

**As Introduced**

**133rd General Assembly  
Regular Session  
2019-2020**

**H. B. No. 680**

**Representative Abrams**

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**A BILL**

To amend sections 3509.03, 3509.04, 3509.08, 1  
3511.02, 3511.04, and 3511.10 and to enact 2  
sections 3501.19, 3701.02, and 3709.212 of the 3  
Revised Code to create a procedure to conduct an 4  
election entirely by mail in the case of a 5  
public health emergency, to modify certain 6  
deadlines for absent voting, and to direct the 7  
Secretary of State's use of federal CARES Act 8  
funds. 9

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

**Section 1.** That sections 3509.03, 3509.04, 3509.08, 10  
3511.02, 3511.04, and 3511.10 be amended and sections 3501.19, 11  
3701.02, and 3709.212 of the Revised Code be enacted to read as 12  
follows: 13

**Sec. 3501.19.** (A) In the case of a public health 14  
emergency, not later than the sixtieth day before the day of an 15  
election, the governor and the director of health may jointly 16  
recommend to the general assembly that the election be conducted 17  
in accordance with division (B) of this section. That 18  
recommendation shall be valid only if, not later than the third 19

day after the governor and the director make the recommendation, 20  
the general assembly adopts a joint resolution approving the 21  
recommendation. 22

(B) If the general assembly approves a recommendation 23  
under division (A) of this section concerning an election, then 24  
notwithstanding any contrary provision of the Revised Code, all 25  
of the following shall apply with respect to the election: 26

(1) All polling places shall be closed on the day of the 27  
election, and absent voter's ballots and provisional ballots 28  
shall not be available to cast in person for the election, 29  
except as permitted under this section. 30

(2) As soon as possible after the joint resolution is 31  
adopted and filed with the secretary of state, the secretary of 32  
state shall send a postcard to each registered elector in this 33  
state, notifying the elector of the procedures to apply for and 34  
return absent voter's ballots and the applicable deadlines. 35

(3) (a) Any elector may apply to receive absent voter's 36  
ballots by mail in accordance with Chapters 3509. and 3511. of 37  
the Revised Code. 38

(b) If the board of elections determines that an 39  
application submitted under division (B) (3) (a) of this section 40  
is valid, the board promptly shall deliver absent voter's 41  
ballots to the elector. The board shall deliver those ballots by 42  
mail, except as otherwise provided in division (B) (4) of this 43  
section and except in the case of an elector whom the board 44  
assists in casting the elector's ballots in accordance with 45  
section 3509.08 of the Revised Code. 46

(c) If the board of elections determines that an 47  
application submitted under division (B) (3) (a) of this section 48

is not valid because the applicant is an elector who has moved 49  
or had a change of name without updating the elector's 50  
registration, as described in section 3503.16 of the Revised 51  
Code, or for any other reason, the board promptly shall deliver 52  
a provisional ballot to the applicant. The board shall deliver 53  
the ballot by mail, except as otherwise provided in division (B) 54  
(4) of this section and except in the case of an elector whom 55  
the board assists in casting the elector's ballot in accordance 56  
with section 3509.08 of the Revised Code. The board shall 57  
include all of the following with the provisional ballot: 58

(i) The reason the applicant has received a provisional 59  
ballot instead of absent voter's ballots; 60

(ii) Instructions for the applicant to complete the 61  
provisional ballot affirmation, including an option to submit a 62  
copy of a form of identification described in section 3505.182 63  
of the Revised Code; 64

(iii) Instructions for the applicant to return the 65  
provisional ballot in the same manner as absent voter's ballots 66  
and a return envelope in which the applicant may return the 67  
provisional ballot; 68

(iv) Instructions for the applicant to ascertain the 69  
status of the applicant's provisional ballot, as described in 70  
section 3505.181 of the Revised Code. 71

(4) An elector to whom one of the following applies may 72  
appear at the office of the board of elections not later than 73  
seven-thirty p.m. on the day of the election and cast absent 74  
voter's ballots or a provisional ballot, as applicable, in 75  
person: 76

(a) An elector who has a disability and who wishes to cast 77

ballots using a direct recording electronic voting machine or 78  
marking device that is accessible for voters with disabilities, 79  
including nonvisual accessibility for the blind and visually 80  
impaired, in a manner that provides the same opportunity for 81  
access and participation, including privacy and independence, as 82  
for other voters. Each board shall have at least one such 83  
machine or device available for use at the office of the board. 84

