

As Introduced

134th General Assembly

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H. B. No. 294

Representatives Seitz, Ray

Cosponsors: Representatives Ginter, Carfagna, Jones, Abrams, Baldrige, Bird, Carruthers, Click, Cross, Cutrona, Fraizer, Ghanbari, Hall, Hillyer, Holmes, Kick, Lampton, LaRe, Lipps, Loychik, McClain, Plummer, Richardson, Riedel, Roemer, Schmidt, Wilkin

A BILL

To amend sections 3501.01, 3501.05, 3501.11, 1
3501.22, 3501.29, 3501.38, 3503.09, 3503.12, 2
3503.13, 3503.14, 3503.15, 3503.16, 3503.19, 3
3503.21, 3503.28, 3503.30, 3503.33, 3505.18, 4
3505.183, 3506.14, 3509.01, 3509.02, 3509.03, 5
3509.04, 3509.05, 3509.051, 3509.06, 3509.07, 6
3509.08, 3509.09, 3511.02, 3511.04, 3511.05, 7
3511.06, 3511.07, 3511.08, 3511.09, 3511.10, 8
3511.11, 3511.13, 3513.05, 3513.251, 3513.253, 9
3513.254, 3513.255, 3513.257, 3513.259, 3599.11, 10
3599.12, 3599.18, and 4507.061; to enact new 11
section 3503.11 and sections 3506.24 and 12
3509.031; and to repeal section 3503.11 of the 13
Revised Code to enact the Ohio Election Security 14
and Modernization Act to create an automated 15
voter registration and verification system, to 16
modify the law governing absent voting, and to 17
make other changes to the Election Law. 18

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

Section 1. That sections 3501.01, 3501.05, 3501.11, 19
3501.22, 3501.29, 3501.38, 3503.09, 3503.12, 3503.13, 3503.14, 20
3503.15, 3503.16, 3503.19, 3503.21, 3503.28, 3503.30, 3503.33, 21
3505.18, 3505.183, 3506.14, 3509.01, 3509.02, 3509.03, 3509.04, 22
3509.05, 3509.051, 3509.06, 3509.07, 3509.08, 3509.09, 3511.02, 23
3511.04, 3511.05, 3511.06, 3511.07, 3511.08, 3511.09, 3511.10, 24
3511.11, 3511.13, 3513.05, 3513.251, 3513.253, 3513.254, 25
3513.255, 3513.257, 3513.259, 3599.11, 3599.12, 3599.18, and 26
4507.061 be amended and new section 3503.11 and sections 3506.24 27
and 3509.031 of the Revised Code be enacted to read as follows: 28

Sec. 3501.01. As used in the sections of the Revised Code 29
relating to elections and political communications: 30

(A) "General election" means the election held on the 31
first Tuesday after the first Monday in each November. 32

(B) "Regular municipal election" means the election held 33
on the first Tuesday after the first Monday in November in each 34
odd-numbered year. 35

(C) "Regular state election" means the election held on 36
the first Tuesday after the first Monday in November in each 37
even-numbered year. 38

(D) "Special election" means any election other than those 39
elections defined in other divisions of this section. A special 40
election may be held only on the first Tuesday after the first 41
Monday in May, August, or November, or on the day authorized by 42
a particular municipal or county charter for the holding of a 43
primary election, except that in any year in which a 44
presidential primary election is held, no special election shall 45
be held in May, except as authorized by a municipal or county 46
charter, but may be held on the third Tuesday after the first 47

Monday in March. 48

(E) (1) "Primary" or "primary election" means an election 49
held for the purpose of nominating persons as candidates of 50
political parties for election to offices, and for the purpose 51
of electing persons as members of the controlling committees of 52
political parties and as delegates and alternates to the 53
conventions of political parties. Primary elections shall be 54
held on the first Tuesday after the first Monday in May of each 55
year except in years in which a presidential primary election is 56
held. 57

(2) "Presidential primary election" means a primary 58
election as defined by division (E) (1) of this section at which 59
an election is held for the purpose of choosing delegates and 60
alternates to the national conventions of the major political 61
parties pursuant to section 3513.12 of the Revised Code. Unless 62
otherwise specified, presidential primary elections are included 63
in references to primary elections. In years in which a 64
presidential primary election is held, all primary elections 65
shall be held on the third Tuesday after the first Monday in 66
March except as otherwise authorized by a municipal or county 67
charter. 68

(F) "Political party" means any group of voters meeting 69
the requirements set forth in section 3517.01 of the Revised 70
Code for the formation and existence of a political party. 71

(1) "Major political party" means any political party 72
organized under the laws of this state whose candidate for 73
governor or nominees for presidential electors received not less 74
than twenty per cent of the total vote cast for such office at 75
the most recent regular state election. 76

(2) "Minor political party" means any political party 77
organized under the laws of this state that meets either of the 78
following requirements: 79

(a) Except as otherwise provided in this division, the 80
political party's candidate for governor or nominees for 81
presidential electors received less than twenty per cent but not 82
less than three per cent of the total vote cast for such office 83
at the most recent regular state election. A political party 84
that meets the requirements of this division remains a political 85
party for a period of four years after meeting those 86
requirements. 87

(b) The political party has filed with the secretary of 88
state, subsequent to its failure to meet the requirements of 89
division (F) (2) (a) of this section, a petition that meets the 90
requirements of section 3517.01 of the Revised Code. 91

A newly formed political party shall be known as a minor 92
political party until the time of the first election for 93
governor or president which occurs not less than twelve months 94
subsequent to the formation of such party, after which election 95
the status of such party shall be determined by the vote for the 96
office of governor or president. 97

(G) "Dominant party in a precinct" or "dominant political 98
party in a precinct" means that political party whose candidate 99
for election to the office of governor at the most recent 100
regular state election at which a governor was elected received 101
more votes than any other person received for election to that 102
office in such precinct at such election. 103

(H) "Candidate" means any qualified person certified in 104
accordance with the provisions of the Revised Code for placement 105

on the official ballot of a primary, general, or special 106
election to be held in this state, or any qualified person who 107
claims to be a write-in candidate, or who knowingly assents to 108
being represented as a write-in candidate by another at either a 109
primary, general, or special election to be held in this state. 110

(I) "Independent candidate" means any candidate who claims 111
not to be affiliated with a political party, and whose name has 112
been certified on the office-type ballot at a general or special 113
election through the filing of a statement of candidacy and 114
nominating petition, as prescribed in section 3513.257 of the 115
Revised Code. 116

(J) "Nonpartisan candidate" means any candidate whose name 117
is required, pursuant to section 3505.04 of the Revised Code, to 118
be listed on the nonpartisan ballot, including all candidates 119
for judicial office, for member of any board of education, for 120
municipal or township offices in which primary elections are not 121
held for nominating candidates by political parties, and for 122
offices of municipal corporations having charters that provide 123
for separate ballots for elections for these offices. 124

(K) "Party candidate" means any candidate who claims to be 125
a member of a political party and who has been certified to 126
appear on the office-type ballot at a general or special 127
election as the nominee of a political party because the 128
candidate has won the primary election of the candidate's party 129
for the public office the candidate seeks, has been nominated 130
under section 3517.012, or is selected by party committee in 131
accordance with section 3513.31 of the Revised Code. 132

(L) "Officer of a political party" includes, but is not 133
limited to, any member, elected or appointed, of a controlling 134
committee, whether representing the territory of the state, a 135

district therein, a county, township, a city, a ward, a 136
precinct, or other territory, of a major or minor political 137
party. 138

(M) "Question or issue" means any question or issue 139
certified in accordance with the Revised Code for placement on 140
an official ballot at a general or special election to be held 141
in this state. 142

(N) "Elector" or "qualified elector" means a person having 143
the qualifications provided by law to be entitled to vote. 144

(O) "Voter" means an elector who votes at an election. 145

(P) "Voting residence" means that place of residence of an 146
elector which shall determine the precinct in which the elector 147
may vote. 148

(Q) "Precinct" means a district within a county 149
established by the board of elections of such county within 150
which all qualified electors having a voting residence therein 151
may vote at the same polling place. 152

(R) "Polling place" means that place provided for each 153
precinct at which the electors having a voting residence in such 154
precinct may vote. 155

(S) "Board" or "board of elections" means the board of 156
elections appointed in a county pursuant to section 3501.06 of 157
the Revised Code. 158

(T) "Political subdivision" means a county, township, 159
city, village, or school district. 160

(U) "Election officer" or "election official" means any of 161
the following: 162

(1) Secretary of state;	163
(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;	164 165 166 167
(3) Director of a board of elections;	168
(4) Deputy director of a board of elections;	169
(5) Member of a board of elections;	170
(6) Employees of a board of elections;	171
(7) Precinct election officials;	172
(8) Employees appointed by the boards of elections on a temporary or part-time basis.	173 174
(V) "Acknowledgment notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, informing a voter registration applicant or an applicant who wishes to change the applicant's residence or name of the status of the application; the information necessary to complete or update the application, if any; and if the application is complete, the precinct in which the applicant is to vote.	175 176 177 178 179 180 181
(W) "Confirmation notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, <u>by</u> <u>forwardable mail and with return postage prepaid,</u> to a registered elector to confirm the registered elector's current address. <u>The notice shall comply with all applicable</u> <u>requirements of the "National Voter Registration Act of 1993."</u>	182 183 184 185 186 187
(X) "Designated agency" means an office or agency in the state that provides public assistance or that provides state-	188 189

funded programs primarily engaged in providing services to 190
persons with disabilities and that is required by the National 191
Voter Registration Act of 1993 to implement a program designed 192
and administered by the secretary of state for registering 193
voters, or any other public or government office or agency that 194
implements a program designed and administered by the secretary 195
of state for registering voters, including the department of job 196
and family services, the program administered under section 197
3701.132 of the Revised Code by the department of health, the 198
department of mental health and addiction services, the 199
department of developmental disabilities, the opportunities for 200
Ohioans with disabilities agency, and any other agency the 201
secretary of state designates. "Designated agency" does not 202
include public high schools and vocational schools, public 203
libraries, or the office of a county treasurer. 204

(Y) "National Voter Registration Act of 1993" means the 205
"National Voter Registration Act of 1993," 107 Stat. 77, ~~42-~~ 206
~~U.S.C.A. 1973~~52 U.S.C. 20501 et seq. 207

(Z) "Voting Rights Act of 1965" means the "Voting Rights 208
Act of 1965," 79 Stat. 437, ~~42 U.S.C.A. 1973~~52 U.S.C. 10301 et 209
seq., as amended. 210

(AA) "Photo identification" means a document that meets 211
each of the following requirements: 212

(1) It shows the name of the individual to whom it was 213
issued, which shall conform to the name in the poll list or 214
signature pollbook. 215

(2) It shows the current address of the individual to whom 216
it was issued, which shall conform to the address in the poll 217
list or signature pollbook, except for a driver's license or a 218

state identification card issued under section 4507.50 of the Revised Code, which may show either the current or former address of the individual to whom it was issued, regardless of whether that address conforms to the address in the poll list or signature pollbook.

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

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

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

(BB) "Bank statement" includes a statement from any financial or brokerage institution and includes a statement mailed to a person or delivered or made available to the person electronically.

(CC) "Utility bill" means a statement of fees owed or paid for services including water, sewer, electric, heating, cable, internet, telephone, or cellular telephone services. "Utility bill" includes a statement mailed to a person or delivered or made available to the person electronically.

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

(A) Appoint all members of boards of elections;

(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.

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

(D) Publish and furnish to the boards from time to time a	246
sufficient number of indexed copies of all election laws then in	247
force;	248
(E) Edit and issue all pamphlets concerning proposed laws	249
or amendments required by law to be submitted to the voters;	250
(F) Prescribe the form of registration cards, blanks, and	251
records;	252
(G) Determine and prescribe the forms of ballots and the	253
forms of all blanks, cards of instructions, pollbooks, tally	254
sheets, certificates of election, and forms and blanks required	255
by law for use by candidates, committees, and boards;	256
(H) Prepare the ballot title or statement to be placed on	257
the ballot for any proposed law or amendment to the constitution	258
to be submitted to the voters of the state;	259
(I) Except as otherwise provided in section 3519.08 of the	260
Revised Code, certify to the several boards the forms of ballots	261
and names of candidates for state offices, and the form and	262
wording of state referendum questions and issues, as they shall	263
appear on the ballot;	264
(J) Except as otherwise provided in division (I) (2) (b) of	265
section 3501.38 of the Revised Code, give final approval to	266
ballot language for any local question or issue approved and	267
transmitted by boards of elections under section 3501.11 of the	268
Revised Code;	269
(K) Receive all initiative and referendum petitions on	270
state questions and issues and determine and certify to the	271
sufficiency of those petitions;	272
(L) Require such reports from the several boards as are	273

provided by law, or as the secretary of state considers	274
necessary;	275
(M) Compel the observance by election officers in the	276
several counties of the requirements of the election laws;	277
(N) (1) Except as otherwise provided in division (N) (2) of	278
this section, investigate the administration of election laws,	279
frauds, and irregularities in elections in any county, and	280
report violations of election laws to the attorney general or	281
prosecuting attorney, or both, for prosecution;	282
(2) On and after August 24, 1995, report a failure to	283
comply with or a violation of a provision in sections 3517.08 to	284
3517.13, 3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised	285
Code, whenever the secretary of state has or should have	286
knowledge of a failure to comply with or a violation of a	287
provision in one of those sections, by filing a complaint with	288
the Ohio elections commission under section 3517.153 of the	289
Revised Code.	290
(O) Make an annual report to the governor containing the	291
results of elections, the cost of elections in the various	292
counties, a tabulation of the votes in the several political	293
subdivisions, and other information and recommendations relative	294
to elections the secretary of state considers desirable;	295
(P) Prescribe and distribute to boards of elections a list	296
of instructions indicating all legal steps necessary to petition	297
successfully for local option elections under sections 4301.32	298
to 4301.41, 4303.29, 4305.14, and 4305.15 of the Revised Code;	299
(Q) Adopt rules pursuant to Chapter 119. of the Revised	300
Code for the removal by boards of elections of ineligible voters	301
from the statewide voter registration database and, if	302

applicable, from the poll list or signature pollbook used in 303
each precinct, which rules shall provide for all of the 304
following: 305

(1) A process for the removal of voters who have changed 306
residence, which shall be uniform, nondiscriminatory, and in 307
compliance with the Voting Rights Act of 1965 and the National 308
Voter Registration Act of 1993, including a program that uses 309
the national change of address service provided by the United 310
States postal system through its licensees; 311

(2) A process for the removal of ineligible voters under 312
section 3503.21 of the Revised Code; 313

(3) A uniform system for marking or removing the name of a 314
voter who is ineligible to vote from the statewide voter 315
registration database and, if applicable, from the poll list or 316
signature pollbook used in each precinct and noting the reason 317
for that mark or removal. 318

(R) (1) Prescribe a general program for registering voters 319
or updating voter registration information, such as name and 320
residence changes, by boards of elections, designated agencies, 321
offices of deputy registrars of motor vehicles, public high 322
schools and vocational schools, public libraries, and offices of 323
county treasurers consistent with the requirements of section 324
3503.09 of the Revised Code; 325

(2) Adopt rules pursuant to Chapter 119. of the Revised 326
Code to develop, implement, and administer the automated voter 327
registration and verification system described in section 328
3503.11 and division (F) of section 4507.061 of the Revised 329
Code, including rules prescribing all of the following: 330

(a) The manner and format in which the bureau of motor 331

<u>vehicles must transmit information to the secretary of state;</u>	332
<u>(b) An earlier deadline for the bureau of motor vehicles</u>	333
<u>to transmit information to the secretary of state than the</u>	334
<u>deadline described in division (C) of section 3503.11 of the</u>	335
<u>Revised Code, if the bureau obtains that information during the</u>	336
<u>period immediately preceding the close of voter registration</u>	337
<u>before an election;</u>	338
<u>(c) Procedures for the bureau of motor vehicles, the</u>	339
<u>office of the secretary of state, and boards of elections to</u>	340
<u>follow to ensure that information transmitted through the system</u>	341
<u>that is not considered a public record remains confidential.</u>	342
(S) Prescribe a program of distribution of voter	343
registration forms through boards of elections, designated	344
agencies, offices of the registrar and deputy registrars of	345
motor vehicles, public high schools and vocational schools,	346
public libraries, and offices of county treasurers;	347
(T) To the extent feasible, provide copies, at no cost and	348
upon request, of the voter registration form in post offices in	349
this state;	350
(U) Adopt rules pursuant to section 111.15 of the Revised	351
Code for the purpose of implementing the program for registering	352
voters through boards of elections, designated agencies, and the	353
offices of the registrar and deputy registrars of motor vehicles	354
consistent with this chapter;	355
(V) Establish the full-time position of Americans with	356
Disabilities Act coordinator within the office of the secretary	357
of state to do all of the following:	358
(1) Assist the secretary of state with ensuring that there	359
is equal access to polling places for persons with disabilities;	360

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

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

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

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

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

number of those ballots that were counted, for that election. 391
The secretary of state shall maintain the information on the web 392
site in an archive format for each subsequent election. 393

(Z) Conduct voter education outlining voter 394
identification, absent voters ballot, provisional ballot, and 395
other voting requirements; 396

(AA) Establish a procedure by which a registered elector 397
may make available to a board of elections a more recent 398
signature to be used in the poll list or signature pollbook 399
produced by the board of elections of the county in which the 400
elector resides; 401

(BB) Disseminate information, which may include all or 402
part of the official explanations and arguments, by means of 403
direct mail or other written publication, broadcast, or other 404
means or combination of means, as directed by the Ohio ballot 405
board under division (F) of section 3505.062 of the Revised 406
Code, in order to inform the voters as fully as possible 407
concerning each proposed constitutional amendment, proposed law, 408
or referendum; 409

(CC) Be the single state office responsible for the 410
implementation of the "Uniformed and Overseas Citizens Absentee 411
Voting Act," Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 412
1973ff, et seq., as amended, in this state. The secretary of 413
state may delegate to the boards of elections responsibilities 414
for the implementation of that act, including responsibilities 415
arising from amendments to that act made by the "Military and 416
Overseas Voter Empowerment Act," Subtitle H of the "National 417
Defense Authorization Act for Fiscal Year 2010," Pub. L. No. 418
111-84, 123 Stat. 3190. 419

(DD) Adopt rules, under Chapter 119. of the Revised Code, 420
to establish procedures and standards for determining when a 421
board of elections shall be placed under the official oversight 422
of the secretary of state, placing a board of elections under 423
the official oversight of the secretary of state, a board that 424
is under official oversight to transition out of official 425
oversight, and the secretary of state to supervise a board of 426
elections that is under official oversight of the secretary of 427
state. 428

(EE) Perform other duties required by law. 429

Whenever a primary election is held under section 3513.32 430
of the Revised Code or a special election is held under section 431
3521.03 of the Revised Code to fill a vacancy in the office of 432
representative to congress, the secretary of state shall 433
establish a deadline, notwithstanding any other deadline 434
required under the Revised Code, by which any or all of the 435
following shall occur: the filing of a declaration of candidacy 436
and petitions or a statement of candidacy and nominating 437
petition together with the applicable filing fee; the filing of 438
protests against the candidacy of any person filing a 439
declaration of candidacy or nominating petition; the filing of a 440
declaration of intent to be a write-in candidate; the filing of 441
campaign finance reports; the preparation of, and the making of 442
corrections or challenges to, precinct voter registration lists; 443
the receipt of applications for absent voter's ballots or 444
uniformed services or overseas absent voter's ballots; the 445
supplying of election materials to precincts by boards of 446
elections; the holding of hearings by boards of elections to 447
consider challenges to the right of a person to appear on a 448
voter registration list; and the scheduling of programs to 449
instruct or reinstruct election officers. 450

In the performance of the secretary of state's duties as 451
the chief election officer, the secretary of state may 452
administer oaths, issue subpoenas, summon witnesses, compel the 453
production of books, papers, records, and other evidence, and 454
fix the time and place for hearing any matters relating to the 455
administration and enforcement of the election laws. 456

In any controversy involving or arising out of the 457
adoption of registration or the appropriation of funds for 458
registration, the secretary of state may, through the attorney 459
general, bring an action in the name of the state in the court 460
of common pleas of the county where the cause of action arose or 461
in an adjoining county, to adjudicate the question. 462

In any action involving the laws in Title XXXV of the 463
Revised Code wherein the interpretation of those laws is in 464
issue in such a manner that the result of the action will affect 465
the lawful duties of the secretary of state or of any board of 466
elections, the secretary of state may, on the secretary of 467
state's motion, be made a party. 468

The secretary of state may apply to any court that is 469
hearing a case in which the secretary of state is a party, for a 470
change of venue as a substantive right, and the change of venue 471
shall be allowed, and the case removed to the court of common 472
pleas of an adjoining county named in the application or, if 473
there are cases pending in more than one jurisdiction that 474
involve the same or similar issues, the court of common pleas of 475
Franklin county. 476

Public high schools and vocational schools, public 477
libraries, and the office of a county treasurer shall implement 478
voter registration programs as directed by the secretary of 479
state pursuant to this section. 480

The secretary of state may mail unsolicited applications 481
for absent voter's ballots to individuals only for a general 482
election and only if the general assembly has made an 483
appropriation for that particular mailing. Under no other 484
circumstance shall a public office, or a public official or 485
employee who is acting in an official capacity, mail unsolicited 486
applications for absent voter's ballots to any individuals. 487

Upon the request of the secretary of state, a state agency 488
shall provide any information or assistance the secretary of 489
state requires to carry out the secretary of state's powers and 490
duties under Title XXXV of the Revised Code. 491

Sec. 3501.11. Each board of elections shall exercise by a 492
majority vote all powers granted to the board by Title XXXV of 493
the Revised Code, shall perform all the duties imposed by law, 494
and shall do all of the following: 495

(A) Establish, define, provide, rearrange, and combine 496
election precincts; 497

(B) Fix and provide the places for registration and for 498
holding primaries and elections; 499

(C) Provide for the purchase, preservation, and 500
maintenance of booths, ballot boxes, books, maps, flags, blanks, 501
cards of instructions, and other forms, papers, and equipment 502
used in registration, nominations, and elections; 503

(D) Appoint and remove its director, deputy director, and 504
employees and all registrars, precinct election officials, and 505
other officers of elections, fill vacancies, and designate the 506
ward or district and precinct in which each shall serve; 507

(E) Make and issue rules and instructions, not 508
inconsistent with law or the rules, directives, or advisories 509

issued by the secretary of state, as it considers necessary for 510
the guidance of election officers and voters; 511

(F) Advertise and contract for the printing of all ballots 512
and other supplies used in registrations and elections; 513

