided in division (C) (2) of this section, voted mail ballots shall be delivered to the office of the board of elections, to a voter service and polling~~ 10251  
10252  
10253

center in the county, to a ballot drop box in the county, or to 10254  
a precinct polling place in the county not later than seven- 10255  
thirty p.m. on the day of the election. 10256

(2) An elector's mail ballots shall be considered to have 10257  
been delivered to the office of the board of elections, to a 10258  
voter service and polling center, to a ballot drop box, or to a 10259  
precinct polling place not later than seven-thirty p.m. on the 10260  
day of the election if the elector or a person designated by the 10261  
elector was waiting in line to deliver the ballots at that 10262  
location as of that time. 10263

(D) Mail ballots delivered later than the deadline 10264  
specified by division (C) of this section shall not be counted, 10265  
but shall be kept by the board in the sealed identification 10266  
envelopes in which they are delivered, until the time provided 10267  
by section 3505.31 of the Revised Code for the destruction of 10268  
all other ballots used at that election, at which time they 10269  
shall be destroyed. 10270

**Sec. 3509.051.** (A) The board of elections shall establish 10271  
an electronic ballot tracking system. The system shall allow the 10272  
election officials to record the status of mail ballots and 10273  
provisional ballots using a unique tracking number printed on, 10274  
or affixed to, the identification envelope or provisional ballot 10275  
envelope, as applicable, whenever the election officials do any 10276  
of the following: 10277

(1) Receive the ballots at the office of the board; 10278

(2) Determine that an identification envelope statement of 10279  
voter or a provisional ballot affirmation is incomplete or that 10280  
the signature on the statement or affirmation does not match the 10281  
signature in the elector's voter registration record. The 10282

election officials shall record in the system the reason the 10283  
statement or affirmation is incomplete. 10284

(3) Determine that the voter has filed an addendum with 10285  
the required information or corrected signature after being 10286  
notified that the statement or affirmation is incomplete or that 10287  
the signature on the statement or affirmation does not match the 10288  
signature in the elector's voter registration record; 10289

(4) Determine that the ballots are eligible to be counted; 10290

(5) Determine that the ballots are ineligible to be 10291  
counted. The election officials shall record in the system the 10292  
reason the ballots are ineligible to be counted. 10293

(6) Count the ballots. 10294

(B) (1) The electronic ballot tracking system shall permit 10295  
a voter to ascertain the status of the voter's ballots at any 10296  
time using the tracking number on the board's official web site 10297  
or on the secretary of state's official web site. If the 10298  
electronic ballot tracking system is available on the board's 10299  
official web site, the secretary of state shall include a link 10300  
to the system on the secretary of state's official web site. The 10301  
system also shall be accessible to voters via a toll-free 10302  
telephone number. 10303

(2) The system shall provide to an individual whose ballot 10304  
was not counted information explaining how the individual may 10305  
contact the board of elections to register to vote or to resolve 10306  
problems with the individual's voter registration. 10307

(C) The secretary of state and the board of elections 10308  
shall establish and maintain reasonable procedures necessary to 10309  
protect the security, confidentiality, and integrity of 10310  
confidential personal information that is collected, stored, or 10311

otherwise used by the electronic ballot tracking system. The 10312  
system shall permit an individual only to gain access to 10313  
information about the individual's own ballot. To the extent 10314  
practicable, the procedures shall protect the security and 10315  
integrity of the process and protect the privacy of the identity 10316  
and personal data of the person. 10317

**Sec. 3509.06.** ~~(A) The board of elections shall determine~~ 10318  
~~whether absent voter's ballots shall be processed and counted in~~ 10319  
~~each precinct, at the office of the board, or at some other~~ 10320  
~~location designated by the board, and shall proceed accordingly~~ 10321  
~~under division (B), (C), or (E) of this section, as applicable.~~ 10322

~~(B) (1) Except as otherwise provided in division (B) (2) of~~ 10323  
~~this section, when the board of elections determines that absent~~ 10324  
~~voter's ballots shall be processed and counted in each precinct,~~ 10325  
~~the director shall deliver to the voting location manager of~~ 10326  
~~each precinct on election day identification envelopes~~ 10327  
~~purporting to contain absent voter's ballots of electors whose~~ 10328  
~~voting residence appears from the statement of voter on the~~ 10329  
~~outside of each of those envelopes, to be located in that~~ 10330  
~~manager's precinct, and which were received by the director not~~ 10331  
~~later than the close of the polls on election day. The director~~ 10332  
~~shall deliver to the voting location manager a list containing~~ 10333  
~~the name and voting residence of each person whose voting~~ 10334  
~~residence is in such precinct to whom absent voter's ballots~~ 10335  
~~were mailed.~~ 10336

~~(2) The director shall not deliver to the voting location~~ 10337  
~~manager identification envelopes cast by electors who provided a~~ 10338  
~~program participant identification number instead of a residence~~ 10339  
~~address on the identification envelope and shall not inform the~~ 10340  
~~voting location manager of the names and voting residences of~~ 10341



~~persons who have confidential voter registration records. Those  
identification envelopes shall be examined and processed as  
described in division (E) of this section.~~ 10342  
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~~(C) When the board of elections determines that absent  
voter's ballots shall be processed and counted at the office of  
the board of elections or at another location designated by the  
board, special election officials shall be appointed by the  
board for that purpose having the same authority as is exercised  
by precinct election officials. The votes so cast shall be added  
to the vote totals by the board, and the absent voter's ballots  
shall be preserved separately by the board, in the same manner  
and for the same length of time as provided by section 3505.31  
of the Revised Code.~~ 10345  
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~~(D) Each of the identification envelopes envelope  
purporting to contain absent voter's mail ballots delivered to  
the voting location manager of the precinct or the special  
election official appointed by the board of elections shall be  
handled as follows:~~ 10355  
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(1) The election officials shall compare the signature of 10360  
the elector on the outside of the identification envelope with 10361  
the signature of that elector on the elector's registration form 10362  
and verify that the ~~absent voter's~~ ballot is eligible to be 10363  
counted under section 3509.07 of the Revised Code. 10364

(2) (a) Any of the ~~precinct election~~ officials may 10365  
challenge the right of the elector named on the identification 10366  
envelope to vote the ~~absent voter's~~ ballots upon the ground that 10367  
the signature on the envelope is does not the same as match the 10368  
signature ~~on the~~ in the elector's voter registration form 10369  
record, that the identification envelope statement of voter is 10370  
incomplete, or upon any other of the grounds upon which the 10371

right of persons to vote may be lawfully challenged. The board 10372  
of elections may use computer software to determine whether the 10373  
signature on an identification envelope appears to match the 10374  
signature in a voter registration record. If the software 10375  
determines that a signature on an identification envelope does 10376  
not appear to match the signature in a voter registration 10377  
record, the election officials personally shall determine 10378  
whether those signatures match. 10379

(b) If the elector's name does not appear in the pollbook 10380  
or poll list or signature pollbook, the ~~precinct election~~ 10381  
officials shall deliver the ~~absent voter's~~ ballots to the 10382  
director of the board of elections to be examined and processed 10383  
in the manner described in division ~~(E)~~ (B) of this section. 10384

(3) (a) An identification envelope statement of voter shall 10385  
be considered incomplete if it does not include all of the 10386  
following: 10387

(i) The voter's name; 10388

(ii) The voter's residence address or, if the voter has a 10389  
confidential voter registration record, as described in section 10390  
111.44 of the Revised Code, the voter's program participant 10391  
identification number; 10392

(iii) The voter's date of birth. The requirements of this 10393  
division are satisfied if the voter provided a date of birth and 10394  
any of the following is true: 10395

(I) The month and day of the voter's date of birth on the 10396  
identification envelope statement of voter are not different 10397  
from the month and day of the voter's date of birth contained in 10398  
the statewide voter registration database. 10399

(II) The voter's date of birth contained in the statewide 10400

voter registration database is January 1, 1800. 10401

(III) The board of elections has found, by a vote of at 10402  
least three of its members, that the voter has met the 10403  
requirements of divisions ~~(D)~~ (A) (3) (a) (i), (ii), and (iv), ~~and~~ 10404  
~~(v)~~ of this section. 10405

(iv) The voter's signature; ~~and~~ 10406

~~(v) One of the following forms of identification:~~ 10407

~~(I) The voter's driver's license number;~~ 10408

~~(II) The last four digits of the voter's social security  
number; or~~ 10409  
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~~(III) A copy of a current and valid photo identification,  
a military identification, or 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, that shows the voter's name and address.~~ 10411  
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(b) (i) If the election officials find that the 10416  
identification envelope statement of voter is incomplete ~~or,~~ 10417  
that the information or signature contained in that statement 10418  
does not ~~conform to match~~ the information contained or signature 10419  
in the ~~statewide voter registration database concerning the~~ 10420  
~~voter~~ voter's registration record, then not later than the 10421  
second day after the day of the election, the election officials 10422  
shall ~~mail a written notice to the voter, informing the voter of~~ 10423  
~~the nature of the defect. The notice shall inform~~ notify the 10424  
voter that in order for the voter's ballot to be counted, the 10425  
voter must ~~provide~~ file an addendum containing the necessary 10426  
information ~~to the~~ or a corrected signature, as applicable. The 10427  
board shall make the notification by mail, electronic mail, or 10428  
text message or by another method approved by the secretary of 10429

state. 10430

(ii) The voter shall file the addendum containing the 10431  
information or signature with the board in person or by mail to 10432  
the office of the board of elections in writing and, on a form 10433  
prescribed by the secretary of state, not later than the seventh- 10434  
tenth day after the day of the election. The voter may deliver- 10435  
the form to the office of the board in person or by mail. The 10436  
addendum shall contain or be accompanied by one of the 10437  
following: 10438

(I) The voter's driver's license or state identification 10439  
card number; 10440

(II) The last four digits of the voter's social security 10441  
number; 10442

(III) A copy of a current and valid photo identification, 10443  
a copy of a military identification, or a copy of a current 10444  
utility bill, bank statement, government check, paycheck, or 10445  
other government document, other than a notice of voter 10446  
registration mailed by a board of elections under section 10447  
3503.19 of the Revised Code, that shows the voter's name and 10448  
address. 10449

(iii) If the voter provides files an addendum containing 10450  
the necessary information to with the board of elections not 10451  
later than the seventh-tenth day after the day of the election 10452  
and the ballot is not successfully challenged on another basis, 10453  
the voter's ballot shall be processed and counted in accordance 10454  
with this section. 10455

(4) If no such challenge is made, or if such a challenge 10456  
is made and not sustained, the ~~voting location manager~~ election 10457  
official shall open the envelope without defacing the statement 10458

of voter and without mutilating the ballots in it, and shall 10459  
remove the ballots contained in it and proceed to count them in 10460  
accordance with section 3505.27 of the Revised Code. 10461

(5) (a) Except as otherwise provided in division ~~(D)~~ (A) (5) 10462  
(b) of this section, the name of each person voting who is 10463  
entitled to vote only ~~an absent voter's~~ a presidential ballot 10464  
shall be entered in a pollbook or poll list or signature 10465  
pollbook followed by the words "~~Absentee~~ Presidential Ballot." 10466  
The name of each person voting ~~an absent voter's~~ a mail ballot, 10467  
other than such persons entitled to vote only a presidential 10468  
ballot, shall be entered in the pollbook or poll list or 10469  
signature pollbook and the person's registration card marked to 10470  
indicate that the person has voted. 10471

(b) If the person voting has a confidential voter 10472  
registration record, the person's registration card shall be 10473  
marked to indicate that the person has voted, but the person's 10474  
name shall not be entered in the pollbook or poll list or 10475  
signature pollbook. 10476

(6) The date of such election shall also be entered on the 10477  
elector's registration form. If any such challenge is made and 10478  
sustained, the identification envelope of such elector shall not 10479  
be opened, and shall be endorsed "Not Counted" with the reasons 10480  
the ballots were not counted, ~~and shall be delivered to the~~ 10481  
~~board.~~ 10482

~~(E) (1)~~ (B) When the board of elections receives ~~absent~~ 10483  
~~voter's~~ mail ballots from an elector who has provided a program 10484  
participant identification number instead of a residence address 10485  
on the identification envelope statement of voter, the director 10486  
and the deputy director personally shall ~~examine and process~~ 10487  
handle the identification envelope statement of voter in the 10488

manner prescribed in division ~~(D)~~(A) of this section. 10489

~~(2) If the director and the deputy director find that the identification envelope statement of voter is incomplete or that the information contained in that statement does not conform to the information contained in the statewide voter registration database concerning the voter or to the information contained in the voter's confidential voter registration record, the director and the deputy director shall mail a written notice to the voter informing the voter of the nature of the defect. The notice shall inform the voter that in order for the voter's ballot to be counted the voter must provide the necessary information to the board of elections in writing and on a form prescribed by the secretary of state not later than the seventh day after the day of the election. The voter may deliver the form to the office of the board in person or by mail. If the voter provides the necessary information to the board of elections not later than the seventh day after the day of the election and the ballot is not successfully challenged on another basis, the voter's ballot shall be counted in accordance with this section.~~ 10490  
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~~(3) The director or the deputy director may challenge the ballot on the ground that the signature on the envelope is not the same as the signature on the registration form, that the identification envelope statement of voter is incomplete, or upon any other of the grounds upon which the right of persons to vote may be lawfully challenged. If such a challenge is made, the board of elections shall decide whether to sustain the challenge.~~ 10508  
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~~(4) If neither the director nor the deputy director challenges the ballot, or if such a challenge is made and not sustained, the director and the deputy director shall open the~~ 10516  
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~~envelope without defacing the statement of voter and without  
mutilating the ballots in it, shall remove the ballots contained  
in it, and shall transmit the ballots to the election officials  
to be counted with other absent voter's ballots from that  
precinct.~~ 10519  
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~~(F) Observers and election officials other than the  
members of the board of elections and the director and deputy  
director of the board shall not be permitted to witness the  
examination and opening of identification envelopes and addenda  
returned by, and the processing and counting of mail ballots  
cast by, electors who have confidential voter registration  
records in a manner that would permit the observers or election  
officials to learn the identities or residence addresses of  
those electors.~~ 10524  
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~~(C) The board of elections may ~~process absent voter's  
ballots~~ examine the identification envelope statement of voter  
to determine whether it is incomplete and whether the signature  
on the statement matches the signature in the elector's voter  
registration record before the time for counting those ballots  
seven-thirty p.m. on the day of the election, but the board  
shall not open the identification envelope or tabulate or count  
the votes on ~~those~~ the mail ballots before that time. As used in  
this section and section 3511.11 of the Revised Code, processing  
an absent voter's ballot means any of the following:~~ 10533  
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~~(1) Examining the identification envelope statement of  
voter in order to verify that the absent voter's ballot is  
eligible to be counted under section 3509.07 of the Revised  
Code;~~ 10543  
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~~(2) Opening the identification envelope, if the absent  
voter's ballot is eligible to be counted;~~ 10547  
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~~(3) Determining the validity of the absent voter's ballot under section 3509.07 of the Revised Code,~~ 10549  
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~~(4) Preparing and sorting the absent voter's ballot for scanning by automatic tabulating equipment,~~ 10551  
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~~(5) Scanning the absent voter's ballot by automatic tabulating equipment, if the equipment used by the board of elections permits an absent voter's ballot to be scanned without tabulating or counting the votes on the ballots scanned.~~ 10553  
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~~(G) Special election officials, employees or members of the board of elections, or observers shall not disclose the count or any portion of the count of absent voter's ballots prior to the time of the closing of the polling places. No person shall recklessly disclose the count or any portion of the count of absent voter's ballots in such a manner as to jeopardize the secrecy of any individual ballot.~~ 10557  
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~~(H) (1) Except as otherwise provided in division (H) (2) of this section, observers may be appointed under section 3505.21 of the Revised Code to witness the examination and opening of identification envelopes and the processing and counting of absent voters' ballots under this section.~~ 10564  
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~~(2) Observers shall not be permitted to witness the examination and opening of identification envelopes returned by, and the processing and counting of absent voter's ballots cast by, electors who have confidential voter registration records in a manner that would permit the observers to learn the identities or residence addresses of those electors.~~ 10569  
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**Sec. 3509.07.** (A) ~~If election officials find that any of the following are true concerning an absent voter's a mail ballot or absent voter's presidential ballot and, if applicable,~~ 10575  
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the person did not ~~provide any required additional information~~ 10578  
~~to file an addendum with~~ the board of elections not later than 10579  
the ~~seventh~~ tenth day after the day of the election, as 10580  
permitted under ~~division (D) (3) (b) or (E) (2) of~~ section 3509.06 10581  
of the Revised Code, the ballot shall not be accepted or 10582  
counted: 10583

~~(A) (1) The identification envelope statement accompanying~~ 10584  
~~the ballot is of voter and any addendum are incomplete as~~ 10585  
described in ~~division (D) (3) (a) of that~~ section 3509.06 of the 10586  
Revised Code or ~~is~~ are insufficient; 10587

~~(B) (2) The signatures do signature on the identification~~ 10588  
~~envelope statement of voter or, if applicable, the addendum does~~ 10589  
not ~~correspond with~~ match the signature in the person's voter 10590  
registration signature record; 10591

~~(C) (3) The applicant is not a qualified elector in the~~ 10592  
precinct; 10593

~~(D) (4) The ballot envelope contains more than one ballot~~ 10594  
of any one kind, or any voted ballot that the elector is not 10595  
entitled to vote; 10596

~~(E) (5) Stub A is detached from the absent voter's ballot~~ 10597  
~~or absent voter's presidential ballot; or~~ 10598

~~(F) The elector has not included with the elector's ballot~~ 10599  
~~any identification required under section 3509.05 or 3511.09 of~~ 10600  
the Revised Code 10601

(6) The elector has cast a regular ballot in person for 10602  
the election. 10603

(B) The vote of any absent mail voter may be challenged 10604  
for cause in the same manner as other votes are challenged, and 10605

the election officials shall determine the legality of that 10606  
ballot. Every ballot not counted shall be endorsed on its back 10607  
"Not Counted" with the reasons the ballot was not counted, and 10608  
shall be ~~enclosed and returned to or~~ retained by the board of 10609  
elections along with the contested ballots. 10610

(C) In the case of an elector who has requested mail 10611  
ballots under section 3509.03 or 3509.08 of the Revised Code or 10612  
requested uniformed services or overseas mail ballots, the 10613  
following standards shall apply in counting the elector's 10614  
ballot: 10615

(1) If the board of elections receives a sealed 10616  
identification envelope purporting to contain mail ballots that 10617  
were sent to the elector before the elector requested mail 10618  
ballots and the board determines that the former ballots are 10619  
valid, the former ballots shall be eligible to be counted and 10620  
any other mail ballots received by the board from that elector 10621  
shall not be counted. 10622

(2) If the board receives a sealed identification envelope 10623  
purporting to contain mail ballots the elector requested and 10624  
either of the following applies, the requested mail ballots 10625  
shall be eligible to be counted, subject to the requirements of 10626  
this section, instead of any mail ballots received by the board 10627  
that were sent to the elector before the elector requested mail 10628  
ballots: 10629

(a) The board receives a sealed identification envelope 10630  
purporting to contain the mail ballots that were sent to the 10631  
elector before the elector requested a ballot and the board 10632  
determines that the signature of the elector on the 10633  
identification envelope of the former ballot does not match the 10634  
signature on the elector's registration form; 10635

(b) The board does not receive a sealed identification envelope purporting to contain the mail ballots that were sent to the elector before the elector requested mail ballots by seven-thirty p.m. on the day of the election. 10636  
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(3) If the board receives more than one sealed identification envelope purporting to contain mail ballots the elector requested, the first valid mail ballots received by the board shall be eligible to be counted under this section, and any subsequent mail ballots the board receives shall not be counted. 10640  
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**Sec. 3509.08.** ~~(A) (1) Any qualified elector, who, on account of the elector's own personal illness, physical disability, or infirmity, or on account of the elector's confinement in a jail or workhouse under sentence for a misdemeanor or awaiting trial on a felony or misdemeanor, will be unable to travel from the elector's home or place of confinement to the voting booth in the elector's precinct on the day of any general, special, or primary election may make application in writing for an absent voter's ballot of the following electors may apply to the director of the board of elections of the elector's county to vote by mail ballots with the assistance of election officials:~~ 10646  
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(a) An elector who is located within the county, wishes to cast mail ballots, is unable to mark the elector's mail ballots without assistance by reason of blindness, disability, or illiteracy, and wishes to have election officials assist in marking the elector's mail ballots; 10658  
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(b) An elector who is unable to cast ballots in person or to obtain and return mail ballots because the elector is confined in a jail within the county; 10663  
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(c) An elector who is unable to cast ballots in person or 10666  
to obtain and return mail ballots because the elector or the 10667  
elector's minor child is confined in a hospital within the 10668  
county as a result of an accident or unforeseeable medical 10669  
emergency occurring before the election. The 10670

(2) An application for mail ballots submitted under this 10671  
section shall be on a form prescribed by the secretary of state, 10672  
shall include all of the information and documents required 10673  
under section 3509.03 of the Revised Code, and shall state the 10674  
nature of the elector's illness, physical disability, or 10675  
infirmity, or the fact that reason the elector is confined in a 10676  
jail or workhouse and the elector's resultant inability to 10677  
travel to the election booth in the elector's precinct on 10678  
election day qualifies to vote by mail ballots with the 10679  
assistance of election officials. The 10680

If the elector is applying under division (B) (1) (b) or (c) 10681  
of this section, the application also shall indicate the jail 10682  
where the elector is confined or the hospital where the elector 10683  
or the elector's child is confined and the date of the elector's 10684  
or the elector's child's admission to the hospital, as 10685  
applicable. 10686

(3) An application to vote by mail ballots with the 10687  
assistance of election officials shall not be valid if it is 10688  
delivered to the director board before the ninetieth day or 10689  
after twelve noon of the third day before the day of the 10690  
election at which the ballot is to be voted, except that an 10691  
application submitted under division (B) (1) (b) or (c) of this 10692  
section may be delivered to the board not later than three p.m. 10693  
on the day of the election. 10694

The absent voter's ballot may be mailed directly to the 10695

~~applicant at the applicant's voting residence or place of~~ 10696  
~~confinement as stated in the applicant's application, or the~~ 10697  
~~board may~~ (C) (1) Upon receiving a valid application to vote by 10698  
mail ballots with the assistance of election officials, the 10699  
board shall designate two board employees belonging to the two 10700  
major political parties for the purpose of delivering the ~~ballot~~ 10701  
~~ballots~~ to the ~~disabled or confined~~ elector and returning it- 10702  
them to the board, ~~unless the applicant is confined to a public-~~ 10703  
~~or private institution within the county, in which case the~~ 10704  
~~board shall designate two board employees belonging to the two-~~ 10705  
~~major political parties for the purpose of delivering the ballot-~~ 10706  
~~to the disabled or confined elector and returning it to the~~ 10707  
~~board. In all other instances, the ballot shall be returned to~~ 10708  
~~the office of the board in the manner prescribed in section-~~ 10709  
~~3509.05 of the Revised Code.~~ 10710

~~Any disabled or confined elector who declares to the two-~~ 10711  
~~board employees belonging to the two major political parties-~~ 10712  
~~that~~ If the elector declares to the election officials that the 10713  
elector is unable to mark the elector's ~~ballot~~ ballots by reason 10714  
of ~~physical infirmity that is apparent to the employees to be-~~ 10715  
~~sufficient to incapacitate the voter from marking the elector's-~~ 10716  
~~ballot properly~~ blindness, disability, or illiteracy, may- 10717  
~~receive, upon request, the assistance of the employees~~ shall 10718  
assist the elector in marking the elector's ~~ballot~~ ballots, and 10719  
they shall thereafter give no information in regard to this 10720  
matter. Such assistance shall not be rendered for any other 10721  
cause. 10722

~~When two board employees belonging to the two major-~~ 10723  
~~political parties deliver a ballot to a disabled or confined-~~ 10724  
~~elector, each~~ Each of the employees shall be present when the 10725  
~~ballot is~~ ballots are delivered, when assistance is given, and 10726

when the ~~ballot is~~ ballots are returned to the office of the 10727  
board, and shall subscribe to the declaration on the 10728  
identification envelope. 10729

~~The secretary of state shall prescribe the form of~~ 10730  
~~application for absent voter's ballots under this division.~~ 10731

(D) This chapter applies to disabled and confined absent 10732  
voter's mail ballots cast under this section except as otherwise 10733  
provided in this section. 10734

~~(B) (1) Any qualified elector who is unable to travel to~~ 10735  
~~the voting booth in the elector's precinct on the day of any~~ 10736  
~~general, special, or primary election may apply to the director~~ 10737  
~~of the board of elections of the county where the elector is a~~ 10738  
~~qualified elector to vote in the election by absent voter's~~ 10739  
~~ballot if either of the following apply:~~ 10740

~~(a) The elector is confined in a hospital as a result of~~ 10741  
~~an accident or unforeseeable medical emergency occurring before~~ 10742  
~~the election;~~ 10743

~~(b) The elector's minor child is confined in a hospital as~~ 10744  
~~a result of an accident or unforeseeable medical emergency~~ 10745  
~~occurring before the election.~~ 10746

~~(2) The application authorized under division (B) (1) of~~ 10747  
~~this section shall be made in writing, shall include all of the~~ 10748  
~~information required under section 3509.03 of the Revised Code,~~ 10749  
~~and shall be delivered to the director not later than three p.m.~~ 10750  
~~on the day of the election. The application shall indicate the~~ 10751  
~~hospital where the applicant or the applicant's child is~~ 10752  
~~confined, the date of the applicant's or the applicant's child's~~ 10753  
~~admission to the hospital, and the offices for which the~~ 10754  
~~applicant is qualified to vote. The applicant may also request~~ 10755

~~that a member of the applicant's family, as listed in section 3509.05 of the Revised Code, deliver the absent voter's ballot to the applicant. The director, after establishing to the director's satisfaction the validity of the circumstances claimed by the applicant, shall supply an absent voter's ballot to be delivered to the applicant. When the applicant or the applicant's child is in a hospital in the county where the applicant is a qualified elector and no request is made for a member of the family to deliver the ballot, the director shall arrange for the delivery of an absent voter's ballot to the applicant, and for its return to the office of the board, by two board employees belonging to the two major political parties according to the procedures prescribed in division (A) of this section. When the applicant or the applicant's child is in a hospital outside the county where the applicant is a qualified elector and no request is made for a member of the family to deliver the ballot, the director shall arrange for the delivery of an absent voter's ballot to the applicant by mail, and the ballot shall be returned to the office of the board in the manner prescribed in section 3509.05 of the Revised Code.~~

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

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

(E) As used in this section, "jail" has the same meaning  
as in section 2929.01 of the Revised Code.

**Sec. 3511.01.** As used in this chapter:

(A) "Dependent" means a person who is recognized as a  
dependent by one of the uniformed services.

(B) "Overseas voter" means any of the following:

(1) A person who is outside of the United States and who,  
before leaving the United States, was last eligible to vote in  
this state, who may be considered a state resident using the  
standards for residency established in sections 3503.02 and  
3511.011 of the Revised Code, and who otherwise satisfies the  
requirements to vote in this state;

(2) A person who is outside of the United States and who,  
before leaving the United States, would have been eligible to  
vote in this state had the person then been eighteen years of  
age or older, who may be considered a state resident using the  
standards for residency established in sections 3503.02 and  
3511.011 of the Revised Code, and who otherwise satisfies the  
requirements to vote in this state;

(3) A person who was born outside of the United States,  
who may be considered a state resident using the standards for  
residency established in sections 3503.02 and 3511.011 of the  
Revised Code, and who otherwise satisfies the requirements to  
vote in this state, if both of the following apply:



(a) The last place where the person's parent or legal guardian was, or would have been, eligible to vote before leaving the United States is within this state; and

(b) The person has not previously registered to vote in any other state.

(C) "Uniformed services" means:

(1) Active and reserve components of the army, navy, air force, space force, marine corps, or coast guard of the United States;

(2) The merchant marine, the commissioned corps of the public health service, or the commissioned corps of the national oceanic and atmospheric administration of the United States;

(3) The national guard and the organized militia.

(D) "Uniformed services voter" means an individual who is qualified to vote in this state and who is:

(1) A member of one of the uniformed services described in division (C)(1) or (2) of this section;

(2) A member of one of the uniformed services described in division (C)(3) of this section who is on activated status.

(3) A spouse or dependent of a uniformed services voter.