(b) An elector who is unable to receive mail at the place 85  
where the elector resides or at another location. 86

(5) An elector who submitted an application for absent 87  
voter's ballots under this section not later than the applicable 88  
deadline but who has not received the elector's ballots or whose 89  
ballots are lost, stolen, destroyed, or defaced may appear at 90  
the office of the board of elections not later than seven-thirty 91  
p.m. on the day of the election and cast a provisional ballot in 92  
person. The board shall process the provisional ballot in 93  
accordance with sections 3505.183, 3509.09, and 3511.13 of the 94  
Revised Code, and the provisional ballot shall not be eligible 95  
to be counted if the board determines that the elector did not 96  
submit an application for absent voter's ballots under this 97  
section not later than the applicable deadline. 98

(6) All persons waiting in line to cast ballots in person 99  
under division (B) (4) or (5) of this section as of seven-thirty 100  
p.m. on the day of the election shall be permitted to cast 101  
ballots. 102

(7) The board of elections shall place a secure receptacle 103  
outside the office of the board for the return of ballots under 104  
this section. 105

(8) In all other respects, the election shall be conducted 106

as provided under Title XXXV of the Revised Code. 107

**Sec. 3509.03.** (A) Except as provided in division (B) of 108  
section 3509.08 of the Revised Code, any qualified elector 109  
desiring to vote absent voter's ballots at an election shall 110  
make written application for those ballots to the director of 111  
elections of the county in which the elector's voting residence 112  
is located. 113

(B) Except as otherwise provided in division (C) of this 114  
section, the application need not be in any particular form but 115  
shall contain all of the following: 116

(1) The elector's name; 117

(2) The elector's signature; 118

(3) The address at which the elector is registered to 119  
vote; 120

(4) The elector's date of birth; 121

(5) One of the following: 122

(a) The elector's driver's license number; 123

(b) The last four digits of the elector's social security 124  
number; 125

(c) A copy of the elector's current and valid photo 126  
identification, a copy of a military identification, or a copy 127  
of a current utility bill, bank statement, government check, 128  
paycheck, or other government document, other than a notice of 129  
voter registration mailed by a board of elections under section 130  
3503.19 of the Revised Code, that shows the name and address of 131  
the elector. 132

(6) A statement identifying the election for which absent 133

voter's ballots are requested;	134
(7) A statement that the person requesting the ballots is a qualified elector;	135 136
(8) If the request is for primary election ballots, the elector's party affiliation;	137 138
(9) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed.	139 140
(C) If the elector has a confidential voter registration record, as described in section 111.44 of the Revised Code, the elector may provide the elector's program participant identification number instead of the address at which the elector is registered to vote.	141 142 143 144 145
(D) Each application for absent voter's ballots shall be delivered to the director not earlier than the first day of January of the year of the elections for which the absent voter's ballots are requested or not earlier than ninety days before the day of the election at which the ballots are to be voted, whichever is earlier, <del>and</del> . <u>An application to receive absent voter's ballots by mail shall be delivered to the director not later than twelve noon of the <del>third-tenth</del> 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.</u> <u>A person who wishes to receive absent voter's ballots in person <del>to</del> at the office of the board shall appear at the office of the board not later than six p.m. on the last Friday before the day of the election.</u>	146 147 148 149 150 151 152 153 154 155 156 157 158 159 160
(E) <del>A</del> <u>If the secretary of state or a board of elections that mails an absent voter's ballot application to an elector</u>	161 162

~~under this section, the secretary of state or the board, as~~ 163  
~~applicable,~~ shall not prepay the return postage for that 164  
application. 165

(F) Except as otherwise provided in this section and in 166  
sections 3505.24 and 3509.08 of the Revised Code, an election 167  
official shall not fill out any portion of an application for 168  
absent voter's ballots on behalf of an applicant. The secretary 169  
of state or a board of elections may preprint only an 170  
applicant's name and address on an application for absent 171  
voter's ballots before mailing that application to the 172  
applicant, except that if the applicant has a confidential voter 173  
registration record, the secretary of state or a board of 174  
elections shall not preprint the applicant's address on the 175  
application. 176