(G) Provide for the issuance of all notices, 514
advertisements, and publications concerning elections, except as 515
otherwise provided in division (G) of section 3501.17 and 516
divisions (F) and (G) of section 3505.062 of the Revised Code; 517

(H) Provide for the delivery of ballots, pollbooks, and 518
other required papers and material to the polling places; 519

(I) Cause the polling places to be suitably provided with 520
voting machines, marking devices, automatic tabulating 521
equipment, stalls, and other required supplies. In fulfilling 522
this duty, each board of a county that uses voting machines, 523
marking devices, or automatic tabulating equipment shall conduct 524
a full vote of the board during a public session of the board on 525
the allocation and distribution of voting machines, marking 526
devices, and automatic tabulating equipment for each precinct in 527
the county. 528

(J) Investigate irregularities, nonperformance of duties, 529
or violations of Title XXXV of the Revised Code by election 530
officers and other persons; administer oaths, issue subpoenas, 531
summon witnesses, and compel the production of books, papers, 532
records, and other evidence in connection with any such 533
investigation; and report the facts to the prosecuting attorney 534
or the secretary of state; 535

(K) (1) Review, examine, and certify the sufficiency and 536
validity of petitions and nomination papers, and, after 537
certification, return to the secretary of state all petitions 538

and nomination papers that the secretary of state forwarded to the board;	539 540
(2) Examine each initiative petition, or a petition filed under section 307.94 or 307.95 of the Revised Code, received by the board to determine whether the petition falls within the scope of authority to enact via initiative and whether the petition satisfies the statutory prerequisites to place the issue on the ballot, as described in division (M) of section 3501.38 of the Revised Code. The petition shall be invalid if any portion of the petition is not within the initiative power.	541 542 543 544 545 546 547 548
(L) Receive the returns of elections, canvass the returns, make abstracts of them, and transmit those abstracts to the proper authorities;	549 550 551
(M) Issue certificates of election on forms to be prescribed by the secretary of state;	552 553
(N) Make an annual report to the secretary of state, on the form prescribed by the secretary of state, containing a statement of the number of voters registered, elections held, votes cast, appropriations received, expenditures made, and other data required by the secretary of state;	554 555 556 557 558
(O) Prepare and submit to the proper appropriating officer a budget estimating the cost of elections for the ensuing fiscal year;	559 560 561
(P) Perform other duties as prescribed by law or the rules, directives, or advisories of the secretary of state;	562 563
(Q) Investigate and determine the residence qualifications of electors;	564 565
(R) Administer oaths in matters pertaining to the	566

the secretary of state, who shall summarily decide the question, 595
and the secretary of state's decision shall be final. 596

(Y) Assist each designated agency, deputy registrar of 597
motor vehicles, public high school and vocational school, public 598
library, and office of a county treasurer in the implementation 599
of a program for registering voters at all voter registration 600
locations as prescribed by the secretary of state. Under this 601
program, each board of elections shall direct to the appropriate 602
board of elections any voter registration applications for 603
persons residing outside the county where the board is located 604
within five days after receiving the applications. 605

(Z) On any day on which an elector may vote in person at 606
the office of the board or at another site designated by the 607
board, consider the board or other designated site a polling 608
place for that day. All requirements or prohibitions of law that 609
apply to a polling place shall apply to the office of the board 610
or other designated site on that day. 611

(AA) Perform any duties with respect to voter registration 612
and voting by uniformed services and overseas voters that are 613
delegated to the board by law or by the rules, directives, or 614
advisories of the secretary of state. 615

(BB) Prepare an election administration plan and submit it 616
to the secretary of state not later than seventy-five days 617
before each presidential primary election and not later than one 618
hundred twenty days before each general election held in an 619
even-numbered year. The election administration plan shall be on 620
a template prescribed by the secretary of state and shall 621
include all of the following: 622

(1) Precinct election official recruitment, training, and 623

<u>accountability;</u>	624
<u>(2) Resource allocation;</u>	625
<u>(3) Communication before and on the day of the election;</u>	626
<u>(4) Materials;</u>	627
<u>(5) Contingencies and continuity planning;</u>	628
<u>(6) Security;</u>	629
<u>(7) Voter registration;</u>	630
<u>(8) Absent voting;</u>	631
<u>(9) Polling places and accessibility;</u>	632
<u>(10) Ballot preparation;</u>	633
<u>(11) Pre-election testing;</u>	634
<u>(12) Reconciliation and audits;</u>	635
<u>(13) A master calendar;</u>	636
<u>(14) Any other topic prescribed by the secretary of state.</u>	637
Sec. 3501.22. (A) (1) Except as otherwise provided in	638
division (A) (2) of this section, on or before the fifteenth day	639
of September in each year, the board of elections by a majority	640
vote shall, after careful examination and investigation as to	641
their qualifications, appoint for each election precinct four	642
residents of the county in which the precinct is located, as	643
precinct election officials. Except as otherwise provided in	644
division (C) of this section, all precinct election officials	645
shall be qualified electors. The precinct election officials	646
shall constitute the election officers of the precinct. Not more	647
than one-half of the total number of precinct election officials	648
shall be members of the same political party. The term of such	649

precinct officers shall be for one year. The board may, at any 650
time, designate any number of election officers, not more than 651
one-half of whom shall be members of the same political party, 652
to perform their duties at any precinct in any election. The 653
board may appoint additional officials, equally divided between 654
the two major political parties, when necessary to expedite 655
voting. If the board of elections determines that four precinct 656
election officials are not required in a precinct for a special 657
election, the board of elections may select two of the 658
precinct's election officers, who are not members of the same 659
political party, to serve as the precinct election officials for 660
that precinct in that special election. 661

Vacancies for unexpired terms shall be filled by the 662
board. When new precincts have been created, the board shall 663
appoint precinct election officials for those precincts for the 664
unexpired term. Any precinct election official may be summarily 665
removed from office at any time by the board for neglect of 666
duty, malfeasance, or misconduct in office or for any other good 667
and sufficient reason. 668

Precinct election officials shall perform all of the 669
duties provided by law for receiving the ballots and supplies, 670
opening and closing the polls, and overseeing the casting of 671
ballots during the time the polls are open, and any other duties 672
required by section 3501.26 of the Revised Code. 673

A board of elections may designate two precinct election 674
officials as counting officials to count and tally the votes 675
cast and certify the results of the election at each precinct, 676
and perform other duties as provided by law. To expedite the 677
counting of votes at each precinct, the board may appoint 678
additional officials, not more than one-half of whom shall be 679

members of the same political party. 680

Except as otherwise provided in division (A)(2) of this 681
section, the board shall designate one of the precinct election 682
officials who is a member of the dominant political party to 683
serve as a voting location manager, whose duty it is to deliver 684
the returns of the election and all supplies to the office of 685
the board. For these services, the voting location manager shall 686
receive additional compensation in an amount, consistent with 687
section 3501.28 of the Revised Code, determined by the board of 688
elections. 689

The board shall issue to each precinct election official a 690
certificate of appointment, which the official shall present to 691
the voting location manager at the time the polls are opened. 692

(2) If the board of elections, by a vote of at least three 693
members of the board, opts to have a single voting location 694
serve more than one precinct, the board may do any of the 695
following: 696

(a) Designate a single voting location manager for the 697
voting location. The voting location manager shall be a member 698
of the political party whose candidate received the highest 699
number of votes for governor at the most recent general election 700
for that office in the precincts whose polling places are 701
located at the applicable voting location, when tallying the 702
combined vote for governor in all such precincts. 703

(b) Combine the pollbooks for those precincts to create a 704
single pollbook for the voting location; 705

(c) If electronic pollbooks are being used in the voting 706
location, as described in section 3506.021 of the Revised Code, 707
appoint not less than two precinct election officials for each 708

precinct, so long as the board approves the decision to reduce 709
the number of precinct election officials by the affirmative 710
vote of at least three of its members. 711

(B) If the board of elections determines that not enough 712
qualified electors in a precinct are available to serve as 713
precinct officers, it may appoint persons to serve as precinct 714
officers at a primary, special, or general election who are at 715
least seventeen years of age and are registered to vote in 716
accordance with section 3503.07 of the Revised Code. 717

(C) (1) A board of elections, in conjunction with the board 718
of education of a city, local, or exempted village school 719
district, the governing authority of a community school 720
established under Chapter 3314. of the Revised Code, or the 721
chief administrator of a nonpublic school may establish a 722
program permitting certain high school students to apply and, if 723
appointed by the board of elections, to serve as precinct 724
officers at a primary, special, or general election. 725

In addition to the requirements established by division 726
(C) (2) of this section, a board of education, governing 727
authority, or chief administrator that establishes a program 728
under this division in conjunction with a board of elections may 729
establish additional criteria that students shall meet to be 730
eligible to participate in that program. 731

(2) (a) To be eligible to participate in a program 732
established under division (C) (1) of this section, a student 733
shall be a United States citizen, a resident of the county, and 734
at least seventeen years of age, ~~and enrolled in the senior year~~ 735
~~of high school.~~ 736

(b) Any student applying to participate in a program 737

established under division (C) (1) of this section, as part of 738
the student's application process, shall declare the student's 739
political party affiliation with the board of elections. 740

(3) No student appointed as a precinct officer pursuant to 741
a program established under division (C) (1) of this section 742
shall be designated as a voting location manager. 743

(4) Any student participating in a program established 744
under division (C) (1) of this section shall be excused for that 745
student's absence from school on the day of an election at which 746
the student is serving as a precinct officer. 747

(D) In any precinct with six or more precinct officers, up 748
to two students participating in a program established under 749
division (C) (1) of this section who are under eighteen years of 750
age may serve as precinct officers. Not more than one precinct 751
officer in any given precinct with fewer than six precinct 752
officers shall be under eighteen years of age. 753

Sec. 3501.29. (A) The board of elections shall provide for 754
each precinct a polling place and provide adequate facilities at 755
each polling place for conducting the election. The board shall 756
provide a sufficient number of screened or curtained voting 757
compartments to which electors may retire and conveniently mark 758
their ballots, protected from the observation of others. Each 759
voting compartment shall be provided at all times with writing 760
implements, instructions how to vote, and other necessary 761
conveniences for marking the ballot. The voting location manager 762
shall ensure that the voting compartments at all times are 763
adequately lighted and contain the necessary supplies. The board 764
shall utilize, in so far as practicable, rooms in public schools 765
and other public buildings for polling places. Upon application 766
of the board of elections, the authority which has the control 767

of any building or grounds supported by taxation under the laws 768
of this state, shall make available the necessary space therein 769
for the purpose of holding elections and adequate space for the 770
storage of voting machines, without charge for the use thereof. 771
A reasonable sum may be paid for necessary janitorial service. 772
When polling places are established in private buildings, the 773
board may pay a reasonable rental therefor, and also the cost of 774
liability insurance covering the premises when used for election 775
purposes, or the board may purchase a single liability policy 776
covering the board and the owners of the premises when used for 777
election purposes. When removable buildings are supplied by the 778
board, they shall be constructed under the contract let to the 779
lowest and best bidder, and the board shall observe all 780
ordinances and regulations then in force as to safety. The board 781
shall remove all such buildings from streets and other public 782
places within thirty days after an election, unless another 783
election is to be held within ninety days. 784

(B) (1) Except as otherwise provided in this section, the 785
board shall ensure all of the following: 786

(a) That polling places and the office of the board are 787
free of barriers that would impede ingress and egress of 788
handicapped persons; 789

(b) That the minimum number of special parking locations, 790
also known as handicapped parking spaces or disability parking 791
spaces, for handicapped persons are designated at each polling 792
place and at the office of the board in accordance with 28 793
C.F.R. Part 36, Appendix A, and in compliance with division (E) 794
of section 4511.69 of the Revised Code; 795

(c) That the entrances of polling places and the office of 796
the board are level or are provided with a nonskid ramp that 797

meets the requirements of the "Americans with Disabilities Act 798
of 1990," 104 Stat. 327, 42 U.S.C. 12101; 799

(d) That doors are a minimum of thirty-two inches wide. 800

(2) Notwithstanding division (B) (1) (a), (c), or (d) of 801
this section, certain polling places or the office of the board 802
may be specifically exempted by the secretary of state upon 803
certification by a board of elections that a good faith, but 804
unsuccessful, effort has been made to modify, or change the 805
location of, such polling places or the office of the board. 806

~~(C) At any polling place that is exempted from compliance~~ 807
~~by the secretary of state, the board of elections shall permit~~ 808
~~any handicapped. Any~~ elector who travels to that elector's 809
polling place or to the office of the board, but who is 810
physically unable to enter the polling place or the office of 811
the board, shall be permitted to vote, in accordance with the 812
~~assistance of two polling place officials of major political~~ 813
~~parties, in the vehicle that conveyed that elector to the~~ 814
~~polling place, or to receive and cast that elector's ballot at~~ 815
~~the door of the polling place~~ division (C) of section 3505.18 or 816
division (F) of section 3509.051 of the Revised Code, as 817
applicable. 818

(D) The secretary of state shall: 819

(1) Work with other state agencies to facilitate the 820
distribution of information and technical assistance to boards 821
of elections to meet the requirements of division (B) of this 822
section; 823

(2) Work with organizations that represent or provide 824
services to handicapped, disabled, or elderly citizens to effect 825
a wide dissemination of information about the availability of 826

absentee voting, voting in the voter's vehicle or at the door of 827
the polling place or the office of the board, or other election 828
services to handicapped, disabled, or elderly citizens. 829

(E) Before the day of an election, the director of the 830
board of elections of each county shall sign a statement 831
verifying that each polling place that will be used in that 832
county at that election meets the requirements of division (B) 833
(1) (b) of this section. The signed statement shall be sent to 834
the secretary of state by certified mail or electronically. 835

(F) As used in this section, "handicapped" means having 836
lost the use of one or both legs, one or both arms, or any 837
combination thereof, or being blind or so severely disabled as 838
to be unable to move about without the aid of crutches or a 839
wheelchair. 840

Sec. 3501.38. All declarations of candidacy, nominating 841
petitions, or other petitions presented to or filed with the 842
secretary of state or a board of elections or with any other 843
public office for the purpose of becoming a candidate for any 844
nomination or office or for the holding of an election on any 845
issue shall, in addition to meeting the other specific 846
requirements prescribed in the sections of the Revised Code 847
relating to them, be governed by the following rules: 848

(A) Only electors qualified to vote on the candidacy or 849
issue which is the subject of the petition shall sign a 850
petition. Each signer shall be a registered elector pursuant to 851
section 3503.01 of the Revised Code. The facts of qualification 852
shall be determined as of the date when the petition is filed. 853

(B) Signatures shall be affixed in ink. Each signer may 854
also print the signer's name, so as to clearly identify the 855

signer's signature. 856

(C) Each signer shall place on the petition after the 857
signer's name the date of signing and the location of the 858
signer's voting residence, including the street and number if in 859
a municipal corporation or the rural route number, post office 860
address, or township if outside a municipal corporation. The 861
voting address given on the petition shall be the address 862
appearing in the registration records at the board of elections. 863

(D) Except as otherwise provided in section 3501.382 of 864
the Revised Code, no person shall write any name other than the 865
person's own on any petition. Except as otherwise provided in 866
section 3501.382 of the Revised Code, no person may authorize 867
another to sign for the person. If a petition contains the 868
signature of an elector two or more times, only the first 869
signature shall be counted. 870

(E) (1) On each petition paper, the circulator shall 871
indicate the number of signatures contained on it, and shall 872
sign a statement made under penalty of election falsification 873
that the circulator witnessed the affixing of every signature, 874
that all signers were to the best of the circulator's knowledge 875
and belief qualified to sign, and that every signature is to the 876
best of the circulator's knowledge and belief the signature of 877
the person whose signature it purports to be or of an attorney 878
in fact acting pursuant to section 3501.382 of the Revised Code. 879
On the circulator's statement for a declaration of candidacy or 880
nominating petition for a person seeking to become a statewide 881
candidate or for a statewide initiative or a statewide 882
referendum petition, the circulator shall identify the 883
circulator's name, the address of the circulator's permanent 884
residence, and the name and address of the person employing the 885

circulator to circulate the petition, if any. 886

(2) As used in division (E) of this section, "statewide 887
candidate" means the joint candidates for the offices of 888
governor and lieutenant governor or a candidate for the office 889
of secretary of state, auditor of state, treasurer of state, or 890
attorney general. 891

(F) Except as otherwise provided in section 3501.382 of 892
the Revised Code, if a circulator knowingly permits an 893
unqualified person to sign a petition paper or permits a person 894
to write a name other than the person's own on a petition paper, 895
that petition paper is invalid; otherwise, the signature of a 896
person not qualified to sign shall be rejected but shall not 897
invalidate the other valid signatures on the paper. 898

(G) The circulator of a petition may, before filing it in 899
a public office, strike from it any signature the circulator 900
does not wish to present as a part of the petition. 901

(H) Any signer of a petition or an attorney in fact acting 902
pursuant to section 3501.382 of the Revised Code on behalf of a 903
signer may remove the signer's signature from that petition at 904
any time before the petition is filed in a public office by 905
striking the signer's name from the petition; no signature may 906
be removed after the petition is filed in any public office. 907

(I) (1) No alterations, corrections, or additions may be 908
made to a petition after it is filed in a public office. 909

(2) (a) No declaration of candidacy, nominating petition, 910
or other petition for the purpose of becoming a candidate may be 911
withdrawn after it is filed in a public office. Nothing in this 912
division prohibits a person from withdrawing as a candidate as 913
otherwise provided by law. 914

(b) No petition presented to or filed with the secretary 915
of state, a board of elections, or any other public office for 916
the purpose of the holding of an election on any question or 917
issue may be resubmitted after it is withdrawn from a public 918
office or rejected as containing insufficient signatures. 919
Nothing in this division prevents a question or issue petition 920
from being withdrawn by the filing of a written notice of the 921
withdrawal by a majority of the members of the petitioning 922
committee with the same public office with which the petition 923
was filed prior to the sixtieth day before the election at which 924
the question or issue is scheduled to appear on the ballot. 925

(J) All declarations of candidacy, nominating petitions, 926
or other petitions under this section shall be accompanied by 927
the following statement in boldface capital letters: WHOEVER 928
COMMITTS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE 929
FIFTH DEGREE. 930

(K) All separate petition papers shall be filed at the 931
same time, as one instrument. 932

(L) If a board of elections distributes for use a petition 933
form for a declaration of candidacy, nominating petition, or any 934
type of question or issue petition that does not satisfy the 935
requirements of law as of the date of that distribution, the 936
board shall not invalidate the petition on the basis that the 937
petition form does not satisfy the requirements of law, if the 938
petition otherwise is valid. Division (L) of this section 939
applies only if the candidate received the petition from the 940
board within ninety days of when the petition is required to be 941
filed. 942

(M) (1) Upon receiving an initiative petition, or a 943
petition filed under section 307.94 or 307.95 of the Revised 944

Code, concerning a ballot issue that is to be submitted to the 945
electors of a county or municipal political subdivision, the 946
board of elections shall examine the petition to determine: 947

(a) Whether the petition falls within the scope of a 948
municipal political subdivision's authority to enact via 949
initiative, including, if applicable, the limitations placed by 950
Sections 3 and 7 of Article XVIII of the Ohio Constitution on 951
the authority of municipal corporations to adopt local police, 952
sanitary, and other similar regulations as are not in conflict 953
with general laws, and whether the petition satisfies the 954
statutory prerequisites to place the issue on the ballot. The 955
petition shall be invalid if any portion of the petition is not 956
within the initiative power; or 957

(b) Whether the petition falls within the scope of a 958
county's authority to enact via initiative, including whether 959
the petition conforms to the requirements set forth in Section 3 960
of Article X of the Ohio Constitution, including the exercise of 961
only those powers that have vested in, and the performance of 962
all duties imposed upon counties and county officers by law, and 963
whether the petition satisfies the statutory prerequisites to 964
place the issue on the ballot. The finding of the board shall be 965
subject to challenge by a protest filed pursuant to division (B) 966
of section 307.95 of the Revised Code. 967

(2) After making a determination under division (M) (1) (a) 968
or (b) of this section, the board of elections shall promptly 969
transmit a copy of the petition and a notice of the board's 970
determination to the office of the secretary of state. Notice of 971
the board's determination shall be given to the petitioners and 972
the political subdivision. 973

(3) If multiple substantially similar initiative petitions 974

are submitted to multiple boards of elections and the 975
determinations of the boards under division (M) (1) (a) or (b) of 976
this section concerning those petitions differ, the secretary of 977
state shall make a single determination under division (M) (1) (a) 978
or (b) of this section that shall apply to each such initiative 979
petition. 980

(N) A board of elections shall continue to verify every 981
signature on a petition after the number of signatures found to 982
be valid equals the minimum required number of valid signatures. 983
When the board determines that an elector has signed a petition 984
and that the signature is valid, the board shall note that fact 985
in the elector's registration record. 986

Sec. 3503.09. (A) (1) The secretary of state shall adopt 987
rules for the electronic transmission by boards of elections, 988
designated agencies, offices of deputy registrars of motor 989
vehicles, public high schools and vocational schools, public 990
libraries, and offices of county treasurers, where applicable, 991
of change of name and change of residence~~changes forms~~ for 992
voter registration ~~records in the statewide voter registration~~ 993
~~database.~~ 994

(2) The secretary of state shall adopt rules for the 995
purpose of improving the speed of processing new voter 996
registrations that permit information from a voter registration 997
application received by a designated agency or an office of 998
deputy registrar of motor vehicles to be made available 999
electronically, in addition to requiring the original voter 1000
registration application to be transmitted to the applicable 1001
board of elections under division (E) (2) of section 3503.10 ~~or~~ 1002
~~section 3503.11~~ of the Revised Code. 1003

(B) Rules adopted under division (A) of this section shall 1004

do all of the following: 1005

(1) Prohibit any direct electronic connection between a 1006
designated agency, office of deputy registrar of motor vehicles, 1007
public high school or vocational school, public library, or 1008
office of a county treasurer and the statewide voter 1009
registration database; 1010

(2) Require any updated voter registration information to 1011
be verified by the secretary of state or a board of elections 1012
before the information is added to the statewide voter 1013
registration database for the purpose of modifying an existing 1014
voter registration; 1015

(3) Require each designated agency or office of deputy 1016
registrar of motor vehicles that transmits voter registration 1017
information electronically to transmit an identifier for data 1018
relating to each new voter registration that shall be used by 1019
the secretary of state or a board of elections to match the 1020
electronic data to the original voter registration application. 1021

(C) This section does not apply to information transmitted 1022
to the secretary of state under section 3503.11 or division (F) 1023
of section 4507.061 of the Revised Code. 1024