**Sec. 3511.011.** Any section of the Revised Code to the contrary notwithstanding, any person who qualifies as a uniformed services voter or an overseas voter who will be eighteen years of age or more on the day of a general or special election and who is a citizen of the United States may vote uniformed services or overseas ~~absent voter's mail~~ ballots in such general or special election as follows:

(A) If ~~an absent~~ a uniformed services member is the voter, 10843  
the service member may vote only in the precinct in which the 10844  
service member has a voting residence in the state, and that 10845  
voting residence shall be that place in the precinct in which 10846  
the service member resided immediately preceding the 10847  
commencement of such service, provided that the time during 10848  
which the service member continuously resided in the state 10849  
immediately preceding the commencement of such service plus the 10850  
time subsequent to such commencement and prior to the day of 10851  
such general, special, or primary election is equal to or 10852  
exceeds thirty days. 10853

(B) If the spouse or dependent of ~~an absent~~ a uniformed 10854  
services member is the voter, the spouse or dependent may vote 10855  
only in the precinct in which the spouse or dependent has a 10856  
voting residence in the state, and that voting residence shall 10857  
be that place in the precinct in which the spouse or dependent 10858  
resided immediately preceding the time of leaving the state for 10859  
the purpose of being with or near the service member, provided 10860  
that the time during which the spouse or dependent continuously 10861  
resided in the state immediately preceding the time of leaving 10862  
the state for the purpose of being with or near the service 10863  
member plus the time subsequent to such leaving and prior to the 10864  
day of such general, special, or primary election is equal to or 10865  
exceeds thirty days. 10866

(C) If ~~an absent~~ a uniformed services member or the 10867  
service member's spouse or dependent establishes a permanent 10868  
residence in a precinct other than the precinct in which the 10869  
person resided immediately preceding the commencement of the 10870  
service member's service, the voting residence of both the 10871  
service member and the service member's spouse or dependent 10872  
shall be the precinct of such permanent residence, provided that 10873

the time during which the service member continuously resided in 10874  
the state immediately preceding the commencement of such service 10875  
plus the time subsequent to such commencement and prior to the 10876  
day of such general, special, or primary election is equal to or 10877  
exceeds thirty days. 10878

(D) (1) Except as otherwise provided in division (D) (2) of 10879  
this section, if an overseas voter who is not ~~an absent a~~ 10880  
uniformed services voter or the spouse or dependent of ~~an absent~~ 10881  
a uniformed services voter is the voter, the overseas voter may 10882  
vote only in the precinct in which the overseas voter has a 10883  
voting residence in the state, and that voting residence shall 10884  
be that place in the precinct in which the overseas voter 10885  
resided immediately before leaving the United States, provided 10886  
that the time during which the overseas voter continuously 10887  
resided in the state immediately preceding such departure and 10888  
prior to the day of such general, special, or primary election 10889  
is equal to or exceeds thirty days. 10890

(2) A person who was born outside of the United States and 10891  
who meets the definition of "overseas voter" under division (B) 10892  
(3) of section 3511.01 of the Revised Code shall be deemed to 10893  
have a voting residence in this state at that place in the 10894  
precinct in which the person's parent or guardian last resided 10895  
immediately before leaving the United States, provided that the 10896  
time during which the person's parent or guardian continuously 10897  
resided in the state immediately preceding such departure and 10898  
prior to the day of the general, special, or primary election is 10899  
equal to or exceeds thirty days. 10900

**Sec. 3511.02.** (A) Notwithstanding any section of the 10901  
Revised Code to the contrary, whenever any person applies for 10902  
registration as a voter on a form adopted in accordance with 10903

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

(1) That person may make written application for those  
ballots. The person may personally deliver the application to  
the ~~director office of the board of elections or to a voter~~  
service and polling center or may mail it, send it by facsimile  
machine, send it by electronic mail, send it through internet  
delivery if such delivery is offered by the board of elections  
or the secretary of state, or otherwise send it to the ~~director~~  
office of the board. Except as otherwise provided in division  
(B) of this section, the application need not be in any  
particular form but shall contain all of the following  
information:

- (a) The elector's name;
- (b) The elector's signature;
- (c) The address at which the elector is registered to  
vote;
- (d) The elector's date of birth;

- (e) ~~One of the following:~~ 10933
- ~~(i) The elector's driver's license number;~~ 10934
- ~~(ii) The last four digits of the elector's social security number;~~ 10935  
10936
- ~~(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.~~ 10937  
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- ~~(f) A statement identifying the election for which absent voter's mail ballots are requested;~~ 10944  
10945
- ~~(g) (f) A statement that the person requesting the ballots is a qualified elector;~~ 10946  
10947
- ~~(h) (g) A statement that the elector is an absent a uniformed services voter or overseas voter as defined in 42 U.S.C. 1973ff-6;~~ 10948  
10949  
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- ~~(i) (h) 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;~~ 10951  
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- ~~(j) (i) If the request is for primary election ballots, the elector's one of the following:~~ 10959  
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(i) The political party affiliation whose ballot the 10961  
elector wishes to cast, which shall operate as an instruction to 10962  
register the elector as affiliated with that political party if 10963  
the elector is not currently registered as affiliated with that 10964  
political party; or 10965

(ii) A statement that the elector wishes to vote only for 10966  
the questions and issues appearing on the ballot in a special 10967  
election held on the day of the primary election. 10968

~~(k)~~ (j) If the elector desires ballots to be mailed to the 10969  
elector, the address to which those ballots shall be mailed; 10970

~~(l)~~ (k) If the elector desires ballots to be sent to the 10971  
elector by facsimile machine, the telephone number to which they 10972  
shall be so sent; 10973

~~(m)~~ (l) If the elector desires ballots to be sent to the 10974  
elector by electronic mail or, if offered by the board of 10975  
elections or the secretary of state, through internet delivery, 10976  
the elector's electronic mail address or other internet contact 10977  
information. 10978

(2) A voter or any relative of a voter listed in division 10979  
(A) (3) of this section may use a single federal post card 10980  
application to apply for uniformed services or overseas ~~absent-~~ 10981  
~~voter's mail~~ ballots for use at the primary and general 10982  
elections in a given year and any special election to be held on 10983  
the day in that year specified by division (E) of section 10984  
3501.01 of the Revised Code for the holding of a primary 10985  
election, designated by the general assembly for the purpose of 10986  
submitting constitutional amendments proposed by the general 10987  
assembly to the voters of the state. A single federal postcard 10988  
application shall be processed by the board of elections 10989

pursuant to section 3511.04 of the Revised Code the same as if 10990  
the voter had applied separately for uniformed services or 10991  
overseas ~~absent voter's mail~~ ballots for each election. 10992

(3) Application to have uniformed services or overseas 10993  
~~absent voter's mail~~ ballots mailed or sent by facsimile machine 10994  
to such a person may be made by the spouse, father, mother, 10995  
father-in-law, mother-in-law, grandfather, grandmother, brother 10996  
or sister of the whole blood or half blood, son, daughter, 10997  
adopting parent, adopted child, stepparent, stepchild, daughter- 10998  
in-law, son-in-law, uncle, aunt, nephew, or niece of such a 10999  
person. The application shall be in writing upon a blank form 11000  
furnished only by the ~~director board of elections~~ or on a single 11001  
federal post card as provided in division (A) (2) of this 11002  
section. The form of the application shall be prescribed by the 11003  
secretary of state. The ~~director board~~ shall furnish that blank 11004  
form to any of the relatives specified in this division desiring 11005  
to make the application, only upon the request of such a 11006  
relative made in person at the office of the board or at a voter 11007  
service and polling center or upon the written request of such a 11008  
relative mailed to the office of the board. Except as otherwise 11009  
provided in division (B) of this section, the application, 11010  
subscribed and sworn to by the applicant, shall contain all of 11011  
the following: 11012

(a) The full name of the elector for whom ballots are 11013  
requested; 11014

(b) A statement that the elector is an absent-a uniformed 11015  
services voter or overseas voter ~~as defined in 42 U.S.C. 1973ff-~~ 11016  
~~6~~; 11017

(c) The address at which the elector is registered to 11018  
vote; 11019

(d) A statement identifying 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 a 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, as the case may be;

(e) The elector's date of birth;

(f) ~~One of the following:~~

~~(i) The elector's driver's license number;~~

~~(ii) The last four digits of the elector's social security number;~~

~~(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.~~

~~(g) A statement identifying the election for which absent voter's mail ballots are requested;~~

~~(h) (g) A statement that the person requesting the ballots is a qualified elector;~~

~~(i) (h) If the request is for primary election ballots, the elector's one of the following:~~

~~(i) The political party affiliation whose ballot the elector wishes to cast, which shall operate as an instruction to~~



register the elector as affiliated with that political party if 11048  
the elector is not currently registered as affiliated with that 11049  
political party; or 11050

(ii) A statement that the elector wishes to vote only for 11051  
the questions and issues appearing on the ballot in a special 11052  
election held on the day of the primary election. 11053

~~(j)~~(i) A statement that the applicant bears a 11054  
relationship to the elector as specified in division (A) (3) of 11055  
this section; 11056

~~(k)~~(j) The address to which ballots shall be mailed, the 11057  
telephone number to which ballots shall be sent by facsimile 11058  
machine, the electronic mail address to which ballots shall be 11059  
sent by electronic mail, or, if internet delivery is offered by 11060  
the board of elections or the secretary of state, the internet 11061  
contact information to which ballots shall be sent through 11062  
internet delivery; 11063

~~(l)~~(k) The signature and address of the person making the 11064  
application. 11065

(B) If the elector has a confidential voter registration 11066  
record, as described in section 111.44 of the Revised Code, the 11067  
application may include the elector's program participant 11068  
identification number instead of the address at which the 11069  
elector is registered to vote. 11070

(C) (1) Each application for uniformed services or overseas 11071  
~~absent voter's mail~~ ballots shall be delivered to the ~~director-~~ 11072  
office of the board of elections or to a voter service and 11073  
polling center not earlier than the first day of January of the 11074  
year of the elections for which the uniformed services or 11075  
overseas ~~absent voter's mail~~ ballots are requested or not 11076

earlier than ninety days before the day of the election at which 11077  
the ballots are to be voted, whichever is earlier, ~~and~~. If the 11078  
elector is requesting to receive uniformed services or overseas 11079  
mail ballots by mail, the application shall be delivered to the 11080  
office of the board or to a voter service and polling center not 11081  
later than twelve noon of the third day preceding the day of the 11082  
election, ~~or not later than six p.m. on the last Friday before~~ 11083  
~~the day of the election at which those ballots are to be voted~~ 11084  
~~if the application is delivered in person to the office of the~~ 11085  
~~board.~~ 11086

(D) If the voter for whom the application is made is 11087  
entitled to vote for presidential and vice-presidential electors 11088  
only, the applicant shall submit to the ~~director board~~ in 11089  
addition to the requirements of division (A) of this section, a 11090  
statement to the effect that the voter is qualified to vote for 11091  
presidential and vice-presidential electors and for no other 11092  
offices. 11093

(E) ~~A board of elections that mails a federal post card~~ 11094  
~~application or other absent voter's ballot application to an~~ 11095  
~~elector under this section shall not prepay the return postage~~ 11096  
~~for that application.~~ 11097

~~(F)~~ Except as otherwise provided in this section and in 11098  
sections 3505.24 and 3509.08 of the Revised Code, an election 11099  
official shall not fill out any portion of a federal post card 11100  
application or other application for ~~absent voter's mail~~ ballots 11101  
on behalf of an applicant. The secretary of state or a board of 11102  
elections may preprint only an applicant's name and address on a 11103  
federal post card application or other application for ~~absent~~ 11104  
~~voter's mail~~ ballots before ~~mailing~~ providing that application 11105  
to the applicant, except that if the applicant has a 11106

confidential voter registration record, the secretary of state 11107  
or the board of elections shall not preprint the applicant's 11108  
address on the application. 11109

**Sec. 3511.021.** (A) (1) The secretary of state shall 11110  
establish procedures that allow any person who is eligible to 11111  
vote as a uniformed services voter or an overseas voter ~~in~~ 11112  
~~accordance with 42 U.S.C. 1973ff-6~~ to apply by electronic means 11113  
to the office of the secretary of state or to the board of 11114  
elections of the county in which the person's voting residence 11115  
is located for a uniformed services or overseas absent voter's 11116  
ballot. 11117

(2) The procedures shall allow such a person who requests 11118  
a uniformed services or overseas absent voter's ballot 11119  
application to express a preference for the manner in which the 11120  
person will receive the requested application, whether by mail, 11121  
facsimile transmission, electronic mail, or, if offered by the 11122  
board of elections or the secretary of state, through internet 11123  
delivery. If the person completes and timely returns the 11124  
application and the applicant is eligible to receive a ballot, 11125  
the procedures shall allow the applicant to express a preference 11126  
for the manner in which the person will receive the requested 11127  
blank, unvoted ballots, whether by mail, facsimile transmission, 11128  
electronic mail, or, if offered by the board of elections or the 11129  
secretary of state, through internet delivery. The requested 11130  
items shall be transmitted by the board of elections of the 11131  
county in which the person's voting residence is located by the 11132  
preferred method. If the requestor does not express a preferred 11133  
method, the requested items shall be delivered via standard 11134  
mail. 11135

(3) To the extent practicable, the procedures shall 11136

protect the security and integrity of the ballot request and 11137  
delivery process, and protect the privacy of the identity and 11138  
personal data of the person when such applications and ballots 11139  
are requested, processed, and sent. 11140

(4) ~~No~~ Except as permitted under division (B) of this 11141  
section, no person shall return by electronic means to the 11142  
secretary of state, a board of elections, or any other entity a 11143  
completed or voted uniformed services or overseas absent voter's 11144  
ballot. If a ballot is ~~so~~ returned in violation of this 11145  
division, the ballot shall not be accepted, processed, or 11146  
counted. 11147

(B) ~~(1)~~ The secretary of state shall establish a pilot 11148  
program to permit a uniformed services voter who is currently 11149  
stationed outside the United States to return a voted ballot to 11150  
the board of elections by electronic means and for the board to 11151  
create a paper version of the voted ballot for counting 11152  
purposes. The pilot program shall use encrypted blockchain 11153  
technology to transmit ballots in a manner that protects the 11154  
security and integrity of the process and protects the voter's 11155  
privacy. The secretary of state shall select the boards of 11156  
elections that shall participate in the pilot program. 11157

(C) The secretary of state, in coordination with the 11158  
boards of elections, shall establish a free access system by 11159  
which ~~an absent a~~ uniformed services voter or overseas voter may 11160  
determine ~~the following~~: 11161

~~(a)~~ ~~Whether~~ whether that person's request for a uniformed 11162  
services or overseas ~~absent voter's mail~~ ballot was received and 11163  
processed? 11164

~~(b)~~ ~~If the person's request was received and processed,~~ 11165

~~and if so, when the uniformed services or overseas absent- 11166  
voter's mail ballot was sent; 11167~~

~~(c) Whether any uniformed services or overseas absent- 11168  
voter's ballot returned by that person has been received by 11169  
election officials; 11170~~

~~(d) Whether the board of elections found any error on the 11171  
identification envelope containing the person's returned 11172  
uniformed services or overseas absent voter's ballot and, if so, 11173  
how the person may correct any error within ten days after the 11174  
day of an election; and 11175~~

~~(e) Whether the person's uniformed services or overseas- 11176  
absent voter's ballot was counted. 11177~~

~~(2) The appropriate state or local election official shall 11178  
establish and maintain reasonable procedures necessary to 11179  
protect the security, confidentiality, and integrity of personal 11180  
information that is confidential under state or federal law that 11181  
is collected, stored, or otherwise used by the free access 11182  
system established under division (B) of this section. Access to 11183  
information about the votes cast on an individual ballot shall 11184  
be restricted to the person who cast the ballot. To the extent 11185  
practicable, the procedures shall protect the security and 11186  
integrity of the process and protect the privacy of the identity 11187  
and personal data of the person. The electronic ballot tracking 11188  
system described in section 3509.051 of the Revised Code shall 11189  
permit a uniformed services voter or overseas voter to track the 11190  
voter's mail ballots after the voter returns the ballots to the 11191  
board in the same manner as other mail ballots. 11192~~

**Sec. 3511.03.** The board of elections of each county shall 11193  
provide uniformed services or overseas ~~absent voter's mail~~ 11194

ballots for use at each election. Such ballots for general or 11195  
primary elections shall be prescribed on the seventieth day 11196  
before the day of such elections and shall be the same as the 11197  
mail ballots provided for absent voters in under section 3509.01 11198  
of the Revised Code. 11199

**Sec. 3511.04.** (A) If a director of a board of elections 11200  
receives an application for uniformed services or overseas 11201  
~~absent voter's mail~~ ballots that does not contain all of the 11202  
required information, the director promptly shall notify the 11203  
applicant of the additional information required to be provided 11204  
by the applicant to complete that application. 11205

(B) Not later than the forty-sixth day before the day of 11206  
each general or primary election, and at the earliest possible 11207  
time before the day of a special election held on a day other 11208  
than the day on which a general or primary election is held, the 11209  
director of the board of elections shall mail, send by facsimile 11210  
machine, send by electronic mail, send through internet delivery 11211  
if such delivery is offered by the board of elections or the 11212  
secretary of state, or otherwise send uniformed services or 11213  
overseas ~~absent voter's mail~~ ballots then ready for use as 11214  
provided for in section 3511.03 of the Revised Code and for 11215  
which the director has received valid applications prior to that 11216  
time. Thereafter, and until twelve noon of the third day 11217  
preceding the day of election, the director shall promptly, upon 11218  
receipt of valid applications for them, mail, send by facsimile 11219  
machine, send by electronic mail, send through internet delivery 11220  
if such delivery is offered by the board of elections or the 11221  
secretary of state, or otherwise send to the proper persons all 11222  
uniformed services or overseas ~~absent voter's mail~~ ballots then 11223  
ready for use. 11224

If, after the seventieth day before the day of a general 11225  
or primary election, any other question, issue, or candidacy is 11226  
lawfully ordered submitted to the electors voting at the general 11227  
or primary election, the board shall promptly provide a separate 11228  
official issue, special election, or other election ballot for 11229  
submitting the question, issue, or candidacy to those electors, 11230  
and the director shall promptly mail, send by facsimile machine, 11231  
send by electronic mail, send through internet delivery if such 11232  
delivery is offered by the board of elections or the secretary 11233  
of state, or otherwise send each such separate ballot to each 11234  
person to whom the director has previously mailed or sent other 11235  
uniformed services or overseas ~~absent voter's mail~~ ballots. 11236

A board of elections that mails ~~or otherwise delivers~~ 11237  
uniformed services or overseas absent voter's ballots to an 11238  
elector under this section shall ~~not~~ prepay the return postage 11239  
for those ballots, unless, under 39 U.S.C. 3406, no postage 11240  
payment is required. In mailing uniformed services or overseas 11241  
absent voter's ballots, the director shall use the fastest mail 11242  
service available, but the director shall not mail them by 11243  
certified mail. 11244

**Sec. 3511.05.** (A) (1) The ~~director of the~~ board of 11245  
elections shall place uniformed services or overseas ~~absent~~ 11246  
~~voter's mail~~ ballots sent by mail in an unsealed identification 11247  
envelope, gummed ready for sealing. The ~~director board shall~~ 11248  
insert a sheet of waxed paper or other appropriate insert 11249  
between the gummed flap and the back of the envelope to minimize 11250  
the possibility that the flap may become firmly stuck to the 11251  
back of the envelope by reason of moisture, humid atmosphere, or 11252  
other conditions to which it may be subjected. The board shall 11253  
include with the ballots instructions for the voter to ascertain 11254  
the status of the voter's ballots using the tracking number 11255

printed on or affixed to the identification envelope, as 11256  
described in section 3509.051 of the Revised Code. 11257

(2) Except for ballots to be returned to the board 11258  
electronically under division (B) of section 3511.021 of the 11259  
Revised Code, the board shall include all of the following with 11260  
uniformed services or overseas ~~absent voter's mail~~ ballots sent 11261  
electronically, including by facsimile machine,~~an~~: 11262

(a) An instruction sheet for preparing a gummed envelope 11263  
in which the ballots shall be returned; 11264

(b) The tracking number assigned to the ballots under 11265  
section 3509.051 of the Revised Code; 11266

(c) Instructions for the voter to write the tracking 11267  
number on, or affix the tracking number to, the envelope and 11268  
instructions for the voter to ascertain the status of the 11269  
voter's ballots using the tracking number, as described in that 11270  
section. The 11271

(3) The envelope for returning ballots sent by either 11272  
means shall have printed or written on its face a form 11273  
substantially as follows: 11274

"Identification Envelope Statement of Voter 11275

I, \_\_\_\_\_ (Name of voter), declare under 11276  
penalty of election falsification that the within ballot or 11277  
ballots contained no voting marks of any kind when I received 11278  
them, and I caused the ballot or ballots to be marked, enclosed 11279  
in the identification envelope, and sealed in that envelope. 11280

My voting residence in Ohio is 11281

---

11282



(Street and Number, if any, or Rural Route and Number) 11283

of \_\_\_\_\_ (City, Village, or Township) 11284

Ohio, which is in Ward \_\_\_\_\_ Precinct \_\_\_\_\_ 11285

~~in that city, village, or township.~~ 11286

If I have a confidential voter registration record, I am 11287

providing my program participant identification number instead 11288

of my residence address: \_\_\_\_\_ 11289

The primary election ballots, if any, within this envelope 11290

are primary election ballots of the \_\_\_\_\_ Party. 11291

Ballots contained within this envelope are to be voted at 11292

the \_\_\_\_\_ (general, special, or primary) election to be 11293

held on the \_\_\_\_\_ day of 11294

\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ 11295

My date of birth is \_\_\_\_\_ (Month and Day), 11296

\_\_\_\_\_ (Year). 11297

~~(Voter must provide one of the following:)~~ 11298

~~My driver's license number is \_\_\_\_\_ (Driver's~~ 11299

~~license number).~~ 11300

~~The last four digits of my Social Security Number are~~ 11301

~~\_\_\_\_\_ (Last four digits of Social Security Number).~~ 11302

~~\_\_\_\_\_ In lieu of providing a driver's license number or~~ 11303

~~the last four digits of my Social Security Number, I am~~ 11304

~~enclosing a copy of one of the following in the return envelope~~ 11305

~~in which this identification envelope will be mailed: a current~~ 11306

~~and valid photo identification, a military identification, or a~~ 11307

~~current utility bill, bank statement, government check,~~ 11308

~~paycheck, or other government document, other than a notice of~~ 11309

~~voter registration mailed by a board of elections, that shows my~~ 11310

~~name and address.~~ My telephone number is: \_\_\_\_\_ (optional) 11311

My email address is: \_\_\_\_\_ (optional) 11312

I hereby declare, under penalty of election falsification, 11313

that the statements above are true, as I verily believe. 11314

\_\_\_\_\_ 11315

(Signature of Voter) 11316

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 11317

THE ~~FIFTH~~ FOURTH DEGREE." 11318

(B) (1) The ~~director~~ board shall also mail with the ballots 11319

and the unsealed identification envelope sent by mail an 11320

unsealed return envelope, gummed, ready for sealing, for use by 11321

the voter in returning the voter's marked ballots to the 11322

director. ~~The director shall send with the ballots and the~~ 11323

~~instruction sheet for preparing a gummed envelope sent~~ 11324

~~electronically, including by facsimile machine, an instruction~~ 11325

~~sheet for preparing a second gummed envelope as described in~~ 11326

~~this division, for use by the voter in returning that voter's~~ 11327

~~marked ballots to the director.~~ The return envelope shall be of 11328

such size that the identification envelope can be conveniently 11329

placed within it for returning the identification envelope to 11330

the board and shall have two parallel lines, each one quarter of 11331

an inch in width, printed across its face paralleling the top, 11332

with an intervening space of one quarter of an inch between such 11333

lines. The top line shall be one and one-quarter inches from the 11334

top of the envelope. Between the parallel lines shall be 11335

printed: "OFFICIAL ELECTION UNIFORMED SERVICES OR OVERSEAS 11336

~~ABSENT VOTER'S MAIL~~ BALLOTS -- VIA AIR MAIL." Three blank lines 11337

shall be printed in the upper left corner on the face of the 11338

envelope for the use by the voter in placing the voter's 11339

complete military, naval, or mailing address on these lines, and 11340  
beneath these lines there shall be printed a box beside the 11341  
words "check if out-of-country." The voter shall check this box 11342  
if the voter will be outside the United States on the day of the 11343  
election. The official title and the post-office address of the 11344  
~~director~~ office of the board to ~~whom~~ which the envelope shall be 11345  
returned shall be printed on the face of such envelope in the 11346  
lower right portion below the bottom parallel line. The board 11347  
shall insert a sheet of waxed paper or other appropriate insert 11348  
between the gummed flap and the back of the envelope to minimize 11349  
the possibility that the flap may become firmly stuck to the 11350  
back of the envelope by reason of moisture, humid atmosphere, or 11351  
other conditions to which it may be subjected. 11352

(2) Except for ballots to be returned to the board 11353  
electronically under division (B) of section 3511.021 of the 11354  
Revised Code, the board shall send with the ballots and the 11355  
instruction sheet for preparing a gummed envelope sent 11356  
electronically, including by facsimile machine, an instruction 11357  
sheet for preparing a second gummed envelope for use by the 11358  
voter in returning that voter's marked ballots to the board. 11359

(C) On the back of each identification envelope and each 11360  
return envelope shall be printed the following: 11361

"Instructions to voter: 11362

If the flap on this envelope is so firmly stuck to the 11363  
back of the envelope when received by you as to require forcible 11364  
opening in order to use it, open the envelope in the manner 11365  
least injurious to it, and, after marking your ballots and 11366  
enclosing same in the envelope for mailing them to the director 11367  
of the board of elections, reclose the envelope in the most 11368  
practicable way, by sealing or otherwise, and sign the blank 11369

form printed below. 11370

The flap on this envelope was firmly stuck to the back of 11371  
the envelope when received, and required forced opening before 11372  
sealing and mailing. 11373

\_\_\_\_\_ 11374

(Signature of voter)" 11375

(D) Division (C) of this section does not apply when 11376  
~~absent voter's mail~~ ballots are sent electronically, including 11377  
by facsimile machine. 11378

(E) Except as otherwise provided in this division and in 11379  
sections 3505.24 and 3509.08 of the Revised Code, an election 11380  
official shall not fill out any portion of an identification 11381  
envelope statement of voter or ~~an absent voter's a mail~~ ballot 11382  
on behalf of an elector. A board of elections may preprint only 11383  
an elector's name and address on an identification envelope 11384  
statement of voter before mailing or electronically transmitting 11385  
absent voter's ballots to the elector, except that if the 11386  
elector has a confidential voter registration record, as 11387  
described in section 111.44 of the Revised Code, the board of 11388  
elections shall not preprint the elector's address on the 11389  
identification envelope statement of voter. 11390

**Sec. 3511.051.** All identification envelopes containing 11391  
~~absent voter's mail~~ ballots for uniformed services or overseas 11392  
voters who are entitled to vote for presidential and vice- 11393  
presidential electors only shall have printed or stamped thereon 11394  
the words, "Presidential Ballots Only." 11395

**Sec. ~~3501.012~~ 3511.06.** Notwithstanding any provision of 11396  
the Revised Code to the contrary, the secretary of state or a 11397  
board of elections shall not refuse to accept and process an 11398

otherwise valid voter registration application, ~~absent voter's~~ 11399  
~~mail ballot~~ application, ~~uniformed services and overseas absent~~ 11400  
~~voter's ballot application, or returned absent voter's mail~~ 11401  
~~ballot, returned uniformed services and overseas absent voter's~~ 11402  
~~ballot, or federal write in absentee ballot~~ from an individual 11403  
who is eligible to vote as a uniformed services voter or an 11404  
overseas voter in accordance with ~~42 U.S.C. 1973ff-6 the~~ 11405  
Uniformed and Overseas Citizens Absentee Voting Act due to any 11406  
requirements regarding notarization, paper type, paper weight 11407  
and size, envelope type, or envelope weight and size. 11408

**Sec. 3511.08.** (A) ~~The director of the board of elections~~ 11409  
shall keep a record of the name and address of each person to 11410  
whom the director mails or delivers uniformed services or 11411  
overseas ~~absent voter's mail~~ ballots, the kinds of ballots so 11412  
mailed or delivered, and the name and address of the person who 11413  
made the application for such ballots. ~~After the director has~~ 11414  
~~mailed or delivered such ballots the director shall not mail or~~ 11415  
~~deliver additional ballots of the same kind to such person~~ 11416  
~~pursuant to a subsequent request unless such subsequent request~~ 11417  
~~contains the statement that an earlier request had been sent to~~ 11418  
~~the director prior to the thirtieth day before the election and~~ 11419  
~~that the uniformed services or overseas absent voter's ballots~~ 11420  
~~so requested had not been received by such person prior to the~~ 11421  
~~fifteenth day before the election, and provided that the~~ 11422  
~~director has not received an identification envelope purporting~~ 11423  
~~to contain marked uniformed services or overseas absent voter's~~ 11424  
~~ballots from such person.~~ 11425