**Sec. 3509.04.** (A) If a director of a board of elections 177  
receives an application for absent voter's ballots that does not 178  
contain all of the required information, the director promptly 179  
shall notify the applicant of the additional information 180  
required to be provided by the applicant to complete that 181  
application. 182

(B) Upon receipt by the director of elections of an 183  
application for absent voter's ballots that contains all of the 184  
required information, as provided by section 3509.03 and 185  
division (G) of section 3503.16 of the Revised Code, the 186  
director, if the director finds that the applicant is a 187  
qualified elector, shall deliver to the applicant in person or 188  
mail directly to the applicant by special delivery mail, air 189  
mail, or regular mail, postage prepaid, proper absent voter's 190  
ballots. The director shall deliver or mail with the ballots an 191  
unsealed identification envelope upon the face of which shall be 192

printed a form substantially as follows: 193

"Identification Envelope Statement of Voter 194

I, \_\_\_\_\_ (Name of voter), declare under 195  
penalty of election falsification that the within ballot or 196  
ballots contained no voting marks of any kind when I received 197  
them, and I caused the ballot or ballots to be marked, enclosed 198  
in the identification envelope, and sealed in that envelope. 199

My voting residence in Ohio is 200

\_\_\_\_\_ 201

(Street and Number, if any, or Rural Route and Number) 202

of \_\_\_\_\_ (City, Village, or Township) 203  
Ohio, which is in Ward \_\_\_\_\_ Precinct \_\_\_\_\_ 204  
in that city, village, or township. 205

If I have a confidential voter registration record, I am 206  
providing my program participant identification number instead 207  
of my residence address: \_\_\_\_\_ 208

The primary election ballots, if any, within this envelope 209  
are primary election ballots of the \_\_\_\_\_ Party. 210

Ballots contained within this envelope are to be voted at 211  
the \_\_\_\_\_ (general, special, or primary) election to be 212  
held on the \_\_\_\_\_ day of 213  
\_\_\_\_\_, \_\_\_\_\_. 214

My date of birth is \_\_\_\_\_ (Month and Day), 215  
\_\_\_\_\_ (Year). 216

(Voter must provide one of the following:) 217

My driver's license number is \_\_\_\_\_ (Driver's 218  
license number). 219



The last four digits of my Social Security Number are	220
_____ (Last four digits of Social Security Number).	221
_____ In lieu of providing a driver's license number or	222
the last four digits of my Social Security Number, I am	223
enclosing a copy of one of the following in the return envelope	224
in which this identification envelope will be mailed: a current	225
and valid photo identification, a military identification, or a	226
current utility bill, bank statement, government check,	227
paycheck, or other government document, other than a notice of	228
voter registration mailed by a board of elections, that shows my	229
name and address.	230
I hereby declare, under penalty of election falsification,	231
that the statements above are true, as I verily believe.	232
_____	233
(Signature of Voter)	234
WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF	235
THE FIFTH DEGREE."	236
The director shall mail with the ballots and the unsealed	237
identification envelope an unsealed return envelope upon the	238
face of which shall be printed the official title and post-	239
office address of the director. In the upper left corner on the	240
face of the return envelope, several blank lines shall be	241
printed upon which the voter may write the voter's name and	242
return address. The return envelope shall be of such size that	243
the identification envelope can be conveniently placed within it	244
for returning the identification envelope to the director.	245
<del>A The secretary of state or a board of elections that</del>	246
<del>mails or otherwise delivers absent voter's ballots to an elector</del>	247
<del>under this section shall not prepay the return postage for those</del>	248

on any absent voter's ballots. 249

Except as otherwise provided in this section and in 250  
sections 3505.24 and 3509.08 of the Revised Code, an election 251  
official shall not fill out any portion of an identification 252  
envelope statement of voter or an absent voter's ballot on 253  
behalf of an elector. A board of elections may preprint only an 254  
elector's name and address on an identification envelope 255  
statement of voter before mailing absent voter's ballots to the 256  
elector, except that if the elector has a confidential voter 257  
registration record, as described in section 111.44 of the 258  
Revised Code, the board of elections shall not preprint the 259  
elector's address on the identification envelope statement of 260  
voter. 261