Sec. 3503.11. (A) (1) When a person applies in person to 1025
receive or renew a driver's license, commercial driver's 1026
license, or state identification card, or to receive a duplicate 1027
or replacement of one of those items, the registrar or deputy 1028
registrar shall attempt to obtain all of the following 1029
information from that person: 1030

(a) The person's legal name; 1031

(b) The person's residence address; 1032

(c) The person's date of birth; 1033

(d) The number of the person's driver's license or state 1034
identification card, if the person has been assigned one; 1035

(e) The last four digits of the person's social security 1036
number. 1037

(2) The secretary of state and the registrar of motor 1038
vehicles shall prescribe a method by which the registrar or a 1039
deputy registrar, upon obtaining all of the information 1040
described in division (A) (1) of this section concerning a 1041
person, may use the information in the statewide voter 1042
registration database immediately to determine whether the 1043
person is registered to vote in this state and, if so, whether 1044
the person is registered at the address and under the name the 1045
person provided under division (A) (1) of this section. 1046

(3) When the registrar or deputy registrar obtains all of 1047
the information described in division (A) (1) of this section 1048
concerning a person who is not registered to vote in this state 1049
under the person's current name, the registrar or deputy 1050
registrar shall proceed to offer the person voter registration 1051
under division (B) of this section, unless the registrar or 1052
deputy registrar has information indicating that the person is 1053
not eligible to vote in this state. 1054

(B) (1) When the registrar or deputy registrar offers a 1055
person voter registration pursuant to division (A) (3) of this 1056
section, the registrar or deputy registrar shall cause a 1057
customer facing electronic display to ask the person whether the 1058
person wishes to be registered to vote. The secretary of state 1059
shall prescribe the language to appear on the display. When the 1060
display asks the person that question, the display also shall 1061

inform the person of both of the following: 1062

(a) The fact that if the person declines to be registered to vote, that fact will remain confidential and will only be used for voter registration purposes; 1063
1064
1065

(b) The fact that if the person wishes to be registered to vote, the office at which the person submitted the person's information will remain confidential and will only be used for voter registration purposes. 1066
1067
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(2) If the person indicates that the person wishes to be registered to vote, the customer facing electronic display shall present the person with all of the following information, using language prescribed by the secretary of state: 1070
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(a) A statement that in order to register to vote, the person must be a United States citizen, at least eighteen years of age at the time of the next general election, and have lived in this state for thirty days immediately preceding the next election; 1074
1075
1076
1077
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(b) A statement that election falsification is a felony of the fifth degree; 1079
1080

(c) A statement instructing the person to decline to be registered to vote if the person is not eligible to register. 1081
1082

(3) The customer facing electronic display then shall request the person to provide the person's signature electronically in association with a statement, made under penalty of election falsification, that the person is a United States citizen, will be at least eighteen years of age at the time of the next general election, will have lived in this state for thirty days immediately preceding the next election, and is otherwise eligible to vote in this state. The secretary of state 1083
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1090

shall prescribe the language to appear on the display. 1091

(4) If the person electronically signs the statement 1092
described in division (B) (3) of this section, the registrar or 1093
deputy registrar shall proceed under division (C) (1) of this 1094
section. 1095

(5) The secretary of state and the registrar of motor 1096
vehicles shall prescribe procedures for the registrar and deputy 1097
registrars to offer voter registration under this section in 1098
compliance with the "Americans with Disabilities Act," 42 U.S.C. 1099
12101 et seq., and regulations adopted under that act. 1100

(C) (1) Not later than seven days after the registrar or 1101
deputy registrar obtains all of the information described in 1102
division (A) (1) of this section concerning a person who is not 1103
registered to vote in this state under the person's current 1104
name, along with the person's electronic signature under 1105
division (B) of this section, the registrar or deputy registrar 1106
shall transmit the information and signature, along with any 1107
newly assigned driver's license or state identification card 1108
number and any telephone number or electronic mail address the 1109
person has provided, to the secretary of state electronically in 1110
the manner prescribed by the secretary of state. 1111

(2) Not later than seven days after the bureau of motor 1112
vehicles learns of a change of residence address of a registered 1113
elector under division (A) of this section, division (F) (2) of 1114
section 4507.061, or division (C) of section 4507.09 of the 1115
Revised Code, the bureau shall transmit the elector's updated 1116
information, along with any newly assigned driver's license or 1117
state identification card number, to the secretary of state 1118
electronically in the manner prescribed by the secretary of 1119
state. 1120

(3) Not later than seven days after the bureau of motor 1121
vehicles obtains all of the information described in division 1122
(A) (1) of this section concerning a person who is registered to 1123
vote in this state at the person's current address and under the 1124
person's current name, the registrar or deputy registrar shall 1125
transmit the information, along with any newly assigned driver's 1126
license or state identification card number and any telephone 1127
number or electronic mail address the person has provided, to 1128
the secretary of state electronically in the manner prescribed 1129
by the secretary of state. 1130

(D) (1) (a) Except as otherwise provided in division (D) (2) 1131
of this section, when the secretary of state receives 1132
information concerning a person under division (C) of this 1133
section, the secretary of state shall consult the statewide 1134
voter registration database to determine whether the person is 1135
registered to vote at the person's current address and under the 1136
person's current name, and if not, promptly shall transmit the 1137
person's information electronically to the appropriate board of 1138
elections. 1139

(b) If the person is registered to vote at the person's 1140
current address and under the person's current name, the 1141
secretary of state promptly shall transmit to the appropriate 1142
board of elections an electronic notice of the date of the 1143
person's transaction with the registrar or deputy registrar, 1144
along with any telephone number or electronic mail address the 1145
person has provided. 1146

(2) If the secretary of state determines that a person 1147
concerning whom the secretary of state receives information 1148
under division (C) of this section is not registered to vote at 1149
the person's current address or under the person's current name, 1150

but is a participant in the address confidentiality program 1151
described in sections 111.41 to 111.48 of the Revised Code, the 1152
secretary of state shall not transmit that information to the 1153
board of elections. Instead, the secretary of state shall send a 1154
notice to the person explaining the process to register to vote 1155
or to update the person's confidential registration under 1156
section 111.44 of the Revised Code. 1157

(E) (1) If the board of elections determines that a person 1158
whose information is sent to the board under division (D) (1) (a) 1159
of this section is eligible to register to vote or to update the 1160
person's voter registration, the board promptly shall register 1161
the person to vote or update the person's voter registration, as 1162
applicable, and send the person a notice in accordance with 1163
section 3503.19 of the Revised Code. The electronic record 1164
transmitted to the board of elections under this division shall 1165
be considered to be the person's voter registration form. 1166

(2) Upon receiving a notice under division (D) (1) (b) of 1167
this section concerning an elector, the board of elections shall 1168
record the date of the elector's transaction with the registrar 1169
or deputy registrar in the elector's registration record. 1170

(F) The secretary of state and the registrar of motor 1171
vehicles shall ensure that the procedures implemented under this 1172
section maintain the integrity, security, and confidentiality of 1173
information contained in the statewide voter registration 1174
database. 1175

Sec. 3503.12. All registrations shall be carefully 1176
checked, and in case any person is found to have ~~registered~~ more 1177
~~than one~~ one registration form, the additional all registration 1178
forms other than the most recent registration form shall be 1179
canceled by the board of elections. 1180

Six weeks prior to the day of a special, primary, or 1181
general election, the board shall publish notices in one or more 1182
newspapers of general circulation advertising the places, dates, 1183
times, methods of registration, and voter qualifications for 1184
registration. 1185

The board shall establish a schedule or program to assure 1186
to the extent reasonably possible that, ~~on or before November 1,~~ 1187
~~1980,~~ all registration places shall be free of barriers that 1188
would impede the ingress and egress of handicapped persons. 1189
Entrances shall be level or shall be provided with a nonskid 1190
ramp of not over eight per cent gradient, and doors shall be a 1191
minimum of thirty-two inches wide. Registration places located 1192
at polling places shall, however, comply with the requirements 1193
of section 3501.29 of the Revised Code for the elimination of 1194
barriers. 1195

As used in this section, "handicapped" means having lost 1196
the use of one or both legs, one or both arms, or any 1197
combination thereof, or being blind or so severely disabled as 1198
to be unable to move about without the aid of crutches or a 1199
wheelchair. 1200

Sec. 3503.13. (A) Except as otherwise provided in section 1201
111.44 of the Revised Code or by state or federal law, 1202
registration forms ~~submitted by applicants~~ and the statewide 1203
voter registration database established under section 3503.15 of 1204
the Revised Code shall be open to public inspection at all times 1205
when the office of the board of elections is open for business, 1206
under such regulations as the board adopts, provided that no 1207
person shall be permitted to inspect voter registration forms 1208
except in the presence of an employee of the board. 1209

(B) A board of elections may use a legible digitized 1210

signature list of voter signatures, copied from the signatures 1211
on the registration forms in a form and manner prescribed by the 1212
secretary of state, provided that the board includes the 1213
required voter registration information in the statewide voter 1214
registration database established under section 3503.15 of the 1215
Revised Code, and provided that the precinct election officials 1216
have computer printouts at the polls prepared in the manner 1217
required under section 3503.23 of the Revised Code. 1218

Sec. 3503.14. (A) The secretary of state shall prescribe 1219
the form and content of the registration, change of residence, 1220
and change of name forms used in this state. The forms shall 1221
meet the requirements of the National Voter Registration Act of 1222
1993 and shall include spaces for all of the following: 1223

(1) The voter's name; 1224

(2) The voter's address; 1225

(3) The current date; 1226

(4) The voter's date of birth; 1227

(5) The voter to provide one or more of the following: 1228

(a) The voter's driver's license or state identification
card number, if any; 1229
1230

(b) The last four digits of the voter's social security
number, if any; 1231
1232

(c) A copy of a current and valid photo identification, a 1233
copy of a military identification, or a copy of a current 1234
utility bill, bank statement, government check, paycheck, or 1235
other government document, other than a notice of voter 1236
registration mailed by a board of elections under section 1237
3503.19 of the Revised Code, that shows the voter's name and 1238

address.	1239
(6) The voter's signature.	1240
The registration form shall include a space on which the	1241
person registering an applicant shall sign the person's name and	1242
provide the person's address and a space on which the person	1243
registering an applicant shall name the employer who is	1244
employing that person to register the applicant.	1245
Except for forms prescribed by the secretary of state	1246
under section 3503.11 <u>and division (F) of section 4507.061</u> of	1247
the Revised Code, the secretary of state shall permit boards of	1248
elections to produce forms that have subdivided spaces for each	1249
individual alphanumeric character of the information provided by	1250
the voter so as to accommodate the electronic reading and	1251
conversion of the voter's information to data and the subsequent	1252
electronic transfer of that data to the statewide voter	1253
registration database established under section 3503.15 of the	1254
Revised Code.	1255
(B) None of the following persons who are registering an	1256
applicant in the course of that official's or employee's normal	1257
duties shall sign the person's name, provide the person's	1258
address, or name the employer who is employing the person to	1259
register an applicant on a form prepared under this section:	1260
(1) An election official;	1261
(2) A county treasurer;	1262
(3) A deputy registrar of motor vehicles;	1263
(4) An employee of a designated agency;	1264
(5) An employee of a public high school;	1265

(6) An employee of a public vocational school;	1266
(7) An employee of a public library;	1267
(8) An employee of the office of a county treasurer;	1268
(9) An employee of the bureau of motor vehicles;	1269
(10) An employee of a deputy registrar of motor vehicles;	1270
(11) An employee of an election official.	1271
(C) Except as provided in section 3501.382 of the Revised Code, any applicant who is unable to sign the applicant's own name shall make an "X," if possible, which shall be certified by the signing of the name of the applicant by the person filling out the form, who shall add the person's own signature. If an applicant is unable to make an "X," the applicant shall indicate in some manner that the applicant desires to register to vote or to change the applicant's name or residence. The person registering the applicant shall sign the form and attest that the applicant indicated that the applicant desired to register to vote or to change the applicant's name or residence.	1272 1273 1274 1275 1276 1277 1278 1279 1280 1281 1282
(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.	1283 1284 1285 1286 1287 1288
(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	1289 1290 1291 1292 1293

and signature-matching purposes. 1294

(F) As used in this section, "registering an applicant" 1295
includes any effort, for compensation, to provide voter 1296
registration forms or to assist persons in completing or 1297
returning those forms. 1298

Sec. 3503.15. (A) (1) The secretary of state shall 1299
establish and maintain a statewide voter registration database 1300
that shall be administered by the office of the secretary of 1301
state and made continuously available to each board of elections 1302
and to other agencies as authorized by law. 1303

(2) (a) State agencies, including, but not limited to, the 1304
department of health, the bureau of motor vehicles, the 1305
department of job and family services, the department of 1306
medicaid, and the department of rehabilitation and corrections, 1307
shall provide any information and data to the secretary of state 1308
that is collected in the course of normal business and that is 1309
necessary to register to vote, to update an elector's 1310
registration, or to maintain the statewide voter registration 1311
database established pursuant to this section, except where 1312
prohibited by federal law or regulation. The department of 1313
health, the bureau of motor vehicles, the department of job and 1314
family services, the department of medicaid, and the department 1315
of rehabilitation and corrections shall provide that information 1316
and data to the secretary of state not later than the last day 1317
of each month. The secretary of state shall ensure that any 1318
information or data provided to the secretary of state that is 1319
confidential in the possession of the entity providing the data 1320
remains confidential while in the possession of the secretary of 1321
state. No public office, and no public official or employee, 1322
shall sell that information or data or use that information or 1323

data for profit. 1324

(b) Information provided under this division for 1325
maintenance of the statewide voter registration database shall 1326
not be used to update the name or address of a registered 1327
elector. The Except for cases in which an elector's registration 1328
is updated through the system described in section 3503.11 and 1329
division (F) of section 4507.061 of the Revised Code, the name 1330
or address of a registered elector shall only be updated as a 1331
result of the elector's actions in filing a notice of change of 1332
name, change of address, or both. 1333

(c) A board of elections shall contact a registered 1334
elector pursuant to the rules adopted under division (D) (7) of 1335
this section to verify the accuracy of the information in the 1336
statewide voter registration database regarding that elector if 1337
that information does not conform with information provided 1338
under division (A) (2) (a) of this section and the discrepancy 1339
would affect the elector's eligibility to cast a regular ballot. 1340

(3) (a) The secretary of state shall enter into agreements 1341
to share information or data that is in the possession of the 1342
secretary of state with other states or groups of states, as the 1343
secretary of state considers necessary, in order to maintain the 1344
statewide voter registration database established pursuant to 1345
this section. Except as otherwise provided in division (A) (3) (b) 1346
of this section, the secretary of state shall ensure that any 1347
information or data provided to the secretary of state that is 1348
confidential in the possession of the state providing the data 1349
remains confidential while in the possession of the secretary of 1350
state. 1351

(b) The secretary of state may provide such otherwise 1352
confidential information or data to persons or organizations 1353

that are engaging in legitimate governmental purposes related to 1354
the maintenance of the statewide voter registration database. 1355
The secretary of state shall adopt rules pursuant to Chapter 1356
119. of the Revised Code identifying the persons or 1357
organizations who may receive that information or data. The 1358
secretary of state shall not share that information or data with 1359
a person or organization not identified in those rules. The 1360
secretary of state shall ensure that a person or organization 1361
that receives confidential information or data under this 1362
division keeps the information or data confidential in the 1363
person's or organization's possession by, at a minimum, entering 1364
into a confidentiality agreement with the person or 1365
organization. Any confidentiality agreement entered into under 1366
this division shall include a requirement that the person or 1367
organization submit to the jurisdiction of this state in the 1368
event that the person or organization breaches the agreement. 1369

(4) No person or entity that receives information or data 1370
under division (A) (3) of this section shall sell the information 1371
or data or use the information or data for profit. 1372

(5) The secretary of state shall regularly transmit to the 1373
boards of elections, to the extent permitted by state and 1374
federal law, the information and data the secretary of state 1375
receives under divisions (A) (2) and (3) of this section that is 1376
necessary to do the following, in order to ensure that the 1377
accuracy of the statewide voter registration database is 1378
maintained on a regular basis in accordance with applicable 1379
state and federal law: 1380

(a) Require the boards of elections to maintain the 1381
database in a manner that ensures that the name of each 1382
registered elector appears in the database, that only 1383

individuals who are not registered or eligible to vote are 1384
removed from the database, and that duplicate registrations are 1385
eliminated from the database; 1386

(b) Require the boards of elections to make a reasonable 1387
effort to remove individuals who are not eligible to vote from 1388
the database; 1389

(c) Establish safeguards to ensure that eligible electors 1390
are not removed in error from the database. 1391

(B) The statewide voter registration database established 1392
under this section shall be the official list of registered 1393
voters for all elections conducted in this state. 1394

(C) The statewide voter registration database established 1395
under this section shall, at a minimum, include all of the 1396
following: 1397

(1) An electronic network that connects all board of 1398
elections offices with the office of the secretary of state and 1399
with the offices of all other boards of elections; 1400

(2) A computer program that harmonizes the records 1401
contained in the database with records maintained by each board 1402
of elections; 1403

(3) An interactive computer program that allows access to 1404
the records contained in the database by each board of elections 1405
and by any persons authorized by the secretary of state to add, 1406
delete, modify, or print database records, and to conduct 1407
updates of the database; 1408

(4) A search program capable of verifying registered 1409
voters and their registration information by name, driver's 1410
license or state identification card number, birth date, social 1411

security number, or current address;	1412
(5) Safeguards and components to ensure that the	1413
integrity, security, and confidentiality of the voter	1414
registration information is maintained;	1415
(6) Methods to retain canceled voter registration records	1416
for not less than five years after they are canceled and to	1417
record the reason for their cancellation.	1418
(D) The secretary of state shall adopt rules pursuant to	1419
Chapter 119. of the Revised Code doing all of the following:	1420
(1) Specifying the manner in which existing voter	1421
registration records maintained by boards of elections shall be	1422
converted to electronic files for inclusion in the statewide	1423
voter registration database;	1424
(2) Establishing a uniform method for entering voter	1425
registration records into the statewide voter registration	1426
database on an expedited basis, but not less than once per day,	1427
if new registration information is received;	1428
(3) Establishing a uniform method for purging canceled	1429
voter registration records from the statewide voter registration	1430
database in accordance with section 3503.21 of the Revised Code;	1431
(4) Specifying the persons authorized to add, delete,	1432
modify, or print records contained in the statewide voter	1433
registration database and to make updates of that database;	1434
(5) Establishing a process for annually auditing the	1435
information contained in the statewide voter registration	1436
database;	1437
(6) Establishing, by mutual agreement with the bureau of	1438
motor vehicles, the content and format of the information and	1439

data the bureau of motor vehicles shall provide to the secretary 1440
of state under division (A) (2) (a) of this section and the 1441
frequency with which the bureau shall provide that information 1442
and data; 1443

(7) Establishing a uniform method for addressing instances 1444
in which records contained in the statewide voter registration 1445
database do not conform with records maintained by an agency, 1446
state, or group of states described in division (A) (2) (a) or (3) 1447
(a) of this section. That method shall prohibit an elector's 1448
voter registration from being canceled on the sole basis that 1449
the information in the registration record does not conform to 1450
records maintained by such an agency. 1451

(E) A board of elections promptly shall purge a voter's 1452
name and voter registration information from the statewide voter 1453
registration database in accordance with the rules adopted by 1454
the secretary of state under division (D) (3) of this section 1455
after the cancellation of a voter's registration under section 1456
3503.21 of the Revised Code. 1457

(F) The secretary of state shall provide training in the 1458
operation of the statewide voter registration database to each 1459
board of elections and to any persons authorized by the 1460
secretary of state to add, delete, modify, or print database 1461
records, and to conduct updates of the database. 1462

(G) (1) The statewide voter registration database 1463
established under this section shall be made available on a web 1464
site of the office of the secretary of state as follows: 1465

(a) Except as otherwise provided in division (G) (1) (b) of 1466
this section, the following information from the statewide voter 1467
registration database regarding a registered voter shall be made 1468

available on the web site:	1469
(i) The voter's name;	1470
(ii) The voter's address;	1471
(iii) The voter's precinct number;	1472
(iv) The voter's voting history.	1473
(b) During the thirty days before the day of a primary or general election, the web site interface of the statewide voter registration database shall permit a voter to search for the polling location at which that voter may cast a ballot.	1474 1475 1476 1477
(2) The secretary of state shall establish, by rule adopted under Chapter 119. of the Revised Code, a process for boards of elections to notify the secretary of state of changes in the locations of precinct polling places for the purpose of updating the information made available on the secretary of state's web site under division (G) (1) (b) of this section. Those rules shall require a board of elections, during the thirty days before the day of a primary or general election, to notify the secretary of state within one business day of any change to the location of a precinct polling place within the county.	1478 1479 1480 1481 1482 1483 1484 1485 1486 1487
(3) During the thirty days before the day of a primary or general election, not later than one business day after receiving a notification from a county pursuant to division (G) (2) of this section that the location of a precinct polling place has changed, the secretary of state shall update that information on the secretary of state's web site for the purpose of division (G) (1) (b) of this section.	1488 1489 1490 1491 1492 1493 1494
(H) The secretary of state shall conduct an annual review of the statewide voter registration database as follows:	1495 1496

(1) The secretary of state shall compare the information 1497
in the statewide voter registration database with the 1498
information the secretary of state obtains from the bureau of 1499
motor vehicles under division (A) (2) of this section to identify 1500
any person who does all of the following, in the following 1501
order: 1502

(a) Submits documentation to the bureau of motor vehicles 1503
that indicates that the person is not a United States citizen; 1504

(b) ~~Registers~~ Is registered to vote, ~~submits a~~ has the 1505
person's voter registration ~~change of residence or change of~~ 1506
~~name form~~ updated, or votes in this state; 1507

(c) Submits documentation to the bureau of motor vehicles 1508
that indicates that the person is not a United States citizen. 1509

(2) The secretary of state shall send a written notice to 1510
each person identified under division (H) (1) of this section, 1511
instructing the person either to confirm that the person is a 1512
United States citizen or to submit a completed voter 1513
registration cancellation form to the secretary of state. The 1514
secretary of state shall include a blank voter registration 1515
cancellation form with the notice. If the person fails to 1516
respond to the secretary of state in the manner described in 1517
division (H) (3) or (4) of this section not later than thirty 1518
days after the notice was sent, the secretary of state promptly 1519
shall send the person a second notice and form. 1520

(3) If, not later than sixty days after the first notice 1521
was sent, a person who is sent a notice under division (H) (2) of 1522
this section responds to the secretary of state, confirming that 1523
the person is a United States citizen, the secretary of state 1524
shall take no action concerning the person's voter registration. 1525