(B) A uniformed services or overseas voter may request 11426  
replacement uniformed services or overseas mail ballots in the 11427  
same manner as any other voter may request replacement mail 11428  
ballots under division (A) (7) of section 3509.03 of the Revised 11429

Code. 11430

**Sec. 3511.09.** (A) Upon receiving uniformed services or 11431  
overseas ~~absent voter's mail~~ ballots, the elector shall cause 11432  
the questions on the face of the identification envelope to be 11433  
answered, and, by writing the elector's usual signature in the 11434  
proper place on the identification envelope, the elector shall 11435  
declare under penalty of election falsification that the answers 11436  
to those questions are true and correct to the best of the 11437  
elector's knowledge and belief. Then, the elector shall note 11438  
whether there are any voting marks on the ballot. If there are 11439  
any voting marks, the ballot shall be returned immediately to 11440  
the board of elections; otherwise, the elector shall cause the 11441  
ballot to be marked, folded separately so as to conceal the 11442  
markings on it, deposited in the identification envelope, and 11443  
securely sealed in the identification envelope. The elector then 11444  
shall cause the identification envelope to be placed within the 11445  
return envelope, sealed in the return envelope, and mailed to 11446  
the ~~director of the~~ board of elections to ~~whom~~ which it is 11447  
addressed. ~~The~~ 11448

(B) The ballot shall be submitted for mailing not later 11449  
than 12:01 a.m. at the place where the voter completes the 11450  
ballot, on the date of the election. ~~If the elector does not~~ 11451  
~~provide the elector's driver's license number or the last four~~ 11452  
~~digits of the elector's social security number on the statement~~ 11453  
~~of voter on the identification envelope, the elector also shall~~ 11454  
~~include in the return envelope with the identification envelope~~ 11455  
~~a copy of the elector's current valid photo identification, a~~ 11456  
~~copy of a military identification, or a copy of a current~~ 11457  
~~utility bill, bank statement, government check, paycheck, or~~ 11458  
~~other government document, other than a notice of voter~~ 11459  
~~registration mailed by a board of elections under section~~ 11460

~~3503.19 of the Revised Code, that shows the name and address of  
the elector. Each~~ 11461  
11462

(C) Each elector who will be outside the United States on 11463  
the day of the election shall check the box on the return 11464  
envelope indicating this fact and shall mail the return envelope 11465  
to the ~~director board~~ prior to ~~the close of the polls seven-~~ 11466  
thirty p.m. on election day. 11467

~~Every uniformed services or overseas absent voter's ballot  
identification envelope shall be accompanied by the following  
statement in boldface capital letters: WHOEVER COMMITS ELECTION-  
FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.~~ 11468  
11469  
11470  
11471

**Sec. 3511.11.** (A) Upon receipt of any return envelope 11472  
bearing the designation "Official Election Uniformed Services or 11473  
Overseas ~~Absent Voter's Mail~~ Ballot" prior to the eleventh day 11474  
after the day of any election, the ~~director of the board of~~ 11475  
elections election officials shall open it but shall not open 11476  
the identification envelope contained in it. If, upon so opening 11477  
the return envelope, the ~~director finds~~ election officials find 11478  
ballots in it that are not enclosed in and properly sealed in 11479  
the identification envelope, the ~~director~~ election officials 11480  
shall not look at the markings upon the ballots and shall 11481  
promptly place them in the identification envelope and promptly 11482  
seal it. If, upon so opening the return envelope, the ~~director~~ 11483  
~~finds~~ election officials find that ballots are enclosed in the 11484  
identification envelope but that it is not properly sealed, the 11485  
~~director~~ election officials shall not look at the markings upon 11486  
the ballots and shall promptly seal the identification envelope. 11487

(B) Uniformed services or overseas ~~absent voter's mail~~ 11488  
ballots delivered to the ~~director~~ office of the board of 11489  
elections, to a voter service and polling center in the county, 11490

or to a ballot drop box in the county, or, subject to section 11491  
3501.291 of the Revised Code, to any precinct polling place in 11492  
the county, not later than the close of the polls seven-thirty 11493  
p.m. on election day shall be processed and counted in the 11494  
manner provided in section 3509.06 of the Revised Code. 11495  
Uniformed services or overseas mail ballots shall be considered 11496  
to have been delivered to the office of the board, to a voter 11497  
service and polling center, to a ballot drop box, or to a 11498  
precinct polling place not later than seven-thirty p.m. on 11499  
election day if the voter or a person designated by the voter 11500  
was waiting in line to deliver the ballots at that location as 11501  
of that time. 11502

(C) A return envelope is not required to be postmarked in 11503  
order for a uniformed services or overseas ~~absent voter's mail~~ 11504  
ballot contained in it to be valid. Except as otherwise provided 11505  
in this division, whether or not the return envelope containing 11506  
the ballot is postmarked, contains a late postmark, or contains 11507  
an illegible postmark, a uniformed services or overseas absent 11508  
voter's ballot that is received by mail ~~after the close of the~~ 11509  
~~polls seven-thirty p.m. on election day through the tenth day~~ 11510  
after the election day shall be processed and counted on the 11511  
eleventh day after the election day ~~at the office of the board~~ 11512  
~~of elections~~ in the manner provided in section 3509.06 of the 11513  
Revised Code if the voter signed the identification envelope by 11514  
the time specified in section 3511.09 of the Revised Code. 11515  
~~However, if a return envelope containing a uniformed services or~~ 11516  
~~overseas absent voter's ballot is so received and so indicates,~~ 11517  
~~but the identification envelope in it is signed after the close~~ 11518  
~~of the polls on election day, the uniformed services or overseas~~ 11519  
~~absent voter's ballot shall not be counted.~~ 11520

(D) The following types of uniformed services or overseas 11521



~~absent voter's mail~~ ballots shall not be counted: 11522

(1) Uniformed services or overseas ~~absent voter's mail~~ 11523  
ballots contained in return envelopes that bear the designation 11524  
"Official Election Uniformed Services or Overseas ~~Absent Voter's~~ 11525  
~~Mail~~ Ballots," that are received by the ~~director board~~ after ~~the~~ 11526  
~~close of the polls~~ seven-thirty p.m. on the day of the election, 11527  
and that contain an identification envelope that is signed after 11528  
the time specified in section 3511.09 of the Revised Code; 11529

(2) Uniformed services or overseas ~~absent voter's mail~~ 11530  
ballots contained in return envelopes that bear that designation 11531  
and that are received after the tenth day following the 11532  
election. 11533

(E) The uncounted ballots shall be preserved in their 11534  
identification envelopes unopened until the time provided by 11535  
section 3505.31 of the Revised Code for the destruction of all 11536  
other ballots used at the election for which ballots were 11537  
provided, at which time they shall be destroyed. 11538

**Sec. 3511.12.** In counting uniformed services or overseas 11539  
~~absent voter's mail~~ ballots pursuant to section 3511.11 of the 11540  
Revised Code, the name of each voter, followed by "Uniformed 11541  
Services or Overseas ~~Absent Voter's~~ Mail Ballot," shall be 11542  
written in the poll book or poll list together with such 11543  
notations as will indicate the kinds of ballots the envelope 11544  
contained, except that if the voter has a confidential voter 11545  
registration record, as described in section 111.44 of the 11546  
Revised Code, that information shall be marked in the voter's 11547  
registration record but not in the poll book or poll list. If 11548  
any challenge is made and sustained, the identification envelope 11549  
of such voter shall not be opened and shall be indorsed "not 11550  
counted" with the reasons therefor. 11551

**Sec. 3511.14.** (A) A board of elections shall accept and 11552  
process federal write-in absentee ballots for all elections for 11553  
office and for all ballot questions and issues as required under 11554  
~~"The the Uniformed and Overseas Citizens Absentee Voting Act,"~~ 11555  
~~Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 1973ff, et seq., as~~ 11556  
~~amended.~~ 11557

(B) A uniformed services or overseas voter may use the 11558  
declaration accompanying a federal write-in absentee ballot to 11559  
apply to register to vote simultaneously with the submission of 11560  
the federal write-in absentee ballot, if the declaration is 11561  
received not later than thirty days before the day of the 11562  
election. If the declaration is received after that date, the 11563  
declaration shall be considered an application to register to 11564  
vote for all subsequent elections. 11565

**Sec. 3511.15.** If an international, national, state, or 11566  
local emergency or other situation arises that makes substantial 11567  
compliance with the ~~"Uniformed and Overseas Citizens Absentee~~ 11568  
~~Voting Act," 42 U.S.C. 1973ff, et seq., as amended,~~ impossible 11569  
or impracticable, as confirmed by the existence of armed 11570  
conflict involving United States armed forces or the 11571  
mobilization of those forces, including Ohio national guard and 11572  
reserve component members of this state, or by the occurrence of 11573  
a natural disaster or the existence of a state of emergency, 11574  
civil unrest, war, or other exigency in a foreign country, or by 11575  
an official declaration by the governor that a state of 11576  
emergency exists, the governor directly, or by delegation to the 11577  
secretary of state, may prescribe, by emergency order or rule, a 11578  
special procedure or requirement as may be necessary to 11579  
facilitate ~~absent-mail~~ voting by those ~~absent~~-uniformed services 11580  
voters or overseas voters directly affected who are eligible to 11581  
vote in this state. The secretary of state shall take reasonable 11582

steps to provide ~~absent~~-uniformed services or overseas voters 11583  
with timely notice of any special procedure or requirement 11584  
prescribed under this section. 11585

**Sec. 3511.16.** (A) At least one hundred days before the day 11586  
of a regularly scheduled election and as soon as practicable 11587  
before an election that is not regularly scheduled, the board of 11588  
elections of each county shall prepare an election notice for 11589  
each precinct in which the election is to be conducted, to be 11590  
used in conjunction with a federal write-in absentee ballot. The 11591  
election notice shall contain a list of all of the ballot 11592  
questions and issues and all federal, state, and local offices 11593  
that, as of that date, the board expects to be on the ballot at 11594  
that election. The notice also shall contain specific 11595  
instructions on how a uniformed services or overseas voter is to 11596  
indicate on the federal write-in absentee ballot the voter's 11597  
choice for each office to be filled and for each ballot question 11598  
and issue to be contested. 11599

(B) A uniformed services or overseas voter may request a 11600  
copy of an election notice prepared under division (A) of this 11601  
section. The board of elections shall send the notice to the 11602  
voter by facsimile transmission, electronic mail, or regular 11603  
mail, as the voter requests. 11604

(C) As soon as the form of the ballot is certified, and 11605  
not later than the date uniformed services and overseas mail 11606  
ballots are required to be transmitted to voters under section 11607  
3509.01 of the Revised Code, the board shall update the notice 11608  
with the certified candidates for each office and ballot 11609  
questions and issues and make the updated notice publicly 11610  
available. 11611

(D) A board of elections that maintains an internet web 11612

site shall make the election notice prepared under division (A) 11613  
of this section and updated versions of the election notice 11614  
regularly available on that web site. 11615

**Sec. 3513.05.** Each person desiring to become a candidate 11616  
for a party nomination at a primary election or for election to 11617  
an office or position to be voted for at a primary election, 11618  
except persons desiring to become joint candidates for the 11619  
offices of governor and lieutenant governor and except as 11620  
otherwise provided in section 3513.051 of the Revised Code, 11621  
shall, not later than four p.m. of the ninetieth day before the 11622  
day of the primary election, file a declaration of candidacy and 11623  
petition and pay the fees required under divisions (A) and (B) 11624  
of section 3513.10 of the Revised Code. The declaration of 11625  
candidacy and all separate petition papers shall be filed at the 11626  
same time as one instrument. When the offices are to be voted 11627  
for at a primary election, persons desiring to become joint 11628  
candidates for the offices of governor and lieutenant governor 11629  
shall, not later than four p.m. of the ninetieth day before the 11630  
day of the primary election, comply with section 3513.04 of the 11631  
Revised Code. The prospective joint candidates' declaration of 11632  
candidacy and all separate petition papers of candidacies shall 11633  
be filed at the same time as one instrument. The secretary of 11634  
state or a board of elections shall not accept for filing a 11635  
declaration of candidacy and petition of a person seeking to 11636  
become a candidate if that person, for the same election, has 11637  
already filed a declaration of candidacy or a declaration of 11638  
intent to be a write-in candidate, or has become a candidate by 11639  
the filling of a vacancy under section 3513.30 of the Revised 11640  
Code for any federal, state, or county office, if the 11641  
declaration of candidacy is for a state or county office, or for 11642  
any municipal or township office, if the declaration of 11643

candidacy is for a municipal or township office. 11644

If the declaration of candidacy declares a candidacy which 11645  
is to be submitted to electors throughout the entire state, the 11646  
petition, including a petition for joint candidates for the 11647  
offices of governor and lieutenant governor, shall be signed by 11648  
at least one thousand qualified electors who are members of the 11649  
same political party as the candidate or joint candidates, and 11650  
the declaration of candidacy and petition shall be filed with 11651  
the secretary of state; provided that the secretary of state 11652  
shall not accept or file any such petition appearing on its face 11653  
to contain signatures of more than three thousand electors. 11654

Except as otherwise provided in this paragraph, if the 11655  
declaration of candidacy is of one that is to be submitted only 11656  
to electors within a district, political subdivision, or portion 11657  
thereof, the petition shall be signed by not less than fifty 11658  
qualified electors who are members of the same political party 11659  
as the political party of which the candidate is a member. If 11660  
the declaration of candidacy is for party nomination as a 11661  
candidate for member of the legislative authority of a municipal 11662  
corporation elected by ward, the petition shall be signed by not 11663  
less than twenty-five qualified electors who are members of the 11664  
political party of which the candidate is a member. 11665

No such petition, except the petition for a candidacy that 11666  
is to be submitted to electors throughout the entire state, 11667  
shall be accepted for filing if it appears to contain on its 11668  
face signatures of more than three times the minimum number of 11669  
signatures. When a petition of a candidate has been accepted for 11670  
filing by a board of elections, the petition shall not be deemed 11671  
invalid if, upon verification of signatures contained in the 11672  
petition, the board of elections finds the number of signatures 11673

accepted exceeds three times the minimum number of signatures 11674  
required. A board of elections may discontinue verifying 11675  
signatures on petitions when the number of verified signatures 11676  
equals the minimum required number of qualified signatures. 11677

If the declaration of candidacy declares a candidacy for 11678  
party nomination or for election as a candidate of a minor 11679  
party, the minimum number of signatures on such petition is one- 11680  
half the minimum number provided in this section, except that, 11681  
when the candidacy is one for election as a member of the state 11682  
central committee or the county central committee of a political 11683  
party, the minimum number shall be the same for a minor party as 11684  
for a major party. 11685

If a declaration of candidacy is one for election as a 11686  
member of the state central committee or the county central 11687  
committee of a political party, the petition shall be signed by 11688  
five qualified electors of the district, county, ward, township, 11689  
or precinct within which electors may vote for such candidate. 11690  
The electors signing such petition shall be members of the same 11691  
political party as the political party of which the candidate is 11692  
a member. 11693

For purposes of signing or circulating a petition of 11694  
candidacy for party nomination or election, an elector is 11695  
considered to be a member of a political party if the ~~elector~~ 11696  
~~voted in that party's primary election within the preceding two~~ 11697  
~~calendar years, or if the elector did not vote in any other~~ 11698  
~~party's primary election within the preceding two calendar years~~ 11699  
elector's voter registration record indicates that the elector 11700  
is affiliated with that political party. 11701

If the declaration of candidacy is of one that is to be 11702  
submitted only to electors within a county, or within a district 11703

or subdivision or part thereof smaller than a county, the 11704  
petition shall be filed with the board of elections of the 11705  
county. If the declaration of candidacy is of one that is to be 11706  
submitted only to electors of a district or subdivision or part 11707  
thereof that is situated in more than one county, the petition 11708  
shall be filed with the board of elections of the county within 11709  
which the major portion of the population thereof, as 11710  
ascertained by the next preceding federal census, is located. 11711

A petition shall consist of separate petition papers, each 11712  
of which shall contain signatures of electors of only one 11713  
county. Petitions or separate petition papers containing 11714  
signatures of electors of more than one county shall not thereby 11715  
be declared invalid. In case petitions or separate petition 11716  
papers containing signatures of electors of more than one county 11717  
are filed, the board shall determine the county from which the 11718  
majority of signatures came, and only signatures from such 11719  
county shall be counted. Signatures from any other county shall 11720  
be invalid. 11721

Each separate petition paper shall be circulated by one 11722  
person only, who shall be the candidate or a joint candidate or 11723  
a member of the same political party as the candidate or joint 11724  
candidates, and each separate petition paper shall be governed 11725  
by the rules set forth in section 3501.38 of the Revised Code. 11726

The secretary of state shall promptly transmit to each 11727  
board such separate petition papers of each petition 11728  
accompanying a declaration of candidacy filed with the secretary 11729  
of state as purport to contain signatures of electors of the 11730  
county of such board. The board of the most populous county of a 11731  
district shall promptly transmit to each board within such 11732  
district such separate petition papers of each petition 11733

accompanying a declaration of candidacy filed with it as purport 11734  
to contain signatures of electors of the county of each such 11735  
board. The board of a county within which the major portion of 11736  
the population of a subdivision, situated in more than one 11737  
county, is located, shall promptly transmit to the board of each 11738  
other county within which a portion of such subdivision is 11739  
located such separate petition papers of each petition 11740  
accompanying a declaration of candidacy filed with it as purport 11741  
to contain signatures of electors of the portion of such 11742  
subdivision in the county of each such board. 11743

All petition papers so transmitted to a board and all 11744  
petitions accompanying declarations of candidacy filed with a 11745  
board shall, under proper regulations, be open to public 11746  
inspection until four p.m. of the eightieth day before the day 11747  
of the next primary election. Each board shall, not later than 11748  
the seventy-eighth day before the day of that primary election, 11749  
examine and determine the validity or invalidity of the 11750  
signatures on the petition papers so transmitted to or filed 11751  
with it and shall return to the secretary of state all petition 11752  
papers transmitted to it by the secretary of state, together 11753  
with its certification of its determination as to the validity 11754  
or invalidity of signatures thereon, and shall return to each 11755  
other board all petition papers transmitted to it by such board, 11756  
together with its certification of its determination as to the 11757  
validity or invalidity of the signatures thereon. All other 11758  
matters affecting the validity or invalidity of such petition 11759  
papers shall be determined by the secretary of state or the 11760  
board with whom such petition papers were filed. 11761

Protests against the candidacy of any person filing a 11762  
declaration of candidacy for party nomination or for election to 11763  
an office or position, as provided in this section, may be filed 11764



by any qualified elector who is a member of the same political 11765  
party as the candidate and who is eligible to vote at the 11766  
primary election for the candidate whose declaration of 11767  
candidacy the elector objects to, or by the controlling 11768  
committee of that political party. The protest shall be in 11769  
writing, and shall be filed not later than four p.m. of the 11770  
seventy-fourth day before the day of the primary election. The 11771  
protest shall be filed with the election officials with whom the 11772  
declaration of candidacy and petition was filed. Upon the filing 11773  
of the protest, the election officials with whom it is filed 11774  
shall promptly fix the time for hearing it, and shall forthwith 11775  
mail notice of the filing of the protest and the time fixed for 11776  
hearing to the person whose candidacy is so protested. They 11777  
shall also forthwith mail notice of the time fixed for such 11778  
hearing to the person who filed the protest. At the time fixed, 11779  
such election officials shall hear the protest and determine the 11780  
validity or invalidity of the declaration of candidacy and 11781  
petition. If they find that such candidate is not an elector of 11782  
the state, district, county, or political subdivision in which 11783  
the candidate seeks a party nomination or election to an office 11784  
or position, or has not fully complied with this chapter, the 11785  
candidate's declaration of candidacy and petition shall be 11786  
determined to be invalid and shall be rejected; otherwise, it 11787  
shall be determined to be valid. That determination shall be 11788  
final. 11789

A protest against the candidacy of any persons filing a 11790  
declaration of candidacy for joint party nomination to the 11791  
offices of governor and lieutenant governor shall be filed, 11792  
heard, and determined in the same manner as a protest against 11793  
the candidacy of any person filing a declaration of candidacy 11794  
singly. 11795

The secretary of state shall, on the seventieth day before 11796  
the day of a primary election, certify to each board in the 11797  
state the forms of the official ballots to be used at the 11798  
primary election, together with the names of the candidates to 11799  
be printed on the ballots whose nomination or election is to be 11800  
determined by electors throughout the entire state and who filed 11801  
valid declarations of candidacy and petitions. 11802

The board of the most populous county in a district 11803  
comprised of more than one county but less than all of the 11804  
counties of the state shall, on the seventieth day before the 11805  
day of a primary election, certify to the board of each county 11806  
in the district the names of the candidates to be printed on the 11807  
official ballots to be used at the primary election, whose 11808  
nomination or election is to be determined only by electors 11809  
within the district and who filed valid declarations of 11810  
candidacy and petitions. 11811

The board of a county within which the major portion of 11812  
the population of a subdivision smaller than the county and 11813  
situated in more than one county is located shall, on the 11814  
seventieth day before the day of a primary election, certify to 11815  
the board of each county in which a portion of that subdivision 11816  
is located the names of the candidates to be printed on the 11817  
official ballots to be used at the primary election, whose 11818  
nomination or election is to be determined only by electors 11819  
within that subdivision and who filed valid declarations of 11820  
candidacy and petitions. 11821

**Sec. 3513.052.** (A) No person shall seek nomination or 11822  
election to any of the following offices or positions at the 11823  
same election by filing a declaration of candidacy and petition, 11824  
a declaration of intent to be a write-in candidate, or a 11825

|  |       |
|--|-------|
| nominating petition, or by becoming a candidate through party    | 11826 |
| nomination in a primary election, or by the filling of a vacancy | 11827 |
| under section 3513.30 or 3513.31 of the Revised Code:            | 11828 |
| (1) Two or more state offices;                                   | 11829 |
| (2) Two or more county offices;                                  | 11830 |
| (3) A state office and a county office;                          | 11831 |
| (4) A federal office and a state or county office;               | 11832 |
| (5) Any combination of two or more municipal or township         | 11833 |
| offices, positions as a member of a city, local, or exempted     | 11834 |
| village board of education, or positions as a member of a        | 11835 |
| governing board of an educational service center.                | 11836 |
| (B) The secretary of state or a board of elections shall         | 11837 |
| not accept for filing a declaration of candidacy and petition, a | 11838 |
| declaration of intent to be a write-in candidate, or a           | 11839 |
| nominating petition of a person seeking to become a candidate if | 11840 |
| that person, for the same election, has already filed a          | 11841 |
| declaration of candidacy, a declaration of intent to be a write- | 11842 |
| in candidate, or a nominating petition, or has become a          | 11843 |
| candidate through party nomination at a primary election or by   | 11844 |
| the filling of a vacancy under section 3513.30 or 3513.31 of the | 11845 |
| Revised Code for:  | 11846 |
| (1) Any federal, state, or county office, if the                 | 11847 |
| declaration of candidacy, declaration of intent to be a write-in | 11848 |
| candidate, or nominating petition is for a state or county       | 11849 |
| office;  | 11850 |
| (2) Any municipal or township office, or for member of a         | 11851 |
| city, local, or exempted village board of education, or for      | 11852 |
| member of a governing board of an educational service center, if | 11853 |

the declaration of candidacy, declaration of intent to be a 11854  
write-in candidate, or nominating petition is for a municipal or 11855  
township office, or for member of a city, local, or exempted 11856  
village board of education, or for member of a governing board 11857  
of an educational service center. 11858

(C) (1) If the secretary of state determines, before the 11859  
day of the primary election, that a person is seeking nomination 11860  
to more than one office at that election in violation of 11861  
division (A) of this section, the secretary of state shall do 11862  
one of the following: 11863

(a) If each office or the district for each office for 11864  
which the person is seeking nomination is wholly within a single 11865  
county and none of those offices is a federal office, the 11866  
secretary of state shall notify the board of elections of that 11867  
county. The board then shall determine the date on which the 11868  
person first sought to become a candidate for each of those 11869  
offices by filing a declaration of candidacy or a declaration of 11870  
intent to be a write-in candidate or by the filling of a vacancy 11871  
under section 3513.30 of the Revised Code. The board shall vote 11872  
promptly to disqualify that person as a candidate for each 11873  
office for which the person sought to become a candidate after 11874  
the date on which the person first sought to become a candidate 11875  
for any of those offices. If the board determines that the 11876  
person sought to become a candidate for more than one of those 11877  
offices on the same date, the board shall vote promptly to 11878  
disqualify that person as a candidate for each office that would 11879  
be listed on the ballot below the highest office for which that 11880  
person seeks nomination, according to the ballot order 11881  
prescribed under section 3505.03 of the Revised Code. 11882

(b) If one or more of the offices for which the person is 11883

seeking nomination is a state office or an office with a 11884  
district larger than a single county and none of the offices for 11885  
which the person is seeking nomination is a federal office, the 11886  
secretary of state shall determine the date on which the person 11887  
first sought to become a candidate for each of those offices by 11888  
filing a declaration of candidacy or a declaration of intent to 11889  
be a write-in candidate or by the filling of a vacancy under 11890  
section 3513.30 of the Revised Code. The secretary of state 11891  
shall order the board of elections of each county in which the 11892  
person is seeking to appear on the ballot to disqualify that 11893  
person as a candidate for each office for which the person 11894  
sought to become a candidate after the date on which the person 11895  
first sought to become a candidate for any of those offices. If 11896  
the secretary of state determines that the person sought to 11897  
become a candidate for more than one of those offices on the 11898  
same date, the secretary of state shall order the board of 11899  
elections of each county in which the person is seeking to 11900  
appear on the ballot to disqualify that person as a candidate 11901  
for each office that would be listed on the ballot below the 11902  
highest office for which that person seeks nomination, according 11903  
to the ballot order prescribed under section 3505.03 of the 11904  
Revised Code. Each board of elections so notified shall vote 11905  
promptly to disqualify the person as a candidate in accordance 11906  
with the order of the secretary of state. 11907

(c) If each office or the district for each office for 11908  
which the person is seeking nomination is wholly within a single 11909  
county and any of those offices is a federal office, the 11910  
secretary of state shall notify the board of elections of that 11911  
county. The board then shall vote promptly to disqualify that 11912  
person as a candidate for each office that is not a federal 11913  
office. 11914

(d) If one or more of the offices for which the person is seeking nomination is a state office and any of the offices for which the person is seeking nomination is a federal office, the secretary of state shall order the board of elections of each county in which the person is seeking to appear on the ballot to disqualify that person as a candidate for each office that is not a federal office. Each board of elections so notified shall vote promptly to disqualify the person as a candidate in accordance with the order of the secretary of state.

(2) If a board of elections determines, before the day of the primary election, that a person is seeking nomination to more than one office at that election in violation of division (A) of this section, the board shall do one of the following:

(a) If each office or the district for each office for which the person is seeking nomination is wholly within that county and none of those offices is a federal office, the board shall determine the date on which the person first sought to become a candidate for each of those offices by filing a declaration of candidacy or a declaration of intent to be a write-in candidate or by the filling of a vacancy under section 3513.30 of the Revised Code. The board shall vote promptly to disqualify that person as a candidate for each office for which the person sought to become a candidate after the date on which the person first sought to become a candidate for any of those offices. If the board determines that the person sought to become a candidate for more than one of those offices on the same date, the board shall vote promptly to disqualify that person as a candidate for each office that would be listed on the ballot below the highest office for which that person seeks nomination, according to the ballot order prescribed under section 3505.03 of the Revised Code.

(b) If one or more of the offices for which the person is seeking nomination is a state office or an office with a district larger than a single county and none of the offices for which the person is seeking nomination is a federal office, the board shall notify the secretary of state. The secretary of state then shall determine the date on which the person first sought to become a candidate for each of those offices by filing a declaration of candidacy or a declaration of intent to be a write-in candidate or by the filling of a vacancy under section 3513.30 of the Revised Code. The secretary of state shall order the board of elections of each county in which the person is seeking to appear on the ballot to disqualify that person as a candidate for each office for which the person sought to become a candidate after the date on which the person first sought to become a candidate for any of those offices. If the secretary of state determines that the person sought to become a candidate for more than one of those offices on the same date, the secretary of state shall order the board of elections of each county in which the person is seeking to appear on the ballot to disqualify that person as a candidate for each office that would be listed on the ballot below the highest office for which that person seeks nomination, according to the ballot order prescribed under section 3505.03 of the Revised Code. Each board of elections so notified shall vote promptly to disqualify the person as a candidate in accordance with the order of the secretary of state.