**Sec. 3509.08.** (A) Any qualified elector, who, on account 262  
of the elector's own personal illness, physical disability, or 263  
infirmity, or on account of the elector's confinement in a jail 264  
or workhouse under sentence for a misdemeanor or awaiting trial 265  
on a felony or misdemeanor, will be unable to travel from the 266  
elector's home or place of confinement to the voting booth in 267  
the elector's precinct on the day of any general, special, or 268  
primary election may make application in writing for an absent 269  
voter's ballot to the director of the board of elections of the 270  
elector's county. The application shall include all of the 271  
information required under section 3509.03 of the Revised Code 272  
and shall state the nature of the elector's illness, physical 273  
disability, or infirmity, or the fact that the elector is 274  
confined in a jail or workhouse and the elector's resultant 275  
inability to travel to the election booth in the elector's 276  
precinct on election day. The application shall not be valid if 277  
it is delivered to the director before the ninetieth day or 278  
after twelve noon of the ~~third-tenth~~ day before the day of the 279

election at which the ballot is to be voted. 280

The absent voter's ballot may be mailed directly to the 281  
applicant at the applicant's voting residence or place of 282  
confinement as stated in the applicant's application, or the 283  
board may designate two board employees belonging to the two 284  
major political parties for the purpose of delivering the ballot 285  
to the disabled or confined elector and returning it to the 286  
board, unless the applicant is confined to a public or private 287  
institution within the county, in which case the board shall 288  
designate two board employees belonging to the two major 289  
political parties for the purpose of delivering the ballot to 290  
the disabled or confined elector and returning it to the board. 291  
In all other instances, the ballot shall be returned to the 292  
office of the board in the manner prescribed in section 3509.05 293  
of the Revised Code. 294

Any disabled or confined elector who declares to the two 295  
board employees belonging to the two major political parties 296  
that the elector is unable to mark the elector's ballot by 297  
reason of physical infirmity that is apparent to the employees 298  
to be sufficient to incapacitate the voter from marking the 299  
elector's ballot properly, may receive, upon request, the 300  
assistance of the employees in marking the elector's ballot, and 301  
they shall thereafter give no information in regard to this 302  
matter. Such assistance shall not be rendered for any other 303  
cause. 304

When two board employees belonging to the two major 305  
political parties deliver a ballot to a disabled or confined 306  
elector, each of the employees shall be present when the ballot 307  
is delivered, when assistance is given, and when the ballot is 308  
returned to the office of the board, and shall subscribe to the 309

declaration on the identification envelope. 310

The secretary of state shall prescribe the form of 311  
application for absent voter's ballots under this division. 312

This chapter applies to disabled and confined absent 313  
voter's ballots except as otherwise provided in this section. 314

(B) (1) Any qualified elector who is unable to travel to 315  
the voting booth in the elector's precinct on the day of any 316  
general, special, or primary election may apply to the director 317  
of the board of elections of the county where the elector is a 318  
qualified elector to vote in the election by absent voter's 319  
ballot if either of the following apply: 320

(a) The elector is confined in a hospital as a result of 321  
an accident or unforeseeable medical emergency occurring before 322  
the election; 323

(b) The elector's minor child is confined in a hospital as 324  
a result of an accident or unforeseeable medical emergency 325  
occurring before the election. 326

(2) The application authorized under division (B) (1) of 327  
this section shall be made in writing, shall include all of the 328  
information required under section 3509.03 of the Revised Code, 329  
and shall be delivered to the director not later than three p.m. 330  
on the day of the election. The application shall indicate the 331  
hospital where the applicant or the applicant's child is 332  
confined, the date of the applicant's or the applicant's child's 333  
admission to the hospital, and the offices for which the 334  
applicant is qualified to vote. The applicant may also request 335  
that a member of the applicant's family, as listed in section 336  
3509.05 of the Revised Code, deliver the absent voter's ballot 337  
to the applicant. The director, after establishing to the 338

director's satisfaction the validity of the circumstances 339  
claimed by the applicant, shall supply an absent voter's ballot 340  
to be delivered to the applicant. When the applicant or the 341  
applicant's child is in a hospital in the county where the 342  
applicant is a qualified elector and no request is made for a 343  
member of the family to deliver the ballot, the director shall 344  
arrange for the delivery of an absent voter's ballot to the 345  
applicant, and for its return to the office of the board, by two 346  
board employees belonging to the two major political parties 347  
according to the procedures prescribed in division (A) of this 348  
section. When the applicant or the applicant's child is in a 349  
hospital outside the county where the applicant is a qualified 350  
elector and no request is made for a member of the family to 351  
deliver the ballot, the director shall arrange for the delivery 352  
of an absent voter's ballot to the applicant by mail, and the 353  
ballot shall be returned to the office of the board in the 354  
manner prescribed in section 3509.05 of the Revised Code. 355