(4) If, not later than sixty days after the first notice 1526
was sent, a person who receives a notice under division (H) (2) 1527
of this section sends a completed voter registration 1528
cancellation form to the secretary of state, the secretary of 1529
state shall instruct the board of elections of the county in 1530
which the person is registered to cancel the person's 1531
registration. 1532

(5) If a person who was sent a second notice under 1533
division (H) (2) of this section fails to respond to the 1534
secretary of state in the manner described in division (H) (3) or 1535
(4) of this section not later than thirty days after the second 1536
notice was sent, the secretary of state shall refer the matter 1537
to the attorney general for further investigation and possible 1538
prosecution under section 3599.11, 3599.12, 3599.13, or any 1539
other applicable section of the Revised Code. If, after the 1540
thirtieth day after the second notice was sent, the person sends 1541
a completed voter registration cancellation form to the 1542
secretary of state, the secretary of state shall instruct the 1543
board of elections of the county in which the person is 1544
registered to cancel the person's registration and shall notify 1545
the attorney general of the cancellation. 1546

(6) The secretary of state shall not conduct the review 1547
described in division (H) of this section during the ninety days 1548
immediately preceding a primary or general election for federal 1549
office. 1550

Sec. 3503.16. (A) ~~Except as otherwise provided in division~~ 1551
~~(E) of section 111.44 of the Revised Code, whenever~~ Whenever a 1552
registered elector changes the place of residence of that 1553
registered elector from one precinct to another within a county 1554
or from one county to another, or has a change of name, that 1555

registered elector shall report the change by ~~delivering a~~ 1556
~~change of residence or change of name form, whichever is~~ 1557
~~appropriate, as prescribed by the secretary of state under~~ 1558
~~section 3503.14 of the Revised Code to the state or local office~~ 1559
~~of a designated agency, a public high school or vocational~~ 1560
~~school, a public library, the office of the county treasurer,~~ 1561
~~the office of the secretary of state, any office of the~~ 1562
~~registrar or deputy registrar of motor vehicles, or any office~~ 1563
~~of a board of elections in person or by a third person. Any~~ 1564
~~voter registration, change of address, or change of name~~ 1565
~~application, returned by mail, may be sent only to the secretary~~ 1566
~~of state or the board of elections.~~ 1567

~~A registered elector also may update the registration of~~ 1568
~~that registered elector by filing a change of residence or~~ 1569
~~change of name form on the day of a special, primary, or general~~ 1570
~~election at the polling place in the precinct in which that~~ 1571
~~registered elector resides or at the board of elections or at~~ 1572
~~another site designated by the board one of the methods~~ 1573
~~described in section 3503.19 of the Revised Code.~~ 1574

(B) (1) (a) Any registered elector who moves within a 1575
precinct on or prior to the day of a general, primary, or 1576
special election and has not ~~filed a notice of~~ reported the 1577
change of residence in accordance with the board of elections 1578
section 3503.19 of the Revised Code may vote in that election by 1579
going to that registered elector's assigned polling place, 1580
completing and signing a notice of change of residence, showing 1581
identification in the form of a current and valid photo 1582
identification, a military identification, or a copy of a 1583
current utility bill, bank statement, government check, 1584
paycheck, or other government document, other than a notice of 1585
voter registration mailed by a board of elections under section 1586

3503.19 of the Revised Code, that shows the name and current 1587
address of the elector, and casting a ballot. 1588

(b) Any registered elector who changes the name of that 1589
registered elector and remains within a precinct on or prior to 1590
the day of a general, primary, or special election and has not 1591
~~filed a notice of reported the~~ change of name in accordance with 1592
~~the board of elections section 3503.19 of the Revised Code~~ may 1593
vote in that election by going to that registered elector's 1594
assigned polling place, completing and signing a notice of a 1595
change of name, and casting a provisional ballot under section 1596
3505.181 of the Revised Code. If the registered elector provides 1597
to the precinct election officials proof of a legal name change, 1598
such as a marriage license or court order that includes the 1599
elector's current and prior names, the elector may complete and 1600
sign a notice of change of name and cast a regular ballot. 1601

(2) Any registered elector who moves from one precinct to 1602
another within a county or moves from one precinct to another 1603
and changes the name of that registered elector on or prior to 1604
the day of a general, primary, or special election and has not 1605
~~filed a notice of reported the~~ change of residence or change of 1606
name, whichever is appropriate, in accordance with ~~the board of~~ 1607
~~elections section 3503.19 of the Revised Code~~ may vote in that 1608
election if that registered elector complies with division ~~(G)~~ 1609
(E) of this section or does all of the following: 1610

(a) Appears at ~~anytime~~ any time during regular business 1611
hours on or after the twenty-eighth day prior to the election in 1612
which that registered elector wishes to vote or, if the election 1613
is held on the day of a presidential primary election, the 1614
twenty-fifth day prior to the election, through noon of the 1615
Saturday prior to the election at the office of the board of 1616

elections, appears at any time during regular business hours on 1617
the Monday prior to the election at the office of the board of 1618
elections, or appears on the day of the election at either of 1619
the following locations: 1620

(i) The polling place for the precinct in which that 1621
registered elector resides; 1622

(ii) The office of the board of elections or, if pursuant 1623
to division (C) of section 3501.10 of the Revised Code the board 1624
has designated another location in the county at which 1625
registered electors may vote, at that other location instead of 1626
the office of the board of elections. 1627

(b) Completes and signs, under penalty of election 1628
falsification, the written affirmation on the provisional ballot 1629
envelope, which shall serve as a notice of change of residence 1630
or change of name, whichever is appropriate; 1631

(c) Votes a provisional ballot under section 3505.181 of 1632
the Revised Code at the polling place, at the office of the 1633
board of elections, or, if pursuant to division (C) of section 1634
3501.10 of the Revised Code the board has designated another 1635
location in the county at which registered electors may vote, at 1636
that other location instead of the office of the board of 1637
elections, whichever is appropriate, using the address to which 1638
that registered elector has moved or the name of that registered 1639
elector as changed, whichever is appropriate; 1640

(d) Completes and signs, under penalty of election 1641
falsification, a statement attesting that that registered 1642
elector moved or had a change of name, whichever is appropriate, 1643
on or prior to the day of the election, has voted a provisional 1644
ballot at the polling place for the precinct in which that 1645

registered elector resides, at the office of the board of 1646
elections, or, if pursuant to division (C) of section 3501.10 of 1647
the Revised Code the board has designated another location in 1648
the county at which registered electors may vote, at that other 1649
location instead of the office of the board of elections, 1650
whichever is appropriate, and will not vote or attempt to vote 1651
at any other location for that particular election. 1652

(C) Any registered elector who moves from one county to 1653
another county within the state on or prior to the day of a 1654
general, primary, or special election and has not ~~registered to~~ 1655
~~vote in the county to which that registered elector moved~~ 1656
reported the change of residence in accordance with section 1657
3503.19 of the Revised Code may vote in that election if that 1658
registered elector complies with division ~~(G)~~ (E) of this 1659
section or does all of the following: 1660

(1) Appears at any time during regular business hours on 1661
or after the twenty-eighth day prior to the election in which 1662
that registered elector wishes to vote or, if the election is 1663
held on the day of a presidential primary election, the twenty- 1664
fifth day prior to the election, through noon of the Saturday 1665
prior to the election at the office of the board of elections 1666
or, if pursuant to division (C) of section 3501.10 of the 1667
Revised Code the board has designated another location in the 1668
county at which registered electors may vote, at that other 1669
location instead of the office of the board of elections, 1670
appears during regular business hours on the Monday prior to the 1671
election at the office of the board of elections or, if pursuant 1672
to division (C) of section 3501.10 of the Revised Code the board 1673
has designated another location in the county at which 1674
registered electors may vote, at that other location instead of 1675
the office of the board of elections, or appears on the day of 1676

the election at the office of the board of elections or, if 1677
pursuant to division (C) of section 3501.10 of the Revised Code 1678
the board has designated another location in the county at which 1679
registered electors may vote, at that other location instead of 1680
the office of the board of elections; 1681

(2) Completes and signs, under penalty of election 1682
falsification, the written affirmation on the provisional ballot 1683
envelope, which shall serve as a notice of change of residence; 1684

(3) Votes a provisional ballot under section 3505.181 of 1685
the Revised Code at the office of the board of elections or, if 1686
pursuant to division (C) of section 3501.10 of the Revised Code 1687
the board has designated another location in the county at which 1688
registered electors may vote, at that other location instead of 1689
the office of the board of elections, using the address to which 1690
that registered elector has moved; 1691

(4) Completes and signs, under penalty of election 1692
falsification, a statement attesting that that registered 1693
elector has moved from one county to another county within the 1694
state on or prior to the day of the election, has voted at the 1695
office of the board of elections or, if pursuant to division (C) 1696
of section 3501.10 of the Revised Code the board has designated 1697
another location in the county at which registered electors may 1698
vote, at that other location instead of the office of the board 1699
of elections, and will not vote or attempt to vote at any other 1700
location for that particular election. 1701

(D) A person who votes by absent voter's ballots pursuant 1702
to division ~~(G)~~(E) of this section shall not make written 1703
application for the ballots pursuant to Chapter 3509. of the 1704
Revised Code. Ballots cast pursuant to division ~~(G)~~(E) of this 1705
section shall be set aside in a special envelope and counted 1706

during the official canvass of votes in the manner provided for 1707
in sections 3505.32 and 3509.06 of the Revised Code insofar as 1708
that manner is applicable. The board shall examine the pollbooks 1709
to verify that no ballot was cast at the polls or by absent 1710
voter's ballots under Chapter 3509. or 3511. of the Revised Code 1711
by an elector who has voted by absent voter's ballots pursuant 1712
to division ~~(G)~~ (E) of this section. Any ballot determined to be 1713
insufficient for any of the reasons stated above or stated in 1714
section 3509.07 of the Revised Code shall not be counted. 1715

Subject to division (C) of section 3501.10 of the Revised 1716
Code, a board of elections may lease or otherwise acquire a site 1717
different from the office of the board at which registered 1718
electors may vote pursuant to division (B) or (C) of this 1719
section. 1720

~~(E) Upon receiving a notice of change of residence or 1721
change of name, the board of elections shall immediately send 1722
the registrant an acknowledgment notice. If the change of 1723
residence or change of name notice is valid, the board shall 1724
update the voter's registration as appropriate. If that form is 1725
incomplete, the board shall inform the registrant in the 1726
acknowledgment notice specified in this division of the 1727
information necessary to complete or update that registrant's 1728
registration. 1729~~

~~(F) Change of residence and change of name forms shall be 1730
available at each polling place, and when these forms are 1731
completed, noting changes of residence or name, as appropriate, 1732
they shall be filed with election officials at the polling 1733
place. Election officials shall return completed forms, together 1734
with the pollbooks and tally sheets, to the board of elections. 1735~~

~~The board of elections shall provide change of residence 1736~~

~~and change of name forms to the probate court and court of- 1737
common pleas. The court shall provide the forms to any person- 1738
eighteen years of age or older who has a change of name by order- 1739
of the court or who applies for a marriage license. The court- 1740
shall forward all completed forms to the board of elections- 1741
within five days after receiving them. 1742~~

~~(G) A registered elector who otherwise would qualify to 1743
vote under division (B) or (C) of this section but is unable to 1744
appear at the office of the board of elections or, if pursuant 1745
to division (C) of section 3501.10 of the Revised Code the board 1746
has designated another location in the county at which 1747
registered electors may vote, at that other location, on account 1748
of personal illness, physical disability, or infirmity, may vote 1749
on the day of the election if that registered elector does all 1750
of the following: 1751~~

~~(1) Makes a written application that includes all of the 1752
information required under section 3509.03 of the Revised Code 1753
to the appropriate board for an absent voter's ballot on or 1754
after the twenty-seventh day prior to the election in which the 1755
registered elector wishes to vote through ~~noon of the Saturday-~~ 1756
close of business on the tenth day prior to that election and 1757
requests that the absent voter's ballot be sent to the address 1758
to which the registered elector has moved if the registered 1759
elector has moved, or to the address of that registered elector 1760
who has not moved but has had a change of name; 1761~~

~~(2) Declares that the registered elector has moved or had 1762
a change of name, whichever is appropriate, and otherwise is 1763
qualified to vote under the circumstances described in division 1764
(B) or (C) of this section, whichever is appropriate, but that 1765
the registered elector is unable to appear at the board of 1766~~

elections because of personal illness, physical disability, or 1767
infirmity; 1768

(3) Completes and returns along with the completed absent 1769
voter's ballot a notice of change of residence indicating the 1770
address to which the registered elector has moved, or a notice 1771
of change of name, whichever is appropriate; 1772

(4) Completes and signs, under penalty of election 1773
falsification, a statement attesting that the registered elector 1774
has moved or had a change of name on or prior to the day before 1775
the election, has voted by absent voter's ballot because of 1776
personal illness, physical disability, or infirmity that 1777
prevented the registered elector from appearing at the board of 1778
elections, and will not vote or attempt to vote at any other 1779
location or by absent voter's ballot mailed to any other 1780
location or address for that particular election. 1781

Sec. 3503.19. ~~(A) Persons~~ (A) (1) Except as otherwise 1782
provided in division (E) of section 111.44 of the Revised Code, 1783
persons qualified to register or to change their registration 1784
because of a change of address or change of name may register or 1785
change their registration ~~in~~ by doing any of the following: 1786

(a) Submitting a voter registration or change of address 1787
or change of name form in person or through another person at 1788
any state or local office of a designated agency, at the office 1789
of the registrar or any deputy registrar of motor vehicles, at a 1790
public high school or vocational school, at a public library, at 1791
the office of a county treasurer, or at a branch office 1792
established by the board of elections, ~~or in;~~ 1793

(b) Submitting a voter registration or change of address 1794
or change of name form in person or through another person at a 1795

probate court or a court of common pleas. The board of elections 1796
shall provide the forms to the courts, and the courts shall 1797
provide the forms to any person eighteen years of age or older 1798
who has a change of name by order of the court or who applies 1799
for a marriage license. 1800

(c) Submitting a voter registration or change of address 1801
or change of name form in person, through another person, or by 1802
mail at the office of the secretary of state or at the office of 1803
a ~~any~~ board of elections. A registered elector may also change 1804
the elector's registration on; 1805

(d) Being registered or having the elector's registration 1806
updated through the bureau of motor vehicles under section 1807
3503.11 or 4507.061 of the Revised Code; 1808

(e) Submitting an application through the online voter 1809
registration system under section 3503.20 of the Revised Code; 1810

(f) Submitting a voter registration or change of address 1811
or change of name form in person to the election officials on 1812
election day at any polling place ~~where the elector is eligible~~ 1813
~~to vote, in the manner provided under section 3503.16 of the~~ 1814
~~Revised Code. Voter registration and change of address or change~~ 1815
~~of name forms shall be available at each polling place, and the~~ 1816
~~election officials shall return all completed forms, together~~ 1817
~~with the pollbooks and tally sheets, to the board of elections.~~ 1818

(g) In the case of a person who is eligible to vote as a 1819
uniformed services voter or an overseas voter in accordance with 1820
the Uniformed and Overseas Citizens Absentee Voting Act, 52 1821
U.S.C. 20301, et seq., returning the person's completed voter 1822
registration or change of address or change of name form 1823
electronically to the office of the secretary of state or to the 1824

board of elections of the county in which the person's voting 1825
residence is located pursuant to section 3503.191 of the Revised 1826
Code. 1827

(2) Any state or local office of a designated agency, the 1828
office of the registrar or any deputy registrar of motor 1829
vehicles, a public high school or vocational school, a public 1830
library, a probate court or court of common pleas, or the office 1831
of a county treasurer shall transmit any voter registration 1832
application or change of registration form that it receives to 1833
the board of elections of the county in which the state or local 1834
office is located, within five days after receiving the voter 1835
registration application or change of registration form. 1836

~~An~~ (3)(a) Except as provided in division (A)(3)(b) of this 1837
section, an otherwise valid voter registration application that 1838
is returned to the appropriate office other than by mail must be 1839
received by a state or local office of a designated agency, the 1840
office of the registrar or any deputy registrar of motor 1841
vehicles, a public high school or vocational school, a public 1842
library, the office of a county treasurer, a probate court or 1843
court of common pleas, the office of the secretary of state, or 1844
the office of a board of elections no later than the thirtieth 1845
day preceding a primary, special, or general election for the 1846
person to qualify as an elector eligible to vote at that 1847
election. An otherwise valid registration application received 1848
after that day entitles the elector to vote at all subsequent 1849
elections. 1850

(b) Information transmitted to the secretary of state by 1851
the bureau of motor vehicles under section 3503.11 or 4507.061 1852
of the Revised Code concerning a person who is eligible to 1853
register to vote must have been submitted to the bureau by the 1854

person not later than the thirtieth day preceding a primary, 1855
special, or general election for the person to be registered to 1856
vote and to qualify as an elector eligible to vote at that 1857
election. Otherwise valid information transmitted under that 1858
division that was submitted after that day entitles the person 1859
to be registered to vote and to vote at all subsequent 1860
elections. 1861

(4) Any state or local office of a designated agency, the 1862
office of the registrar or any deputy registrar of motor 1863
vehicles, a public high school or vocational school, a public 1864
library, a probate court or court of common pleas, or the office 1865
of a county treasurer shall date stamp a registration 1866
application or change of name or change of address form it 1867
receives using a date stamp that does not disclose the identity 1868
of the state or local office that receives the registration. 1869

(5) Voter registration applications, if otherwise valid, 1870
that are returned by mail to the office of the secretary of 1871
state or to the office of a board of elections must be 1872
postmarked no later than the thirtieth day preceding a primary, 1873
special, or general election in order for the person to qualify 1874
as an elector eligible to vote at that election. If an otherwise 1875
valid voter registration application that is returned by mail 1876
does not bear a postmark or a legible postmark, the registration 1877
shall be valid for that election if received by the office of 1878
the secretary of state or the office of a board of elections no 1879
later than twenty-five days preceding any special, primary, or 1880
general election. 1881

(B) (1) Any person may apply in person, by telephone, by 1882
mail, or through another person for voter registration forms to 1883
the office of the secretary of state or the office of a board of 1884

elections. An individual who is eligible to vote as a uniformed 1885
services voter or an overseas voter in accordance with ~~42-52~~ 1886
U.S.C. ~~1973ff-6-20310~~ also may apply for voter registration 1887
forms by electronic means to the office of the secretary of 1888
state or to the board of elections of the county in which the 1889
person's voting residence is located pursuant to section 1890
3503.191 of the Revised Code. 1891

~~(2) (a) An applicant may return the applicant's completed 1892
registration form in person or by mail to any state or local 1893
office of a designated agency, to a public high school or 1894
vocational school, to a public library, to the office of a 1895
county treasurer, to the office of the secretary of state, or to 1896
the office of a board of elections. An applicant who is eligible 1897
to vote as a uniformed services voter or an overseas voter in 1898
accordance with 42 U.S.C. ~~1973ff-6~~ also may return the 1899
applicant's completed voter registration form electronically to 1900
the office of the secretary of state or to the board of 1901
elections of the county in which the person's voting residence 1902
is located pursuant to section 3503.191 of the Revised Code. 1903~~

~~(b) Subject to division (B) (2) (c) of this section, an 1904
applicant may return the applicant's completed registration form 1905
through another person to any board of elections or the office 1906
of the secretary of state. 1907~~

~~(c) A person who receives compensation for registering a 1908
voter shall return any registration form entrusted to that 1909
person by an applicant to any board of elections or to the 1910
office of the secretary of state. 1911~~

~~(d) (3) If a board of elections or the office of the 1912
secretary of state receives a registration form under division 1913
(B) (2) (b) or (c) of this section before the thirtieth day before 1914~~

an election, the board or the office of the secretary of state, 1915
as applicable, shall forward the registration to the board of 1916
elections of the county in which the applicant is seeking to 1917
register to vote within ten days after receiving the 1918
application. If a board of elections or the office of the 1919
secretary of state receives a registration form ~~under division~~ 1920
~~(B) (2) (b) or (c) of this section~~ on or after the thirtieth day 1921
before an election, the board or the office of the secretary of 1922
state, as applicable, shall forward the registration to the 1923
board of elections of the county in which the applicant is 1924
seeking to register to vote within thirty days after that 1925
election. 1926

(C) (1) A board of elections that receives a voter 1927
registration ~~application~~ or change of address or change of name 1928
form and is satisfied as to the truth of the statements made in 1929
the ~~registration~~ form shall register the applicant or update the 1930
elector's registration, as applicable, not later than twenty 1931
business days after receiving the application, unless that 1932
application is received during the thirty days immediately 1933
preceding the day of an election. The board shall promptly 1934
notify the ~~applicant~~ person in writing of each of the following: 1935

(a) ~~The applicant's registration~~ fact that the person has 1936
been registered to vote or had the person's registration 1937
updated, as applicable; 1938

(b) The precinct in which the ~~applicant~~ person is to vote; 1939

(c) In bold type as follows: 1940

"Voters must bring identification to the polls in order to 1941
verify identity. Identification may include a current and valid 1942
photo identification, a military identification, or a copy of a 1943

current utility bill, bank statement, government check, 1944
paycheck, or other government document, other than this 1945
notification, that shows the voter's name and current address. 1946
Voters who do not provide one of these documents will still be 1947
able to vote by casting a provisional ballot. Voters who do not 1948
have any of the above forms of identification, including a 1949
social security number, will still be able to vote by signing an 1950
affirmation swearing to the voter's identity under penalty of 1951
election falsification and by casting a provisional ballot." 1952

(d) If the person was registered to vote or had the 1953
person's registration updated through the automated voter 1954
registration and verification system described in section 1955
3503.11 and division (F) of section 4507.061 of the Revised 1956
Code, all of the following: 1957

(i) The fact that the person has been registered to vote 1958
or has had the person's registration updated, as applicable, for 1959
purposes of the next election occurring at least thirty days 1960
after the date the person submitted the person's information to 1961
the bureau of motor vehicles; 1962

(ii) The process to decline the registration or update or 1963
to submit corrected registration information by signing and 1964
returning the notice to the secretary of state or the board of 1965
elections; 1966

(iii) A statement that if the person declines to be 1967
registered to vote or to have the person's registration updated, 1968
that fact will remain confidential and will only be used for 1969
voter registration purposes; 1970

(iv) A statement that if the person wishes to be 1971
registered to vote or to have the person's registration updated, 1972

the office at which the person submitted the person's 1973
information will remain confidential and will only be used for 1974
voter registration purposes. 1975

The notification shall be by nonforwardable mail. If the 1976
mail is returned to the board, it shall investigate and cause 1977
the notification to be delivered to the correct address. 1978

(2) If, after investigating as required under division (C) 1979
(1) of this section, the board is unable to verify the voter's 1980
correct address, it shall cause the voter's name in the official 1981
registration list and in the poll list or signature pollbook to 1982
be marked to indicate that the voter's notification was returned 1983
to the board. 1984

At the first election at which a voter whose name has been 1985
so marked appears to vote, the voter shall be required to 1986
provide identification to the election officials and to vote by 1987
provisional ballot under section 3505.181 of the Revised Code. 1988
If the provisional ballot is counted pursuant to division (B) (3) 1989
of section 3505.183 of the Revised Code, the board shall correct 1990
that voter's registration, if needed, and shall remove the 1991
indication that the voter's notification was returned from that 1992
voter's name on the official registration list and on the poll 1993
list or signature pollbook. If the provisional ballot is not 1994
counted pursuant to division (B) (4) (a) (i), (v), or (vi) of 1995
section 3505.183 of the Revised Code, the voter's registration 1996
shall be canceled. The board shall notify the voter by United 1997
States mail of the cancellation. 1998

(3) If a notice of the disposition of an otherwise valid 1999
registration application is sent by nonforwardable mail and is 2000
returned undelivered, the person shall be registered as provided 2001
in division (C) (2) of this section and sent a confirmation 2002

~~notice by forwardable mail. If the person fails to respond to
the confirmation notice, update the person's registration, or
vote by provisional ballot as provided in division (C) (2) of
this section in any election during the period of two federal
elections subsequent to the mailing of the confirmation notice,
the person's registration shall be canceled.~~

(4) (a) If a person who was registered to vote through the
automated voter registration and verification system described
in section 3503.11 and division (F) of section 4507.061 of the
Revised Code declines the registration under division (C) (1) (d)
(ii) of this section, the board shall treat the declination as a
request to cancel the person's voter registration.