(c) If each office or the district for each office for which the person is seeking nomination is wholly within a single county and any of those offices is a federal office, the board shall vote promptly to disqualify that person as a candidate for each office that is not a federal office.

(d) If one or more of the offices for which the person is seeking nomination is a state office and any of the offices for which the person is seeking nomination is a federal office, the board shall notify the secretary of state. The secretary of state then shall order the board of elections of each county in which the person is seeking to appear on the ballot to disqualify that person as a candidate for each office that is not a federal office. Each board of elections so notified shall vote promptly to disqualify the person as a candidate in accordance with the order of the secretary of state.

(D) (1) If the secretary of state determines, after the day of the primary election and before the day of the general election, that a person is seeking election to more than one office at that election in violation of division (A) of this section, the secretary of state shall do one of the following:

(a) If each office or the district for each office for which the person is seeking election is wholly within a single county and none of those offices is a federal office, the secretary of state shall notify the board of elections of that county. The board then shall determine the offices for which the person seeks to appear as a candidate on the ballot. The board shall vote promptly to disqualify that person as a candidate for each office that would be listed on the ballot below the highest office for which that person seeks election, according to the ballot order prescribed under section 3505.03 of the Revised Code. If the person sought nomination at a primary election and has not yet been issued a certificate of nomination, the board shall not issue that certificate for that person for any office that would be listed on the ballot below the highest office for which that person seeks election, according to the ballot order prescribed under section 3505.03 of the Revised Code.



(b) If one or more of the offices for which the person is seeking election is a state office or an office with a district larger than a single county and none of the offices for which the person is seeking election is a federal office, the secretary of state shall promptly investigate and determine the offices for which the person seeks to appear as a candidate on the ballot. The secretary of state shall order the board of elections of each county in which the person is seeking to appear on the ballot to disqualify that person as a candidate for each office that would be listed on the ballot below the highest office for which that person seeks election, according to the ballot order prescribed under section 3505.03 of the Revised Code. Each board of elections so notified shall vote promptly to disqualify the person as a candidate in accordance with the order of the secretary of state. If the person sought nomination at a primary election and has not yet been issued a certificate of nomination, the board shall not issue that certificate for that person for any office that would be listed on the ballot below the highest office for which that person seeks election, according to the ballot order prescribed under section 3505.03 of the Revised Code.

(c) If each office or the district for each office for which the person is seeking election is wholly within a single county and any of those offices is a federal office, the secretary of state shall notify the board of elections of that county. The board then shall vote promptly to disqualify that person as a candidate for each office that is not a federal office. If the person sought nomination at a primary election and has not yet been issued a certificate of nomination, the board shall not issue that certificate for that person for any office that is not a federal office.

(d) If one or more of the offices for which the person is seeking election is a state office and any of the offices for which the person is seeking election is a federal office, the secretary of state shall order the board of elections of each county in which the person is seeking to appear on the ballot to disqualify that person as a candidate for each office that is not a federal office. Each board of elections so notified shall vote promptly to disqualify the person as a candidate in accordance with the order of the secretary of state. If the person sought nomination at a primary election and has not yet been issued a certificate of nomination, the board shall not issue that certificate for that person for any office that is not a federal office.

(2) If a board of elections determines, after the day of the primary election and before the day of the general election, that a person is seeking election to more than one office at that election in violation of division (A) of this section, the board of elections shall do one of the following:

(a) If each office or the district for each office for which the person is seeking election is wholly within that county and none of those offices is a federal office, the board shall determine the offices for which the person seeks to appear as a candidate on the ballot. The board shall vote promptly to disqualify that person as a candidate for each office that would be listed on the ballot below the highest office for which that person seeks election, according to the ballot order prescribed under section 3505.03 of the Revised Code. If the person sought nomination at a primary election and has not yet been issued a certificate of nomination, the board shall not issue that certificate for that person for any office that would be listed on the ballot below the highest office for which that person

seeks election, according to the ballot order prescribed under 12070  
section 3505.03 of the Revised Code. 12071

(b) If one or more of the offices for which the person is 12072  
seeking election is a state office or an office with a district 12073  
larger than a single county and none of the offices for which 12074  
the person is seeking election is a federal office, the board 12075  
shall notify the secretary of state. The secretary of state 12076  
promptly shall investigate and determine the offices for which 12077  
the person seeks to appear as a candidate on the ballot. The 12078  
secretary of state shall order the board of elections of each 12079  
county in which the person is seeking to appear on the ballot to 12080  
disqualify that person as a candidate for each office that would 12081  
be listed on the ballot below the highest office for which that 12082  
person seeks election, according to the ballot order prescribed 12083  
under section 3505.03 of the Revised Code. Each board of 12084  
elections so notified shall vote promptly to disqualify the 12085  
person as a candidate in accordance with the order of the 12086  
secretary of state. If the person sought nomination at a primary 12087  
election and has not yet been issued a certificate of 12088  
nomination, the board shall not issue that certificate for that 12089  
person for any office that would be listed on the ballot below 12090  
the highest office for which that person seeks election, 12091  
according to the ballot order prescribed under section 3505.03 12092  
of the Revised Code. 12093

(c) If each office or the district for each office for 12094  
which the person is seeking election is wholly within that 12095  
county and any of those offices is a federal office, the board 12096  
shall vote promptly to disqualify that person as a candidate for 12097  
each office that is not a federal office. If the person sought 12098  
nomination at a primary election and has not yet been issued a 12099  
certificate of nomination, the board shall not issue that 12100

certificate for that person for any office that is not a federal office. 12101  
12102

(d) If one or more of the offices for which the person is 12103  
seeking election is a state office and any of the offices for 12104  
which the person is seeking election is a federal office, the 12105  
board shall notify the secretary of state. The secretary of 12106  
state shall order the board of elections of each county in which 12107  
the person is seeking to appear on the ballot to disqualify that 12108  
person as a candidate for each office that is not a federal 12109  
office. Each board of elections so notified shall vote promptly 12110  
to disqualify the person as a candidate in accordance with the 12111  
order of the secretary of state. If the person sought nomination 12112  
at a primary election and has not yet been issued a certificate 12113  
of nomination, the board shall not issue that certificate for 12114  
that person for any office that is not a federal office. 12115

(E) When a person is disqualified as a candidate under 12116  
division (C) or (D) of this section, on or before the seventieth 12117  
day before the day of the applicable election, the board of 12118  
elections shall remove the person's name from the ballot for any 12119  
office for which that person has been disqualified as a 12120  
candidate according to the directions of the secretary of state. 12121  
When a person is disqualified as a candidate under division (C) 12122  
or (D) of this section after the seventieth day before the day 12123  
of the applicable election, the board of elections shall not 12124  
remove the person's name from the ballot for any office for 12125  
which that person has been disqualified as a candidate. The 12126  
board of elections shall post a notice at each ~~polling~~ location 12127  
~~on the day of the applicable election, where ballots may be cast~~ 12128  
in person and shall enclose with each ~~absent voter's mail~~ ballot 12129  
given or mailed after the candidate is disqualified, a notice 12130  
that votes for the person for the office for which the person 12131

has been disqualified as a candidate will be void and will not 12132  
be counted. ~~If the name is not removed from the ballots before~~ 12133  
~~the day of the election, the~~ Any votes cast for the disqualified 12134  
candidate are void and shall not be counted. 12135

(F) Any vacancy created by the disqualification of a 12136  
person as a candidate under division (C) or (D) of this section 12137  
may be filled in the manner provided for in sections 3513.30 and 12138  
3513.31 of the Revised Code. 12139

(G) Nothing in this section or section 3513.04, 3513.041, 12140  
3513.05, 3513.251, 3513.253, 3513.254, 3513.255, 3513.257, 12141  
3513.259, or 3513.261 of the Revised Code prohibits, and the 12142  
secretary of state or a board of elections shall not disqualify, 12143  
a person from being a candidate for an office, if that person 12144  
timely withdraws as a candidate for any offices specified in 12145  
division (A) of this section for which that person first sought 12146  
to become a candidate by filing a declaration of candidacy and 12147  
petition, a declaration of intent to be a write-in candidate, or 12148  
a nominating petition, by party nomination in a primary 12149  
election, or by the filling of a vacancy under section 3513.30 12150  
or 3513.31 of the Revised Code. 12151

(H) As used in this section: 12152

(1) "State office" means the offices of governor, 12153  
lieutenant governor, secretary of state, auditor of state, 12154  
treasurer of state, attorney general, member of the state board 12155  
of education, member of the general assembly, chief justice of 12156  
the supreme court, and justice of the supreme court. 12157

(2) "Timely withdraws" means either of the following: 12158

(a) Withdrawing as a candidate before the applicable 12159  
deadline for filing a declaration of candidacy, declaration of 12160

intent to be a write-in candidate, or nominating petition for 12161  
the subsequent office for which the person is seeking to become 12162  
a candidate at the same election; 12163

(b) Withdrawing as a candidate before the applicable 12164  
deadline for the filling of a vacancy under section 3513.30 or 12165  
3513.31 of the Revised Code, if the person is seeking to become 12166  
a candidate for a subsequent office at the same election under 12167  
either of those sections. 12168

**Sec. 3513.07.** The form of declaration of candidacy and 12169  
petition of a person desiring to be a candidate for a party 12170  
nomination or a candidate for election to an office or position 12171  
to be voted for at a primary election shall be substantially as 12172  
follows: 12173

"DECLARATION OF CANDIDACY PARTY PRIMARY ELECTION 12174

I, \_\_\_\_\_ (Name of Candidate), the 12175  
undersigned, hereby declare under penalty of election 12176  
falsification that my voting residence is in \_\_\_\_\_ 12177  
precinct of the \_\_\_\_\_ (Township) or 12178  
(Ward and City or Village) in the county of \_\_\_\_\_, 12179  
Ohio; that my voting residence is \_\_\_\_\_ (Street and 12180  
Number, if any, or Rural Route and Number) of the 12181  
\_\_\_\_\_ (City or Village) of 12182  
\_\_\_\_\_, Ohio; and that I am a qualified elector in 12183  
the precinct in which my voting residence is located. I am a 12184  
member of the \_\_\_\_\_ Party. I hereby declare that I desire to 12185  
be \_\_\_\_\_ (a candidate for nomination as a 12186  
candidate of the Party for election to the office of 12187  
\_\_\_\_\_) (a candidate for election to the office or 12188  
position of \_\_\_\_\_) for the \_\_\_\_\_ in the state, 12189  
district, (Full term or unexpired term ending \_\_\_\_\_) 12190

county, city, or village of \_\_\_\_\_, at the primary 12191  
election to be held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, 12192  
and I hereby request that my name be printed upon the official 12193  
primary election ballot of the said \_\_\_\_\_ Party as a 12194  
candidate for \_\_\_\_\_ (such nomination) or \_\_\_\_\_ (such election) as 12195  
provided by law. 12196

I further declare that, if elected to said office or 12197  
position, I will qualify therefor, and that I will support and 12198  
abide by the principles enunciated by the \_\_\_\_\_ Party. 12199

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ 12200

\_\_\_\_\_ 12201

(Signature of candidate) 12202

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 12203  
FELONY OF THE ~~FIFTH~~-FOURTH DEGREE. 12204

PETITION OF CANDIDATE 12205

We, the undersigned, qualified electors of the state of 12206  
Ohio, whose voting residence is in the county, city, village, 12207  
ward, township, or school district, and precinct set opposite 12208  
our names, and members of the 12209

\_\_\_\_\_ Party, hereby certify 12210

that \_\_\_\_\_ (Name of candidate) whose 12211

declaration of candidacy is filed herewith, is a member of the 12212

\_\_\_\_\_ Party, and is, in our opinion, well qualified to 12213

perform the duties of the office or position to which that 12214

candidate desires to be elected. 12215

Street City, 12216

and Village or 12217

Signature Number Township Ward Precinct County Date 12218

(Must use address on file with the board of elections) 12219

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12220

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12221

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12222

\_\_\_\_\_ (Name of circulator 12223  
of petition), declares under penalty of election falsification 12224  
that the circulator of the petition is a qualified elector of 12225  
the state of Ohio and resides at the address appearing below the 12226  
signature of that circulator; that the circulator is a member of 12227  
the \_\_\_\_\_ Party; that the circulator is the circulator of 12228  
the foregoing petition paper containing \_\_\_\_\_ (Number) 12229  
signatures; that the circulator witnessed the affixing of every 12230  
signature; that all signers were to the best of the circulator's 12231  
knowledge and belief qualified to sign; and that every signature 12232  
is to the best of the circulator's knowledge and belief the 12233  
signature of the person whose signature it purports to be or of 12234  
an attorney in fact acting pursuant to section 3501.382 of the 12235  
Revised Code. 12236

\_\_\_\_\_ 12237

(Signature of circulator) 12238

\_\_\_\_\_ 12239

(Address of circulator's 12240  
permanent residence in this 12241  
state) 12242

\_\_\_\_\_ 12243

(If petition is for a 12244  
statewide candidate, the 12245



name and address of person 12246

employing to circulate 12247

petition, if any) 12248

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 12249  
FELONY OF THE ~~FIFTH~~ FOURTH DEGREE." 12250

The secretary of state shall prescribe a form of 12251  
declaration of candidacy and petition, and the form shall be 12252  
substantially similar to the declaration of candidacy and 12253  
petition set forth in this section, that will be suitable for 12254  
joint candidates for the offices of governor and lieutenant 12255  
governor. 12256

The petition provided for in this section shall be 12257  
circulated only by a member of the same political party as the 12258  
candidate. 12259

**Sec. 3513.13.** Separate primary election ballots shall be 12260  
provided by the board of elections for each political party 12261  
having candidates for nomination or election in a primary 12262  
election. Section 3505.08 of the Revised Code governing the kind 12263  
of paper, the kind of ink, and the size and style of type to be 12264  
used in the printing of ballots for general elections shall 12265  
apply in the printing of ballots for primary elections. 12266

Primary election ballots shall have printed on the back 12267  
thereof "Official \_\_\_\_\_ (name of party) \_\_\_\_\_ 12268  
primary ballot," the date of the election, and the facsimile 12269  
signatures of the members of the board. 12270

Such ballots shall have stubs attached at the top thereof 12271  
as required on ballots for general elections. 12272

On the back of every ballot used there shall be a solid 12273

black line printed opposite the blank rectangular space that is 12274  
used to mark the choice of the voter. This line shall be printed 12275  
wide enough so that the mark in the blank rectangular space will 12276  
not be visible from the back side of the ballot. 12277

Such ballots shall have printed at the top thereof and 12278  
below the stubs "Official \_\_\_\_\_ (name of party) \_\_\_\_\_ 12279  
primary ballot" and instructions to the voter to the effect that 12280  
to vote for a candidate the voter shall record the vote in the 12281  
manner provided on the ballot next to the name of such 12282  
candidate, except as provided in section 3513.151 of the Revised 12283  
Code, and that ~~if he~~ a voter who tears, soils, defaces, or 12284  
erroneously marks the ballot ~~he~~ may return it to the ~~precinct~~ 12285  
election ~~officers~~ officials and obtain another ballot. 12286

Except as provided in section 3513.151 of the Revised 12287  
Code, primary election ballots shall contain the names of all 12288  
persons whose declarations of candidacy and petitions have been 12289  
determined to be valid. The name of each candidate for 12290  
nomination for, or election to, an office or position shall be 12291  
printed in an enclosed rectangular space at the left of which an 12292  
enclosed blank rectangular space shall be provided. The names of 12293  
candidates shall be printed on the ballot immediately below the 12294  
title of the office or position for nomination or election to 12295  
which the candidate seeks nomination or election. The order in 12296  
which offices and positions shall be listed on the ballot shall 12297  
be prescribed by and shall be certified to each board by the 12298  
secretary of state, and shall be the same, to the extent the 12299  
secretary of state deems practicable, as is provided for the 12300  
listing of offices on general election ballots. 12301

**Sec. 3513.15.** The names of the candidates in each group of 12302  
two or more candidates seeking the same nomination or election 12303

at a primary election, except delegates and alternates to the 12304  
national convention of a political party, shall be rotated and 12305  
printed as provided in section 3505.03 of the Revised Code, 12306  
except that no indication of membership in or affiliation with a 12307  
political party shall be printed after or under the candidate's 12308  
name. When the names of the first choices for president of 12309  
candidates for delegate and alternate are not grouped with the 12310  
names of such candidates, the names of the first choices for 12311  
president shall be rotated in the same manner as the names of 12312  
candidates. The specific form and size of the ballot shall be 12313  
prescribed by the secretary of state in compliance with this 12314  
chapter. 12315

It shall not be necessary to have the names of candidates 12316  
for member of a county central committee printed on ~~the-mail~~ 12317  
ballots ~~provided for absentee voters~~, and the board may cause 12318  
the names of such candidates to be written on said ballots in 12319  
the spaces provided therefor. 12320

The secretary of state shall prescribe the procedure for 12321  
rotating the names of candidates on the ballot and the form of 12322  
the ballot for the election of delegates and alternates to the 12323  
national convention of a political party in accordance with 12324  
section 3513.151 of the Revised Code. 12325

**Sec. 3513.17.** If a person who has filed a declaration of 12326  
candidacy, whose candidacy is to be submitted at a primary 12327  
election to the electors of the entire state, dies prior to the 12328  
~~tenth-thirtieth~~ day before the day of such primary election, the 12329  
secretary of state, upon proof of the death of such candidate, 12330  
shall make certification of such death to the boards of 12331  
elections of the state, and the name of such deceased candidate 12332  
shall not appear on the ballots. 12333

If a person who has filed a declaration of candidacy, 12334  
whose candidacy is to be submitted at a primary election to the 12335  
electors of a district comprised of more than one county but 12336  
less than all the counties of the state, dies prior to the ~~tenth-~~ 12337  
thirtieth day before the day of such primary election, the board 12338  
of the most populous county of such district shall, upon proof 12339  
of the death of such candidate, make certification of such death 12340  
to the boards of such district, and the name of such deceased 12341  
candidate shall not appear on the ballots. 12342

If a person who has filed a declaration of candidacy, 12343  
whose candidacy is to be submitted at a primary election to the 12344  
electors of a subdivision smaller than a county but situated in 12345  
more than one county, dies prior to the ~~tenth-~~thirtieth day 12346  
before the day of such primary election, the board of the county 12347  
in which the major portion of the population of such subdivision 12348  
is located shall, upon proof of the death of such candidate, 12349  
make certification of such death to the boards of the other 12350  
counties in which portions of the population of such subdivision 12351  
are located, and the name of such deceased candidate shall not 12352  
appear on the ballots. 12353

If a person who has filed a declaration of candidacy, 12354  
whose candidacy is to be submitted at a primary election to the 12355  
electors of a county, or district or subdivision within a 12356  
county, dies prior to the ~~fifth-~~thirtieth day before the day of 12357  
such primary election, upon proof of the death of such candidate 12358  
to the board, the name of such deceased candidate shall not 12359  
appear on the ballots. 12360

If, at the time such certification or proof of death of a 12361  
candidate is received by a board, ballots carrying the name of 12362  
the deceased candidate have been printed, such board shall cause 12363

strips of paper to be pasted on ~~such the~~ ballots that have not 12364  
yet been delivered to electors so as to cover the name of the 12365  
deceased candidate before such ballots are delivered to 12366  
electors; except that ~~in voting places using~~ for ballots to be 12367  
cast using marking devices, the board shall cause strips of 12368  
paper bearing the revised list of candidates for the office, 12369  
after eliminating the deceased candidate's name, to be pasted on 12370  
such ballot cards so as to cover the name or names formerly 12371  
shown, before such ballot cards are delivered to the electors. 12372

In no case shall votes cast for a deceased candidate be 12373  
counted or recorded. 12374

**Sec. 3513.18.** ~~(A) Party primaries shall be held at the~~ 12375  
~~same place and time, but there shall be separate pollbooks and~~ 12376  
~~tally sheets provided at each polling place for each party~~ 12377  
~~participating in the election simultaneously. Only an elector~~ 12378  
who is registered as affiliated with a political party may vote 12379  
that political party's ballot. An elector who is not registered 12380  
as affiliated with the political party whose ballot the elector 12381  
wishes to vote may submit a change of political party 12382  
affiliation form and cast that political party's ballot, as 12383  
permitted under section 3503.16 of the Revised Code. 12384

(B) If a special election on a question or issue is held 12385  
on the day of a primary election, ~~there shall be provided in the~~ 12386  
~~pollbooks pages on which shall be recorded the names of all~~ 12387  
~~electors voting on said question or issue and not voting in such~~ 12388  
~~primary. It shall not be necessary for electors desiring to vote~~ 12389  
~~only on the question or issue to declare their political~~ 12390  
affiliation any qualified elector, including an elector who is 12391  
not registered as affiliated with a political party, may vote on 12392  
that question or issue. 12393

**Sec. 3513.191.** (A) No person shall be a candidate for nomination or election at a party primary if the ~~person voted as a member of a different political party at any primary election within the current year and the immediately preceding two calendar years~~ person's voter registration record does not indicate that the person is affiliated with that political party. 12394  
12395  
12396  
12397  
12398  
12399  
12400

~~(B) Notwithstanding division (A) of this section, either of the following persons may be candidates for nomination of any political party at a party primary:~~ 12401  
12402  
12403

~~(1) A person who does not hold an elective office;~~ 12404

~~(2) A person who holds an elective office other than one for which candidates are nominated at a party primary.~~ 12405  
12406

~~(C) (1) Notwithstanding division (A) of this section, a A person who holds an elective office for which candidates are nominated at a party primary may be a candidate at a primary election held during the times specified in division ~~(C) (2)~~ (B) (3) of this section for nomination as a candidate of a political party ~~of which the person is prohibited from being a candidate for nomination under division (A) of this section other than the party that most recently nominated the person as a candidate for the office the person currently holds, only if the person files~~ does all of the following: 12407  
12408  
12409  
12410  
12411  
12412  
12413  
12414  
12415  
12416~~

(a) Registers to vote as a member of the person's new political party; 12417  
12418

(b) Files a declaration of intent to seek the nomination of that the person's new party and if, by filing the declaration, the person has; 12419  
12420  
12421

(c) Has not violated division ~~(C) (3)~~ (B) (4) of this 12422

|  |   |
|--|---|
| section.— <del>The</del>   | 12423   |
| <u>(2) The declaration of intent shall:</u>  | 12424   |
| (a) Be filed not later than four p.m. of the thirtieth day before a declaration of candidacy and petition is required to be filed under section 3513.05 of the Revised Code;   | 12425<br>12426<br>12427                                     |
| (b) Be filed with the same official with whom the person filing the declaration of intent is required to file a declaration of candidacy and petition;   | 12428<br>12429<br>12430                                     |
| (c) Indicate the political party whose nomination in the primary election the person seeks;  | 12431<br>12432  |
| (d) Be on a form prescribed by the secretary of state.   | 12433   |
| <del>(2)</del> — <u>(3)</u> No person filing a declaration of intent under division <del>(C)</del> <u>(B)</u> (1) of this section shall be a candidate at any primary election for nomination for an elective office for which candidates are nominated at a party primary during the calendar year in which the person files the declaration or during the next calendar year except as a candidate of the party indicated under division <del>(C)</del> <u>(1)</u> <u>(B)</u> (2) (c) of this section. | 12434<br>12435<br>12436<br>12437<br>12438<br>12439<br>12440 |
| <del>(3)</del> — <u>(4)</u> No person who files a declaration of intent under division <del>(C)</del> <u>(B)</u> (1) of this section shall file another such declaration for a period of ten years after the declaration is filed.   | 12441<br>12442<br>12443<br>12444                            |
| <del>(4) Notwithstanding the seventh paragraph of section 3513.05 of the Revised Code, a person who complies with this section may circulate that person's own petition of candidacy for party nomination at the party primary at which the person seeks nomination under this section.</del>  | 12445<br>12446<br>12447<br>12448<br>12449                   |
| <b>Sec. 3513.192.</b> Any candidate nominated at a party primary   | 12450   |

election who, before that primary election, registers as 12451  
affiliated with and votes in that primary election as a member 12452  
of a political party different from the party that nominated the 12453  
candidate shall forfeit the nomination, and the vacancy so 12454  
created shall be filled in accordance with section 3513.31 of 12455  
the Revised Code. 12456

**Sec. 3513.22.** (A) ~~Not earlier than the eleventh day or~~ 12457  
~~later than the fifteenth day after a primary election, the board~~ 12458  
~~of elections shall begin to canvass the election returns from~~ 12459  
~~the precincts in which electors were entitled to vote at that~~ 12460  
~~election and shall continue the canvass daily until it is~~ 12461  
~~completed.~~ 12462

~~The board shall complete the canvass not later than the~~ 12463  
~~twenty first day after the day of the election. Eighty one days~~ 12464  
~~after the day of the election, the canvass of election returns~~ 12465  
~~shall be deemed final, and no amendments to the canvass may be~~ 12466  
~~made after that date. The secretary of state may specify an~~ 12467  
~~earlier date upon which the canvass of election returns shall be~~ 12468  
~~deemed final, and after which amendments to the final canvass~~ 12469  
~~may not be made, if so required by federal law.~~ 12470

~~(B) The county executive committee of each political party~~ 12471  
~~that participated in the election, and each committee designated~~ 12472  
~~in a petition to represent the petitioners pursuant to which a~~ 12473  
~~question or issue was submitted at the election, may designate a~~ 12474  
~~qualified elector who may be present at and may observe the~~ 12475  
~~making of the canvass. Each person for whom votes were cast in~~ 12476  
~~the election may also be present at and observe the making of~~ 12477  
~~the canvass.~~ 12478

~~(C) (1) When the canvass of the election returns from all~~ 12479  
~~of the precincts in the county in which electors were entitled~~ 12480



to vote at the election has been completed in accordance with 12481  
section 3505.32 of the Revised Code, the board shall determine 12482  
and declare the results of the elections determined by the 12483  
electors of the county or of a district or subdivision within 12484  
the county. If more than the number of persons to be nominated 12485  
for or elected to an office received the largest and an equal 12486  
number of votes, the tie shall be resolved by lot by the 12487  
chairperson of the board in the presence of a majority of the 12488  
members of the board. The declaration shall be in writing and 12489  
shall be signed by at least a majority of the members of the 12490  
board. It shall bear the date of the day upon which it is made, 12491  
and a copy of it shall be posted by the board in a conspicuous 12492  
place in its office. The board shall keep the copy posted for a 12493  
period of at least five days. 12494

(2) The board shall promptly certify abstracts of the 12495  
results of the elections within its county upon forms the 12496  
secretary of state prescribes. One certified copy of each 12497  
abstract shall be kept in the office of the board, and one 12498  
certified copy of each abstract shall promptly be sent to the 12499  
secretary of state. The board shall also promptly send a 12500  
certified copy of that part of an abstract that pertains to an 12501  
election in which only electors of a district comprised of more 12502  
than one county but less than all of the counties of the state 12503  
voted to the board of the most populous county in the district. 12504  
It shall also promptly send a certified copy of that part of an 12505  
abstract that pertains to an election in which only electors of 12506  
a subdivision located partly within the county voted to the 12507  
board of the county in which the major portion of the population 12508  
of the subdivision is located. 12509

(3) If, after certifying and sending abstracts and parts 12510  
of abstracts, a board finds that any abstract or part of any 12511

abstract is incorrect, it shall promptly prepare, certify, and 12512  
send a corrected abstract or part of an abstract to take the 12513  
place of each incorrect abstract or part of an abstract 12514  
previously certified and sent. 12515

~~(D)(1)~~ (B)(1) When certified copies of abstracts are 12516  
received by the secretary of state, the secretary of state shall 12517  
canvass those abstracts and determine and declare the results of 12518  
all elections in which electors throughout the entire state 12519  
voted. If more than the number of persons to be nominated for or 12520  
elected to an office received the largest and an equal number of 12521  
votes, the tie shall be resolved by lot by the secretary of 12522  
state in the presence of the governor, the auditor of state, and 12523  
the attorney general, who at the request of the secretary of 12524  
state shall assemble to witness the drawing of the lot. The 12525  
declaration of results by the secretary of state shall be in 12526  
writing and shall be signed by the secretary of state. It shall 12527  
bear the date of the day upon which it is made, and a copy of it 12528  
shall be posted by the secretary of state in a conspicuous place 12529  
in the secretary of state's office. The secretary of state shall 12530  
keep the copy posted for a period of at least five days. 12531

(2) When certified copies of parts of abstracts are 12532  
received by the board of the most populous county in a district 12533  
from the boards of all of the counties in the district, the 12534  
board receiving those abstracts shall canvass them and determine 12535  
and declare the results of the elections in which only electors 12536  
of the district voted. If more than the number of persons to be 12537  
nominated for or elected to an office received the largest and 12538  
equal number of votes, the tie shall be resolved by lot by the 12539  
chairperson of the board in the presence of a majority of the 12540  
members of the board. The declaration of results by the board 12541  
shall be in writing and shall be signed by at least a majority 12542

of the members of the board. It shall bear the date of the day 12543  
upon which it is made, and a copy of it shall be posted by the 12544  
board in a conspicuous place in its office. The board shall keep 12545  
the copy posted for a period of at least five days. 12546

(3) When certified copies of parts of abstracts are 12547  
received by the board of a county in which the major portion of 12548  
the population of a subdivision located in more than one county 12549  
is located from the boards of each county in which other 12550  
portions of that subdivision are located, the board receiving 12551  
those abstracts shall canvass them and determine and declare the 12552  
results of the elections in which only electors of that 12553  
subdivision voted. If more than the number of persons to be 12554  
nominated for or elected to an office received the largest and 12555  
an equal number of votes, the tie shall be resolved by lot by 12556  
the chairperson of the board in the presence of a majority of 12557  
the members of the board. The declaration of results by the 12558  
board shall be in writing and shall be signed by at least a 12559  
majority of the members of the board. It shall bear the date of 12560  
the day upon which it is made, and a copy of it shall be posted 12561  
by the board in a conspicuous place in its office. The board 12562  
shall keep the copy posted for a period of at least five days. 12563

~~(E)~~-(C) Election officials, who are required to declare 12564  
the results of primary elections, shall issue to each person 12565  
declared nominated for or elected to an office, an appropriate 12566  
certificate of nomination or election, provided that the boards 12567  
required to determine and declare the results of the elections 12568  
for candidates for nomination to the office of representative to 12569  
congress from a congressional district shall, in lieu of issuing 12570  
a certificate of nomination, certify to the secretary of state 12571  
the names of the candidates nominated, and the secretary of 12572  
state, upon receipt of that certification, shall issue a 12573

certificate of nomination to each person whose name is so 12574  
certified. Certificates of nomination or election issued by 12575  
boards to candidates and certifications to the secretary of 12576  
state shall not be issued before the expiration of the time 12577  
within which applications for recounts of votes may be filed or 12578  
before recounts of votes, which have been applied for, are 12579  
completed. 12580

**Sec. 3513.261.** A nominating petition may consist of one or 12581  
more separate petition papers, each of which shall be 12582  
substantially in the form prescribed in this section. If the 12583  
petition consists of more than one separate petition paper, the 12584  
statement of candidacy of the candidate or joint candidates 12585  
named need be signed by the candidate or joint candidates on 12586  
only one of such separate petition papers, but the statement of 12587  
candidacy so signed shall be copied on each other separate 12588  
petition paper before the signatures of electors are placed on 12589  
it. Each nominating petition containing signatures of electors 12590  
of more than one county shall consist of separate petition 12591  
papers each of which shall contain signatures of electors of 12592  
only one county; provided that petitions containing signatures 12593  
of electors of more than one county shall not thereby be 12594  
declared invalid. In case petitions containing signatures of 12595  
electors of more than one county are filed, the board of 12596  
elections shall determine the county from which the majority of 12597  
the signatures came, and only signatures from this county shall 12598  
be counted. Signatures from any other county shall be invalid. 12599

All signatures on nominating petitions shall be written in 12600  
ink or indelible pencil. 12601

At the time of filing a nominating petition, the candidate 12602  
designated in the nominating petition, and joint candidates for 12603

governor and lieutenant governor, shall pay to the election officials with whom it is filed the fees specified for the office under divisions (A) and (B) of section 3513.10 of the Revised Code. The fees shall be disposed of by those election officials in the manner that is provided in section 3513.10 of the Revised Code for the disposition of other fees, and in no case shall a fee required under that section be returned to a candidate.