(3) Any qualified elector who is eligible to vote under 356  
division (B) or (C) of section 3503.16 of the Revised Code but 357  
is unable to do so because of the circumstances described in 358  
division (B)(2) of this section may vote in accordance with 359  
division (B)(1) of this section if that qualified elector states 360  
in the application for absent voter's ballots that that 361  
qualified elector moved or had a change of name under the 362  
circumstances described in division (B) or (C) of section 363  
3503.16 of the Revised Code and if that qualified elector 364  
complies with divisions (G)(1) to (4) of section 3503.16 of the 365  
Revised Code. 366

(C) Any qualified elector described in division (A) or (B) 367  
(1) of this section who needs no assistance to vote or to return 368  
absent voter's ballots to the board of elections may apply for 369

absent voter's ballots under section 3509.03 of the Revised Code 370  
instead of applying for them under this section. 371

**Sec. 3511.02.** (A) Notwithstanding any section of the 372  
Revised Code to the contrary, whenever any person applies for 373  
registration as a voter on a form adopted in accordance with 374  
federal regulations relating to the "Uniformed and Overseas 375  
Citizens Absentee Voting Act," 100 Stat. 924, 42 U.S.C.A. 1973ff 376  
(1986), this application shall be sufficient for voter 377  
registration and as a request for an absent voter's ballot. 378  
Uniformed services or overseas absent voter's ballots may be 379  
obtained by any person meeting the requirements of section 380  
3511.011 of the Revised Code by applying electronically to the 381  
secretary of state or to the board of elections of the county in 382  
which the person's voting residence is located in accordance 383  
with section 3511.021 of the Revised Code or by applying to the 384  
director of the board of elections of the county in which the 385  
person's voting residence is located, in one of the following 386  
ways: 387

(1) That person may make written application for those 388  
ballots. The person may personally deliver the application to 389  
the director or may mail it, send it by facsimile machine, send 390  
it by electronic mail, send it through internet delivery if such 391  
delivery is offered by the board of elections or the secretary 392  
of state, or otherwise send it to the director. Except as 393  
otherwise provided in division (B) of this section, the 394  
application need not be in any particular form but shall contain 395  
all of the following information: 396

(a) The elector's name; 397

(b) The elector's signature; 398

(c) The address at which the elector is registered to vote;	399 400
(d) The elector's date of birth;	401
(e) One of the following:	402
(i) The elector's driver's license number;	403
(ii) The last four digits of the elector's social security number;	404 405
(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.	406 407 408 409 410 411 412
(f) A statement identifying the election for which absent voter's ballots are requested;	413 414
(g) A statement that the person requesting the ballots is a qualified elector;	415 416
(h) A statement that the elector is an absent uniformed services voter or overseas voter as defined in 42 U.S.C. 1973ff- 6;	417 418 419
(i) A statement of the elector's length of residence in the state immediately preceding the commencement of service, immediately preceding the date of leaving to be with or near the service member, or immediately preceding leaving the United States, or a statement that the elector's parent or legal guardian resided in this state long enough to establish residency for voting purposes immediately preceding leaving the	420 421 422 423 424 425 426

United States, whichever is applicable;	427
(j) If the request is for primary election ballots, the	428
elector's party affiliation;	429
(k) If the elector desires ballots to be mailed to the	430
elector, the address to which those ballots shall be mailed;	431
(l) If the elector desires ballots to be sent to the	432
elector by facsimile machine, the telephone number to which they	433
shall be so sent;	434
(m) If the elector desires ballots to be sent to the	435
elector by electronic mail or, if offered by the board of	436
elections or the secretary of state, through internet delivery,	437
the elector's electronic mail address or other internet contact	438
information.	439
(2) A voter or any relative of a voter listed in division	440
(A) (3) of this section may use a single federal post card	441
application to apply for uniformed services or overseas absent	442
voter's ballots for use at the primary and general elections in	443
a given year and any special election to be held on the day in	444
that year specified by division (E) of section 3501.01 of the	445
Revised Code for the holding of a primary election, designated	446
by the general assembly for the purpose of submitting	447
constitutional amendments proposed by the general assembly to	448
the voters of the state. A single federal postcard application	449
shall be processed by the board of elections pursuant to section	450
3511.04 of the Revised Code the same as if the voter had applied	451
separately for uniformed services or overseas absent voter's	452
ballots for each election.	453
(3) Application to have uniformed services or overseas	454
absent voter's ballots mailed or sent by facsimile machine to	455