(b) If an elector who had the elector's registration
updated through the automated voter registration and
verification system described in section 3503.11 and division
(F) of section 4507.061 of the Revised Code declines the update
under division (C) (1) (d) (ii) of this section, the board shall
correct the elector's voter registration to reflect the name,
address, and signature that it contained before the board
updated the elector's voter registration under that section.

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

(1) The filing by a registered elector of a written
request with a board of elections or the secretary of state, on
a form prescribed by the secretary of state and signed by the
elector, that the registration be canceled. The filing of such a
request does not prohibit an otherwise qualified elector from
reregistering to vote at any time.

(2) The filing of a notice of the death of a registered

elector as provided in section 3503.18 of the Revised Code; 2032

(3) The filing with the board of elections of a certified 2033
copy of the death certificate of a registered elector by the 2034
deceased elector's spouse, parent, or child, by the 2035
administrator of the deceased elector's estate, or by the 2036
executor of the deceased elector's will; 2037

(4) The conviction of the registered elector of a felony 2038
under the laws of this state, any other state, or the United 2039
States as provided in section 2961.01 of the Revised Code; 2040

(5) The adjudication of incompetency of the registered 2041
elector for the purpose of voting as provided in section 2042
5122.301 of the Revised Code; 2043

~~(6) The change of residence of the registered elector to a 2044
location outside the county of registration in accordance with 2045
division (B) of this section; 2046~~

~~(7)(a) The failure of the registered elector, after having 2047
been mailed a confirmation notice, to do either one or more of 2048
the following at least once during a period of four consecutive 2049
years, which period shall include two federal general elections: 2050~~

~~(a)(i) Respond to such a confirmation notice and vote at 2051
least once during a period of four consecutive years, which 2052
period shall include two general federal elections; 2053~~

~~(b)(ii) Update the elector's registration and vote at 2054
least once during a period of four consecutive years, which 2055
period shall include two general federal elections; 2056~~

(iii) Have the elector's registration updated under 2057
section 3503.11 or 4507.061 of the Revised Code; 2058

(iv) Conduct a transaction with the registrar of motor 2059

vehicles or a deputy registrar, as described in division (E) (2) 2060
of section 3503.11 of the Revised Code; 2061

(v) Vote in an election; 2062

(vi) Sign any petition that is filed with a public office 2063
for the purpose of becoming a candidate for any nomination or 2064
office or for the purpose of holding an election on any issue, 2065
so long as the board of elections verifies the signatures on the 2066
petition and determines that the elector's signature is valid. 2067

~~(8)~~(b) The registration of a registered elector described 2068
in division (A) (6) (a) of this section shall be canceled not 2069
later than one hundred twenty days after the date of the second 2070
federal general election occurring after the elector is mailed a 2071
confirmation notice or not later than one hundred twenty days 2072
after the expiration of the four-year period described in that 2073
division, whichever is later, provided that the registration 2074
shall not be canceled during the ninety days immediately 2075
preceding a federal primary or general election. 2076

(7) The declination of an elector who has been registered 2077
under section 3503.11 or 4507.061 of the Revised Code to 2078
register to vote, as described in division (C) (4) (a) of section 2079
3503.19 of the Revised Code. 2080

(8) The receipt by the board of elections of a 2081
cancellation notice or request pursuant to section 111.44 of the 2082
Revised Code. 2083

(B)~~(1)~~ The secretary of state shall prescribe procedures 2084
to identify and ~~cancel the registration in a prior county of~~ 2085
~~residence of~~ send a confirmation notice to any registrant who 2086
changes the registrant's voting residence to a location outside 2087
the registrant's current county of registration. Any procedures 2088

prescribed in this division shall be uniform and 2089
nondiscriminatory, and shall comply with the Voting Rights Act 2090
of 1965. The secretary of state may prescribe procedures under 2091
this division that include the use of the national change of 2092
address service provided by the United States postal system 2093
through its licensees. Any program so prescribed shall be 2094
completed not later than ninety days prior to the date of any 2095
primary or general election for federal office. 2096

~~(2) The registration of any elector identified as having 2097
changed the elector's voting residence to a location outside the 2098
elector's current county of registration shall not be canceled 2099
unless the registrant is sent a confirmation notice on a form 2100
prescribed by the secretary of state and the registrant fails to 2101
respond to the confirmation notice or otherwise update the 2102
registration and fails to vote in any election during the period 2103
of two federal elections subsequent to the mailing of the 2104
confirmation notice. 2105~~

(C) The registration of a registered elector shall not be 2106
canceled except as provided in this section, section 111.44 of 2107
the Revised Code, division (Q) of section 3501.05 of the Revised 2108
Code, division (C) (2) or (C) (4) (a) of section 3503.19 of the 2109
Revised Code, or division (C) of section 3503.24 of the Revised 2110
Code. 2111

(D) Boards of elections shall send their voter 2112
registration information to the secretary of state as required 2113
under section 3503.15 of the Revised Code. The secretary of 2114
state may prescribe by rule adopted pursuant to section 111.15 2115
of the Revised Code the format in which the boards of elections 2116
must send that information to the secretary of state. In the 2117
first quarter of each year, the secretary of state shall send 2118

the information to the national change of address service 2119
described in division (B) of this section and request that 2120
service to provide the secretary of state with a list of any 2121
voters sent by the secretary of state who have moved within the 2122
last twelve months. The secretary of state shall transmit to 2123
each appropriate board of elections whatever lists the secretary 2124
of state receives from that service. The board shall send a 2125
confirmation notice to each person on the list transmitted by 2126
the secretary of state ~~requesting confirmation of the person's~~ 2127
~~change of address, together with a postage prepaid, preaddressed~~ 2128
~~return envelope containing a form on which the voter may verify~~ 2129
~~or correct the change of address information.~~ 2130

~~(E) The registration of a registered elector described in 2131
division (A) (7) or (B) (2) of this section shall be canceled not 2132
later than one hundred twenty days after the date of the second 2133
general federal election in which the elector fails to vote or 2134
not later than one hundred twenty days after the expiration of 2135
the four year period in which the elector fails to vote or 2136
respond to a confirmation notice, whichever is later.~~ 2137

~~(F) (1)~~ (E) (1) When a registration is canceled pursuant to 2138
division (A) (2) or (3) of this section, the applicable board of 2139
elections shall send a written notice, on a form prescribed by 2140
the secretary of state, to the address at which the elector was 2141
registered, informing the recipient that the elector's 2142
registration has been canceled, of the reason for the 2143
cancellation, and that if the cancellation was made in error, 2144
the elector may contact the board of elections to correct the 2145
error. 2146

(2) If the elector's registration is canceled pursuant to 2147
division (A) (2) or (3) of this section in error, it shall be 2148

restored and treated as though it were never canceled. 2149

Sec. 3503.28. (A) The secretary of state shall develop an 2150
information brochure regarding voter registration. The brochure 2151
shall include, but is not limited to, all of the following 2152
information: 2153

(1) The applicable deadlines for registering to vote or 2154
for ~~returning~~ submitting an applicant's completed registration 2155
~~form~~ application; 2156

(2) The applicable deadline for returning an applicant's 2157
completed registration form if the person returning the form is 2158
being compensated for registering voters; 2159

(3) The locations ~~to~~ and manner in which a person may 2160
~~return an applicant's completed registration form~~ register or be 2161
registered to vote; 2162

(4) The location to which a person who is compensated for 2163
registering voters may return an applicant's completed 2164
registration form; 2165

(5) The registration and affirmation requirements 2166
applicable to persons who are compensated for registering voters 2167
under section 3503.29 of the Revised Code; 2168

(6) The manner in which a person may decline in writing to 2169
be registered to vote under the automated voter registration and 2170
verification system described in section 3503.11 and division 2171
(F) of section 4507.061 of the Revised Code; 2172

(7) A notice, which shall be written in bold type, stating 2173
as follows: 2174

"Voters must bring identification to the polls in order to 2175
verify identity. Identification may include a current and valid 2176

photo identification, a military identification, or a copy of a 2177
current utility bill, bank statement, government check, 2178
paycheck, or other government document, other than a voter 2179
registration notification sent by a board of elections, that 2180
shows the voter's name and current address. Voters who do not 2181
provide one of these documents will still be able to vote by 2182
casting a provisional ballot. Voters who do not have any of the 2183
above forms of identification, including a social security 2184
number, will still be able to vote by signing an affirmation 2185
swearing to the voter's identity under penalty of election 2186
falsification and by casting a provisional ballot." 2187

(B) Except as otherwise provided in division (D) of this 2188
section, a board of elections, designated agency, public high 2189
school, public vocational school, public library, office of a 2190
county treasurer, or deputy registrar of motor vehicles shall 2191
distribute a copy of the brochure developed under division (A) 2192
of this section to any person who requests more than two voter 2193
registration forms at one time. 2194

(C) (1) The secretary of state shall provide the 2195
information required to be included in the brochure developed 2196
under division (A) of this section to any person who prints a 2197
voter registration form that is made available on a web site of 2198
the office of the secretary of state. 2199

(2) If a board of elections operates and maintains a web 2200
site, the board shall provide the information required to be 2201
included in the brochure developed under division (A) of this 2202
section to any person who prints a voter registration form that 2203
is made available on that web site. 2204

(D) A board of elections shall not be required to 2205
distribute a copy of a brochure under division (B) of this 2206

section to any of the following officials or employees who are 2207
requesting more than two voter registration forms at one time in 2208
the course of the official's or employee's normal duties: 2209

- (1) An election official; 2210
- (2) A county treasurer; 2211
- (3) A deputy registrar of motor vehicles; 2212
- (4) An employee of a designated agency; 2213
- (5) An employee of a public high school; 2214
- (6) An employee of a public vocational school; 2215
- (7) An employee of a public library; 2216
- (8) An employee of the office of a county treasurer; 2217
- (9) An employee of the bureau of motor vehicles; 2218
- (10) An employee of a deputy registrar of motor vehicles; 2219
- (11) An employee of an election official. 2220

(E) As used in this section, "registering voters" includes 2221
any effort, for compensation, to provide voter registration 2222
forms or to assist persons in completing or returning those 2223
forms. 2224

Sec. 3503.30. (A) When by mistake a qualified elector has 2225
caused ~~himself~~ the elector to be registered in a precinct ~~which~~ 2226
~~was that is not his~~ the elector's place of residence, the board 2227
of elections, on full and satisfactory proof that such error was 2228
committed by mistake, may, on ~~his~~ the elector's personal 2229
application and proof of ~~his~~ the elector's true residence, 2230
correct ~~his~~ the elector's registration form. The board may 2231
correct all errors occurring in the registration of electors 2232

when it finds that the errors subject to correction were not of 2233
fraudulent intent. 2234

(B) When by mistake a qualified elector has been 2235
registered under section 3503.11 or 4507.061 of the Revised Code 2236
in a precinct or under a name that is not the elector's place of 2237
residence or name, the board of elections, upon application of 2238
the elector and proof of the elector's true residence or name, 2239
as applicable, shall correct the elector's registration form. If 2240
the elector casts a provisional ballot because the elector's 2241
registration has been updated erroneously under those sections, 2242
the elector's provisional ballot shall be eligible to be 2243
counted, as described in division (E) of section 3505.183 of the 2244
Revised Code. 2245

Sec. 3503.33. (A) If an elector applying for registration 2246
is already registered in another state or in another county 2247
within this state, the elector shall declare this fact to the 2248
registration officer and shall sign on the registration form, 2249
which shall operate as an authorization to cancel the previous 2250
registration on a form prescribed by the secretary of state. 2251

(B) When the board of elections registers a person to vote 2252
or updates a person's registration under section 3503.11 or 2253
4507.061 of the Revised Code, if the board is aware of the 2254
person's previous residence address and that address is located 2255
in another state or in another county within this state, the 2256
board shall create a notice to cancel the previous registration 2257
for the purpose of complying with division (C) of this section. 2258

(C) The ~~director of the~~ board of elections shall mail all 2259
~~such~~ authorizations and notices described in division (A) or (B) 2260
of this section to the board of elections or comparable agency 2261
of the proper state and county. In the case of a notice 2262

described in division (B) of this section, the board shall 2263
include with the notice a copy of the elector's most recent 2264
registration form. Upon the receipt of this authorization from 2265
the forwarding county, the director of a board of elections in 2266
Ohio, upon a comparison of the elector's signature with the 2267
elector's signature as it appears on the registration files, 2268
shall remove the elector's registration from the files, and 2269
place it with the cancellation authorization in a separate file 2270
which shall be kept for a period of two calendar years. 2271

The board shall notify the elector at the present address 2272
~~as shown on the cancellation authorization~~ or notice ~~that his~~ 2273
the elector's prior registration has been canceled. 2274

(D) If, after the cancellation of an elector's prior 2275
registration under division (C) (1) of this section, the board of 2276
elections that sent the notice under division (B) of this 2277
section receives a declination to register or to update the 2278
elector's registration under division (C) (4) of section 3503.19 2279
of the Revised Code, the board shall notify the board of 2280
elections or comparable agency to which the board sent the 2281
notice under division (B) of this section to restore the 2282
elector's previous registration and treat it as though it were 2283
never canceled. 2284

Sec. 3505.18. (A) (1) (a) When an elector appears in a 2285
polling place to vote, the elector shall announce to the 2286
precinct election officials the elector's full name and current 2287
address and provide proof of the elector's identity in the form 2288
of a current and valid photo identification, a military 2289
identification, or a copy of a current utility bill, bank 2290
statement, government check, paycheck, or other government 2291
document, other than a notice of voter registration mailed by a 2292

board of elections under section 3503.19 of the Revised Code, 2293
that shows the name and current address of the elector. 2294

(b) For purposes of this section and sections 3505.181 to 2295
3505.183 of the Revised Code, an elector who provides proof of 2296
the elector's identity in the form of a copy of a current 2297
utility bill or bank statement may do so by showing a paper copy 2298
of the utility bill or bank statement or by showing the utility 2299
bill or bank statement on the elector's personal electronic 2300
device. 2301

(2) If an elector does not have or is unable to provide to 2302
the precinct election officials any of the forms of 2303
identification required under division (A)(1) of this section, 2304
the elector may cast a provisional ballot under section 3505.181 2305
of the Revised Code and do either of the following: 2306

(a) Write the elector's driver's license or state 2307
identification card number or the last four digits of the 2308
elector's social security number on the provisional ballot 2309
envelope; or 2310

(b) Appear at the office of the board of elections not 2311
later than the seventh day after the day of the election and 2312
provide the identification required under division (A)(1) of 2313
this section, the elector's driver's license or state 2314
identification card number, or the last four digits of the 2315
elector's social security number. 2316

(B) After the elector has announced the elector's full 2317
name and current address and provided any of the forms of 2318
identification required under division (A)(1) of this section, 2319
the elector shall ~~write~~sign the elector's ~~name and address~~ 2320
signature at the proper place in the poll list or signature 2321

pollbook provided for the purpose, except that if, for any 2322
reason, an elector is unable to ~~write~~ sign the elector's ~~name~~ 2323
~~and current address~~ signature in the poll list or signature 2324
pollbook, the elector may make the elector's mark at the place 2325
intended for the elector's ~~name~~ signature, and a precinct 2326
election official shall write the name of the elector at the 2327
proper place on the poll list or signature pollbook following 2328
the elector's mark. The making of such a mark shall be attested 2329
by the precinct election official, who shall evidence the same 2330
by signing the precinct election official's name on the poll 2331
list or signature pollbook as a witness to the mark. 2332
Alternatively, if applicable, an attorney in fact acting 2333
pursuant to section 3501.382 of the Revised Code may sign the 2334
elector's signature in the poll list or signature pollbook in 2335
accordance with that section. 2336

The elector's signature in the poll list or signature 2337
pollbook then shall be compared with the elector's signature on 2338
the elector's registration form or a digitized signature list as 2339
provided for in section 3503.13 of the Revised Code, and if, in 2340
the opinion of a majority of the precinct election officials, 2341
the signatures are the signatures of the same person, the 2342
election officials shall enter the date of the election on the 2343
registration form or shall record the date by other means 2344
prescribed by the secretary of state. The validity of an 2345
attorney in fact's signature on behalf of an elector shall be 2346
determined in accordance with section 3501.382 of the Revised 2347
Code. 2348

If the right of the elector to vote is not then 2349
challenged, or, if being challenged, the elector establishes the 2350
elector's right to vote, the elector shall be allowed to proceed 2351
to use the voting machine. If voting machines are not being used 2352

in that precinct, the precinct election official in charge of 2353
ballots shall then detach the next ballots to be issued to the 2354
elector from Stub B attached to each ballot, leaving Stub A 2355
attached to each ballot, hand the ballots to the elector, and 2356
call the elector's name and the stub number on each of the 2357
ballots. The precinct election official shall enter the stub 2358
numbers opposite the signature of the elector in the pollbook. 2359
The elector shall then retire to one of the voting compartments 2360
to mark the elector's ballots. No mark shall be made on any 2361
ballot which would in any way enable any person to identify the 2362
person who voted the ballot. 2363

(C) (1) An elector who travels to the elector's polling 2364
place, but who is physically unable to enter the polling place, 2365
shall be permitted to vote in the vehicle that conveyed the 2366
elector to the polling place or at the door of the polling 2367
place. A bipartisan team of election officials shall permit the 2368
elector to provide identification and to sign the elector's 2369
signature in the poll list or signature pollbook or on a 2370
separate sheet to be added to the poll list or signature 2371
pollbook. If the right of the elector to vote is not then 2372
challenged, or, if being challenged, the elector establishes the 2373
elector's right to vote, the bipartisan team of election 2374
officials shall provide the elector with the appropriate paper 2375
ballots along with an envelope or secrecy sleeve. 2376

(2) During the period of a statewide emergency declared by 2377
the governor, the secretary of state may prescribe procedures to 2378
allow other electors to vote in accordance with division (C) (1) 2379
of this section, as necessary to protect the public health and 2380
safety. 2381

(3) Except as permitted under divisions (C) (1) and (2) of 2382

this section, no elector shall be permitted to vote in a vehicle 2383
or at the door of a polling place. 2384

Sec. 3505.183. (A) When the ballot boxes are delivered to 2385
the board of elections from the precincts, the board shall 2386
separate the provisional ballot envelopes from the rest of the 2387
ballots. Teams of employees of the board consisting of one 2388
member of each major political party shall place the sealed 2389
provisional ballot envelopes in a secure location within the 2390
office of the board. The sealed provisional ballot envelopes 2391
shall remain in that secure location until the validity of those 2392
ballots is determined under division (B) of this section. While 2393
the provisional ballot is stored in that secure location, and 2394
prior to the counting of the provisional ballots, if the board 2395
receives information regarding the validity of a specific 2396
provisional ballot under division (B) of this section, the board 2397
may note, on the sealed provisional ballot envelope for that 2398
ballot, whether the ballot is valid and entitled to be counted. 2399

(B) (1) To determine whether a provisional ballot is valid 2400
and entitled to be counted, the board shall examine its records 2401
and determine whether the individual who cast the provisional 2402
ballot is registered and eligible to vote in the applicable 2403
election. The board shall examine the information contained in 2404
the written affirmation executed by the individual who cast the 2405
provisional ballot under division (B) (2) of section 3505.181 of 2406
the Revised Code. The following information shall be included in 2407
the written affirmation in order for the provisional ballot to 2408
be eligible to be counted: 2409

(a) The individual's printed name, signature, date of 2410
birth, and current address; 2411

(b) A statement that the individual is a registered voter 2412

in the precinct in which the provisional ballot is being voted; 2413

(c) A statement that the individual is eligible to vote in 2414
the election in which the provisional ballot is being voted. 2415

(2) In addition to the information required to be included 2416
in an affirmation under division (B)(1) of this section, in 2417
determining whether a provisional ballot is valid and entitled 2418
to be counted, the board also shall examine any additional 2419
information for determining ballot validity provided by the 2420
provisional voter on the affirmation, provided by the 2421
provisional voter to an election official under section 3505.182 2422
of the Revised Code, or provided to the board of elections 2423
during the seven days after the day of the election under 2424
division (B)(7) of section 3505.181 of the Revised Code, to 2425
assist the board in determining the individual's eligibility to 2426
vote. 2427

(3) If, in examining a provisional ballot affirmation and 2428
additional information under divisions (B)(1) and (2) of this 2429
section and comparing the information required under division 2430
(B)(1) of this section with the elector's information in the 2431
statewide voter registration database, the board determines that 2432
all of the following apply, the provisional ballot envelope 2433
shall be opened, and the ballot shall be placed in a ballot box 2434
to be counted: 2435

(a) The individual named on the affirmation is properly 2436
registered to vote. 2437

(b) ~~The~~ Except as otherwise provided in divisions (D) and 2438
(E) of this section, the individual named on the affirmation is 2439
eligible to cast a ballot in the precinct and for the election 2440
in which the individual cast the provisional ballot. 2441