Candidates or joint candidates whose names are written on the ballot, and who are elected, shall pay the same fees under section 3513.10 of the Revised Code that candidates who file nominating petitions pay. Payment of these fees shall be a condition precedent to the granting of their certificates of election.

Each nominating petition shall contain a statement of candidacy that shall be signed by the candidate or joint candidates named in it or by an attorney in fact acting pursuant to section 3501.382 of the Revised Code. Such statement of candidacy shall contain a declaration made under penalty of election falsification that the candidate desires to be a candidate for the office named in it, and that the candidate is an elector qualified to vote for the office the candidate seeks.

The form of the nominating petition and statement of candidacy shall be substantially as follows:

"STATEMENT OF CANDIDACY

I, \_\_\_\_\_ (Name of candidate), the undersigned, hereby declare under penalty of election falsification that my voting residence is in \_\_\_\_\_ Precinct of the

\_\_\_\_\_ (Township) or (Ward and City, or  
Village) in the county of \_\_\_\_\_ Ohio; that my post-  
office address is \_\_\_\_\_ (Street and  
Number, if any, or Rural Route and Number) of the  
\_\_\_\_\_ (City, Village, or post office)  
of \_\_\_\_\_, Ohio; and that I am a qualified elector  
in the precinct in which my voting residence is located. I  
hereby declare that I desire to be a candidate for election to  
the office of \_\_\_\_\_ in the \_\_\_\_\_  
(State, District, County, City, Village, Township, or School  
District) for the \_\_\_\_\_ (Full  
term or unexpired term ending \_\_\_\_\_) at the General  
Election to be held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_

I further declare that I am an elector qualified to vote  
for the office I seek. Dated this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_

\_\_\_\_\_  
(Signature of candidate)

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A  
FELONY OF THE ~~FIFTH~~ FOURTH DEGREE.

I, \_\_\_\_\_, hereby constitute  
the persons named below a committee to represent me:

| Name  | Residence |
|-------|-----------|
| _____ | _____     |
| _____ | _____     |
| _____ | _____     |
| _____ | _____     |

12660

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NOMINATING PETITION

12661

We, the undersigned, qualified electors of the state of  
Ohio, whose voting residence is in the County, City, Village,  
Ward, Township or Precinct set opposite our names, hereby  
nominate \_\_\_\_\_ as a candidate for election to the  
office of \_\_\_\_\_ in the  
\_\_\_\_\_ (State, District, County, City,  
Village, Township, or School District) for the \_\_\_\_\_  
(Full term or unexpired term ending \_\_\_\_\_) to be  
voted for at the general election next hereafter to be held, and  
certify that this person is, in our opinion, well qualified to  
perform the duties of the office or position to which the person  
desires to be elected.

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1 2 3 4 5 6 7

A Street

B Address

C or R.F.D.

D (Must use

E address on City,

F file with Village

G the board of or Date of

| H | Signature  | elections) | Township | Ward | Precinct | County | Signing |       |
|---|--|------------|----------|------|----------|--------|---------|-------|
|   | _____  |            |          |      |          |        |         | 12675 |
|   | _____  |            |          |      |          |        |         | 12676 |
|   | _____  |            |          |      |          |        |         | 12677 |
|   | _____, declares under penalty of election                        |            |          |      |          |        |         | 12678 |
|   | falsification that such person is a qualified elector of the     |            |          |      |          |        |         | 12679 |
|   | state of Ohio and resides at the address appearing below such    |            |          |      |          |        |         | 12680 |
|   | person's signature hereto; that such person is the circulator of |            |          |      |          |        |         | 12681 |
|   | the foregoing petition paper containing _____                    |            |          |      |          |        |         | 12682 |
|   | signatures; that such person witnessed the affixing of every     |            |          |      |          |        |         | 12683 |
|   | signature; that all signers were to the best of such person's    |            |          |      |          |        |         | 12684 |
|   | knowledge and belief qualified to sign; and that every signature |            |          |      |          |        |         | 12685 |
|   | is to the best of such person's knowledge and belief the         |            |          |      |          |        |         | 12686 |
|   | signature of the person whose signature it purports to be or of  |            |          |      |          |        |         | 12687 |
|   | an attorney in fact acting pursuant to section 3501.382 of the   |            |          |      |          |        |         | 12688 |
|   | Revised Code.  |            |          |      |          |        |         | 12689 |
|   | _____  |            |          |      |          |        |         | 12690 |
|   | (Signature of circulator)  |            |          |      |          |        |         | 12691 |
|   | _____  |            |          |      |          |        |         | 12692 |
|   | (Address of circulator's   |            |          |      |          |        |         | 12693 |
|   | permanent residence  |            |          |      |          |        |         | 12694 |
|   | in this state)   |            |          |      |          |        |         | 12695 |
|   | _____  |            |          |      |          |        |         | 12696 |
|   | (If petition is for a statewide                                  |            |          |      |          |        |         | 12697 |
|   | candidate, the name and address                                  |            |          |      |          |        |         | 12698 |



of person employing circulator 12699

to circulate petition, if any) 12700

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 12701  
FELONY OF THE ~~FIFTH~~-FOURTH DEGREE." 12702

The secretary of state shall prescribe a form of 12703  
nominating petition for a group of candidates for the office of 12704  
member of a board of education, township office, and offices of 12705  
municipal corporations of under two thousand population. 12706

The secretary of state shall prescribe a form of statement 12707  
of candidacy and nominating petition, which shall be 12708  
substantially similar to the form of statement of candidacy and 12709  
nominating petition set forth in this section, that will be 12710  
suitable for joint candidates for the offices of governor and 12711  
lieutenant governor. 12712

If such petition nominates a candidate whose election is 12713  
to be determined by the electors of a county or a district or 12714  
subdivision within the county, it shall be filed with the board 12715  
of such county. If the petition nominates a candidate whose 12716  
election is to be determined by the voters of a subdivision 12717  
located in more than one county, it shall be filed with the 12718  
board of the county in which the major portion of the population 12719  
of such subdivision is located. 12720

If the petition nominates a candidate whose election is to 12721  
be determined by the electors of a district comprised of more 12722  
than one county but less than all of the counties of the state, 12723  
it shall be filed with the board of elections of the most 12724  
populous county in such district. If the petition nominates a 12725  
candidate whose election is to be determined by the electors of 12726  
the state at large, it shall be filed with the secretary of 12727

state. 12728

The secretary of state or a board of elections shall not 12729  
accept for filing a nominating petition of a person seeking to 12730  
become a candidate if that person, for the same election, has 12731  
already filed a declaration of candidacy, a declaration of 12732  
intent to be a write-in candidate, or a nominating petition, or 12733  
has become a candidate through party nomination at a primary 12734  
election or by the filling of a vacancy under section 3513.30 or 12735  
3513.31 of the Revised Code for any federal, state, or county 12736  
office, if the nominating petition is for a state or county 12737  
office, or for any municipal or township office, for member of a 12738  
city, local, or exempted village board of education, or for 12739  
member of a governing board of an educational service center, if 12740  
the nominating petition is for a municipal or township office, 12741  
or for member of a city, local, or exempted village board of 12742  
education, or for member of a governing board of an educational 12743  
service center. 12744

**Sec. 3513.30.** (A) (1) If only one valid declaration of 12745  
candidacy is filed for nomination as a candidate of a political 12746  
party for an office and that candidate dies prior to the ~~tenth-~~ 12747  
thirtieth day before the primary election, both of the following 12748  
may occur: 12749

(a) The political party whose candidate died may fill the 12750  
vacancy so created as provided in division (A) (2) of this 12751  
section. 12752

(b) Any major political party other than the one whose 12753  
candidate died may select a candidate as provided in division 12754  
(A) (2) of this section under either of the following 12755  
circumstances: 12756

(i) No person has filed a valid declaration of candidacy 12757  
for nomination as that party's candidate at the primary 12758  
election. 12759

(ii) Only one person has filed a valid declaration of 12760  
candidacy for nomination as that party's candidate at the 12761  
primary election, that person has withdrawn, died, or been 12762  
disqualified under section 3513.052 of the Revised Code, and the 12763  
vacancy so created has not been filled. 12764

(2) A vacancy may be filled under division (A) (1) (a) and a 12765  
selection may be made under division (A) (1) (b) of this section 12766  
by the appropriate committee of the political party in the same 12767  
manner as provided in divisions (A) to (E) of section 3513.31 of 12768  
the Revised Code for the filling of similar vacancies created by 12769  
withdrawals or disqualifications under section 3513.052 of the 12770  
Revised Code after the primary election, except that the 12771  
certification required under that section may not be filed with 12772  
the secretary of state, or with a board of ~~the most populous~~ 12773  
~~county of a district, or with the board of a county in which the~~ 12774  
~~major portion of the population of a subdivision is located,~~ 12775  
elections later than four p.m. of the ~~tenth~~ thirtieth day before 12776  
the day of such primary election, ~~or with any other board later~~ 12777  
~~than four p.m. of the fifth day before the day of such primary~~ 12778  
~~election.~~ 12779

(3) If only one valid declaration of candidacy is filed 12780  
for nomination as a candidate of a political party for an office 12781  
and that candidate dies on or after the ~~tenth~~ thirtieth day 12782  
before the day of the primary election, that candidate is 12783  
considered to have received the nomination of that candidate's 12784  
political party at that primary election, and, for purposes of 12785  
filling the vacancy so created, that candidate's death shall be 12786

treated as if that candidate died on the day after the day of 12787  
the primary election. 12788

(B) Any person filing a declaration of candidacy may 12789  
withdraw as such candidate at any time prior to the primary 12790  
election. The withdrawal shall be effected and the statement of 12791  
withdrawal shall be filed in accordance with the procedures 12792  
prescribed in division (D) of this section for the withdrawal of 12793  
persons nominated in a primary election or by nominating 12794  
petition. 12795

(C) A person who is the first choice for president of the 12796  
United States by a candidate for delegate or alternate to a 12797  
national convention of a political party may withdraw consent 12798  
for the selection of the person as such first choice no later 12799  
than four p.m. of the fortieth day before the day of the 12800  
presidential primary election. Withdrawal of consent shall be 12801  
for the entire slate of candidates for delegates and alternates 12802  
who named such person as their presidential first choice and 12803  
shall constitute withdrawal from the primary election by such 12804  
delegates and alternates. The withdrawal shall be made in 12805  
writing and delivered to the secretary of state. If the 12806  
withdrawal is delivered to the secretary of state on or before 12807  
the seventieth day before the day of the primary election, the 12808  
boards of elections shall remove both the name of the withdrawn 12809  
first choice and the names of such withdrawn candidates from the 12810  
ballots according to the directions of the secretary of state. 12811  
If the withdrawal is delivered to the secretary of state after 12812  
the seventieth day before the day of the primary election, the 12813  
board of elections shall not remove the name of the withdrawn 12814  
first choice and the names of the withdrawn candidates from the 12815  
ballots. The board of elections shall post a notice at each 12816  
~~polling location on the day of the primary election where~~ 12817

ballots may be cast in person, and shall enclose with each 12818  
~~absent voter's mail~~ ballot given or mailed after the candidate 12819  
withdraws, a notice that votes for the withdrawn first choice or 12820  
the withdrawn candidates will be void and will not be counted. 12821  
~~If such names are not removed from all ballots before the day of~~ 12822  
~~the election, the~~ Any votes cast for the withdrawn first choice 12823  
or the withdrawn candidates are void and shall not be counted. 12824

(D) Any person nominated in a primary election or by 12825  
nominating petition as a candidate for election at the next 12826  
general election may withdraw as such candidate at any time 12827  
prior to the general election. Such withdrawal may be effected 12828  
by the filing of a written statement by such candidate 12829  
announcing the candidate's withdrawal and requesting that the 12830  
candidate's name not be printed on the ballots. If such 12831  
candidate's declaration of candidacy or nominating petition was 12832  
filed with the secretary of state, the candidate's statement of 12833  
withdrawal shall be addressed to and filed with the secretary of 12834  
state. If such candidate's declaration of candidacy or 12835  
nominating petition was filed with a board of elections, the 12836  
candidate's statement of withdrawal shall be addressed to and 12837  
filed with such board. 12838

(E) When a person withdraws under division (B) or (D) of 12839  
this section on or before the seventieth day before the day of 12840  
the primary election or the general election, the board of 12841  
elections shall remove the name of the withdrawn candidate from 12842  
the ballots according to the directions of the secretary of 12843  
state. When a person withdraws under division (B) or (D) of this 12844  
section after the seventieth day before the day of the primary 12845  
election or the general election, the board of elections shall 12846  
not remove the name of the withdrawn candidate from the ballots. 12847  
The board of elections shall post a notice at each ~~polling place~~ 12848

~~on the day of the election, location where ballots may be cast in~~ 12849  
~~person,~~ and shall enclose with each ~~absent voter's mail~~ ballot 12850  
given or mailed after the candidate withdraws, a notice that 12851  
votes for the withdrawn candidate will be void and will not be 12852  
counted. ~~If the name is not removed from all ballots before the~~ 12853  
~~day of the election, the~~ Any votes cast for the withdrawn 12854  
candidate are void and shall not be counted. 12855

**Sec. 3513.31.** (A) If a person nominated in a primary 12856  
election as a candidate for election at the next general 12857  
election, whose candidacy is to be submitted to the electors of 12858  
the entire state, withdraws as that candidate or is disqualified 12859  
as that candidate under section 3513.052 of the Revised Code, 12860  
the vacancy in the party nomination so created may be filled by 12861  
the state central committee of the major political party that 12862  
made the nomination at the primary election, if the committee's 12863  
chairperson and secretary certify the name of the person 12864  
selected to fill the vacancy by the time specified in this 12865  
division, at a meeting called for that purpose. The meeting 12866  
shall be called by the chairperson of that committee, who shall 12867  
give each member of the committee at least two days' notice of 12868  
the time, place, and purpose of the meeting. If a majority of 12869  
the members of the committee are present at the meeting, a 12870  
majority of those present may select a person to fill the 12871  
vacancy. The chairperson and secretary of the meeting shall 12872  
certify in writing and under oath to the secretary of state, not 12873  
later than the eighty-sixth day before the day of the general 12874  
election, the name of the person selected to fill the vacancy. 12875  
The certification must be accompanied by the written acceptance 12876  
of the nomination by the person whose name is certified. A 12877  
vacancy in a party nomination that may be filled by a minor 12878  
political party shall be filled in accordance with the party's 12879

rules by authorized officials of the party. Certification must 12880  
be made as in the manner provided for a major political party. 12881

(B) If a person nominated in a primary election as a party 12882  
candidate for election at the next general election, whose 12883  
candidacy is to be submitted to the electors of a district 12884  
comprised of more than one county but less than all of the 12885  
counties of the state, withdraws as that candidate or is 12886  
disqualified as that candidate under section 3513.052 of the 12887  
Revised Code, the vacancy in the party nomination so created may 12888  
be filled by a district committee of the major political party 12889  
that made the nomination at the primary election, if the 12890  
committee's chairperson and secretary certify the name of the 12891  
person selected to fill the vacancy by the time specified in 12892  
this division, at a meeting called for that purpose. The 12893  
district committee shall consist of the chairperson and 12894  
secretary of the county central committee of such political 12895  
party in each county in the district. The district committee 12896  
shall be called by the chairperson of the county central 12897  
committee of such political party of the most populous county in 12898  
the district, who shall give each member of the district 12899  
committee at least two days' notice of the time, place, and 12900  
purpose of the meeting. If a majority of the members of the 12901  
district committee are present at the district committee 12902  
meeting, a majority of those present may select a person to fill 12903  
the vacancy. The chairperson and secretary of the meeting shall 12904  
certify in writing and under oath to the board of elections of 12905  
the most populous county in the district, not later than four 12906  
p.m. of the eighty-sixth day before the day of the general 12907  
election, the name of the person selected to fill the vacancy. 12908  
The certification must be accompanied by the written acceptance 12909  
of the nomination by the person whose name is certified. A 12910

vacancy in a party nomination that may be filled by a minor 12911  
political party shall be filled in accordance with the party's 12912  
rules by authorized officials of the party. Certification must 12913  
be made as in the manner provided for a major political party. 12914

(C) If a person nominated in a primary election as a party 12915  
candidate for election at the next general election, whose 12916  
candidacy is to be submitted to the electors of a county, 12917  
withdraws as that candidate or is disqualified as that candidate 12918  
under section 3513.052 of the Revised Code, the vacancy in the 12919  
party nomination so created may be filled by the county central 12920  
committee of the major political party that made the nomination 12921  
at the primary election, or by the county executive committee if 12922  
so authorized, if the committee's chairperson and secretary 12923  
certify the name of the person selected to fill the vacancy by 12924  
the time specified in this division, at a meeting called for 12925  
that purpose. The meeting shall be called by the chairperson of 12926  
that committee, who shall give each member of the committee at 12927  
least two days' notice of the time, place, and purpose of the 12928  
meeting. If a majority of the members of the committee are 12929  
present at the meeting, a majority of those present may select a 12930  
person to fill the vacancy. The chairperson and secretary of the 12931  
meeting shall certify in writing and under oath to the board of 12932  
that county, not later than four p.m. of the eighty-sixth day 12933  
before the day of the general election, the name of the person 12934  
selected to fill the vacancy. The certification must be 12935  
accompanied by the written acceptance of the nomination by the 12936  
person whose name is certified. A vacancy in a party nomination 12937  
that may be filled by a minor political party shall be filled in 12938  
accordance with the party's rules by authorized officials of the 12939  
party. Certification must be made as in the manner provided for 12940  
a major political party. 12941



(D) If a person nominated in a primary election as a party candidate for election at the next general election, whose candidacy is to be submitted to the electors of a district within a county, withdraws as that candidate or is disqualified as that candidate under section 3513.052 of the Revised Code, the vacancy in the party nomination so created may be filled by a district committee consisting of those members of the county central committee or, if so authorized, those members of the county executive committee in that county of the major political party that made the nomination at the primary election who represent the precincts or the wards and townships within the district, if the committee's chairperson and secretary certify the name of the person selected to fill the vacancy by the time specified in this division, at a meeting called for that purpose. The district committee meeting shall be called by the chairperson of the county central committee or executive committee, as appropriate, who shall give each member of the district committee at least two days' notice of the time, place, and purpose of the meeting. If a majority of the members of the district committee are present at the district committee meeting, a majority of those present may select a person to fill the vacancy. The chairperson and secretary of the district committee meeting shall certify in writing and under oath to the board of the county, not later than four p.m. of the eighty-sixth day before the day of the general election, the name of the person selected to fill the vacancy. The certification must be accompanied by the written acceptance of the nomination by the person whose name is certified. A vacancy in a party nomination that may be filled by a minor political party shall be filled in accordance with the party's rules by authorized officials of the party. Certification must be made as in the manner provided for a major political party.

(E) If a person nominated in a primary election as a party candidate for election at the next general election, whose candidacy is to be submitted to the electors of a subdivision within a county, withdraws as that candidate or is disqualified as that candidate under section 3513.052 of the Revised Code, the vacancy in the party nomination so created may be filled by a subdivision committee consisting of those members of the county central committee or, if so authorized, those members of the county executive committee in that county of the major political party that made the nomination at that primary election who represent the precincts or the wards and townships within that subdivision, if the committee's chairperson and secretary certify the name of the person selected to fill the vacancy by the time specified in this division, at a meeting called for that purpose.

The subdivision committee meeting shall be called by the chairperson of the county central committee or executive committee, as appropriate, who shall give each member of the subdivision committee at least two days' notice of the time, place, and purpose of the meeting. If a majority of the members of the subdivision committee are present at the subdivision committee meeting, a majority of those present may select a person to fill the vacancy. The chairperson and secretary of the subdivision committee meeting shall certify in writing and under oath to the board of the county, not later than four p.m. of the eighty-sixth day before the day of the general election, the name of the person selected to fill the vacancy. The certification must be accompanied by the written acceptance of the nomination by the person whose name is certified. A vacancy in a party nomination that may be filled by a minor political party shall be filled in accordance with the party's rules by

authorized officials of the party. Certification must be made in 13005  
the manner provided for a major political party. 13006

(F) If a person nominated by petition as an independent or 13007  
nonpartisan candidate for election at the next general election 13008  
withdraws as that candidate or is disqualified as that candidate 13009  
under section 3513.052 of the Revised Code, the vacancy so 13010  
created may be filled by a majority of the committee of five, as 13011  
designated on the candidate's nominating petition, if a member 13012  
of that committee certifies in writing and under oath to the 13013  
election officials with whom the candidate filed the candidate's 13014  
nominating petition, not later than the eighty-sixth day before 13015  
the day of the general election, the name of the person selected 13016  
to fill the vacancy. The certification shall be accompanied by 13017  
the written acceptance of the nomination by the person whose 13018  
name is certified and shall be made in the manner provided for a 13019  
major political party. 13020

(G) If a person nominated in a primary election or 13021  
nominated by petition under section 3517.012 of the Revised Code 13022  
as a party candidate for election at the next general election 13023  
dies, the vacancy so created may be filled by the same committee 13024  
in the same manner as provided in this section for the filling 13025  
of similar vacancies created by withdrawals or disqualifications 13026  
under section 3513.052 of the Revised Code, except that the 13027  
certification, when filling a vacancy created by death, may not 13028  
be filed with the secretary of state, or with a board of ~~the~~ 13029  
~~most populous county of a district, or with the board of a~~ 13030  
~~county in which the major portion of the population of a~~ 13031  
~~subdivision is located, elections later than four p.m. of the~~ 13032  
~~tenth thirtieth day before the day of such general election, or~~ 13033  
~~with any other board later than four p.m. of the fifth day~~ 13034  
~~before the day of such general election.~~ 13035

(H) If a person nominated by petition as an independent or nonpartisan candidate for election at the next general election dies prior to the ~~tenth~~thirtieth day before the day of that general election, the vacancy so created may be filled by a majority of the committee of five designated in the nominating petition to represent the candidate named in it. To fill the vacancy a member of the committee shall, not later than four p.m. of the ~~fifth~~thirtieth day before the day of the general election, file with the election officials with whom the petition nominating the person was filed, a certificate signed and sworn to under oath by a majority of the members, designating the person they select to fill the vacancy. The certification must be accompanied by the written acceptance of the nomination by the person whose name is so certified.

(I) If a person holding an elective office dies or resigns subsequent to the one hundred fifteenth day before the day of a primary election and prior to the eighty-sixth day before the day of the next general election, and if, under the laws of this state, a person may be elected at that general election to fill the unexpired term of the person who has died or resigned, the appropriate committee of each political party, acting as in the case of a vacancy in a party nomination, as provided in divisions (A) to (D) of this section, may select a person as the party candidate for election for such unexpired term at that general election, and certify the person's name to the appropriate election official not later than four p.m. on the eighty-sixth day before the day of that general election, or on the tenth day following the day on which the vacancy occurs, whichever is later. When the vacancy occurs on or subsequent to the eighty-sixth day and six or more days prior to the fortieth day before the general election, the appropriate committee may

select a person as the party candidate and certify the person's name, as provided in the preceding sentence, not later than four p.m. on the tenth day following the day on which the vacancy occurs. When the vacancy occurs fewer than six days before the fortieth day before the general election, the deadline for filing shall be four p.m. on the thirty-sixth day before the general election. Thereupon the name shall be printed as the party candidate under proper titles and in the proper place on the proper ballots for use at the election. If a person has been nominated in a primary election or nominated by petition under section 3517.012 of the Revised Code, the authorized committee of that political party shall not select and certify a person as the party candidate.

(J) Each person desiring to become an independent candidate to fill the unexpired term shall file a statement of candidacy and nominating petition, as provided in section 3513.261 of the Revised Code, with the appropriate election official not later than four p.m. on the tenth day following the day on which the vacancy occurs, provided that when the vacancy occurs fewer than six days before the fifty-sixth day before the general election, the deadline for filing shall be four p.m. on the fiftieth day before the general election. The nominating petition shall contain at least seven hundred fifty signatures and no more than one thousand five hundred signatures of qualified electors of the district, political subdivision, or portion of a political subdivision in which the office is to be voted upon, or the amount provided for in section 3513.257 of the Revised Code, whichever is less.