such a person may be made by the spouse, father, mother, father- 456  
in-law, mother-in-law, grandfather, grandmother, brother or 457  
sister of the whole blood or half blood, son, daughter, adopting 458  
parent, adopted child, stepparent, stepchild, daughter-in-law, 459  
son-in-law, uncle, aunt, nephew, or niece of such a person. The 460  
application shall be in writing upon a blank form furnished only 461  
by the director or on a single federal post card as provided in 462  
division (A) (2) of this section. The form of the application 463  
shall be prescribed by the secretary of state. The director 464  
shall furnish that blank form to any of the relatives specified 465  
in this division desiring to make the application, only upon the 466  
request of such a relative made in person at the office of the 467  
board or upon the written request of such a relative mailed to 468  
the office of the board. Except as otherwise provided in 469  
division (B) of this section, the application, subscribed and 470  
sworn to by the applicant, shall contain all of the following: 471

(a) The full name of the elector for whom ballots are 472  
requested; 473

(b) A statement that the elector is an absent uniformed 474  
services voter or overseas voter as defined in 42 U.S.C. 1973ff- 475  
6; 476

(c) The address at which the elector is registered to 477  
vote; 478

(d) A statement identifying the elector's length of 479  
residence in the state immediately preceding the commencement of 480  
service, immediately preceding the date of leaving to be with or 481  
near a service member, or immediately preceding leaving the 482  
United States, or a statement that the elector's parent or legal 483  
guardian resided in this state long enough to establish 484  
residency for voting purposes immediately preceding leaving the 485

United States, as the case may be;	486
(e) The elector's date of birth;	487
(f) One of the following:	488
(i) The elector's driver's license number;	489
(ii) The last four digits of the elector's social security number;	490 491
(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.	492 493 494 495 496 497 498
(g) A statement identifying the election for which absent voter's ballots are requested;	499 500
(h) A statement that the person requesting the ballots is a qualified elector;	501 502
(i) If the request is for primary election ballots, the elector's party affiliation;	503 504
(j) A statement that the applicant bears a relationship to the elector as specified in division (A)(3) of this section;	505 506
(k) The address to which ballots shall be mailed, the telephone number to which ballots shall be sent by facsimile machine, the electronic mail address to which ballots shall be sent by electronic mail, or, if internet delivery is offered by the board of elections or the secretary of state, the internet contact information to which ballots shall be sent through	507 508 509 510 511 512

internet delivery; 513

(1) The signature and address of the person making the 514  
application. 515

(B) If the elector has a confidential voter registration 516  
record, as described in section 111.44 of the Revised Code, the 517  
application may include the elector's program participant 518  
identification number instead of the address at which the 519  
elector is registered to vote. 520

(C) Each application for uniformed services or overseas 521  
absent voter's ballots shall be delivered to the director not 522  
earlier than the first day of January of the year of the 523  
elections for which the uniformed services or overseas absent 524  
voter's ballots are requested or not earlier than ninety days 525  
before the day of the election at which the ballots are to be 526  
voted, whichever is earlier, ~~and~~. An application to receive 527  
uniformed services or overseas absent voter's ballots by mail or 528  
by another method permitted under section 3511.021 of the 529  
Revised Code shall be delivered to the director not later than 530  
twelve noon of the ~~third-tenth~~ day preceding the day of the 531  
election, ~~or not later than six p.m. on the last Friday before~~ 532  
~~the day of the election at which those ballots are to be voted~~ 533  
~~if the application is delivered~~. A person who wishes to receive 534  
uniformed services or overseas absent voter's ballots in person 535  
~~to~~ at the office of the board shall appear at the office of the 536  
board not later than six p.m. on the last Friday before the day 537  
of the election. 538

(D) If the voter for whom the application is made is 539  
entitled to vote for presidential and vice-presidential electors 540  
only, the applicant shall submit to the director in addition to 541  
the requirements of division (A) of this section, a statement to 542

the effect that the voter is qualified to vote for presidential 543  
and vice-presidential electors and for no other offices. 544