(c) The individual provided all of the information 2442
required under division (B) (1) of this section in the 2443
affirmation that the individual executed at the time the 2444
individual cast the provisional ballot. 2445

(d) The last four digits of the elector's social security 2446
number or the elector's driver's license number or state 2447
identification card number are not different from the last four 2448
digits of the elector's social security number or the elector's 2449
driver's license number or state identification card number 2450
contained in the statewide voter registration database. 2451

(e) Except as otherwise provided in this division, the 2452
month and day of the elector's date of birth are not different 2453
from the day and month of the elector's date of birth contained 2454
in the statewide voter registration database. 2455

This division does not apply to an elector's provisional 2456
ballot if either of the following is true: 2457

(i) The elector's date of birth contained in the statewide 2458
voter registration database is January 1, 1800. 2459

(ii) The board of elections has found, by a vote of at 2460
least three of its members, that the elector has met all other 2461
requirements of division (B) (3) of this section. 2462

(f) The elector's current address is not different from 2463
the elector's address contained in the statewide voter 2464
registration database, unless the elector indicated that the 2465
elector is casting a provisional ballot because the elector has 2466
moved and has not submitted a notice of change of address, as 2467
described in division (A) (6) of section 3505.181 of the Revised 2468
Code, and except as otherwise provided in division (E) of this 2469
section. 2470

(g) If applicable, the individual provided any additional 2471
information required under division (B) (7) of section 3505.181 2472
of the Revised Code within seven days after the day of the 2473
election. 2474

(4) (a) Except as otherwise provided in ~~division~~divisions 2475
(D) and (E) of this section, if, in examining a provisional 2476
ballot affirmation and additional information under divisions 2477
(B) (1) and (2) of this section and comparing the information 2478
required under division (B) (1) of this section with the 2479
elector's information in the statewide voter registration 2480
database, the board determines that any of the following 2481
applies, the provisional ballot envelope shall not be opened, 2482
and the ballot shall not be counted: 2483

(i) The individual named on the affirmation is not 2484
qualified or is not properly registered to vote. 2485

(ii) The individual named on the affirmation is not 2486
eligible to cast a ballot in the precinct or for the election in 2487
which the individual cast the provisional ballot. 2488

(iii) The individual did not provide all of the 2489
information required under division (B) (1) of this section in 2490
the affirmation that the individual executed at the time the 2491
individual cast the provisional ballot. 2492

(iv) The individual has already cast a ballot for the 2493
election in which the individual cast the provisional ballot. 2494

(v) If applicable, the individual did not provide any 2495
additional information required under division (B) (7) of section 2496
3505.181 of the Revised Code within seven days after the day of 2497
the election. 2498

(vi) The individual failed to provide a current and valid 2499

photo identification, a military identification, a copy of a 2500
current utility bill, bank statement, government check, 2501
paycheck, or other government document, other than a notice of 2502
voter registration mailed by a board of elections under section 2503
3503.19 of the Revised Code, with the voter's name and current 2504
address, the individual's driver's license or state 2505
identification card number, or the last four digits of the 2506
individual's social security number or to execute an affirmation 2507
under division (B) of section 3505.181 of the Revised Code. 2508

(vii) The last four digits of the elector's social 2509
security number or the elector's driver's license number or 2510
state identification card number are different from the last 2511
four digits of the elector's social security number or the 2512
elector's driver's license number or state identification card 2513
number contained in the statewide voter registration database. 2514

(viii) Except as otherwise provided in this division, the 2515
month and day of the elector's date of birth are different from 2516
the day and month of the elector's date of birth contained in 2517
the statewide voter registration database. 2518

This division does not apply to an elector's provisional 2519
ballot if either of the following is true: 2520

(I) The elector's date of birth contained in the statewide 2521
voter registration database is January 1, 1800. 2522

(II) The board of elections has found, by a vote of at 2523
least three of its members, that the elector has met all of the 2524
requirements of division (B) (3) of this section, other than the 2525
requirements of division (B) (3) (e) of this section. 2526

(ix) The elector's current address is different from the 2527
elector's address contained in the statewide voter registration 2528

database, unless the elector indicated that the elector is 2529
casting a provisional ballot because the elector has moved and 2530
has not submitted a notice of change of address, as described in 2531
division (A) (6) of section 3505.181 of the Revised Code. 2532

(b) If, in examining a provisional ballot affirmation and 2533
additional information under divisions (B) (1) and (2) of this 2534
section and comparing the information required under division 2535
(B) (1) of this section with the elector's information in the 2536
statewide voter registration database, the board is unable to 2537
determine either of the following, the provisional ballot 2538
envelope shall not be opened, and the ballot shall not be 2539
counted: 2540

(i) Whether the individual named on the affirmation is 2541
qualified or properly registered to vote; 2542

(ii) Whether the individual named on the affirmation is 2543
eligible to cast a ballot in the precinct or for the election in 2544
which the individual cast the provisional ballot. 2545

(C) For each provisional ballot rejected under division 2546
(B) (4) of this section, the board shall record the name of the 2547
provisional voter who cast the ballot, the identification number 2548
of the provisional ballot envelope, the names of the election 2549
officials who determined the validity of that ballot, the date 2550
and time that the determination was made, and the reason that 2551
the ballot was not counted, unless the board has already 2552
recorded that information in another database. 2553

(D) (1) If an individual cast a provisional ballot in a 2554
precinct in which the individual is not registered and eligible 2555
to vote, but in the correct polling location for the precinct in 2556
which the individual is registered and eligible to vote, and the 2557

election official failed to direct the individual to the correct 2558
precinct, the individual's ballot shall be remade under division 2559
(D) (2) of this section. The election official shall be deemed to 2560
have directed the individual to the correct precinct if the 2561
election official correctly completed the form described in 2562
division (C) (2) of section 3505.181 of the Revised Code. 2563

(2) A board of elections that remakes a provisional ballot 2564
under division (D) (1) of this section shall remake the 2565
provisional ballot on a ballot for the appropriate precinct to 2566
reflect the offices, questions, and issues for which the 2567
individual was eligible to cast a ballot and for which the 2568
individual attempted to cast a provisional ballot. The remade 2569
ballot shall be counted for each office, question, and issue for 2570
which the individual was eligible to vote. 2571

(3) ~~If~~ Except as otherwise provided in division (E) (2) of 2572
this section, if an individual cast a provisional ballot in a 2573
precinct in which the individual is not registered and eligible 2574
to vote and in the incorrect polling location for the precinct 2575
in which the individual is registered and eligible to vote, the 2576
provisional ballot envelope shall not be opened, and the ballot 2577
shall not be counted. 2578

~~(E) Provisional~~ (E) (1) If the board determines that a 2579
provisional ballot is not eligible to be counted under this 2580
section because the individual's address provided on the 2581
provisional ballot affirmation is different from the address 2582
contained in the statewide voter registration database, because 2583
the individual's name and signature provided on the provisional 2584
ballot affirmation are different from the name and signature 2585
contained in the statewide voter registration database, or both, 2586
and both of the following are true, the board shall correct the 2587

individual's voter registration record to reflect the 2588
information provided in the provisional ballot affirmation, and 2589
the provisional ballot nonetheless shall be eligible to be 2590
counted: 2591

(a) The individual's voter registration was most recently 2592
updated through the automated voter registration and 2593
verification system described in section 3503.11 and division 2594
(F) of section 4507.061 of the Revised Code and not at the 2595
request of the individual or using information the individual 2596
submitted to the board of elections or the secretary of state; 2597

(b) The individual's voter registration correctly 2598
reflected the individual's address, name, and signature, as 2599
provided on the provisional ballot affirmation, immediately 2600
before that update occurred. 2601

(2) If an individual who cast a provisional ballot that is 2602
eligible to be counted under division (E)(1) of this section 2603
cast that ballot in the precinct indicated by the individual's 2604
voter registration record as updated through the automated voter 2605
registration and verification system, and not in the precinct in 2606
which the individual resides, the board shall remake the 2607
provisional ballot on a ballot for the precinct in which the 2608
individual resides to reflect the offices, questions, and issues 2609
for which the individual was eligible to cast a ballot and for 2610
which the individual attempted to cast a provisional ballot. The 2611
remade ballot shall be counted for each office, question, and 2612
issue for which the individual was eligible to vote. 2613

(F) Provisional ballots that are rejected under division 2614
(B)(4) of this section shall not be counted but shall be 2615
preserved in their provisional ballot envelopes unopened until 2616
the time provided by section 3505.31 of the Revised Code for the 2617

destruction of all other ballots used at the election for which 2618
ballots were provided, at which time they shall be destroyed. 2619

~~(F)~~ (G) Provisional ballots that the board determines are 2620
eligible to be counted under ~~division (B) (3) or (D) of this~~ 2621
section shall be counted in the same manner as provided for 2622
other ballots under section 3505.27 of the Revised Code. No 2623
provisional ballots shall be counted in a particular county 2624
until the board determines the eligibility to be counted of all 2625
provisional ballots cast in that county under ~~division (B) of~~ 2626
this section for that election. Observers, as provided in 2627
section 3505.21 of the Revised Code, may be present at all times 2628
that the board is determining the eligibility of provisional 2629
ballots to be counted and counting those provisional ballots 2630
determined to be eligible. No person shall recklessly disclose 2631
the count or any portion of the count of provisional ballots in 2632
such a manner as to jeopardize the secrecy of any individual 2633
ballot. 2634

~~(G)~~ (H) (1) Except as otherwise provided in division ~~(G)~~ (H) 2635
(2) of this section, nothing in this section shall prevent a 2636
board of elections from examining provisional ballot 2637
affirmations and additional information under ~~divisions (B) (1)~~ 2638
~~and (2) of this section~~ to determine the eligibility of 2639
provisional ballots to be counted during the ten days after the 2640
day of an election. 2641

(2) A board of elections shall not examine the provisional 2642
ballot affirmation and additional information under ~~divisions~~ 2643
~~(B) (1) and (2) of this section~~ of any provisional ballot cast by 2644
an individual who must provide additional information to the 2645
board of elections under division (B) (7) of section 3505.181 of 2646
the Revised Code for the board to determine the individual's 2647

eligibility until the individual provides that information or 2648
until the eleventh day after the day of the election, whichever 2649
is earlier. 2650

Sec. 3506.14. (A) Prior to each election, the board of 2651
elections shall ~~test~~do both of the following as instructed by 2652
the secretary of state: 2653

(1) Test and audit the variable codes applicable to that 2654
election to verify the accuracy of any computer program that 2655
will be used for tallying the ballot cards for each precinct in 2656
which an election will be held. 2657

~~(B) Prior to the start of the count of the ballots, the~~ 2658
~~board of elections shall have the voting machine or automatic~~ 2659
~~tabulating equipment tested;~~ 2660

(2) Conduct systematic logic and accuracy testing of every 2661
component of every voting machine, marking device, or piece of 2662
automatic tabulating equipment with every ballot style to be 2663
used in the election to ascertain that ~~it~~ the ballots are 2664
accurate and that the machines, devices, and equipment will 2665
accurately record, mark, or count the votes cast for all offices 2666
and on all questions and issues, as applicable. ~~Public notice of~~ 2667
~~the time and place of the test shall be given by proclamation or~~ 2668
~~posting as in the case of notice of elections.~~ The test shall be 2669
conducted by processing a pre-audited group of ballots so marked 2670
as to record a predetermined number of valid votes for each 2671
candidate and on each question and issue, and shall include for 2672
each office one or more ballots that have votes in excess of the 2673
number allowed by law in order to test the ability of the 2674
automatic tabulating equipment to reject those votes. In that 2675
test a different number of valid votes shall be assigned to each 2676
candidate for an office, and for and against each question and 2677

issue. If an error is detected, the cause for the error shall be 2678
ascertained and corrected and an errorless count shall be made 2679
and certified to by the board before the count is started. ~~The~~ 2680

(B) All automatic tabulating equipment to be used in an 2681
election shall pass the same ~~test~~ testing described in division 2682
(A) (2) of this section at the beginning and conclusion of the 2683
election day count before the election returns are approved as 2684
official. ~~On~~ 2685

(C) The board shall give public notice of the time and 2686
place of all testing to be conducted under this section by 2687
proclamation or posting as in the case of notice of elections. 2688
All testing under this section shall be conducted by bipartisan 2689
teams of election officials. 2690

(D) No voting machine, marking device, or piece of 2691
automatic tabulating equipment shall be used in an election in 2692
this state without undergoing successful testing under this 2693
section. 2694

(E) On completion of the election day count, the programs, 2695
test materials, and ballots shall be sealed and retained as 2696
provided for paper ballots in section 3505.31 of the Revised 2697
Code. 2698

Sec. 3506.24. (A) As used in this section: 2699

(1) "Elected official" means an elected officer of the 2700
state, any political subdivision, or the United States, other 2701
than a member of a central committee of a political party. 2702

(2) "Voter registration system" means software and any 2703
related equipment used by a board of elections or the secretary 2704
of state to process, store, organize, maintain, or retrieve 2705
voter registration records. 2706

(B) (1) No voter registration system, voting machine, marking device, or automatic tabulating equipment shall be used for the purpose of conducting elections in this state if an elected official or the spouse of an elected official is a partner, owner, or member of the person or entity that manufactured, assembled, or otherwise made the system, machine, device, or equipment or of the person or entity from which the system, machine, device, or equipment is acquired.

(2) For purposes of division (B) (1) of this section, an elected official or the spouse of an elected official is not considered an owner of a publicly traded person or entity if the elected official's and the spouse's combined ownership interest in the person or entity is less than ten per cent.

Sec. 3509.01. (A) The board of elections of each county shall provide absent voter's ballots for use at every primary and general election, or 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 constitutional amendments proposed by the general assembly to the voters of the state. Those ballots shall be the same size, shall be printed on the same kind of paper, and shall be in the same form as has been approved for use at the election for which those ballots are to be voted; except that, in counties using marking devices, ballot cards may be used for absent voter's ballots, and those absent voters shall be instructed to record the vote in the manner provided on the ballot cards.

(B) The rotation of names of candidates and questions and issues shall be substantially complied with on absent voter's ballots, within the limitation of time allotted. Those ballots

shall be designated as "Absent Voter's Ballots." Except as 2737
otherwise provided in division (D) of this section, those 2738
ballots shall be printed and ready for use as follows: 2739

(1) For overseas voters and absent uniformed services 2740
voters eligible to vote under the Uniformed and Overseas 2741
Citizens Absentee Voting Act, Pub. L. No. 99-410, 100 Stat. 924, 2742
42 U.S.C. 1973ff, et seq., as amended, ballots shall be printed 2743
and ready for use other than in person on the forty-sixth day 2744
before the day of the election. 2745

(2) For all other voters, ~~other than overseas voters and~~ 2746
~~absent uniformed services voters, who are applying to vote~~ 2747
~~absent voter's ballots other than in person,~~ ballots shall be 2748
printed and ready for use on the first day after the close of 2749
voter registration before the election. 2750

~~(3) For all voters who are applying to vote absent voter's~~ 2751
~~ballots in person, ballots shall be printed and ready for use~~ 2752
~~beginning on the first day after the close of voter registration~~ 2753
~~before the election.~~ 2754

~~If, at the time for the close of in-person absent voting~~ 2755
~~on a particular day, there are voters waiting in line to cast~~ 2756
~~their ballots, the in-person absent voting location shall be~~ 2757
~~kept open until such waiting voters have cast their absent~~ 2758
~~voter's ballots.~~ 2759

(C) Absent voter's ballots provided for use at a general 2760
or primary election, or special election to be held on the day 2761
specified by division (E) of section 3501.01 of the Revised Code 2762
for the holding of a primary election, designated by the general 2763
assembly for the purpose of submitting constitutional amendments 2764
proposed by the general assembly to the voters of the state, 2765

shall include only those questions, issues, and candidacies that 2766
have been lawfully ordered submitted to the electors voting at 2767
that election. 2768

(D) If the laws governing the holding of a special 2769
election on a day other than the day on which a primary or 2770
general election is held make it impossible for absent voter's 2771
ballots to be printed and ready for use by the deadlines 2772
established in division (B) of this section, absent voter's 2773
ballots for those special elections shall be ready for use as 2774
many days before the day of the election as reasonably possible 2775
under the laws governing the holding of that special election. 2776

(E) A copy of the absent voter's ballots shall be 2777
forwarded by the director of the board in each county to the 2778
secretary of state at least twenty-five days before the 2779
election. 2780

Sec. 3509.02. (A) Any qualified elector may vote by absent 2781
voter's ballots at an election. 2782

(B) Any qualified elector who is unable to appear at the 2783
office of the board of elections or, if pursuant to division (C) 2784
of section 3501.10 of the Revised Code the board has designated 2785
another location in the county at which registered electors may 2786
vote, at that other location on account of personal illness, 2787
physical disability, or infirmity, and who moves from one 2788
precinct to another within a county, changes the elector's name 2789
and moves from one precinct to another within a county, or moves 2790
from one county to another county within the state, on or prior 2791
to the day of a general, primary, or special election and has 2792
not filed a notice of change of residence or change of name may 2793
vote by absent voter's ballots in that election as specified in 2794
division ~~(G)~~ (E) of section 3503.16 of the Revised Code. 2795

Sec. 3509.03. (A) Except as otherwise provided in division 2796
~~(B) of section 3509.08~~ sections 3509.031, 3509.051, 3511.02, and 2797
3511.021 of the Revised Code, any qualified elector desiring to 2798
vote absent voter's ballots at an election shall ~~make~~ deliver a 2799
written application for those ballots, either in person or by 2800
mail, to the ~~director~~ board of elections of the county in which 2801
the elector's voting residence is located. 2802

(B) Except as otherwise provided in division (C) of this 2803
section, the application need not be in any particular form but 2804
shall contain all of the following: 2805

(1) The elector's name; 2806

(2) The elector's signature; 2807

(3) The address at which the elector is registered to 2808
vote; 2809

(4) The elector's date of birth; 2810

(5) One of the following: 2811

(a) The elector's driver's license or state identification 2812
card number; 2813

(b) The last four digits of the elector's social security 2814
number; 2815

(c) A copy of the elector's current and valid photo 2816
identification, a copy of a military identification, or a copy 2817
of a current utility bill, bank statement, government check, 2818
paycheck, or other government document, other than a notice of 2819
voter registration mailed by a board of elections under section 2820
3503.19 of the Revised Code, that shows the name and address of 2821
the elector. 2822

- (6) A statement identifying the election for which absent voter's ballots are requested; 2823
2824
- (7) A statement that the person requesting the ballots is a qualified elector; 2825
2826
- (8) If the request is for primary election ballots, the elector's party affiliation; 2827
2828
- (9) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed. 2829
2830
- (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. 2831
2832
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2835
- (D) ~~Each~~ Except as otherwise provided in division (A) of section 3509.051 and in division (B) of section 3509.08 of the Revised Code, an application for to receive absent voter's ballots shall be delivered to the ~~director office of the board~~ or submitted through the online system described in section 3509.031 of the Revised Code, as applicable, not earlier than the first day of January of the year of the elections for which the absent voter's ballots are requested or not earlier than ninety days before the day of the election at which the ballots are to be voted, whichever is earlier, and not later than ~~twelve noon of the third close of business on the tenth 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.~~ 2836
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- (E) ~~A board of elections that mails an absent voter's~~ 2851

~~ballot application to an elector under this section. No public office, and no public official or employee who is acting in an official capacity, shall not prepay the return postage for that an application for absent voter's ballots.~~

(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 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 ballots before mailing that application to the applicant, except that if the applicant has a confidential voter registration record, the secretary of state or a board of elections shall not preprint the applicant's address on the application.

Sec. 3509.031. (A) (1) The secretary of state shall establish a secure online system for electors to apply for absent voter's ballots. The online system shall be available in addition to the procedures prescribed under section 3511.021 of the Revised Code to allow a uniformed services or overseas absent voter or a relative of such an absent voter to apply for ballots by electronic means.

(2) The online system shall permit an elector to submit the application not earlier than the first day of January of the year of the election or not earlier than ninety days before the day of the election, whichever is earlier, and not later than the close of business on the tenth day before the day of the election.