(K) When a person nominated as a candidate by a political party in a primary election or by nominating petition for an elective office for which candidates are nominated at a party

primary election withdraws, dies, or is disqualified under 13098  
section 3513.052 of the Revised Code prior to the general 13099  
election, the appropriate committee of any other major political 13100  
party or committee of five that has not nominated a candidate 13101  
for that office, or whose nominee as a candidate for that office 13102  
has withdrawn, died, or been disqualified without the vacancy so 13103  
created having been filled, may, acting as in the case of a 13104  
vacancy in a party nomination or nomination by petition as 13105  
provided in divisions (A) to (F) of this section, whichever is 13106  
appropriate, select a person as a candidate of that party or of 13107  
that committee of five for election to the office. 13108

**Sec. 3513.311.** (A) If a candidate for lieutenant governor 13109  
dies, withdraws, or is disqualified as a candidate prior to the 13110  
seventieth day before the day of a primary election, the vacancy 13111  
on the ballot shall be filled by appointment by the joint 13112  
candidate for the office of governor. Such candidate for 13113  
governor shall certify in writing and under oath to the 13114  
secretary of state not later than the sixty-fifth day before the 13115  
day of such election the name and residence address of the 13116  
person selected to fill such vacancy. 13117

(B) If a candidate for governor dies, withdraws, or is 13118  
disqualified as a candidate prior to the seventieth day before 13119  
the day of a primary election, the vacancy on the ballot shall 13120  
be filled by appointment by the joint candidate for the office 13121  
of lieutenant governor. Such candidate for lieutenant governor 13122  
shall certify in writing and under oath to the secretary of 13123  
state not later than the sixty-fifth day before the day of such 13124  
election the name and residence address of the person selected 13125  
to fill such vacancy. 13126

(C) If a candidate for the office of lieutenant governor 13127

dies on or after the seventieth day, but prior to the ~~tenth-~~ 13128  
thirtieth day, before a primary election, the vacancy so created 13129  
shall be filled by appointment by the joint candidate for the 13130  
office of governor. Such candidate for governor shall certify in 13131  
writing and under oath to the secretary of state not later than 13132  
the ~~fifth-~~thirtieth day before the day of such election the name 13133  
and residence address of the person selected to fill such 13134  
vacancy. 13135

(D) If a candidate for the office of governor dies on or 13136  
after the seventieth day, but prior to the ~~tenth-~~thirtieth day, 13137  
before a primary election, the vacancy so created shall be 13138  
filled by appointment by the joint candidate for the office of 13139  
lieutenant governor. Such candidate for lieutenant governor 13140  
shall certify in writing and under oath to the secretary of 13141  
state not later than the ~~fifth-~~thirtieth day before the day of 13142  
such election the name and residence address of the person 13143  
selected to fill such vacancy. 13144

(E) If a person nominated in a primary election or 13145  
nominated by petition under section 3517.012 of the Revised Code 13146  
as a candidate for election to the office of governor or 13147  
lieutenant governor at the next general election withdraws as 13148  
such candidate prior to the ninetieth day before the day of the 13149  
general election or dies prior to the ~~tenth-~~thirtieth day before 13150  
the day of such general election, the vacancy so created shall 13151  
be filled in the manner provided for by section 3513.31 of the 13152  
Revised Code. 13153

(F) If a person nominated by petition as an independent 13154  
candidate for election to the office of governor or lieutenant 13155  
governor withdraws as such candidate prior to the ninetieth day 13156  
before the day of the general election or dies prior to the 13157

~~tenth-thirtieth~~ day before the day of such general election, the 13158  
vacancy so created shall be filled by the candidates' committee 13159  
in the manner provided for, as in the case of death, by section 13160  
3513.31 of the Revised Code, except that, in the case of 13161  
withdrawal of candidacy, the name and residence address of the 13162  
replacement candidate shall be certified in writing and under 13163  
oath to the secretary of state not later than the eighty-sixth 13164  
day before the day of the general election. 13165

(G) If the vacancy in a joint candidacy for governor and 13166  
lieutenant governor can be filled in accordance with this 13167  
section and is not so filled, the joint candidacy which has not 13168  
been vacated shall be invalidated and shall not be presented for 13169  
election. 13170

(H) Any replacement candidate appointed or selected 13171  
pursuant to this section shall be one who has the qualifications 13172  
of an elector. 13173

**Sec. 3513.32.** When a special election is found necessary 13174  
to fill a vacancy, the date of the primary election shall be 13175  
fixed at the same time and in the same manner as that of the 13176  
election, by the authority calling such special election. The 13177  
primary election shall be held at least ~~fifteen-forty~~ days prior 13178  
to the time fixed for such special election. Declaration of 13179  
candidacy and certificates for such primary shall be filed and 13180  
fees shall be paid at least ~~ten-thirty~~ days before the date for 13181  
holding such primary election. 13182

A primary election preceding a special election to fill a 13183  
vacancy in an office shall be eliminated if no valid declaration 13184  
of candidacy is filed for such office, or if the number of 13185  
persons filing such declarations of candidacy as candidates of 13186  
one political party does not exceed the number of candidates 13187



which such political party is entitled to nominate for election 13188  
to such office. 13189

**Sec. 3515.01.** Any person for whom votes were cast in a 13190  
primary election for nomination as a candidate for election to 13191  
an office who was not declared nominated may file with the board 13192  
of elections of a county a written application for a recount of 13193  
the votes cast at such primary election in any precinct in such 13194  
county for all persons for whom votes were cast in such precinct 13195  
for such nomination. 13196

Any person who was a candidate at a general, special, or 13197  
primary election for election to an office or ~~postion~~ position 13198  
who was not declared elected may file with the board of a county 13199  
a written application for a recount of the votes cast at such 13200  
election in any precinct in such county for all candidates for 13201  
election to such office or position. 13202

Any group of five or more qualified electors may file with 13203  
the board of a county a written application for a recount of the 13204  
votes cast at an election in any precinct in such county upon 13205  
any question or issue, provided that the members of such group 13206  
shall state in such application either that they voted "Yes" or 13207  
in favor of such question or issue and that such question or 13208  
issue was declared defeated or rejected, or that they voted "No" 13209  
or against such question or issue and that such question or 13210  
issue was declared carried or adopted. Such group of electors 13211  
shall, in such application, designate one of the members of the 13212  
group as ~~chairman~~ chairperson, and shall indicate therein the 13213  
voting residence of each member of such group. In all such 13214  
applications the person designated as ~~chairman~~ chairperson is 13215  
the applicant for the purposes of sections 3515.01 to 3515.07 of 13216  
the Revised Code, and all notices required by section 3515.03 of 13217

the Revised Code to be given to an applicant for a recount shall 13218  
be given to such person. 13219

~~In the recount of absentee ballots that are tallied by 13220  
county instead of by precinct, as provided in section 3509.06 of 13221  
the Revised Code, the county shall be considered a separate 13222  
precinct for purposes of recounting such absentee ballots. 13223~~

**Sec. 3517.01.** (A) (1) A political party within the meaning 13224  
of Title XXXV of the Revised Code is any group of voters that 13225  
meets either of the following requirements: 13226

(a) Except as otherwise provided in this division, at the 13227  
most recent regular state election, the group polled for its 13228  
candidate for governor in the state or nominees for presidential 13229  
electors at least three per cent of the entire vote cast for 13230  
that office. A group that meets the requirements of this 13231  
division remains a political party for a period of four years 13232  
after meeting those requirements. 13233

(b) The group filed with the secretary of state, 13234  
subsequent to its failure to meet the requirements of division 13235  
(A) (1) (a) of this section, a party formation petition that meets 13236  
all of the following requirements: 13237

(i) The petition is signed by qualified electors equal in 13238  
number to at least one per cent of the total vote for governor 13239  
or nominees for presidential electors at the most recent 13240  
election for such office. 13241

(ii) The petition is signed by not fewer than five hundred 13242  
qualified electors from each of at least a minimum of one-half 13243  
of the congressional districts in this state. If an odd number 13244  
of congressional districts exists in this state, the number of 13245  
districts that results from dividing the number of congressional 13246

districts by two shall be rounded up to the next whole number. 13247

(iii) The petition declares the petitioners' intention of 13248  
organizing a political party, the name of which shall be stated 13249  
in the declaration, and of participating in the succeeding 13250  
general election, held in even-numbered years, that occurs more 13251  
than one hundred twenty-five days after the date of filing. 13252

(iv) The petition designates a committee of not less than 13253  
three nor more than five individuals of the petitioners, who 13254  
shall represent the petitioners in all matters relating to the 13255  
petition. Notice of all matters or proceedings pertaining to the 13256  
petition may be served on the committee, or any of them, either 13257  
personally or by registered mail, or by leaving such notice at 13258  
the usual place of residence of each of them. 13259

(2) No such group of electors shall assume a name or 13260  
designation that is similar, in the opinion of the secretary of 13261  
state, to that of an existing political party as to confuse or 13262  
mislead the voters at an election. 13263

(B) A campaign committee shall be legally liable for any 13264  
debts, contracts, or expenditures incurred or executed in its 13265  
name. 13266

(C) Notwithstanding the definitions found in section 13267  
3501.01 of the Revised Code, as used in this section and 13268  
sections 3517.08 to 3517.14, 3517.99, and 3517.992 of the 13269  
Revised Code: 13270

(1) "Campaign committee" means a candidate or a 13271  
combination of two or more persons authorized by a candidate 13272  
under section 3517.081 of the Revised Code to receive 13273  
contributions and make expenditures. 13274

(2) "Campaign treasurer" means an individual appointed by 13275

a candidate under section 3517.081 of the Revised Code. 13276

(3) "Candidate" has the same meaning as in division ~~(H)~~ 13277  
(G) of section 3501.01 of the Revised Code and also includes any 13278  
person who, at any time before or after an election, receives 13279  
contributions or makes expenditures or other use of 13280  
contributions, has given consent for another to receive 13281  
contributions or make expenditures or other use of 13282  
contributions, or appoints a campaign treasurer, for the purpose 13283  
of bringing about the person's nomination or election to public 13284  
office. When two persons jointly seek the offices of governor 13285  
and lieutenant governor, "candidate" means the pair of 13286  
candidates jointly. "Candidate" does not include candidates for 13287  
election to the offices of member of a county or state central 13288  
committee, presidential elector, and delegate to a national 13289  
convention or conference of a political party. 13290

(4) "Continuing association" means an association, other 13291  
than a campaign committee, political party, legislative campaign 13292  
fund, political contributing entity, or labor organization, that 13293  
is intended to be a permanent organization that has a primary 13294  
purpose other than supporting or opposing specific candidates, 13295  
political parties, or ballot issues, and that functions on a 13296  
regular basis throughout the year. "Continuing association" 13297  
includes organizations that are determined to be not organized 13298  
for profit under subsection 501 and that are described in 13299  
subsection 501(c)(3), 501(c)(4), or 501(c)(6) of the Internal 13300  
Revenue Code. 13301

(5) "Contribution" means a loan, gift, deposit, 13302  
forgiveness of indebtedness, donation, advance, payment, or 13303  
transfer of funds or anything of value, including a transfer of 13304  
funds from an inter vivos or testamentary trust or decedent's 13305

estate, and the payment by any person other than the person to 13306  
whom the services are rendered for the personal services of 13307  
another person, which contribution is made, received, or used 13308  
for the purpose of influencing the results of an election. Any 13309  
loan, gift, deposit, forgiveness of indebtedness, donation, 13310  
advance, payment, or transfer of funds or of anything of value, 13311  
including a transfer of funds from an inter vivos or 13312  
testamentary trust or decedent's estate, and the payment by any 13313  
campaign committee, political action committee, legislative 13314  
campaign fund, political party, political contributing entity, 13315  
or person other than the person to whom the services are 13316  
rendered for the personal services of another person, that is 13317  
made, received, or used by a state or county political party, 13318  
other than the moneys an entity may receive under sections 13319  
3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be 13320  
considered to be a "contribution" for the purpose of section 13321  
3517.10 of the Revised Code and shall be included on a statement 13322  
of contributions filed under that section. 13323

"Contribution" does not include any of the following: 13324

(a) Services provided without compensation by individuals 13325  
volunteering a portion or all of their time on behalf of a 13326  
person; 13327

(b) Ordinary home hospitality; 13328

(c) The personal expenses of a volunteer paid for by that 13329  
volunteer campaign worker; 13330

(d) Any gift given to an entity pursuant to section 13331  
3517.101 of the Revised Code; 13332

(e) Any contribution as defined in section 3517.1011 of 13333  
the Revised Code that is made, received, or used to pay the 13334

direct costs of producing or airing an electioneering 13335  
communication; 13336

(f) Any gift given to a state or county political party 13337  
for the party's restricted fund under division (A) (2) of section 13338  
3517.1012 of the Revised Code; 13339

(g) Any gift given to a state political party for deposit 13340  
in a Levin account pursuant to section 3517.1013 of the Revised 13341  
Code. As used in this division, "Levin account" has the same 13342  
meaning as in that section. 13343

(h) Any donation given to a transition fund under section 13344  
3517.1014 of the Revised Code. 13345

(6) "Expenditure" means the disbursement or use of a 13346  
contribution for the purpose of influencing the results of an 13347  
election or of making a charitable donation under division (G) 13348  
of section 3517.08 of the Revised Code. Any disbursement or use 13349  
of a contribution by a state or county political party is an 13350  
expenditure and shall be considered either to be made for the 13351  
purpose of influencing the results of an election or to be made 13352  
as a charitable donation under division (G) of section 3517.08 13353  
of the Revised Code and shall be reported on a statement of 13354  
expenditures filed under section 3517.10 of the Revised Code. 13355  
During the thirty days preceding a primary or general election, 13356  
any disbursement to pay the direct costs of producing or airing 13357  
a broadcast, cable, or satellite communication that refers to a 13358  
clearly identified candidate shall be considered to be made for 13359  
the purpose of influencing the results of that election and 13360  
shall be reported as an expenditure or as an independent 13361  
expenditure under section 3517.10 or 3517.105 of the Revised 13362  
Code, as applicable, except that the information required to be 13363  
reported regarding contributors for those expenditures or 13364

independent expenditures shall be the same as the information 13365  
required to be reported under divisions (D) (1) and (2) of 13366  
section 3517.1011 of the Revised Code. 13367

As used in this division, "broadcast, cable, or satellite 13368  
communication" and "refers to a clearly identified candidate" 13369  
have the same meanings as in section 3517.1011 of the Revised 13370  
Code. 13371

(7) "Personal expenses" includes, but is not limited to, 13372  
ordinary expenses for accommodations, clothing, food, personal 13373  
motor vehicle or airplane, and home telephone. 13374

(8) "Political action committee" means a combination of 13375  
two or more persons, the primary or major purpose of which is to 13376  
support or oppose any candidate, political party, or issue, or 13377  
to influence the result of any election through express 13378  
advocacy, and that is not a political party, a campaign 13379  
committee, a political contributing entity, or a legislative 13380  
campaign fund. "Political action committee" does not include 13381  
either of the following: 13382

(a) A continuing association that makes disbursements for 13383  
the direct costs of producing or airing electioneering 13384  
communications and that does not engage in express advocacy; 13385

(b) A political club that is formed primarily for social 13386  
purposes and that consists of one hundred members or less, has 13387  
officers and periodic meetings, has less than two thousand five 13388  
hundred dollars in its treasury at all times, and makes an 13389  
aggregate total contribution of one thousand dollars or less per 13390  
calendar year. 13391

(9) "Public office" means any state, county, municipal, 13392  
township, or district office, except an office of a political 13393

party, that is filled by an election and the offices of United States senator and representative. 13394  
13395

(10) "Anything of value" has the same meaning as in section 1.03 of the Revised Code. 13396  
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(11) "Beneficiary of a campaign fund" means a candidate, a public official or employee for whose benefit a campaign fund exists, and any other person who has ever been a candidate or public official or employee and for whose benefit a campaign fund exists. 13398  
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(12) "Campaign fund" means money or other property, including contributions. 13403  
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(13) "Public official or employee" has the same meaning as in section 102.01 of the Revised Code. 13405  
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(14) "Caucus" means all of the members of the house of representatives or all of the members of the senate of the general assembly who are members of the same political party. 13407  
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(15) "Legislative campaign fund" means a fund that is established as an auxiliary of a state political party and associated with one of the houses of the general assembly. 13410  
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(16) "In-kind contribution" means anything of value other than money that is used to influence the results of an election or is transferred to or used in support of or in opposition to a candidate, campaign committee, legislative campaign fund, political party, political action committee, or political contributing entity and that is made with the consent of, in coordination, cooperation, or consultation with, or at the request or suggestion of the benefited candidate, committee, fund, party, or entity. The financing of the dissemination, distribution, or republication, in whole or part, of any 13413  
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broadcast or of any written, graphic, or other form of campaign materials prepared by the candidate, the candidate's campaign committee, or their authorized agents is an in-kind contribution to the candidate and an expenditure by the candidate.

(17) "Independent expenditure" means an expenditure by a person advocating the election or defeat of an identified candidate or candidates, that is not made with the consent of, in coordination, cooperation, or consultation with, or at the request or suggestion of any candidate or candidates or of the campaign committee or agent of the candidate or candidates. As used in division (C) (17) of this section:

(a) "Person" means an individual, partnership, unincorporated business organization or association, political action committee, political contributing entity, separate segregated fund, association, or other organization or group of persons, but not a labor organization or a corporation unless the labor organization or corporation is a political contributing entity.

(b) "Advocating" means any communication containing a message advocating election or defeat.

(c) "Identified candidate" means that the name of the candidate appears, a photograph or drawing of the candidate appears, or the identity of the candidate is otherwise apparent by unambiguous reference.

(d) "Made in coordination, cooperation, or consultation with, or at the request or suggestion of, any candidate or the campaign committee or agent of the candidate" means made pursuant to any arrangement, coordination, or direction by the candidate, the candidate's campaign committee, or the

candidate's agent prior to the publication, distribution, 13452  
display, or broadcast of the communication. An expenditure is 13453  
presumed to be so made when it is any of the following: 13454

(i) Based on information about the candidate's plans, 13455  
projects, or needs provided to the person making the expenditure 13456  
by the candidate, or by the candidate's campaign committee or 13457  
agent, with a view toward having an expenditure made; 13458

(ii) Made by or through any person who is, or has been, 13459  
authorized to raise or expend funds, who is, or has been, an 13460  
officer of the candidate's campaign committee, or who is, or has 13461  
been, receiving any form of compensation or reimbursement from 13462  
the candidate or the candidate's campaign committee or agent; 13463

(iii) Except as otherwise provided in division (D) of 13464  
section 3517.105 of the Revised Code, made by a political party 13465  
in support of a candidate, unless the expenditure is made by a 13466  
political party to conduct voter registration or voter education 13467  
efforts. 13468

(e) "Agent" means any person who has actual oral or 13469  
written authority, either express or implied, to make or to 13470  
authorize the making of expenditures on behalf of a candidate, 13471  
or means any person who has been placed in a position with the 13472  
candidate's campaign committee or organization such that it 13473  
would reasonably appear that in the ordinary course of campaign- 13474  
related activities the person may authorize expenditures. 13475

(18) "Labor organization" means a labor union; an employee 13476  
organization; a federation of labor unions, groups, locals, or 13477  
other employee organizations; an auxiliary of a labor union, 13478  
employee organization, or federation of labor unions, groups, 13479  
locals, or other employee organizations; or any other bona fide 13480

organization in which employees participate and that exists for 13481  
the purpose, in whole or in part, of dealing with employers 13482  
concerning grievances, labor disputes, wages, hours, and other 13483  
terms and conditions of employment. 13484

(19) "Separate segregated fund" means a separate 13485  
segregated fund established pursuant to the Federal Election 13486  
Campaign Act. 13487

(20) "Federal Election Campaign Act" means the "Federal 13488  
Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et 13489  
seq., as amended. 13490

(21) "Restricted fund" means the fund a state or county 13491  
political party must establish under division (A)(1) of section 13492  
3517.1012 of the Revised Code. 13493

(22) "Electioneering communication" has the same meaning 13494  
as in section 3517.1011 of the Revised Code. 13495

(23) "Express advocacy" means a communication that 13496  
contains express words advocating the nomination, election, or 13497  
defeat of a candidate or that contains express words advocating 13498  
the adoption or defeat of a question or issue, as determined by 13499  
a final judgment of a court of competent jurisdiction. 13500

(24) "Political committee" has the same meaning as in 13501  
section 3517.1011 of the Revised Code. 13502

(25) "Political contributing entity" means any entity, 13503  
including a corporation or labor organization, that may lawfully 13504  
make contributions and expenditures and that is not an 13505  
individual or a political action committee, continuing 13506  
association, campaign committee, political party, legislative 13507  
campaign fund, designated state campaign committee, or state 13508  
candidate fund. For purposes of this division, "lawfully" means 13509

not prohibited by any section of the Revised Code, or authorized 13510  
by a final judgment of a court of competent jurisdiction. 13511

(26) "Internet identifier of record" has the same meaning 13512  
as in section 9.312 of the Revised Code. 13513

**Sec. 3517.012.** (A) (1) When a party formation petition 13514  
meeting the requirements of section 3517.01 of the Revised Code 13515  
declaring the intention to organize a political party is filed 13516  
with the secretary of state, the new party comes into legal 13517  
existence on the date of filing and is entitled to nominate 13518  
candidates to appear on the ballot at the general election held 13519  
in even-numbered years that occurs more than one hundred twenty- 13520  
five days after the date of filing. 13521

(2) (a) Upon receiving a party formation petition filed 13522  
under division (A) (1) of this section, the secretary of state 13523  
shall promptly transmit to each board of elections the separate 13524  
petition papers that purport to contain signatures of electors 13525  
of that board's county. 13526

(b) Not later than the one hundred eighteenth day before 13527  
the day of the general election, each board shall examine and 13528  
determine the sufficiency of the signatures on the petition 13529  
papers and shall return them to the secretary of state, together 13530  
with the board's certification of its determination as to the 13531  
validity or invalidity of the signatures on the petition. 13532

(c) Any qualified elector may file a written protest 13533  
against the petition with the secretary of state not later than 13534  
the one hundred fourteenth day before the day of the general 13535  
election. Any such protest shall be resolved in the manner 13536  
specified under section 3501.39 of the Revised Code. 13537

(d) Not later than the ninety-fifth day before the day of 13538

the general election, the secretary of state shall determine 13539  
whether the party formation petition is sufficient and shall 13540  
notify the committee designated in the petition of that 13541  
determination. 13542

(B) (1) Not later than one hundred ten days before the day 13543  
of that general election and not earlier than the day the 13544  
applicable party formation petition is filed, each candidate or 13545  
pair of joint candidates wishing to appear on the ballot at the 13546  
general election as the nominee or nominees of the party that 13547  
filed the party formation petition shall file a nominating 13548  
petition, on a form prescribed by the secretary of state, that 13549  
includes the name of the political party that submitted the 13550  
party formation petition. Except as otherwise provided in this 13551  
section and sections 3505.03, 3505.08, ~~3506.11~~, 3513.31, 13552  
3513.311, and 3513.312 of the Revised Code, the provisions of 13553  
the Revised Code concerning independent candidates who file 13554  
nominating petitions apply to candidates who file nominating 13555  
petitions under this section. 13556

(2) (a) If the candidacy is to be submitted to electors 13557  
throughout the entire state, the nominating petition, including 13558  
a petition for joint candidates for the offices of governor and 13559  
lieutenant governor, shall be signed by at least fifty qualified 13560  
electors who have not voted as a member of a different political 13561  
party at any primary election within the current year or the 13562  
immediately preceding two calendar years. 13563

(b) Except as otherwise provided in this division, if the 13564  
candidacy is to be submitted only to electors within a district, 13565  
political subdivision, or portion thereof, the nominating 13566  
petition shall be signed by not less than five qualified 13567  
electors who have not voted as a member of a different political 13568

party at any primary election within the current year or the immediately preceding two calendar years.

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

(b) Written protests against the petition may be filed in the manner specified under section 3513.263 of the Revised Code not later than the one hundredth day before the general election and shall be resolved as specified in that section.

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

(C) (1) After being notified that the political party has submitted a sufficient party formation petition under division (A) of this section, the committee designated in a party formation petition shall, not later than the seventy-fifth day before the day of the general election, certify to the secretary of state a slate of candidates consisting of candidates or joint candidates who submitted sufficient nominating petitions under division (B) of this section. The slate certifying the candidates shall be on a form prescribed by the secretary of state and signed by all of the individuals of the committee designated in the party formation petition. In no event shall the slate of candidates include more than one candidate for any public office or more than one set of joint candidates for the

offices of governor and lieutenant governor. The names of the 13599  
candidates or joint candidates so certified shall appear on the 13600  
ballot at the general election as that party's nominees for 13601  
those offices. For purposes of this division, "joint candidates" 13602  
means the joint candidates for the offices of governor and 13603  
lieutenant governor. 13604

(2) If a candidate's nominating petition is insufficient 13605  
or if the committee does not certify the candidate's name under 13606  
division (C)(1) of this section, the candidate shall not appear 13607  
on the ballot in the general election. 13608

(3) If a party formation petition is insufficient, no 13609  
candidate shall appear on the ballot in the general election as 13610  
that political party's nominee, regardless of whether any 13611  
candidate's nominating petition is sufficient. 13612

**Sec. 3517.013.** ~~Section~~ Division (B) of section 3513.191 of 13613  
the Revised Code does not apply to persons desiring to become 13614  
candidates for party nomination of a newly formed political 13615  
party meeting the requirements of sections 3517.011 and 3517.012 13616  
of the Revised Code for a period of four calendar years from the 13617  
date of the party formation. 13618

**Sec. 3517.08.** (A) The personal expenses of a candidate 13619  
paid for by the candidate, from the candidate's personal funds, 13620  
shall not be considered as a contribution by or an expenditure 13621  
by the candidate and shall not be reported under section 3517.10 13622  
of the Revised Code. 13623

(B) (1) An expenditure by a political action committee or a 13624  
political contributing entity shall not be considered a 13625  
contribution by the political action committee or the political 13626  
contributing entity or an expenditure by or on behalf of the 13627

candidate if the purpose of the expenditure is to inform only 13628  
its members by means of mailed publications of its activities or 13629  
endorsements. 13630

(2) An expenditure by a political party shall not be 13631  
considered a contribution by the political party or an 13632  
expenditure by or on behalf of the candidate if the purpose of 13633  
the expenditure is to inform predominantly the party's members 13634  
by means of mailed publications or other direct communication of 13635  
its activities or endorsements, or for voter contact such as 13636  
sample ballots, ~~absent voter's ballots~~ mail ballot application 13637  
mailings, voter registration, or get-out-the-vote activities. 13638

(C) An expenditure by a continuing association, political 13639  
contributing entity, or political party shall not be considered 13640  
a contribution to any campaign committee or an expenditure by or 13641  
on behalf of any campaign committee if the purpose of the 13642  
expenditure is for the staff and maintenance of the continuing 13643  
association's, political contributing entity's, or political 13644  
party's headquarters, or for a political poll, survey, index, or 13645  
other type of measurement not on behalf of a specific candidate. 13646

(D) The expenses of maintaining a constituent office paid 13647  
for, from the candidate's personal funds, by a candidate who is 13648  
a member of the general assembly at the time of the election 13649  
shall not be considered a contribution by or an expenditure by 13650  
or on behalf of the candidate, and shall not be reported, if the 13651  
constituent office is not used for any candidate's campaign 13652  
activities. 13653

(E) The net contribution of each social or fund-raising 13654  
activity shall be calculated by totaling all contributions to 13655  
the activity minus the expenditures made for the activity. 13656



(F) An expenditure that purchases goods or services shall 13657  
be attributed to an election when the disbursement of funds is 13658  
made, rather than at the time the goods or services are used. 13659  
The secretary of state, under the procedures of Chapter 119. of 13660  
the Revised Code, shall establish rules for the attribution of 13661  
expenditures to a candidate when the candidate is a candidate 13662  
for more than one office during a reporting period and for 13663  
expenditures made in a year in which no election is held. The 13664  
secretary of state shall further define by rule those 13665  
expenditures that are or are not by or on behalf of a candidate. 13666

(G) An expenditure for the purpose of a charitable 13667  
donation may be made if it is made to an organization that is 13668  
exempt from federal income taxation under subsection 501(a) and 13669  
described in subsection 501(c) (3), 501(c) (4), 501(c) (8), 501(c) 13670  
(10), or 501(c) (19) of the Internal Revenue Code or is approved 13671  
by advisory opinion of the Ohio elections commission as a 13672  
legitimate charitable organization. Each expenditure under this 13673  
division shall be separately itemized on statements made 13674  
pursuant to section 3517.10 of the Revised Code. 13675

**Sec. 3519.05.** (A) If the measure to be submitted proposes 13676  
a constitutional amendment, the heading of each part of the 13677  
petition shall be prepared in the following form, and printed in 13678  
capital letters in type of the approximate size set forth: 13679

"INITIATIVE PETITION 13680

Amendment to the Constitution 13681

Proposed by Initiative Petition 13682

To be submitted directly to the electors" 13683

"Amendment" printed in fourteen-point boldface type shall 13684  
precede the title, which shall be briefly expressed and printed 13685

in eight-point type. The summary shall then be set forth printed 13686  
in ten-point type, and then shall follow the certification of 13687  
the attorney general, under proper date, which shall also be 13688  
printed in ten-point type. The petition shall then set forth the 13689  
names and addresses of the committee of not less than three nor 13690  
more than five to represent the petitioners in all matters 13691  
relating to the petition or its circulation. 13692

Immediately above the heading of the place for signatures 13693  
on each part of the petition the following notice shall be 13694  
printed in boldface type: 13695

"NOTICE 13696

Whoever knowingly signs this petition more than once; 13697  
except as provided in section 3501.382 of the Revised Code, 13698  
signs a name other than one's own on this petition; or signs 13699  
this petition when not a qualified voter, is liable to 13700  
prosecution." 13701

The heading of the place for signatures shall be 13702  
substantially as follows: 13703

"(Sign with ink. Your name, residence, and date of signing must 13704  
be given.) 13705

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13706

13707

1 2 3 4 5 6 7

A Rural Route or

B other Post-

C Signature County Township office Address Month Day Year

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13708

(Voters who do not live in a municipal corporation should fill  
in the information called for by headings printed above.)