(E) ~~A~~ If the secretary of state or a board of elections 545  
~~that~~ mails a federal post card application or other absent 546  
voter's ballot application to an elector ~~under this section,~~ the 547  
secretary of state or the board, as applicable, shall not prepay 548  
the return postage for that application. 549

(F) Except as otherwise provided in this section and in 550  
sections 3505.24 and 3509.08 of the Revised Code, an election 551  
official shall not fill out any portion of a federal post card 552  
application or other application for absent voter's ballots on 553  
behalf of an applicant. The secretary of state or a board of 554  
elections may preprint only an applicant's name and address on a 555  
federal post card application or other application for absent 556  
voter's ballots before mailing that application to the 557  
applicant, except that if the applicant has a confidential voter 558  
registration record, the secretary of state or the board of 559  
elections shall not preprint the applicant's address on the 560  
application. 561

**Sec. 3511.04.** (A) If a director of a board of elections 562  
receives an application for uniformed services or overseas 563  
absent voter's ballots that does not contain all of the required 564  
information, the director promptly shall notify the applicant of 565  
the additional information required to be provided by the 566  
applicant to complete that application. 567

(B) Not later than the forty-sixth day before the day of 568  
each general or primary election, and at the earliest possible 569  
time before the day of a special election held on a day other 570  
than the day on which a general or primary election is held, the 571  
director of the board of elections shall mail, send by facsimile 572

machine, send by electronic mail, send through internet delivery 573  
if such delivery is offered by the board of elections or the 574  
secretary of state, or otherwise send uniformed services or 575  
overseas absent voter's ballots then ready for use as provided 576  
for in section 3511.03 of the Revised Code and for which the 577  
director has received valid applications prior to that time. 578  
Thereafter, and until twelve noon of the ~~third-tenth~~ day 579  
preceding the day of election, the director shall promptly, upon 580  
receipt of valid applications for them, mail, send by facsimile 581  
machine, send by electronic mail, send through internet delivery 582  
if such delivery is offered by the board of elections or the 583  
secretary of state, or otherwise send to the proper persons all 584  
uniformed services or overseas absent voter's ballots then ready 585  
for use. 586

If, after the seventieth day before the day of a general 587  
or primary election, any other question, issue, or candidacy is 588  
lawfully ordered submitted to the electors voting at the general 589  
or primary election, the board shall promptly provide a separate 590  
official issue, special election, or other election ballot for 591  
submitting the question, issue, or candidacy to those electors, 592  
and the director shall promptly mail, send by facsimile machine, 593  
send by electronic mail, send through internet delivery if such 594  
delivery is offered by the board of elections or the secretary 595  
of state, or otherwise send each such separate ballot to each 596  
person to whom the director has previously mailed or sent other 597  
uniformed services or overseas absent voter's ballots. 598

~~A-The secretary of state or a board of elections that~~ 599  
~~mails or otherwise delivers uniformed services or overseas~~ 600  
~~absent voter's ballots to an elector under this section shall~~ 601  
not prepay the return postage for those on any uniformed 602  
services or overseas absent voter's ballots. In mailing 603

uniformed services or overseas absent voter's ballots, the 604  
director shall use the fastest mail service available, but the 605  
director shall not mail them by certified mail. 606

~~Sec. 3511.10. If, after the first day after the close of~~ 607  
~~voter registration before a general or primary election and~~ 608  
~~before the close of the polls on the day of that election, a~~ 609  
~~valid application for~~ (A) A uniformed services or overseas 610  
~~absent voter's ballots is delivered to the director of the board~~ 611  
~~of elections voter may cast absent voter's ballots in person at~~ 612  
the office of the board by a person making the application on 613  
the person's own behalf, the director shall forthwith deliver to 614  
the person all uniformed services or overseas absent voter's 615  
ballots then ready for use, together with an identification 616  
envelope. The person shall then immediately retire to a voting 617  
booth in the office of the board, and mark the ballots. The 618  
person shall then fold each ballot separately so as to conceal 619  
the person's markings thereon, and deposit all of the ballots in 620  
the identification envelope and securely seal it. Thereupon the 621  
person shall fill in answers to the questions on the face of the 622  
identification envelope, and by writing the person's usual 623  
signature in the proper place thereon, the person shall declare 624  
under penalty of election falsification that the answers to 625  
those questions are true and correct to the best of that 626  
person's knowledge and belief. The person shall then deliver the 627  
identification envelope to the director. If thereafter of 628  
elections in the same manner as any other absent voter under 629  
Chapter 3509. of the Revised Code. 630