(B) (1) The online application for absent voter's ballots shall require an elector to provide all of the following:

<u>(a) The elector's name;</u>	2882
<u>(b) (i) Except as otherwise provided under division (B) (1)</u>	2883
<u>(b) (ii) of this section, the address at which the elector is</u>	2884
<u>registered to vote.</u>	2885
<u>(ii) If the elector has a confidential voter registration</u>	2886
<u>record, as described in section 111.44 of the Revised Code, the</u>	2887
<u>elector may provide the elector's program participant</u>	2888
<u>identification number instead of the address at which the</u>	2889
<u>elector is registered to vote.</u>	2890
<u>(c) The elector's date of birth;</u>	2891
<u>(d) The elector's Ohio driver's license or state</u>	2892
<u>identification card number;</u>	2893
<u>(e) The last four digits of the elector's social security</u>	2894
<u>number;</u>	2895
<u>(f) An indication of the election for which the absent</u>	2896
<u>voter's ballots are requested;</u>	2897
<u>(g) If the request is for primary election ballots, the</u>	2898
<u>elector's party affiliation;</u>	2899
<u>(h) The address to which the ballots shall be mailed, if</u>	2900
<u>different from the address at which the applicant is registered</u>	2901
<u>to vote.</u>	2902
<u>(2) The application shall require the applicant to check a</u>	2903
<u>box affirming under penalty of election falsification that the</u>	2904
<u>applicant is a qualified elector.</u>	2905
<u>(C) The secretary of state shall transmit each completed</u>	2906
<u>application submitted through the online system to the board of</u>	2907
<u>elections of the county in which the elector resides.</u>	2908

(D) The secretary of state shall employ security measures 2909
necessary to ensure the integrity and accuracy of information 2910
submitted electronically pursuant to this section. Errors in 2911
processing applications for absent voter's ballots in the online 2912
system shall not prevent an elector from receiving absent 2913
voter's ballots. 2914

Sec. 3509.04. (A) If a ~~director of a~~ board of elections 2915
receives an application for absent voter's ballots that does not 2916
contain all of the required information, the ~~director board~~ 2917
promptly shall notify the applicant of the additional 2918
information required to be provided by the applicant to complete 2919
that application. 2920

(B) Upon receipt by the ~~director board~~ of elections of an 2921
application for absent voter's ballots that contains all of the 2922
required information, as provided by ~~section sections~~ 3509.03 2923
and 3509.031 and division ~~(G)~~ (E) of section 3503.16 of the 2924
Revised Code, the ~~director board~~, if the ~~director board~~ finds 2925
that the applicant is a qualified elector, shall deliver to the 2926
applicant in person or mail directly to the applicant by special 2927
delivery mail, air mail, or regular mail, postage prepaid, 2928
proper absent voter's ballots. The ~~director board~~ shall deliver 2929
or mail with the ballots an unsealed identification envelope 2930
upon the face of which shall be printed a form substantially as 2931
follows: 2932

"Identification Envelope Statement of Voter 2933

I, _____ (Name of voter), declare under 2934
penalty of election falsification that the within ballot or 2935
ballots contained no voting marks of any kind when I received 2936
them, and I caused the ballot or ballots to be marked, enclosed 2937
in the identification envelope, and sealed in that envelope. 2938

My voting residence in Ohio is _____ 2939
_____ 2940
(Street and Number, if any, or Rural Route and Number) 2941
of _____ (City, Village, or Township) 2942
Ohio, which is in Ward _____ 2943
Precinct _____ in that city, village, or township. 2944

If I have a confidential voter registration record, I am 2945
providing my program participant identification number instead 2946
of my residence address: _____ 2947

The primary election ballots, if any, within this envelope 2948
are primary election ballots of the _____ Party. 2949

Ballots contained within this envelope are to be voted at 2950
the _____ (general, special, or primary) election to be 2951
held on the _____ day of 2952
_____, _____. 2953

My date of birth is _____ (Month and Day), 2954
_____ (Year). 2955

~~(Voter-You must provide one of the following:)~~ 2956

~~My-Your driver's license or state identification card~~ 2957
~~number is: _____ (Driver's license number).~~ 2958

~~The-If you do not have or cannot provide a driver's~~ 2959
~~license or state identification card number, the last four~~ 2960
~~digits of my-your Social Security Number-are: _____~~ 2961
~~(Last four digits of Social Security Number).~~ 2962

~~_____ In lieu of providing a driver's license number or~~ 2963
~~the last four digits of my Social Security Number, I am~~ 2964
~~enclosing a-If you do not have or cannot provide a driver's~~ 2965

license or state identification card number or the last four 2966
digits of your Social Security number, a copy of ~~one of the~~ 2967
~~following in the return envelope in which this identification~~ 2968
~~envelope will be mailed:~~ a current and valid photo 2969
identification, a military identification, or a current utility 2970
bill, bank statement, government check, paycheck, or other 2971
government document, other than a notice of voter registration 2972
mailed by a board of elections, that shows ~~my~~your name and 2973
address. If you provide a copy of one of those documents, 2974
enclose it in the return envelope along with the identification 2975
envelope. 2976

I hereby declare, under penalty of election falsification, 2977
that the statements above are true, as I verily believe. 2978

_____ (Signature of Voter) 2979

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 2980
THE FIFTH DEGREE." 2981

The ~~director board~~ shall mail with the ballots and the 2982
unsealed identification envelope an unsealed return envelope 2983
upon the face of which shall be printed the ~~official title and~~ 2984
post-office address of the ~~director board~~. In the upper left 2985
corner on the face of the return envelope, several blank lines 2986
shall be printed upon which the voter may write the voter's name 2987
and return address. The return envelope shall be of such size 2988
that the identification envelope can be conveniently placed 2989
within it for returning the identification envelope to the 2990
~~director board~~. 2991

~~A board of elections that mails or otherwise delivers~~ 2992
~~absent voter's ballots to an elector under this section No~~ 2993
public office, and no public official or employee who is acting 2994

in an official capacity, shall ~~not~~ prepay the return postage for 2995
~~these any absent voter's~~ ballots. 2996

Except as otherwise provided in this section and in 2997
sections 3505.24 and 3509.08 of the Revised Code, an election 2998
official shall not fill out any portion of an identification 2999
envelope statement of voter or an absent voter's ballot on 3000
behalf of an elector. A board of elections may preprint only an 3001
elector's name and address on an identification envelope 3002
statement of voter before mailing absent voter's ballots to the 3003
elector, except that if the elector has a confidential voter 3004
registration record, as described in section 111.44 of the 3005
Revised Code, the board of elections shall not preprint the 3006
elector's address on the identification envelope statement of 3007
voter. 3008

Sec. 3509.05. (A) When an elector receives an absent 3009
voter's ballot pursuant to the elector's application or request, 3010
the elector shall, before placing any marks on the ballot, note 3011
whether there are any voting marks on it. If there are any 3012
voting marks, the ballot shall be returned immediately to the 3013
board of elections; otherwise, the elector shall cause the 3014
ballot to be marked, folded in a manner that the stub on it and 3015
the indorsements and facsimile signatures of the members of the 3016
board of elections on the back of it are visible, and placed and 3017
sealed within the identification envelope received from the 3018
~~director~~ board of elections for that purpose. Then, the elector 3019
shall cause the statement of voter on the outside of the 3020
identification envelope to be completed and signed, under 3021
penalty of election falsification. 3022

(B) If the elector does not provide the elector's driver's 3023
license or state identification card number or the last four 3024

digits of the elector's social security number on the statement 3025
of voter on the identification envelope, the elector also shall 3026
include in the return envelope with the identification envelope 3027
a copy of the elector's current valid photo identification, a 3028
copy of a military identification, or a copy of a current 3029
utility bill, bank statement, government check, paycheck, or 3030
other government document, other than a notice of voter 3031
registration mailed by a board of elections under section 3032
3503.19 of the Revised Code, that shows the name and address of 3033
the elector. 3034

(C) (1) The elector shall mail the identification envelope 3035
to the ~~director from whom it was received~~ office of the board of 3036
elections in the return envelope, postage prepaid, or the 3037
elector may personally deliver it to the ~~director~~ office of the 3038
board, or the spouse of the elector, the father, mother, father- 3039
in-law, mother-in-law, grandfather, grandmother, brother, or 3040
sister of the whole or half blood, or the son, daughter, 3041
adopting parent, adopted child, stepparent, stepchild, uncle, 3042
aunt, nephew, or niece of the elector may deliver it to the 3043
~~director~~ office of the board. The return envelope shall be 3044
~~transmitted to the director returned by no other person,~~ in no 3045
other manner, and to no other location, except as otherwise 3046
provided in division (C) (2) of this section and in section 3047
3509.08 of the Revised Code. 3048

~~When absent voter's ballots are delivered to an elector at~~ 3049
~~the office of the board, the elector may retire to a voting~~ 3050
~~compartment provided by the board and there mark the ballots.~~ 3051
~~Thereupon, the elector shall fold them, place them in the~~ 3052
~~identification envelope provided, seal the envelope, fill in and~~ 3053
~~sign the statement on the envelope under penalty of election~~ 3054
~~falsification, and deliver the envelope to the director of the~~ 3055

~~board.~~ 3056

(2) During the period beginning on the tenth day before 3057
the day of the election and ending at the close of the polls on 3058
the day of the election, the board of elections may provide not 3059
more than three secure outdoor drop boxes on the premises of the 3060
office of the board for the purpose of receiving ballots under 3061
this section. Each drop box shall be monitored by video 3062
surveillance twenty-four hours a day during the time that 3063
ballots may be deposited in the drop box. Only the elector or 3064
the elector's relative listed in division (C) (1) of this section 3065
may deposit the elector's ballots in a drop box. 3066

(D) (1) Except as otherwise provided in division ~~(B)~~ (D) (2) 3067
of this section, all ~~other~~ envelopes containing marked absent 3068
voter's ballots shall be delivered to the ~~director~~ office of the 3069
board not later than the close of the polls on the day of an 3070
election. Absent voter's ballots delivered to the ~~director~~ 3071
office of the board later than the times specified shall not be 3072
counted, but shall be kept by the board in the sealed 3073
identification envelopes in which they are delivered ~~to the~~ 3074
~~director~~, until the time provided by section 3505.31 of the 3075
Revised Code for the destruction of all other ballots used at 3076
the election for which ballots were provided, at which time they 3077
shall be destroyed. 3078

~~(B) (1) (2) (a)~~ (2) (a) Except as otherwise provided in division ~~(B)~~ 3079
~~(2) (D) (2) (b)~~ (2) (b) of this section, any return envelope that is 3080
postmarked prior to the day of the election shall be delivered 3081
to the ~~director~~ office of the board prior to the eleventh day 3082
after the election. Ballots delivered in envelopes postmarked 3083
prior to the day of the election that are received after the 3084
close of the polls on election day through the tenth day 3085

thereafter shall be counted on the eleventh day at the board of 3086
elections in the manner provided in divisions (C) and (D) of 3087
section 3509.06 of the Revised Code or in the manner provided in 3088
division (E) of that section, as applicable. Any such ballots 3089
that are received ~~by~~ at the director office of the board later 3090
than the tenth day following the election shall not be counted, 3091
but shall be kept by the board in the sealed identification 3092
envelopes as provided in division (A) of this section. 3093

~~(2) (b)~~ Division (B) (1) (D) (2) (a) of this section shall 3094
not apply to any mail that is postmarked using a postage 3095
evidencing system, including a postage meter, as defined in 39 3096
C.F.R. 501.1. 3097

Sec. 3509.051. An elector may appear at the office of the 3098
board of elections to cast absent voter's ballots in person 3099
instead of applying for those ballots under section 3509.03 or 3100
3509.031 of the Revised Code. Notwithstanding section 3509.05 or 3101
any other provision of the Revised Code to the contrary, all of 3102
the following shall apply to the casting of absent voter's 3103
ballots in person: 3104

~~(A) The~~ (A) (1) In-person absent voting shall be permitted 3105
during the period beginning on the first day after the close of 3106
voter registration before the election and ending on the Sunday 3107
before the day of the election. 3108

(2) If, at the time for the close of in-person absent 3109
voting on a particular day, there are voters waiting in line to 3110
cast their ballots, the in-person absent voting location shall 3111
be kept open until such waiting voters have cast their absent 3112
voter's ballots. 3113

(B) An in-person absent voter shall provide identification 3114

to the election officials in ~~the same manner as~~ accordance with 3115
one of the following: 3116

(1) ~~As a voter who casts a ballot in person on the day of~~ 3117
~~an election is required to provide~~ The voter shall provide a 3118
current and valid photo identification, a military 3119
identification, or a copy of a current utility bill, bank 3120
statement, government check, paycheck, or other government 3121
document, other than a notice of voter registration mailed by a 3122
board of elections under section ~~3505.18~~ 3503.19 of the Revised 3123
Code; ~~or~~ that shows the name and current address of the voter. 3124
For purposes of this section, an elector who provides proof of 3125
the elector's identity in the form of a copy of a current 3126
utility bill or bank statement may do so by showing a paper copy 3127
of the utility bill or bank statement or by showing the utility 3128
bill or bank statement on the elector's personal electronic 3129
device. 3130

(2) ~~As a voter who casts an absent voter's ballot is~~ 3131
~~required to submit a completed written application for an absent~~ 3132
~~voter's ballot under section 3509.03 of the Revised Code~~ The 3133
voter provide the voter's driver's license or state 3134
identification card number or the last four digits of the 3135
voter's social security number. The election officials shall 3136
verify that the number or digits the voter provides are not 3137
different from the number or digits in the voter's registration 3138
record. 3139

~~(B)~~ (C) The absent voter shall not be required to complete 3140
a written application for absent voter's ballots or a statement 3141
of voter on an absent voter's ballot identification envelope. 3142

~~(C)~~ (D) The board of elections shall provide a signature 3143
book to be signed by absent voters who are casting their ballots 3144

in person. 3145

~~(D)~~ (E) No person other than an election official shall be 3146
permitted to challenge the right to vote of an absent voter who 3147
is casting a ballot in person. An election official may 3148
challenge the right to vote of an absent voter who is casting a 3149
ballot in person in the same manner as a precinct election 3150
official may challenge the right to vote of an elector on the 3151
day of an election under section 3505.20 or 3513.19 of the 3152
Revised Code. 3153

~~(E)~~ (F) (1) An elector who travels to the office of the 3154
board to cast absent voter's ballots in person, but who is 3155
physically unable to enter the office of the board, shall be 3156
permitted to vote in the vehicle that conveyed the elector to 3157
the office of the board or at the door of the office of the 3158
board. A bipartisan team of election officials shall permit the 3159
elector to provide identification and to sign the elector's 3160
signature in the poll list or signature pollbook or on a 3161
separate sheet to be added to the poll list or signature 3162
pollbook. If the right of the elector to vote is not then 3163
challenged, or, if being challenged, the elector establishes the 3164
elector's right to vote, the bipartisan team of election 3165
officials shall provide the elector with the appropriate absent 3166
voter's ballots along with an envelope or secrecy sleeve. 3167

(2) During the period of a statewide emergency declared by 3168
the governor, the secretary of state may prescribe procedures to 3169
allow other electors to cast absent voter's ballots in person in 3170
accordance with division (F) (1) of this section, as necessary to 3171
protect the public health and safety. 3172

(3) Except as permitted under divisions (F) (1) and (2) of 3173
this section, no elector shall be permitted to cast absent 3174

voter's ballots in person in a vehicle or at the door of the 3175
office of the board. 3176

(G) No absent voter may receive a replacement ballot after 3177
the voter's absent voter's ballot has been scanned or entered 3178
into automatic tabulating equipment. 3179

Sec. 3509.06. (A) The board of elections shall determine 3180
whether absent voter's ballots shall be processed and counted in 3181
each precinct, at the office of the board, or at some other 3182
location designated by the board, and shall proceed accordingly 3183
under division (B), (C), or (E) of this section, as applicable. 3184

(B) (1) Except as otherwise provided in division (B) (2) of 3185
this section, when the board of elections determines that absent 3186
voter's ballots shall be processed and counted in each precinct, 3187
the ~~director~~board shall deliver to the voting location manager 3188
of each precinct on election day identification envelopes 3189
purporting to contain absent voter's ballots of electors whose 3190
voting residence appears from the statement of voter on the 3191
outside of each of those envelopes, to be located in that 3192
manager's precinct, and which were received by the ~~director~~ 3193
board not later than the close of the polls on election day. The 3194
~~director~~board shall deliver to the voting location manager a 3195
list containing the name and voting residence of each person 3196
whose voting residence is in such precinct to whom absent 3197
voter's ballots were mailed. 3198

(2) The ~~director~~board shall not deliver to the voting 3199
location manager identification envelopes cast by electors who 3200
provided a program participant identification number instead of 3201
a residence address on the identification envelope and shall not 3202
inform the voting location manager of the names and voting 3203
residences of persons who have confidential voter registration 3204

records. Those identification envelopes shall be examined and 3205
processed as described in division (E) of this section. 3206

(C) When the board of elections determines that absent 3207
voter's ballots shall be processed and counted at the office of 3208
the board of elections or at another location designated by the 3209
board, special election officials shall be appointed by the 3210
board for that purpose having the same authority as is exercised 3211
by precinct election officials. The votes so cast shall be added 3212
to the vote totals by the board, and the absent voter's ballots 3213
shall be preserved separately by the board, in the same manner 3214
and for the same length of time as provided by section 3505.31 3215
of the Revised Code. 3216

(D) Each of the identification envelopes purporting to 3217
contain absent voter's ballots delivered to the voting location 3218
manager of the precinct or the special election official 3219
appointed by the board of elections shall be handled as follows: 3220

(1) The election officials shall compare the signature of 3221
the elector on the outside of the identification envelope with 3222
the signature of that elector on the elector's registration form 3223
and verify that the absent voter's ballot is eligible to be 3224
counted under section 3509.07 of the Revised Code. 3225

(2) (a) Any of the precinct officials may challenge the 3226
right of the elector named on the identification envelope to 3227
vote the absent voter's ballots upon the ground that the 3228
signature on the envelope is not the same as the signature on 3229
the registration form, that the identification envelope 3230
statement of voter is incomplete, or upon any other of the 3231
grounds upon which the right of persons to vote may be lawfully 3232
challenged. 3233

(b) If the elector's name does not appear in the pollbook 3234
or poll list or signature pollbook, the precinct officials shall 3235
deliver the absent voter's ballots to the director of the board 3236
of elections to be examined and processed in the manner 3237
described in division (E) of this section. 3238

(3) (a) An identification envelope statement of voter shall 3239
be considered incomplete if it does not include all of the 3240
following: 3241

(i) The voter's name; 3242

(ii) The voter's residence address or, if the voter has a 3243
confidential voter registration record, as described in section 3244
111.44 of the Revised Code, the voter's program participant 3245
identification number; 3246

(iii) The voter's date of birth. The requirements of this 3247
division are satisfied if the voter provided a date of birth and 3248
any of the following is true: 3249

(I) The month and day of the voter's date of birth on the 3250
identification envelope statement of voter are not different 3251
from the month and day of the voter's date of birth contained in 3252
the statewide voter registration database. 3253

(II) The voter's date of birth contained in the statewide 3254
voter registration database is January 1, 1800. 3255

(III) The board of elections has found, by a vote of at 3256
least three of its members, that the voter has met the 3257
requirements of divisions (D) (3) (a) (i), (ii), (iv), and (v) of 3258
this section. 3259

(iv) The voter's signature; and 3260

(v) One of the following forms of identification: 3261

(I) The voter's driver's license or state identification 3262
card number; 3263

(II) The last four digits of the voter's social security 3264
number; or 3265

(III) A copy of a current and valid photo identification, 3266
a military identification, or a current utility bill, bank 3267
statement, government check, paycheck, or other government 3268
document, other than a notice of voter registration mailed by a 3269
board of elections, that shows the voter's name and address. 3270

(b) If the election officials find that the identification 3271
envelope statement of voter is incomplete or that the 3272
information contained in that statement does not conform to the 3273
information contained in the statewide voter registration 3274
database concerning the voter, the election officials shall mail 3275
a written notice to the voter, informing the voter of the nature 3276
of the defect. The notice shall inform the voter that in order 3277
for the voter's ballot to be counted, the voter must provide the 3278
necessary information to the board of elections in writing and 3279
on a form prescribed by the secretary of state not later than 3280
the seventh day after the day of the election. The voter may 3281
deliver the form to the office of the board in person or by 3282
mail. If the voter provides the necessary information to the 3283
board of elections not later than the seventh day after the day 3284
of the election and the ballot is not successfully challenged on 3285
another basis, the voter's ballot shall be processed and counted 3286
in accordance with this section. 3287

(4) If no such challenge is made, or if such a challenge 3288
is made and not sustained, the voting location manager shall 3289
open the envelope without defacing the statement of voter and 3290
without mutilating the ballots in it, and shall remove the 3291

ballots contained in it and proceed to count them. 3292

(5) (a) Except as otherwise provided in division (D) (5) (b) 3293
of this section, the name of each person voting who is entitled 3294
to vote only an absent voter's presidential ballot shall be 3295
entered in a pollbook or poll list or signature pollbook 3296
followed by the words "Absentee Presidential Ballot." The name 3297
of each person voting an absent voter's ballot, other than such 3298
persons entitled to vote only a presidential ballot, shall be 3299
entered in the pollbook or poll list or signature pollbook and 3300
the person's registration card marked to indicate that the 3301
person has voted. 3302

(b) If the person voting has a confidential voter 3303
registration record, the person's registration card shall be 3304
marked to indicate that the person has voted, but the person's 3305
name shall not be entered in the pollbook or poll list or 3306
signature pollbook. 3307

(6) The date of such election shall also be entered on the 3308
elector's registration form. If any such challenge is made and 3309
sustained, the identification envelope of such elector shall not 3310
be opened, shall be endorsed "Not Counted" with the reasons the 3311
ballots were not counted, and shall be delivered to the board. 3312

(E) (1) When the board of elections receives absent voter's 3313
ballots from an elector who has provided a program participant 3314
identification number instead of a residence address on the 3315
identification envelope statement of voter, the director and the 3316
deputy director personally shall examine and process the 3317
identification envelope statement of voter in the manner 3318
prescribed in division (D) of this section. 3319

(2) If the director and the deputy director find that the 3320

identification envelope statement of voter is incomplete or that 3321
the information contained in that statement does not conform to 3322
the information contained in the statewide voter registration 3323
database concerning the voter or to the information contained in 3324
the voter's confidential voter registration record, the director 3325
and the deputy director shall mail a written notice to the voter 3326
informing the voter of the nature of the defect. The notice 3327
shall inform the voter that in order for the voter's ballot to 3328
be counted the voter must provide the necessary information to 3329
the board of elections in writing and on a form prescribed by 3330
the secretary of state not later than the seventh day after the 3331
day of the election. The voter may deliver the form to the 3332
office of the board in person or by mail. If the voter provides 3333
the necessary information to the board of elections not later 3334
than the seventh day after the day of the election and the 3335
ballot is not successfully challenged on another basis, the 3336
voter's ballot shall be counted in accordance with this section. 3337

(3) The director or the deputy director may challenge the 3338
ballot on the ground that the signature on the envelope is not 3339
the same as the signature on the registration form, that the 3340
identification envelope statement of voter is incomplete, or 3341
upon any other of the grounds upon which the right of persons to 3342
vote may be lawfully challenged. If such a challenge is made, 3343
the board of elections shall decide whether to sustain the 3344
challenge. 3345

(4) If neither the director nor the deputy director 3346
challenges the ballot, or if such a challenge is made and not 3347
sustained, the director and the deputy director shall open the 3348
envelope without defacing the statement of voter and without 3349
mutilating the ballots in it, shall remove the ballots contained 3350
in it, and shall transmit the ballots to the election officials 3351

to be counted with other absent voter's ballots from that 3352
precinct. 3353

(F) The board of elections may process absent voter's 3354
ballots before the time for counting those ballots, but the 3355
board shall not tabulate or count the votes on those ballots 3356
before that time. As used in this section and section 3511.11 of 3357
the Revised Code, processing an absent voter's ballot means any 3358
of the following: 3359

(1) Examining the identification envelope statement of 3360
voter in order to verify that the absent voter's ballot is 3361
eligible to be counted under section 3509.07 of the Revised 3362
Code; 3363

(2) Opening the identification envelope, if the absent 3364
voter's ballot is eligible to be counted; 3365

(3) Determining the validity of the absent voter's ballot 3366
under section 3509.07 of the Revised Code; 3367

(4) Preparing and sorting the absent voter's ballot for 3368
scanning by automatic tabulating equipment; 3369

(5) Scanning the absent voter's ballot by automatic 3370
tabulating equipment, if the equipment used by the board of 3371
elections permits an absent voter's ballot to be scanned without 3372
tabulating or counting the votes on the ballots scanned. 3373

(G) Special election officials, employees or members of 3374
the board of elections, or observers shall not disclose the 3375
count or any portion of the count of absent voter's ballots 3376
prior to the time of the closing of the polling places. No 3377
person shall recklessly disclose the count or any portion of the 3378
count of absent voter's ballots in such a manner as to 3379
jeopardize the secrecy of any individual ballot. 3380