13709  
13710

(Voters who reside in municipal corporations should fill in the  
information called for by headings printed below.)

13711  
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13713

13714

1 2 3 4 5 6 7 8 9

A City Street

B or and

C Signature County Village Number Ward Precinct Month Day Year"

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13715

The text of the proposed amendment shall be printed in  
full, immediately following the place for signatures, and shall  
be prefaced by "Be it resolved by the people of the State of  
Ohio." Immediately following the text of the proposed amendment  
must appear the following form:

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"I, \_\_\_\_\_, declare under penalty of election  
falsification that I am the circulator of the foregoing petition  
paper containing the signatures of \_\_\_\_\_ electors, that the  
signatures appended hereto were made and appended in my presence  
on the date set opposite each respective name, and are the

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signatures of the persons whose names they purport to be or of 13726  
attorneys in fact acting pursuant to section 3501.382 of the 13727  
Revised Code, and that the electors signing this petition did so 13728  
with knowledge of the contents of same. I am employed to 13729  
circulate this petition by \_\_\_\_\_ 13730  
(Name and address of employer). (The preceding sentence shall be 13731  
completed as required by section 3501.38 of the Revised Code if 13732  
the circulator is being employed to circulate the petition.) 13733

(Signed) \_\_\_\_\_ 13734

(Address of circulator's permanent 13735

residence in this state) 13736

\_\_\_\_\_ 13737

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 13738  
FELONY OF THE ~~FIFTH~~-FOURTH DEGREE." 13739

(B) If the measure proposes a law, the heading of each 13740  
part of the petition shall be prepared as follows: 13741

"INITIATIVE PETITION 13742

Law proposed by initiative petition first to be submitted 13743  
to the General Assembly." 13744

In all other respects, the form shall be as provided for 13745  
the submission of a constitutional amendment, except that the 13746  
text of the proposed law shall be prefaced by "Be it enacted by 13747  
the people of the state of Ohio." 13748

The form for a supplementary initiative petition shall be 13749  
the same as that provided for an initiative petition, with the 13750  
exception that "supplementary" shall precede "initiative" in the 13751  
title thereof. 13752

(C) The general provisions set forth in this section 13753  
relative to the form and order of an initiative petition shall 13754  
be, so far as practical, applicable to a referendum petition, 13755  
the heading of which shall be as follows: 13756

"REFERENDUM PETITION 13757

To be submitted to the electors for their approval or 13758  
rejection" 13759

The title, which follows the heading, shall contain a 13760  
brief legislative history of the law, section, or item of law to 13761  
be referred. The text of the law so referred shall be followed 13762  
by the certification of the secretary of state, in accordance 13763  
with division (B) (2) (b) of section 3519.01 of the Revised Code, 13764  
that it has been compared with the copy of the enrolled act, on 13765  
file in the secretary of state's office, containing such law, 13766  
section, or item of law, and found to be correct. 13767

(D) The secretary of state shall prescribe a form for part 13768  
petitions to be submitted during the ten-day period beginning on 13769  
the first day following the date that the secretary of state 13770  
notifies the chairperson of the committee interested in the 13771  
petition that the petition has an insufficient number of valid 13772  
signatures. The secretary of state shall provide to each 13773  
particular committee a different form that contains a unique 13774  
identifier and that is separate from the forms prescribed in 13775  
divisions (A), (B), and (C) of this section. The secretary of 13776  
state shall make the form available to the committee only as 13777  
described in division (F) of section 3519.16 of the Revised 13778  
Code. The form shall not be considered a public record until 13779  
after the secretary of state makes it available to the committee 13780  
under that division. 13781

The form shall comply with the requirements of Section 1g 13782  
of Article II, Ohio Constitution and, except as otherwise 13783  
provided in this division, with the requirements of divisions 13784  
(A), (B), and (C) of this section. 13785

**Sec. 3599.02.** No person shall before, during, or after any 13786  
primary, general, or special election or convention solicit, 13787  
request, demand, receive, or contract for any money, gift, loan, 13788  
property, influence, position, employment, or other thing of 13789  
value for that person or for another person for doing any of the 13790  
following: 13791

(A) Registering or refraining from registering to vote; 13792

(B) Agreeing to register or to refrain from registering to 13793  
vote; 13794

(C) Agreeing to vote or to refrain from voting; 13795

(D) Voting or refraining from voting at any primary, 13796  
general, or special election or convention for a particular 13797  
person, question, or issue; 13798

(E) Registering or voting, or refraining from registering 13799  
or voting, or voting or refraining from voting for a particular 13800  
person, question, or issue; 13801

(F) Registering, or refraining from registering, as 13802  
affiliated with a political party. 13803

Whoever violates this section is guilty of bribery, a 13804  
felony of the fourth degree, and shall be disfranchised and 13805  
excluded from holding any public office for five years 13806  
immediately following such conviction. 13807

**Sec. 3599.06.** No employer, his and no officer or agent of 13808  
an employer, shall discharge or threaten to discharge an elector 13809

for taking a reasonable amount of time to vote ~~on election day;~~ 13810  
or require or order an elector to accompany ~~him, the employer,~~ 13811  
~~officer, or agent~~ to a ~~voting place upon such day~~ location where 13812  
ballots may be cast in person or to a ballot drop box; or refuse 13813  
to permit such elector to serve as an election official on any 13814  
registration or election day; or indirectly use any force or 13815  
restraint or threaten to inflict any injury, harm, or loss; or 13816  
in any other manner practice intimidation in order to induce or 13817  
compel such person to vote or refrain from voting for or against 13818  
any person or question or issue submitted to the voters. 13819

Whoever violates this section shall be fined not less than 13820  
fifty nor more than five hundred dollars. 13821

**Sec. 3599.07.** No ~~precinct~~ election official, observer, or 13822  
police officer admitted into ~~the polling rooms at the election,~~ 13823  
a location where ballots may be cast in person at any time while 13824  
~~the polls are open,~~ ballots may be cast there, and no election 13825  
official or police officer admitted into a ballot drop box 13826  
location at any time while mail ballots may be deposited in the 13827  
ballot drop box, shall have in the individual's possession, 13828  
distribute, or give out any ballot or ticket to any person on 13829  
any pretense during the receiving, counting, or certifying of 13830  
the votes, or have any ballot or ticket in the individual's 13831  
possession or control, except in the proper discharge of the 13832  
individual's official duty in receiving, counting, or canvassing 13833  
the votes. This section does not prevent the lawful exercise by 13834  
~~a precinct~~ an election official or observer of the individual 13835  
right to vote at such election. 13836

**Sec. 3599.11.** (A) ~~No~~ (1) Subject to division (A) (2) of 13837  
this section, no person shall knowingly do any of the following: 13838

(a) Knowingly register or make application or attempt to 13839

register in a precinct in which the person is not a qualified voter or as affiliated with a political party with which the person does not desire to be affiliated or whose principles the person does not support; or knowingly aid or abet any person to so register; or attempt to register or knowingly induce or attempt to induce any person to so register; ~~or knowingly~~

(b) Knowingly impersonate another or write or assume the name of another, real or fictitious, in registering or attempting to register; ~~or by~~

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

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

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

(f) Make, print, or issue any false or counterfeit certificate of registration or knowingly alter any certificate of registration;

~~No person shall knowingly;~~

(g) Knowingly register under more than one name or knowingly induce any person to so register;

~~No person shall knowingly;~~

(h) Knowingly make any false statement on any form for registration or change of registration or upon any application or return envelope for ~~an absent voter's~~ a ballot.



(2) (a) A person whose voter registration update is 13868  
processed under section 3503.111 of the Revised Code and who is 13869  
not a qualified voter in the precinct violates division (A) (1) 13870  
of this section only if the person knowingly provides or 13871  
attempts to provide false information with the intention of 13872  
submitting a registration update using that information. 13873

(b) A person who aids, abets, induces, or attempts to 13874  
induce another person to have the other person's voter 13875  
registration update processed under section 3503.111 of the 13876  
Revised Code when the other person is not a qualified voter in 13877  
the precinct violates division (A) (1) of this section only if 13878  
the person knowingly causes or attempts to cause the other 13879  
person to have the other person's registration updated using 13880  
information the person knows is false. 13881

(3) Whoever violates ~~this~~ division (A) (1) of this section 13882  
is guilty of a felony of the ~~fifth~~ fourth degree. 13883

(B) (1) No person who helps another person register outside 13884  
an official voter registration place shall knowingly destroy, or 13885  
knowingly help another person to destroy, any completed 13886  
registration form. 13887

Whoever violates this division is guilty of election 13888  
falsification, a felony of the ~~fifth~~ fourth degree. 13889

~~(2) (a)~~ No person who helps another person register outside 13890  
an official voter registration place shall knowingly fail to 13891  
~~return~~ cause any registration form entrusted to that person to 13892  
be returned to any board of elections or the office of the 13893  
secretary of state within ten days after that ~~registration~~ 13894  
registration form is completed, or on or before the thirtieth 13895  
day before the election, whichever day is earlier, unless the 13896

registration form is received by the person within twenty-four 13897  
hours of the thirtieth day before the election, in which case 13898  
the person shall ~~return cause~~ the registration form to be 13899  
returned to any board of elections or the office of the 13900  
secretary of state within ten days of its receipt. 13901

Whoever violates this division is guilty of election 13902  
falsification, a felony of the ~~fifth~~fourth degree, unless the 13903  
person has not previously been convicted of a violation of this 13904  
division ~~(B) (2) (a), (B) (2) (b), (C) (1), or (C) (2) of this~~ 13905  
~~section~~, the violation of this division does not cause any 13906  
person to miss any voter registration deadline with regard to 13907  
any election, and the number of voter registration forms that 13908  
the violator has failed to properly ~~return cause to be returned~~ 13909  
does not exceed forty-nine, in which case the violator is guilty 13910  
of a misdemeanor of the first degree. 13911

~~(b) Subject to division (C) (2) of this section, no person~~ 13912  
~~who helps another person register outside an official~~ 13913  
~~registration place shall knowingly return any registration form~~ 13914  
~~entrusted to that person to any location other than any board of~~ 13915  
~~elections or the office of the secretary of state.~~ 13916

~~Whoever violates this division is guilty of election~~ 13917  
~~falsification, a felony of the fifth degree, unless the person~~ 13918  
~~has not previously been convicted of a violation of division (B)~~ 13919  
~~(2) (a), (B) (2) (b), (C) (1), or (C) (2) of this section, the~~ 13920  
~~violation of this division does not cause any person to miss any~~ 13921  
~~voter registration deadline with regard to any election, and the~~ 13922  
~~number of voter registration forms that the violator has failed~~ 13923  
~~to properly return does not exceed forty nine, in which case the~~ 13924  
~~violator is guilty of a misdemeanor of the first degree.~~ 13925

~~(C) (1) No person who receives compensation for registering~~ 13926

~~a voter shall knowingly fail to return any registration form- 13927  
entrusted to that person to any board of elections or the office- 13928  
of the secretary of state within ten days after that voter- 13929  
registration form is completed, or on or before the thirtieth- 13930  
day before the election, whichever is earlier, unless the- 13931  
registration form is received by the person within twenty four- 13932  
hours of the thirtieth day before the election, in which case- 13933  
the person shall return the registration form to any board of- 13934  
elections or the office of the secretary of state within ten days- 13935  
of its receipt. 13936~~

~~Whoever violates this division is guilty of election- 13937  
falsification, a felony of the fifth degree, unless the person- 13938  
has not previously been convicted of a violation of division (B)- 13939  
(2) (a), (B) (2) (b), (C) (1), or (C) (2) of this section, the- 13940  
violation of this division does not cause any person to miss any- 13941  
voter registration deadline with regard to any election, and the- 13942  
number of voter registration forms that the violator has failed- 13943  
to properly return does not exceed forty nine, in which case the- 13944  
violator is guilty of a misdemeanor of the first degree. 13945~~

~~(2) No person who receives compensation for registering a- 13946  
voter shall knowingly return any registration form entrusted to- 13947  
that person to any location other than any board of elections or- 13948  
the office of the secretary of state. 13949~~

~~Whoever violates this division is guilty of election- 13950  
falsification, a felony of the fifth degree, unless the person- 13951  
has not previously been convicted of a violation of division (B)- 13952  
(2) (a), (B) (2) (b), (C) (1), or (C) (2) of this section, the- 13953  
violation of this division does not cause any person to miss any- 13954  
voter registration deadline with regard to any election, and the- 13955  
number of voter registration forms that the violator has failed- 13956~~

~~to properly return does not exceed forty nine, in which case the  
violator is guilty of a misdemeanor of the first degree.~~ 13957  
13958

~~(D) As used in division (C) of this section, "registering  
a voter" includes any effort, for compensation, to provide voter  
registration forms or to assist persons in completing or  
returning those forms.~~ 13959  
13960  
13961  
13962

**Sec. 3599.12.** (A) No person shall do any of the following: 13963

(1) Vote or attempt to vote in any primary, special, or 13964  
general election in a precinct in which that person is not a 13965  
legally qualified elector; 13966

(2) Vote or attempt to vote more than once at the same 13967  
election by any means, including voting or attempting to vote 13968  
both by ~~absent voter's mail ballots under division (G) of~~ 13969  
~~section 3503.16 of the Revised Code and by regular ballot at the~~ 13970  
~~polls casting ballots in person at the same election, or voting~~ 13971  
~~or attempting to vote both by absent voter's ballots under~~ 13972  
~~division (G) of section 3503.16 of the Revised Code and by~~ 13973  
~~absent voter's ballots under Chapter 3509. or armed service~~ 13974  
~~absent voter's ballots under Chapter 3511. of the Revised Code~~ 13975  
~~at the same election;~~ 13976

(3) Impersonate or sign the name of another person, real 13977  
or fictitious, living or dead, and vote or attempt to vote as 13978  
that other person in any such election; 13979

(4) Cast a ballot at any such election after objection has 13980  
been made and sustained to that person's vote; 13981

(5) Knowingly vote or attempt to vote a ballot other than 13982  
the official ballot. 13983

(B) Whoever violates division (A) of this section is 13984

guilty of a felony of the fourth degree. 13985

**Sec. 3599.17.** (A) No ~~elections official~~ person serving as 13986  
~~a registrar or precinct~~ an election official appointed under 13987  
section 3501.22 of the Revised Code shall do any of the 13988  
following: 13989

(1) Fail to appear before the board of elections, or its 13990  
representative, after notice has been served personally upon the 13991  
official or left at the official's usual place of residence, for 13992  
examination as to the official's qualifications; 13993

(2) Fail to appear at the ~~polling~~ place to which the 13994  
official is assigned at the hour and during the hours ~~set for~~ 13995  
~~the registration or election~~ the official is scheduled to serve; 13996

(3) Fail to take the oath prescribed by section 3501.31 of 13997  
the Revised Code, unless excused by such board; 13998

(4) Refuse or sanction the refusal of another ~~registrar or~~ 13999  
~~precinct~~ election official appointed under section 3501.22 of 14000  
the Revised Code to administer an oath required by law; 14001

(5) Fail to send notice to the board of the appointment of 14002  
~~a precinct~~ an election official to fill a vacancy; 14003

(6) Act as ~~registrar or precinct~~ an election official 14004  
without having been appointed and having received a certificate 14005  
of appointment, except ~~a precinct~~ an election official appointed 14006  
to fill a vacancy caused by absence or removal; 14007

(7) Fail in any other way to perform any duty imposed by 14008  
law. 14009

(B) Whoever violates division (A) of this section is 14010  
guilty of a misdemeanor of the first degree. 14011

**Sec. 3599.18.** (A) No election official, person assisting 14012  
in the registration of electors, or police officer shall 14013  
knowingly do any of the following: 14014

(1) Refuse, neglect, or unnecessarily delay, hinder, or 14015  
prevent the registration of a qualified elector, who in a lawful 14016  
manner applies for registration or who should have the elector's 14017  
registration updated under section 3503.111 of the Revised Code; 14018

(2) Enter or consent to the entry of a fictitious name on 14019  
a voter registration list; 14020

(3) Alter the name, political party affiliation, or lack 14021  
of political party affiliation on, or remove or destroy, the 14022  
registration card or form of any qualified elector; 14023

(4) Neglect, unlawfully execute, or fail to execute any 14024  
duty enjoined upon that person as an election official, person 14025  
assisting in the registration of electors, or police officer. 14026

(B) Whoever violates division (A) of this section is 14027  
guilty of a misdemeanor of the first degree. 14028

**Sec. 3599.19.** (A) No ~~precinct~~ election official shall 14029  
knowingly do any of the following: 14030

(1) Unlawfully open or permit to be opened ~~the a~~ sealed 14031  
package containing registration lists, ballots, blanks, 14032  
pollbooks, ~~and or~~ other papers ~~and or~~ material to be used in an 14033  
election; 14034

(2) Unlawfully misplace, carry away, negligently lose or 14035  
permit to be taken from the ~~precinct~~ election official, fail to 14036  
deliver, or destroy any such packages, papers, or material; 14037

(3) Receive or sanction the reception of a ballot from a 14038  
person not a qualified elector or from a person who refused to 14039

|  |       |
|--|-------|
| answer a question in accordance with the election law;                           | 14040 |
| (4) Refuse to receive or sanction the rejection of a                             | 14041 |
| ballot from a person, knowing that person to be a qualified                      | 14042 |
| elector;   | 14043 |
| (5) Permit a fraudulent ballot to be placed in <del>the a</del>                  | 14044 |
| ballot box;  | 14045 |
| (6) Place or permit to be placed in any ballot box any                           | 14046 |
| ballot known by the <del>precinct</del> election official to be improperly       | 14047 |
| or falsely marked;   | 14048 |
| (7) Count or permit to be counted any illegal or                                 | 14049 |
| fraudulent ballot;   | 14050 |
| (8) Mislead an elector who is physically unable to prepare                       | 14051 |
| the elector's ballot, mark a ballot for such elector otherwise                   | 14052 |
| than as directed by that elector, or disclose to any person,                     | 14053 |
| except when legally required to do so, how such elector voted;                   | 14054 |
| (9) Alter or mark or permit any alteration or marking on                         | 14055 |
| any ballot when counting the ballots;  | 14056 |
| (10) Unlawfully count or tally or sanction the wrongful                          | 14057 |
| counting or tallying of votes;   | 14058 |
| (11) After the counting of votes commences, as required by                       | 14059 |
| law, postpone or sanction the postponement of the counting of                    | 14060 |
| votes, adjourn at any time or to any place, or remove <del>the a</del>           | 14061 |
| ballot <del>box</del> from the place of <del>voting counting</del> , or from the | 14062 |
| custody or presence of all the <del>precinct</del> election officials;           | 14063 |
| (12) Permit any ballot to remain or to be in the ballot                          | 14064 |
| box <u>at a location where ballots may be cast in person at the</u>              | 14065 |
| <u>opening of the polls voting for the day</u> , or to be put in the box         | 14066 |
| during the counting of the ballots, or to be left in the box                     | 14067 |

without being counted; 14068

(13) Admit or sanction the admission to ~~the polling room~~ 14069  
~~at an election~~ a location where ballots may be cast in person 14070  
during the receiving, counting, and certifying of votes of any 14071  
person not qualified by law to be so admitted; 14072

(14) Refuse to admit or sanction the refusal to admit any 14073  
person, upon lawful request for admission, who is legally 14074  
qualified to be present; 14075

(15) Permit or sanction the counting of the ballots 14076  
contrary to the manner prescribed by law; 14077

(16) Neglect or unlawfully execute any duty enjoined upon 14078  
the ~~precinct~~ election official by law. 14079

(B) No election official shall recklessly disclose the 14080  
count or any portion of the count of any ballots before seven- 14081  
thirty p.m. on the day of the election, except as is necessary 14082  
for the administration of the election. 14083

(C) Whoever violates division (A) of this section is 14084  
guilty of a misdemeanor of the first degree. Whoever violates 14085  
division (B) of this section is guilty of a felony of the fifth 14086  
degree. 14087

**Sec. 3599.20.** (A) No person shall attempt to do any of the 14088  
following: 14089

(1) Attempt to induce an elector to show how the elector 14090  
marked the elector's ballot at an election; or, being 14091

(2) Being an elector, allow the elector's ballot to be 14092  
seen by another, except as provided by ~~section~~ sections 3505.24 14093  
and 3509.08 of the Revised Code, with the apparent intention of 14094  
letting it be known how the elector is about to vote; or make 14095



|  |                                  |
|--|----------------------------------|
| <u>(3) Make</u> a false statement as to the elector's ability to mark the ballot; <del>or knowingly</del>  | 14096<br>14097                   |
| <u>(4) Knowingly</u> mark the ballot so it may be identified after it has been cast; <del>or attempt</del>   | 14098<br>14099                   |
| <u>(5) Attempt</u> to interfere with an elector <del>in the voting booth</del> when <u>the elector is</u> marking the elector's ballot; <del>or knowingly</del>  | 14100<br>14101<br>14102          |
| <u>(6) Knowingly</u> destroy or mutilate a lawful ballot; <del>or remove</del>   | 14103<br>14104                   |
| <u>(7) Remove</u> from <del>the polling place</del> <u>a location where ballots may be cast in person,</u> or be found in unlawful possession of, a lawful ballot <del>outside the enclosure provided for voting; or knowingly</del> | 14105<br>14106<br>14107<br>14108 |
| <u>(8) Knowingly</u> hinder or delay the delivery of a lawful ballot to a person entitled to receive it; <del>or give</del>  | 14109<br>14110                   |
| <u>(9) Give</u> to an elector a ballot printed or written contrary to law; <del>or forge</del>   | 14111<br>14112                   |
| <u>(10) Forge</u> or falsely make an official indorsement on a ballot.   | 14113<br>14114                   |
| <u>(B) Whoever</u> violates <u>division (A) of</u> this section is guilty of a felony of the <del>fifth</del> <u>fourth</u> degree.  | 14115<br>14116                   |
| <b>Sec. 3599.21.</b> (A) No person shall knowingly do any of the following:  | 14117<br>14118                   |
| (1) Impersonate another, or make a false representation in order to obtain <del>an absent voter's</del> <u>a mail</u> ballot;  | 14119<br>14120                   |
| (2) Aid or abet a person to vote <del>an absent voter's</del> <u>a mail</u> ballot illegally;  | 14121<br>14122                   |

- (3) If the person is an election official, open, destroy, steal, mark, or mutilate any ~~absent voter's~~ mail ballot; 14123  
14124
- (4) Aid or abet another person to open, destroy, steal, mark, or mutilate any ~~absent voter's~~ mail ballot after the ballot has been voted; 14125  
14126  
14127
- (5) Delay the delivery of any ~~absent voter's~~ mail ballot with a view to preventing its arrival in time to be counted; 14128  
14129
- (6) Hinder or attempt to hinder the delivery or counting of such ~~absent voter's~~ mail ballot; 14130  
14131
- (7) Fail to forward to the appropriate election official ~~an absent voter's~~ a mail ballot application entrusted to that person to so forward; 14132  
14133  
14134
- (8) Fail to forward to the appropriate election official ~~an absent voter's~~ a mail ballot application entrusted to that person to so forward within ten days after that application is completed or within such a time period that the failure to so forward the application disenfranchises the voter with respect to a particular election, whichever is earlier; 14135  
14136  
14137  
14138  
14139  
14140
- (9) Except as authorized under Chapters 3505., 3509., and 3511. of the Revised Code, possess the ~~absent voter's~~ mail ballot of another. 14141  
14142  
14143
- (B) (1) Subject to division (B) (2) of this section, no person who receives compensation for soliciting persons to apply ~~to vote by absent voter's~~ for mail ballots shall fail to forward to the appropriate election official ~~an absent voter's~~ a mail ballot application entrusted to that person to so forward within ten days after that application is completed. 14144  
14145  
14146  
14147  
14148  
14149
- (2) No person who receives compensation for soliciting 14150

persons to apply to vote by ~~absent voter's mail~~ ballots shall 14151  
fail to forward to the appropriate election official ~~an absent-~~ 14152  
~~voter's a mail~~ ballot application entrusted to that person to so 14153  
forward within such a time period that the failure to so forward 14154  
the application disenfranchises the voter with respect to a 14155  
particular election. 14156

(C) Whoever violates division (A) or (B) of this section 14157  
is guilty of a felony of the fourth degree. 14158

(D) As used in this section, "person who receives 14159  
compensation for soliciting persons to apply to vote by ~~absent-~~ 14160  
~~voter's mail~~ ballots" includes any effort, for compensation, to 14161  
provide ~~absent voter's mail~~ ballot applications or to assist 14162  
persons in completing those applications or returning them to 14163  
the director of the board of elections of the county in which 14164  
the applicant's voting residence is located. 14165

**Sec. 3599.24.** (A) No person shall do any of the following: 14166

(1) By force, fraud, or other improper means, obtain or 14167  
attempt to obtain possession of the ballots, ballot boxes, 14168  
ballot drop boxes, or pollbooks; 14169

(2) Recklessly destroy any property used in the conduct of 14170  
elections; 14171

(3) Attempt to intimidate an election ~~officer~~ official, or 14172  
prevent an election official from performing the official's 14173  
duties; 14174

(4) Knowingly tear down, remove, or destroy any of the 14175  
registration lists or sample ballots furnished by the board of 14176  
elections ~~at the polling place;~~ 14177

(5) Loiter in or about a place of registration ~~or polling~~ 14178

~~place, a location where ballots may be cast in person, or a~~ 14179  
~~ballot drop box~~ during registration or the casting ~~and or~~ 14180  
counting of ballots so as to hinder, delay, or interfere with 14181  
the conduct of the registration or election; 14182

(6) Remove from ~~the voting place~~ a location where ballots 14183  
may be cast in person the pencils, cards of instruction, 14184  
supplies, or other conveniences furnished to enable ~~the a~~ voter 14185  
to mark the voter's ballot. 14186

(B) Whoever violates division (A) (1) or (2) of this 14187  
section is guilty of a felony of the ~~fifth~~ fourth degree. 14188  
Whoever violates division (A) (3), (4), (5), or (6) of this 14189  
section is guilty of a misdemeanor of the first degree. 14190

**Sec. 3599.25.** (A) No person shall knowingly do any of the 14191  
following: 14192

(1) Counsel or advise another to vote at an election, 14193  
knowing that the person is not a qualified voter; 14194

(2) Advise, aid, or assist another person to go or come 14195  
into a ~~precinct~~ location where ballots may be cast in person for 14196  
the purpose of voting ~~in it~~ that location, knowing that such 14197  
person is not qualified to vote ~~in it~~ that location; 14198

(3) Counsel, advise, or attempt to induce an election 14199  
officer to permit a person to vote, knowing such person is not a 14200  
qualified elector. 14201

(B) Whoever violates division (A) of this section is 14202  
guilty of a felony of the fourth degree. 14203

**Sec. 3599.26.** No person shall fraudulently ~~put~~ submit a 14204  
~~ballot or ticket into a ballot box~~ for counting; or knowingly 14205  
and willfully vote a ballot other than an official ballot 14206

lawfully obtained by the person from the ~~precinct~~ election 14207  
authorities; or fraudulently or deceitfully change a ballot of 14208  
an elector, by which such elector is prevented from voting for 14209  
such candidates or on an issue as the elector intends to do; or 14210  
mark a ballot of an elector except as authorized by section 14211  
3505.24 or 3509.08 of the Revised Code; or hand a marked ballot 14212  
to an elector to vote, with intent to ascertain how the elector 14213  
voted; or furnish a ballot to an elector who cannot read, 14214  
knowingly informing the elector that it contains a name 14215  
different from the one that is printed or written thereon, to 14216  
induce the elector to vote contrary to the elector's intentions; 14217  
or unduly delay or hinder an elector from applying for 14218  
registration, registering, or from attempting to vote or voting; 14219  
or knowingly print or distribute a ballot contrary to law. 14220