(B) If, after a uniformed services or overseas absent 631  
voter casts ballots in person under division (A) of this section 632  
and before the third day preceding such election, the board 633  
provides additional separate official issue or special election 634

ballots, as provided for in section 3511.04 of the Revised Code, 635  
the director shall promptly, ~~and not later than twelve noon of~~ 636  
~~the third day preceding the day of election,~~ mail such 637  
additional ballots to such person ~~at the address specified by~~ 638  
~~that person for that purpose. Except as otherwise provided in~~ 639  
~~sections 3505.24 and 3509.08 of the Revised Code, an election~~ 640  
~~official shall not fill out any portion of an application for~~ 641  
~~absent voter's ballots, an identification envelope statement of~~ 642  
~~voter, or an absent voter's ballot requested under this section~~ 643  
~~on behalf of an applicant in accordance with that section.~~ 644

(C) In the event any person serving in the armed forces of 645  
the United States is discharged after the closing date of 646  
registration, and that person or that person's spouse, or both, 647  
meets all the other qualifications set forth in section 3511.011 648  
of the Revised Code, the person or spouse shall be permitted to 649  
vote prior to the date of the election in the office of the 650  
board in the person's or spouse's county, as set forth in this 651  
section. 652

Sec. 3701.02. Notwithstanding any contrary provision of 653  
the Revised Code, the department of health shall not issue any 654  
order, make any rule, or otherwise take any action affecting the 655  
conduct of an election. 656

Sec. 3709.212. Notwithstanding any contrary provision of 657  
the Revised Code, the board of health of a city health district, 658  
general health district, or combined health district shall not 659  
issue any order, make any rule, or otherwise take any action 660  
affecting the conduct of an election. 661

**Section 2.** That existing sections 3509.03, 3509.04, 662  
3509.08, 3511.02, 3511.04, and 3511.10 of the Revised Code are 663  
hereby repealed. 664

**Section 3.** Any funds received by the Secretary of State 665  
through the Coronavirus Aid, Relief, and Economic Security 666  
(CARES) Act shall be used in accordance with this act. This 667  
provision applies to all appropriations made to appropriation 668  
item 050616, Help America Vote Act (HAVA), related to funding 669  
received through the CARES Act and deposited into the Help 670  
America Vote Act Fund (Fund 3AS0) for the biennium ending June 671  
30, 2021. 672

The Secretary of State shall use the received CARES Act 673  
funding described above in the following manner: 674

(A) To pay all costs associated with the completion of the 675  
March 17, 2020, primary election in accordance with H.B. 197 of 676  
the 133rd General Assembly; 677

(B) To provide a one-time incentive bonus payment to 678  
precinct election officials and temporary employees of the 679  
boards of elections for the general election to be held on 680  
November 3, 2020, in a manner to be determined in conjunction 681  
with the boards of elections; 682

(C) To provide personal protective equipment for election 683  
officials, and to pay for cleaning and modifying the layout of 684  
polling places and the offices of the boards of elections to 685  
provide for adequate social distancing; 686

(D) To provide any additional electronics or related 687  
equipment needed to handle increased volumes of mail that may 688  
result during the general election to be held on November 3, 689  
2020; and 690

(E) To pay any costs associated with implementing the 691  
voting procedures described in section 3501.19 of the Revised 692  
Code, if those procedures are used. 693



**Section 4.** Notwithstanding any contrary provision of 694  
section 3501.05 of the Revised Code or of section 395.20 of H.B. 695  
166 of the 133rd General Assembly, the Secretary of State shall 696  
not mail unsolicited applications for absent voter's ballots to 697  
any electors for the general election to be held on November 3, 698  
2020. 699

**Section 5.** Section 3511.10 of the Revised Code is 700  
presented in this act as a composite of the section as amended 701  
by both S.B. 205 and S.B. 238 of the 130th General Assembly. The 702  
General Assembly, applying the principle stated in division (B) 703  
of section 1.52 of the Revised Code that amendments are to be 704  
harmonized if reasonably capable of simultaneous operation, 705  
finds that the composite is the resulting version of the section 706  
in effect prior to the effective date of the section as 707  
presented in this act. 708