Whoever violates this section is guilty of a felony of the 14221  
~~fifth~~ fourth degree. 14222

**Sec. 3599.27.** ~~No unauthorized person shall have in the 14223  
person's possession any voting machine that may be owned or 14224  
leased by any county or any of the parts or the keys thereof. No 14225  
person shall tamper or attempt to tamper with, deface, impair 14226  
the use of, destroy, or otherwise injure in any manner any 14227  
voting machine.~~ 14228

No unauthorized person shall have in the person's 14229  
possession any marking device, automatic tabulating equipment, 14230  
or any of the parts, appurtenances, or accessories thereof. No 14231  
person shall tamper or attempt to tamper with, deface, impair 14232  
the use of, destroy, or otherwise change or injure in any manner 14233  
any marking device, automatic tabulating equipment, or any 14234  
appurtenances or accessories thereof. 14235

Whoever violates this section is guilty of a felony of the 14236

~~fifth-fourth~~  degree. 14237

**Sec. 3599.28.** No person, with intent to defraud or 14238  
deceive, shall write or sign the name of another person to any 14239  
document, petition, registration card, or other book or record 14240  
authorized or required by Title XXXV of the Revised Code. 14241

Whoever violates this section is guilty of a felony of the 14242  
 ~~fifth-fourth~~  degree. 14243

**Sec. 3599.29.** No person shall have in the person's 14244  
possession a falsely made, altered, forged, or counterfeited 14245  
registration card, form, or list, pollbook, tally sheet, or list 14246  
of election returns of an election, knowing it to be such, with 14247  
intent to hinder, defeat, or prevent a fair expression of the 14248  
popular will at such election. 14249

Whoever violates this section is guilty of a felony of the 14250  
 ~~fifth-fourth~~  degree. 14251

**Sec. 3599.31.** (A) No officer of the law shall fail to obey 14252  
forthwith an order of  ~~the voting location manager~~  an election 14253  
official and aid in enforcing a lawful order of the  ~~voting-~~ 14254  
 ~~location manager~~  at election official during  an election, 14255  
against persons  ~~unlawfully doing any of the following:~~ 14256

(1) Unlawfully congregating or loitering within one 14257  
hundred feet of a  ~~polling place,~~  hindering location where 14258  
ballots may be cast in person; 14259

(2) Hindering or delaying an elector from reaching or 14260  
leaving  ~~the polling place,~~  a location where ballots may be cast 14261  
in person or a ballot drop box; 14262

(3) Unlawfully soliciting or attempting, within one 14263  
hundred feet of  ~~the polling place~~  a location where ballots may 14264

be cast in person, to influence an elector in casting the 14265  
elector's vote, ~~or interfering;~~ 14266

(4) Interfering with the registration of voters or casting 14267  
and counting of the ballots. 14268

(B) Whoever violates division (A) of this section is 14269  
guilty of a misdemeanor of the first degree. 14270

**Sec. 3599.33.** No person, from the time ballots are cast or 14271  
counted until the time has expired for using them as evidence in 14272  
a recount or contest of election, shall willfully and with 14273  
fraudulent intent make any mark or alteration on any ballot; or 14274  
inscribe, write, or cause to be inscribed or written in or upon 14275  
a registration form or list, pollbook, tally sheet, or list, 14276  
lawfully made or kept at an election, or in or upon a book or 14277  
paper purporting to be such, or upon an election return, or upon 14278  
a book or paper containing such return the name of a person not 14279  
entitled to vote at such election or not voting thereat, or a 14280  
fictitious name, or, within such time, wrongfully change, alter, 14281  
erase, or tamper with a name, word, or figure contained in such 14282  
pollbook, tally sheet, list, book, or paper; or falsify, mark, 14283  
or write thereon with intent to defeat, hinder, or prevent a 14284  
fair expression of the will of the people at such election. 14285

Whoever violates this section is guilty of a felony of the 14286  
~~fifth~~fourth degree. 14287

**Sec. 3599.34.** No person, from the time ballots are cast or 14288  
voted until the time has expired for using them in a recount or 14289  
as evidence in a contest of election, shall unlawfully destroy 14290  
or attempt to destroy the ballots, or permit such ballots or a 14291  
ballot box or pollbook used at an election to be destroyed; or 14292  
destroy, falsify, mark, or write in a name on any such ballot 14293

that has been voted. 14294

Whoever violates this section is guilty of a felony of the 14295  
~~fifth~~fourth degree. 14296

**Sec. 3599.36.** No person, either orally or in writing, on 14297  
oath lawfully administered or in a statement made under penalty 14298  
of election falsification, shall knowingly state a falsehood as 14299  
to a material matter relating to an election in a proceeding 14300  
before a court, tribunal, or election official, or in a matter 14301  
in relation to which an oath or statement under penalty of 14302  
election falsification is authorized by law, including a 14303  
statement required for verifying or filing any declaration of 14304  
candidacy, declaration of intent to be a write-in candidate, 14305  
nominating petition, or other petition presented to or filed 14306  
with the secretary of state, a board of elections, or any other 14307  
public office for the purpose of becoming a candidate for any 14308  
elective office, including the office of a political party, for 14309  
the purpose of submitting a question or issue to the electors at 14310  
an election, or for the purpose of forming a political party. 14311

Whoever violates this section is guilty of election 14312  
falsification, a felony of the ~~fifth~~fourth degree. 14313

Every paper, card, or other document relating to any 14314  
election matter that calls for a statement to be made under 14315  
penalty of election falsification shall be accompanied by the 14316  
following statement in bold face capital letters: "Whoever 14317  
commits election falsification is guilty of a felony of the 14318  
~~fifth~~fourth degree." 14319

**Sec. 3599.39.** Any person convicted of a violation of any 14320  
provision of Title XXXV of the Revised Code, who is again 14321  
convicted of a violation of any such provision, whether such 14322



conviction is for the same offense or not, is on such second 14323  
conviction guilty of a felony of the ~~fourth~~third degree, and in 14324  
addition, shall be disfranchised. 14325

**Sec. 4109.06.** (A) This chapter does not apply to the 14326  
following: 14327

(1) Minors who are students working on any properly 14328  
guarded machines in the manual training department of any school 14329  
when the work is performed under the personal supervision of an 14330  
instructor; 14331

(2) Students participating in a career-technical or STEM 14332  
program approved by the Ohio department of education or students 14333  
participating in any eligible classes through the college credit 14334  
plus program established under Chapter 3365. of the Revised Code 14335  
that include a state-recognized pre-apprenticeship program that 14336  
imparts the skills and knowledge needed for successful 14337  
participation in a registered apprenticeship occupation course; 14338

(3) A minor participating in a play, pageant, or concert 14339  
produced by an outdoor historical drama corporation, a 14340  
professional traveling theatrical production, a professional 14341  
concert tour, or a personal appearance tour as a professional 14342  
motion picture star, or as an actor or performer in motion 14343  
pictures or in radio or television productions in accordance 14344  
with the rules adopted pursuant to division (A) of section 14345  
4109.05 of the Revised Code; 14346

(4) The participation, without remuneration of a minor and 14347  
with the consent of a parent or guardian, in a performance given 14348  
by a church, school, or academy, or at a concert or 14349  
entertainment given solely for charitable purposes, or by a 14350  
charitable or religious institution; 14351

|  |  |
|--|--|
| (5) Minors who are employed by their parents in occupations other than occupations prohibited by rule adopted under this chapter;  | 14352<br>14353<br>14354                            |
| (6) Minors engaged in the delivery of newspapers to the consumer;  | 14355<br>14356                                     |
| (7) Minors who have received a high school diploma or a certificate of attendance from an accredited secondary school or a certificate of high school equivalence;   | 14357<br>14358<br>14359                            |
| (8) Minors who are currently heads of households or are parents contributing to the support of their children;   | 14360<br>14361                                     |
| (9) Minors engaged in lawn mowing, snow shoveling, and other related employment;   | 14362<br>14363                                     |
| (10) Minors employed in agricultural employment in connection with farms operated by their parents, grandparents, or guardians where they are members of the guardians' household. Minors are not exempt from this chapter if they reside in agricultural labor camps as defined in section 3733.41 of the Revised Code; | 14364<br>14365<br>14366<br>14367<br>14368<br>14369 |
| (11) Students participating in a program to serve as <del>precinct officers</del> <u>election officials</u> as authorized by section 3501.22 of the Revised Code.  | 14370<br>14371<br>14372                            |
| (B) Sections 4109.02, 4109.08, 4109.09, and 4109.11 of the Revised Code do not apply to the following:   | 14373<br>14374                                     |
| (1) Minors who work in a sheltered workshop operated by a county board of developmental disabilities;  | 14375<br>14376                                     |
| (2) Minors performing services for a nonprofit organization where the minor receives no compensation, except for any expenses incurred by the minor or except for meals  | 14377<br>14378<br>14379                            |

provided to the minor; 14380

(3) Minors who are employed in agricultural employment and 14381  
who do not reside in agricultural labor camps. 14382

(C) Division (D) of section 4109.07 of the Revised Code 14383  
does not apply to minors who have their employment hours 14384  
established as follows: 14385

(1) A minor adjudicated to be an unruly child or 14386  
delinquent child who, as a result of the adjudication, is placed 14387  
on probation may either file a petition in the juvenile court in 14388  
whose jurisdiction the minor resides, or apply to the 14389  
superintendent or to the chief administrative officer who issued 14390  
the minor's age and schooling certificate pursuant to section 14391  
3331.01 of the Revised Code, alleging the restrictions on the 14392  
hours of employment described in division (D) of section 4109.07 14393  
of the Revised Code will cause a substantial hardship or are not 14394  
in the minor's best interests. Upon receipt of a petition or 14395  
application, the court, the superintendent, or the chief 14396  
administrative officer, as appropriate, shall consult with the 14397  
person required to supervise the minor on probation. If after 14398  
that consultation, the court, the superintendent, or the chief 14399  
administrative officer finds the minor has failed to show the 14400  
restrictions will result in a substantial hardship or that the 14401  
restrictions are not in the minor's best interests, the court, 14402  
the superintendent, or the chief administrative officer shall 14403  
uphold the restrictions. If after that consultation, the court, 14404  
the superintendent, or the chief administrative officer finds 14405  
the minor has shown the restricted hours will cause a 14406  
substantial hardship or are not in the minor's best interests, 14407  
the court, the superintendent, or the chief administrative 14408  
officer shall establish differing hours of employment for the 14409

minor and notify the minor and the minor's employer of those 14410  
hours, which shall be binding in lieu of the restrictions on the 14411  
hours of employment described in division (D) of section 4109.07 14412  
of the Revised Code. 14413

(2) Any minor to whom division (C)(1) of this section does 14414  
not apply may either file a petition in the juvenile court in 14415  
whose jurisdiction the person resides, or apply to the 14416  
superintendent or to the chief administrative officer who issued 14417  
the minor's age and schooling certificate pursuant to section 14418  
3331.01 of the Revised Code, alleging the restrictions on the 14419  
hours of employment described in division (D) of section 4109.07 14420  
of the Revised Code will cause a substantial hardship or are not 14421  
in the minor's best interests. 14422

If, as a result of a petition or application, the court, 14423  
the superintendent, or the chief administrative officer, as 14424  
appropriate, finds the minor has failed to show such 14425  
restrictions will result in a substantial hardship or that the 14426  
restrictions are not in the minor's best interests, the court, 14427  
the superintendent, or the chief administrative officer shall 14428  
uphold the restrictions. If the court, the superintendent, or 14429  
the chief administrative officer finds the minor has shown the 14430  
restricted hours will cause a substantial hardship or are not in 14431  
the minor's best interests, the court, the superintendent, or 14432  
the chief administrative officer shall establish the hours of 14433  
employment for the minor and shall notify the minor and the 14434  
minor's employer of those hours. 14435

(D) Section 4109.03, divisions (A) and (C) of section 14436  
4109.02, and division (B) of section 4109.08 of the Revised Code 14437  
do not apply to minors who are sixteen or seventeen years of age 14438  
and who are employed at a seasonal amusement or recreational 14439

establishment. 14440

(E) As used in this section, "certificate of high school 14441  
equivalence" means either: 14442

(1) A statement issued by the department of education that 14443  
the holder of the statement has achieved the equivalent of a 14444  
high school education as measured by scores obtained on a high 14445  
school equivalency test approved by the department pursuant to 14446  
division (B) of section 3301.80 of the Revised Code; 14447

(2) A statement issued by a primary-secondary education or 14448  
higher education agency of another state that the holder of the 14449  
statement has achieved the equivalent of a high school education 14450  
as measured by scores obtained on a similar nationally 14451  
recognized high school equivalency test. 14452

**Sec. 4301.353.** If a petition is filed under section 14453  
4301.332 of the Revised Code for the submission of the one or 14454  
more questions set forth in this section, a special election 14455  
shall be held in the precinct as ordered by the board of 14456  
elections under that section. The expense of holding the special 14457  
election shall be charged to the municipal corporation or 14458  
township of which the precinct is a part. 14459

At the election, one or both of the following questions as 14460  
designated in a valid petition shall be submitted to the 14461  
electors of the precinct concerning sales on days of the week 14462  
other than Sunday: 14463

(A) "Shall the sales of (insert one or both of the 14464  
following: beer, or wine and mixed beverages) by the package, 14465  
under permits that authorize sale for off-premises consumption 14466  
only, be permitted in a portion of this precinct in which the 14467  
status of the sale of (insert one or both of the following: 14468

beer, or wine and mixed beverages) as allowed or prohibited is 14469  
inconsistent with the status of such sale in the remainder of 14470  
the precinct?" 14471

(B) "Shall the sale of (insert one or more of the 14472  
following: beer, wine and mixed beverages, or spirituous 14473  
liquor), under permits that authorize sale for on-premises 14474  
consumption only, and under permits that authorize sale for both 14475  
on-premises and off-premises consumption, be permitted in a 14476  
portion of this precinct in which the status of the sale of 14477  
(insert one or more of the following: beer, wine and mixed 14478  
beverages, or spirituous liquor) as allowed or prohibited is 14479  
inconsistent with the status of such sale in the remainder of 14480  
the precinct?" 14481

The board of elections shall furnish printed ballots at 14482  
the special election as provided under section 3505.06 of the 14483  
Revised Code, except that a separate ballot shall be used for 14484  
the special election. One or both of the questions set forth in 14485  
this section shall be printed on each ballot and the board shall 14486  
insert in the question and statement appropriate words to 14487  
complete each and a description of the portion of the precinct 14488  
that would be affected by the results of the election. 14489

The description of the portion of the precinct shall 14490  
include either the complete listing of street addresses in that 14491  
portion or a condensed text that accurately describes the 14492  
boundaries of the portion of the precinct by street name or by 14493  
another name generally known by the residents of the portion of 14494  
the precinct. If other than a full street listing is used, the 14495  
full street listing also shall be posted in each ~~polling place~~ 14496  
location where ballots may be cast in person in a location that 14497  
is easily accessible to all voters. Failure of the board of 14498

elections to completely and accurately list all street addresses 14499  
in the affected area of the precinct does not affect the 14500  
validity of the election at which the failure occurred and is 14501  
not grounds for contesting an election under section 3515.08 of 14502  
the Revised Code. Votes shall be cast as provided under section 14503  
3505.06 of the Revised Code. 14504

**Sec. 4301.354.** (A) If a petition is filed under section 14505  
4301.332 of the Revised Code for the submission of one or more 14506  
questions set forth in this section, a special election shall be 14507  
held in the precinct as ordered by the board of elections under 14508  
that section. The expense of holding the special election shall 14509  
be charged to the municipal corporation or township of which the 14510  
precinct is a part. 14511

(B) At the election, one or more of the following 14512  
questions, as designated in a valid petition, shall be submitted 14513  
to the electors of the precinct concerning Sunday sales: 14514

(1) "Shall the sale of intoxicating liquor be permitted in 14515  
a portion of this precinct between the hours of eleven a.m. and 14516  
midnight on Sunday for consumption on the premises where sold, 14517  
where the status of such Sunday sales as allowed or prohibited 14518  
is inconsistent with the status of such Sunday sales in the 14519  
remainder of the precinct?" 14520

(2) "Shall the sale of intoxicating liquor be permitted in 14521  
a portion of this precinct between the hours of eleven a.m. and 14522  
midnight on Sunday for consumption on the premises where sold at 14523  
licensed premises where the sale of food and other goods exceeds 14524  
fifty per cent of the total gross receipts of the permit holder 14525  
at the premises, where the status of such Sunday sales as 14526  
allowed or prohibited is inconsistent with the status of such 14527  
Sunday sales in the remainder of the precinct?" 14528

(3) "Shall the sale of wine and mixed beverages be 14529  
permitted in a portion of this precinct between the hours of 14530  
eleven a.m. and midnight on Sunday for consumption off the 14531  
premises where sold, where the status of such Sunday sales as 14532  
allowed or prohibited is inconsistent with the status of such 14533  
Sunday sales in the remainder of the precinct?" 14534

(C) At the election, one or more of the following 14535  
questions, as designated in a valid petition, shall be submitted 14536  
to the electors of the precinct concerning Sunday sales: 14537

(1) "Shall the sale of intoxicating liquor be permitted in 14538  
a portion of this precinct between the hours of ten a.m. and 14539  
midnight on Sunday for consumption on the premises where sold, 14540  
where the status of such Sunday sales as allowed or prohibited 14541  
is inconsistent with the status of such Sunday sales in the 14542  
remainder of the precinct?" 14543

(2) "Shall the sale of intoxicating liquor be permitted in 14544  
a portion of this precinct between the hours of ten a.m. and 14545  
midnight on Sunday for consumption on the premises where sold at 14546  
licensed premises where the sale of food and other goods exceeds 14547  
fifty per cent of the total gross receipts of the permit holder 14548  
at the premises, where the status of such Sunday sales as 14549  
allowed or prohibited is inconsistent with the status of such 14550  
Sunday sales in the remainder of the precinct?" 14551

(3) "Shall the sale of wine and mixed beverages be 14552  
permitted in a portion of this precinct between the hours of ten 14553  
a.m. and midnight on Sunday for consumption off the premises 14554  
where sold, where the status of such Sunday sales as allowed or 14555  
prohibited is inconsistent with the status of such Sunday sales 14556  
in the remainder of the precinct?" 14557



(D) The board of elections shall furnish printed ballots 14558  
at the special election as provided under section 3505.06 of the 14559  
Revised Code, except that a separate ballot shall be used for 14560  
the special election. The one or more questions set forth in 14561  
divisions (B) and (C) of this section shall be printed on each 14562  
ballot, and the board shall insert in the questions appropriate 14563  
words to complete each and a description of the portion of the 14564  
precinct that would be affected by the results of the election. 14565

The description of the portion of the precinct shall 14566  
include either the complete listing of street addresses in that 14567  
portion or a condensed text that accurately describes the 14568  
boundaries of the portion of the precinct by street name or by 14569  
another name generally known by the residents of the portion of 14570  
the precinct. If other than a full street listing is used, the 14571  
full street listing also shall be posted in each ~~polling place~~ 14572  
location where ballots may be cast in person in a location that 14573  
is easily accessible to all voters. Failure of the board of 14574  
elections to completely and accurately list all street addresses 14575  
in the affected area of the precinct does not affect the 14576  
validity of the election at which the failure occurred and is 14577  
not grounds for contesting an election under section 3515.08 of 14578  
the Revised Code. Votes shall be cast as provided under section 14579  
3505.06 of the Revised Code. 14580

**Sec. 4507.06.** (A) (1) Every application for a driver's 14581  
license, motorcycle operator's license or endorsement, or motor- 14582  
driven cycle or motor scooter license or endorsement, or 14583  
duplicate of any such license or endorsement, shall be made upon 14584  
the approved form furnished by the registrar of motor vehicles 14585  
and shall be signed by the applicant. 14586

Every application shall state the following: 14587

(a) The applicant's name, date of birth, social security number if such has been assigned, sex, general description, including height, weight, color of hair, and eyes, residence address, including county of residence, duration of residence in this state, and country of citizenship; 14588  
14589  
14590  
14591  
14592

(b) Whether the applicant previously has been licensed as an operator, chauffeur, driver, commercial driver, or motorcycle operator and, if so, when, by what state, and whether such license is suspended or canceled at the present time and, if so, the date of and reason for the suspension or cancellation; 14593  
14594  
14595  
14596  
14597

(c) Whether the applicant is now or ever has been afflicted with epilepsy, or whether the applicant now is suffering from any physical or mental disability or disease and, if so, the nature and extent of the disability or disease, giving the names and addresses of physicians then or previously in attendance upon the applicant; 14598  
14599  
14600  
14601  
14602  
14603

(d) Whether an applicant for a duplicate driver's license, duplicate license containing a motorcycle operator endorsement, or duplicate license containing a motor-driven cycle or motor scooter endorsement has pending a citation for violation of any motor vehicle law or ordinance, a description of any such citation pending, and the date of the citation; 14604  
14605  
14606  
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14609

(e) If an applicant has not certified the applicant's willingness to make an anatomical gift under section 2108.05 of the Revised Code, whether the applicant wishes to certify willingness to make such an anatomical gift, which shall be given no consideration in the issuance of a license or endorsement; 14610  
14611  
14612  
14613  
14614  
14615

(f) Whether the applicant has executed a valid durable 14616

power of attorney for health care pursuant to sections 1337.11 14617  
to 1337.17 of the Revised Code or has executed a declaration 14618  
governing the use or continuation, or the withholding or 14619  
withdrawal, of life-sustaining treatment pursuant to sections 14620  
2133.01 to 2133.15 of the Revised Code and, if the applicant has 14621  
executed either type of instrument, whether the applicant wishes 14622  
the applicant's license to indicate that the applicant has 14623  
executed the instrument; 14624

(g) On and after October 7, 2009, whether the applicant is 14625  
a veteran, active duty, or reservist of the armed forces of the 14626  
United States and, if the applicant is such, whether the 14627  
applicant wishes the applicant's license to indicate that the 14628  
applicant is a veteran, active duty, or reservist of the armed 14629  
forces of the United States by a military designation on the 14630  
license. 14631

(2) Every applicant for a driver's license shall be 14632  
photographed in color at the time the application for the 14633  
license is made. The application shall state any additional 14634  
information that the registrar requires. 14635

(B) The registrar or a deputy registrar, in accordance 14636  
with section 3503.11 of the Revised Code, shall register as an 14637  
elector any person who applies for a license or endorsement 14638  
under division (A) of this section, or for a renewal or 14639  
duplicate of the license or endorsement, if the applicant is 14640  
eligible and wishes to be registered as an elector. The decision 14641  
of an applicant whether to register as an elector shall be given 14642  
no consideration in the decision of whether to issue the 14643  
applicant a license or endorsement, or a renewal or duplicate. 14644

(C) The registrar or a deputy registrar, in accordance 14645  
with section 3503.11 of the Revised Code, shall offer the 14646

opportunity of completing a notice of change of residence ~~or,~~ 14647  
change of name, or change of political party affiliation to any 14648  
applicant for a driver's license or endorsement under division 14649  
(A) of this section, or for a renewal or duplicate of the 14650  
license or endorsement, if the applicant is a registered elector 14651  
who has changed the applicant's residence ~~or, name, or political~~ 14652  
party affiliation and has not filed such a notice. 14653

(D) In addition to any other information it contains, on 14654  
and after October 7, 2009, the approved form furnished by the 14655  
registrar of motor vehicles for an application for a license or 14656  
endorsement or an application for a duplicate of any such 14657  
license or endorsement shall inform applicants that the 14658  
applicant must present a copy of the applicant's DD-214 or an 14659  
equivalent document in order to qualify to have the license or 14660  
duplicate indicate that the applicant is a veteran, active duty, 14661  
or reservist of the armed forces of the United States based on a 14662  
request made pursuant to division (A) (1) (g) of this section. 14663

**Section 2.** That existing sections 111.26, 111.44, 124.57, 14664  
149.43, 302.041, 303.12, 307.96, 519.12, 718.01, 3313.77, 14665  
3501.01, 3501.012, 3501.05, 3501.051, 3501.11, 3501.13, 3501.15, 14666  
3501.17, 3501.18, 3501.21, 3501.22, 3501.221, 3501.27, 3501.28, 14667  
3501.29, 3501.30, 3501.31, 3501.32, 3501.33, 3501.34, 3501.35, 14668  
3501.36, 3501.37, 3501.38, 3501.382, 3501.90, 3503.01, 3503.02, 14669  
3503.09, 3503.10, 3503.11, 3503.12, 3503.13, 3503.14, 3503.15, 14670  
3503.16, 3503.19, 3503.20, 3503.21, 3503.23, 3503.24, 3503.26, 14671  
3503.28, 3503.30, 3503.33, 3504.01, 3504.02, 3504.04, 3504.05, 14672  
3505.01, 3505.03, 3505.06, 3505.08, 3505.10, 3505.11, 3505.12, 14673  
3505.16, 3505.17, 3505.18, 3505.181, 3505.182, 3505.183, 14674  
3505.20, 3505.21, 3505.22, 3505.23, 3505.24, 3505.26, 3505.27, 14675  
3505.28, 3505.30, 3505.31, 3505.32, 3505.331, 3506.01, 3506.02, 14676  
3506.021, 3506.03, 3506.04, 3506.05, 3506.06, 3506.07, 3506.12, 14677

3506.14, 3506.15, 3506.19, 3506.21, 3506.23, 3509.01, 3509.021, 14678  
3509.03, 3509.04, 3509.05, 3509.06, 3509.07, 3509.08, 3511.01, 14679  
3511.011, 3511.02, 3511.021, 3511.03, 3511.04, 3511.05, 14680  
3511.051, 3511.08, 3511.09, 3511.11, 3511.12, 3511.14, 3511.15, 14681  
3511.16, 3513.05, 3513.052, 3513.07, 3513.13, 3513.15, 3513.17, 14682  
3513.18, 3513.191, 3513.192, 3513.22, 3513.261, 3513.30, 14683  
3513.31, 3513.311, 3513.32, 3515.01, 3517.01, 3517.012, 14684  
3517.013, 3517.08, 3519.05, 3599.02, 3599.06, 3599.07, 3599.11, 14685  
3599.12, 3599.17, 3599.18, 3599.19, 3599.20, 3599.21, 3599.24, 14686  
3599.25, 3599.26, 3599.27, 3599.28, 3599.29, 3599.31, 3599.33, 14687  
3599.34, 3599.36, 3599.39, 4109.06, 4301.353, 4301.354, and 14688  
4507.06 of the Revised Code are hereby repealed. 14689

**Section 3.** That sections 111.31, 3501.23, 3501.26, 14690  
3503.111, 3503.29, 3505.29, 3506.08, 3506.09, 3506.10, 3506.11, 14691  
3506.13, 3506.18, 3506.22, 3509.02, 3509.051, 3509.09, 3509.10, 14692  
3511.06, 3511.07, 3511.10, 3511.13, 3513.19, 3513.20, 3513.21, 14693  
3517.014, and 3517.016 of the Revised Code are hereby repealed. 14694

**Section 4.** The General Assembly, applying the principle 14695  
stated in division (B) of section 1.52 of the Revised Code that 14696  
amendments are to be harmonized if reasonably capable of 14697  
simultaneous operation, finds that the following sections, 14698  
presented in this act as composites of the sections as amended 14699  
by the acts indicated, are the resulting versions of the 14700  
sections in effect prior to the effective date of the sections 14701  
as presented in this act: 14702

Section 3501.29 of the Revised Code as amended by both 14703  
S.B. 10 and S.B. 109 of the 130th General Assembly. 14704

Section 3501.35 of the Revised Code as amended by both 14705  
S.B. 10 and S.B. 109 of the 130th General Assembly. 14706

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| Section 3503.21 of the Revised Code as amended by both     | 14707 |
| H.B. 359 and S.B. 63 of the 131st General Assembly.        | 14708 |
| Section 3505.08 of the Revised Code as amended by both     | 14709 |
| S.B. 109 and S.B. 193 of the 130th General Assembly.       | 14710 |
| Section 3505.18 of the Revised Code as amended by S.B. 47, | 14711 |
| S.B. 109, and S.B. 216, all of the 130th General Assembly. | 14712 |
| Section 3505.23 of the Revised Code as amended by both     | 14713 |
| S.B. 10 and S.B. 109 of the 130th General Assembly.        | 14714 |
| Section 3505.24 of the Revised Code as amended by S.B. 10, | 14715 |
| S.B. 109, and S.B. 205, all of the 130th General Assembly. | 14716 |