(H) (1) Except as otherwise provided in division (H) (2) of 3381
this section, observers may be appointed under section 3505.21 3382
of the Revised Code to witness the examination and opening of 3383
identification envelopes and the processing and counting of 3384
absent voters' ballots under this section. 3385

(2) Observers shall not be permitted to witness the 3386
examination and opening of identification envelopes returned by, 3387
and the processing and counting of absent voter's ballots cast 3388
by, electors who have confidential voter registration records in 3389
a manner that would permit the observers to learn the identities 3390
or residence addresses of those electors. 3391

Sec. 3509.07. If election officials find that any of the 3392
following are true concerning an absent voter's ballot or absent 3393
voter's presidential ballot and, if applicable, the person did 3394
not provide any required additional information to the board of 3395
elections not later than the seventh day after the day of the 3396
election, as permitted under division (D) (3) (b) or (E) (2) of 3397
section 3509.06 of the Revised Code, the ballot shall not be 3398
accepted or counted: 3399

(A) The statement accompanying the ballot is incomplete as 3400
described in division (D) (3) (a) of section 3509.06 of the 3401
Revised Code or is insufficient; 3402

(B) The signatures do not correspond with the person's 3403
registration signature; 3404

(C) The applicant is not a qualified elector in the 3405
precinct; 3406

(D) The ballot envelope contains more than one ballot of 3407
any one kind, or any voted ballot that the elector is not 3408
entitled to vote; 3409

(E) Except for an absent voter's ballot cast in person 3410
under section 3509.051 of the Revised Code, the ballot is not 3411
inside the identification envelope when the ballot is delivered 3412
to the board; 3413

(F) Stub A is detached from the absent voter's ballot or 3414
absent voter's presidential ballot; or 3415

~~(F)~~ (G) The elector has not included with the elector's 3416
ballot any identification required under section 3509.05 or 3417
3511.09 of the Revised Code. 3418

The vote of any absent voter may be challenged for cause 3419
in the same manner as other votes are challenged, and the 3420
election officials shall determine the legality of that ballot. 3421
Every ballot not counted shall be endorsed on its back "Not 3422
Counted" with the reasons the ballot was not counted, and shall 3423
be enclosed and returned to or retained by the board of 3424
elections along with the contested ballots. 3425

Sec. 3509.08. (A) Any qualified elector, who, on account 3426
of the elector's own personal illness, physical disability, or 3427
infirmity, or on account of the elector's confinement in a jail 3428
or workhouse under sentence for a misdemeanor or awaiting trial 3429
on a felony or misdemeanor, will be unable to travel from the 3430
elector's home or place of confinement to the voting booth in 3431
the elector's precinct on the day of any general, special, or 3432
primary election may make application in writing for an absent 3433
voter's ballot to ~~the director of~~ the board of elections of the 3434
elector's county in the manner described in section 3509.03 of 3435
the Revised Code. The application ~~shall include all of the~~ 3436
~~information required under section 3509.03 of the Revised Code~~ 3437
~~and~~ shall state the nature of the elector's illness, physical 3438
disability, or infirmity, or the fact that the elector is 3439

confined in a jail or workhouse and the elector's resultant 3440
inability to travel to the election booth in the elector's 3441
precinct on election day. ~~The application shall not be valid if-~~ 3442
~~it is delivered to the director before the ninetieth day or-~~ 3443
~~after twelve noon of the third day before the day of the-~~ 3444
~~election at which the ballot is to be voted.~~ 3445

The absent voter's ballot may be mailed directly to the 3446
applicant at the applicant's voting residence or place of 3447
confinement as stated in the applicant's application, or the 3448
board may designate two board employees belonging to the two 3449
major political parties for the purpose of delivering the ballot 3450
to the disabled or confined elector and returning it to the 3451
board, unless the applicant is confined to a public or private 3452
institution within the county, in which case the board shall 3453
designate two board employees belonging to the two major 3454
political parties for the purpose of delivering the ballot to 3455
the disabled or confined elector and returning it to the board. 3456
In all other instances, the ballot shall be returned to the 3457
office of the board in the manner prescribed in section 3509.05 3458
of the Revised Code. 3459

Any disabled or confined elector who declares to the two 3460
board employees belonging to the two major political parties 3461
that the elector is unable to mark the elector's ballot by 3462
reason of physical infirmity that is apparent to the employees 3463
to be sufficient to incapacitate the voter from marking the 3464
elector's ballot properly, may receive, upon request, the 3465
assistance of the employees in marking the elector's ballot, and 3466
they shall thereafter give no information in regard to this 3467
matter. Such assistance shall not be rendered for any other 3468
cause. 3469

When two board employees belonging to the two major 3470
political parties deliver a ballot to a disabled or confined 3471
elector, each of the employees shall be present when the ballot 3472
is delivered, when assistance is given, and when the ballot is 3473
returned to the office of the board, and shall subscribe to the 3474
declaration on the identification envelope. 3475

The secretary of state shall prescribe the form of 3476
application for absent voter's ballots under this division. 3477

This chapter applies to disabled and confined absent 3478
voter's ballots except as otherwise provided in this section. 3479

(B) (1) Any qualified elector who is unable to travel to 3480
the voting booth in the elector's precinct on the day of any 3481
general, special, or primary election may apply to ~~the director~~ 3482
~~of the board of elections of the county where the elector is a~~ 3483
qualified elector to vote in the election by absent voter's 3484
ballot if either of the following apply: 3485

(a) The elector is confined in a hospital as a result of 3486
an accident or unforeseeable medical emergency occurring before 3487
the election; 3488

(b) The elector's minor child is confined in a hospital as 3489
a result of an accident or unforeseeable medical emergency 3490
occurring before the election. 3491

(2) The application authorized under division (B) (1) of 3492
this section shall be made in writing, ~~shall include all of the~~ 3493
~~information required under~~ in the manner described in section 3494
3509.03 of the Revised Code, ~~and except that the application~~ 3495
shall be delivered to the ~~director~~ office of the board not later 3496
than three p.m. on the day of the election. The application 3497
shall indicate the hospital where the applicant or the 3498

applicant's child is confined, the date of the applicant's or 3499
the applicant's child's admission to the hospital, and the 3500
offices for which the applicant is qualified to vote. The 3501
applicant may also request that a member of the applicant's 3502
family, as listed in section 3509.05 of the Revised Code, 3503
deliver the absent voter's ballot to the applicant. The ~~director-~~ 3504
board, after establishing to the ~~director's board's~~ 3505
satisfaction the validity of the circumstances claimed by the applicant, 3506
shall supply an absent voter's ballot to be delivered to the 3507
applicant. When the applicant or the applicant's child is in a 3508
hospital in the county where the applicant is a qualified 3509
elector and no request is made for a member of the family to 3510
deliver the ballot, the ~~director board~~ shall arrange for the 3511
delivery of an absent voter's ballot to the applicant, and for 3512
its return to the office of the board, by two board employees 3513
belonging to the two major political parties according to the 3514
procedures prescribed in division (A) of this section. When the 3515
applicant or the applicant's child is in a hospital outside the 3516
county where the applicant is a qualified elector and no request 3517
is made for a member of the family to deliver the ballot, the 3518
~~director board~~ shall arrange for the delivery of an absent 3519
voter's ballot to the applicant by mail, and the ballot shall be 3520
returned to the office of the board in the manner prescribed in 3521
section 3509.05 of the Revised Code. 3522

(3) Any qualified elector who is eligible to vote under 3523
division (B) or (C) of section 3503.16 of the Revised Code but 3524
is unable to do so because of the circumstances described in 3525
division (B)(2) of this section may vote in accordance with 3526
division (B)(1) of this section if that qualified elector states 3527
in the application for absent voter's ballots that that 3528
qualified elector moved or had a change of name under the 3529

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)~~ (E) (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, 3509.031, or 3509.051 of the Revised Code instead of applying for them under this section.

Sec. 3509.09. (A) The poll list or signature pollbook for each precinct shall identify each registered elector in that precinct who has requested an absent voter's ballot for that election, other than an elector who has a confidential voter registration record, as described in section 111.44 of the Revised Code.

(B) (1) If a registered elector appears to vote in that precinct and that elector has requested an absent voter's ballot for that election but the ~~director~~ board of elections has not received a sealed identification envelope purporting to contain that elector's voted absent voter's ballots for that election, the elector shall be permitted to cast a provisional ballot under section 3505.181 of the Revised Code in that precinct on the day of that election.

(2) If a registered elector appears to vote in that precinct and that elector has requested an absent voter's ballot for that election and the ~~director~~ board has received a sealed identification envelope purporting to contain that elector's voted absent voter's ballots for that election, the elector shall be permitted to cast a provisional ballot under section

3505.181 of the Revised Code in that precinct on the day of that election. 3560
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(C) (1) In counting absent voter's ballots under section 3509.06 of the Revised Code, the board of elections shall compare the signature of each elector from whom the ~~director~~ board has received a sealed identification envelope purporting to contain that elector's voted absent voter's ballots for that election to the signature on that elector's registration form. Except as otherwise provided in division (C) (3) of this section, if the board of elections determines that the absent voter's ballot in the sealed identification envelope is valid, it shall be counted. If the board of elections determines that the signature on the sealed identification envelope purporting to contain the elector's voted absent voter's ballot does not match the signature on the elector's registration form, the ballot shall be set aside and the board shall examine, during the time prior to the beginning of the official canvass, the poll list or signature pollbook from the precinct in which the elector is registered to vote to determine if the elector also cast a provisional ballot under section 3505.181 of the Revised Code in that precinct on the day of the election. 3562
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(2) The board of elections shall count the provisional ballot, instead of the absent voter's ballot, if both of the following apply: 3581
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(a) The board of elections determines that the signature of the elector on the outside of the identification envelope in which the absent voter's ballots are enclosed does not match the signature of the elector on the elector's registration form; 3584
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(b) The elector cast a provisional ballot in the precinct on the day of the election. 3588
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(3) If the board of elections does not receive the sealed 3590
identification envelope purporting to contain the elector's 3591
voted absent voter's ballot by the applicable deadline 3592
established under section 3509.05 of the Revised Code, the 3593
provisional ballot cast under section 3505.181 of the Revised 3594
Code in that precinct on the day of the election shall be 3595
counted as valid, if that provisional ballot is otherwise 3596
determined to be valid pursuant to section 3505.183 of the 3597
Revised Code. 3598

(D) If the board of elections counts a provisional ballot 3599
under division (C) (2) or (3) of this section, the returned 3600
identification envelope of that elector shall not be opened, and 3601
the ballot within that envelope shall not be counted. The 3602
identification envelope shall be endorsed "Not Counted" with the 3603
reason the ballot was not counted. 3604

Sec. 3511.02. (A) Notwithstanding any section of the 3605
Revised Code to the contrary, whenever any person applies for 3606
registration as a voter on a form adopted in accordance with 3607
federal regulations relating to the "Uniformed and Overseas 3608
Citizens Absentee Voting Act," 100 Stat. 924, 42 U.S.C.A. 1973ff 3609
(1986), this application shall be sufficient for voter 3610
registration and as a request for an absent voter's ballot. 3611
Uniformed services or overseas absent voter's ballots may be 3612
obtained by any person meeting the requirements of section 3613
3511.011 of the Revised Code by applying electronically to the 3614
secretary of state or to the board of elections of the county in 3615
which the person's voting residence is located in accordance 3616
with section 3511.021 of the Revised Code or by applying to the 3617
~~director of the~~ board of elections of the county in which the 3618
person's voting residence is located, in one of the following 3619
ways: 3620

(1) That person may make written application for those 3621
ballots. The person may personally deliver the application to 3622
the ~~director~~ office of the board or may mail it, send it by 3623
facsimile machine, send it by electronic mail, send it through 3624
internet delivery if such delivery is offered by the board of 3625
elections or the secretary of state, or otherwise send it to the 3626
~~director~~ board. Except as otherwise provided in division (B) of 3627
this section, the application need not be in any particular form 3628
but shall contain all of the following information: 3629

(a) The elector's name; 3630

(b) The elector's signature; 3631

(c) The address at which the elector is registered to 3632
vote; 3633

(d) The elector's date of birth; 3634

(e) One of the following: 3635

(i) The elector's driver's license or state identification 3636
card number; 3637

(ii) The last four digits of the elector's social security 3638
number; 3639

(iii) A copy of the elector's current and valid photo 3640
identification, a copy of a military identification, or a copy 3641
of a current utility bill, bank statement, government check, 3642
paycheck, or other government document, other than a notice of 3643
voter registration mailed by a board of elections under section 3644
3503.19 of the Revised Code, that shows the name and address of 3645
the elector. 3646

(f) A statement identifying the election for which absent 3647
voter's ballots are requested; 3648

(g) A statement that the person requesting the ballots is a qualified elector; 3649
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(h) A statement that the elector is an absent uniformed services voter or overseas voter as defined in 42 U.S.C. 1973ff-6; 3651
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(i) A statement of the elector's length of residence in the state immediately preceding the commencement of service, immediately preceding the date of leaving to be with or near the service member, or immediately preceding leaving the United States, or a statement that the elector's parent or legal guardian resided in this state long enough to establish residency for voting purposes immediately preceding leaving the United States, whichever is applicable; 3654
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(j) If the request is for primary election ballots, the elector's party affiliation; 3662
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(k) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed; 3664
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(l) If the elector desires ballots to be sent to the elector by facsimile machine, the telephone number to which they shall be so sent; 3666
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(m) If the elector desires ballots to be sent to the elector by electronic mail or, if offered by the board of elections or the secretary of state, through internet delivery, the elector's electronic mail address or other internet contact information. 3669
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(2) A voter or any relative of a voter listed in division (A) (3) of this section may use a single federal post card application to apply for uniformed services or overseas absent voter's ballots for use at the primary and general elections in 3674
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a given year and any special election to be held on the day in 3678
that year specified by division (E) of section 3501.01 of the 3679
Revised Code for the holding of a primary election, designated 3680
by the general assembly for the purpose of submitting 3681
constitutional amendments proposed by the general assembly to 3682
the voters of the state. A single federal postcard application 3683
shall be processed by the board of elections pursuant to section 3684
3511.04 of the Revised Code the same as if the voter had applied 3685
separately for uniformed services or overseas absent voter's 3686
ballots for each election. 3687

(3) Application to have uniformed services or overseas 3688
absent voter's ballots mailed or sent by facsimile machine to 3689
such a person may be made by the spouse, father, mother, father- 3690
in-law, mother-in-law, grandfather, grandmother, brother or 3691
sister of the whole blood or half blood, son, daughter, adopting 3692
parent, adopted child, stepparent, stepchild, daughter-in-law, 3693
son-in-law, uncle, aunt, nephew, or niece of such a person. The 3694
application shall be in writing upon a blank form furnished only 3695
by the ~~director~~ board or on a single federal post card as 3696
provided in division (A) (2) of this section. The form of the 3697
application shall be prescribed by the secretary of state. The 3698
~~director~~ board shall furnish that blank form to any of the 3699
relatives specified in this division desiring to make the 3700
application, only upon the request of such a relative made in 3701
person at the office of the board or upon the written request of 3702
such a relative mailed to the office of the board. Except as 3703
otherwise provided in division (B) of this section, the 3704
application, subscribed and sworn to by the applicant, shall 3705
contain all of the following: 3706

(a) The full name of the elector for whom ballots are 3707
requested; 3708

(b) A statement that the elector is an absent uniformed services voter or overseas voter as defined in 42 U.S.C. 1973ff-6;	3709 3710 3711
(c) The address at which the elector is registered to vote;	3712 3713
(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;	3714 3715 3716 3717 3718 3719 3720 3721
(e) The elector's date of birth;	3722
(f) One of the following:	3723
(i) The elector's driver's license <u>or state identification card number</u> ;	3724 3725
(ii) The last four digits of the elector's social security number;	3726 3727
(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.	3728 3729 3730 3731 3732 3733 3734
(g) A statement identifying the election for which absent voter's ballots are requested;	3735 3736

(h) A statement that the person requesting the ballots is a qualified elector; 3737
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(i) If the request is for primary election ballots, the elector's party affiliation; 3739
3740

(j) A statement that the applicant bears a relationship to the elector as specified in division (A) (3) of this section; 3741
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(k) The address to which ballots shall be mailed, the telephone number to which ballots shall be sent by facsimile machine, the electronic mail address to which ballots shall be sent by electronic mail, or, if internet delivery is offered by the board of elections or the secretary of state, the internet contact information to which ballots shall be sent through internet delivery; 3743
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(l) The signature and address of the person making the application. 3750
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(B) If the elector has a confidential voter registration record, as described in section 111.44 of the Revised Code, the application may include the elector's program participant identification number instead of the address at which the elector is registered to vote. 3752
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(C) Each application for uniformed services or overseas absent voter's ballots shall be delivered to the director-office of the board not earlier than the first day of January of the year of the elections for which the uniformed services or overseas absent voter's ballots are requested or not earlier than ninety days before the day of the election at which the ballots are to be voted, whichever is earlier, ~~and~~. An application to receive uniformed services or overseas absent voter's ballots by mail or by another method permitted under 3757
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section 3511.021 of the Revised Code shall be delivered to the 3766
office of the board not later than ~~twelve noon of the third~~ 3767
close of business on the tenth day preceding the day of the 3768
election, ~~or not later than six p.m. on the last Friday before~~ 3769
~~the day of the election at which those ballots are to be voted~~ 3770
~~if the application is delivered in person to the office of the~~ 3771
~~board.~~ 3772

(D) If the voter for whom the application is made is 3773
entitled to vote for presidential and vice-presidential electors 3774
only, the applicant shall submit to the ~~director~~ board in 3775
addition to the requirements of division (A) of this section, a 3776
statement to the effect that the voter is qualified to vote for 3777
presidential and vice-presidential electors and for no other 3778
offices. 3779

(E) ~~A board of elections that mails a federal post card~~ 3780
~~application or other absent voter's ballot application to an~~ 3781
~~elector under this section~~ No public office, and no public 3782
official or employee who is acting in an official capacity, 3783
shall ~~not~~ prepay the return postage for ~~that an application for~~ 3784
absent voter's ballots. 3785

(F) Except as otherwise provided in this section and in 3786
sections 3505.24 and 3509.08 of the Revised Code, an election 3787
official shall not fill out any portion of a federal post card 3788
application or other application for absent voter's ballots on 3789
behalf of an applicant. The secretary of state or a board of 3790
elections may preprint only an applicant's name and address on a 3791
federal post card application or other application for absent 3792
voter's ballots before mailing that application to the 3793
applicant, except that if the applicant has a confidential voter 3794
registration record, the secretary of state or the board of 3795

elections shall not preprint the applicant's address on the 3796
application. 3797

Sec. 3511.04. (A) If a ~~director of a~~ board of elections 3798
receives an application for uniformed services or overseas 3799
absent voter's ballots that does not contain all of the required 3800
information, the ~~director board~~ promptly shall notify the 3801
applicant of the additional information required to be provided 3802
by the applicant to complete that application. 3803

(B) Not later than the forty-sixth day before the day of 3804
each general or primary election, and at the earliest possible 3805
time before the day of a special election held on a day other 3806
than the day on which a general or primary election is held, the 3807
~~director of the~~ board of elections shall mail, send by facsimile 3808
machine, send by electronic mail, send through internet delivery 3809
if such delivery is offered by the board of elections or the 3810
secretary of state, or otherwise send uniformed services or 3811
overseas absent voter's ballots then ready for use as provided 3812
for in section 3511.03 of the Revised Code and for which the 3813
~~director board~~ has received valid applications prior to that 3814
time. Thereafter, and until ~~twelve noon of the third close of~~ 3815
business on the tenth day preceding the day of election, the 3816
~~director board~~ shall promptly, upon receipt of valid 3817
applications for them, mail, send by facsimile machine, send by 3818
electronic mail, send through internet delivery if such delivery 3819
is offered by the board of elections or the secretary of state, 3820
or otherwise send to the proper persons all uniformed services 3821
or overseas absent voter's ballots then ready for use. 3822

If, after the seventieth day before the day of a general 3823
or primary election, any other question, issue, or candidacy is 3824
lawfully ordered submitted to the electors voting at the general 3825

or primary election, the board shall promptly provide a separate 3826
official issue, special election, or other election ballot for 3827
submitting the question, issue, or candidacy to those electors, 3828
and the ~~director-board~~ shall promptly mail, send by facsimile 3829
machine, send by electronic mail, send through internet delivery 3830
if such delivery is offered by the board of elections or the 3831
secretary of state, or otherwise send each such separate ballot 3832
to each person to whom the ~~director-board~~ has previously mailed 3833
or sent other uniformed services or overseas absent voter's 3834
ballots. 3835

~~A board of elections that mails or otherwise delivers~~ 3836
~~uniformed services or overseas absent voter's ballots to an~~ 3837
~~elector under this section~~ No public office, and no public 3838
official or employee who is acting in an official capacity, 3839
shall ~~not~~ prepay the return postage for ~~those~~ any absent voter's 3840
ballots. In mailing uniformed services or overseas absent 3841
voter's ballots, the ~~director-board~~ shall use the fastest mail 3842
service available, but the ~~director-board~~ shall not mail them by 3843
certified mail. 3844

Sec. 3511.05. (A) The ~~director of the~~ board of elections 3845
shall place uniformed services or overseas absent voter's 3846
ballots sent by mail in an unsealed identification envelope, 3847
gummed ready for sealing. The ~~director-board~~ shall include with 3848
uniformed services or overseas absent voter's ballots sent 3849
electronically, including by facsimile machine, an instruction 3850
sheet for preparing a gummed envelope in which the ballots shall 3851
be returned. The envelope for returning ballots sent by either 3852
means shall have printed or written on its face a form 3853
substantially as follows: 3854

"Identification Envelope Statement of Voter 3855

I, _____ (Name of voter), declare under 3856
penalty of election falsification that the within ballot or 3857
ballots contained no voting marks of any kind when I received 3858
them, and I caused the ballot or ballots to be marked, enclosed 3859
in the identification envelope, and sealed in that envelope. 3860

My voting residence in Ohio is 3861

_____ 3862

(Street and Number, if any, or Rural Route and Number) 3863

of _____ (City, Village, or Township) 3864

Ohio, which is in Ward _____ Precinct _____ 3865

in that city, village, or township. 3866

If I have a confidential voter registration record, I am 3867
providing my program participant identification number instead 3868
of my residence address: _____ 3869

The primary election ballots, if any, within this envelope 3870
are primary election ballots of the _____ Party. 3871

Ballots contained within this envelope are to be voted at 3872
the _____ (general, special, or primary) election to be 3873
held on the _____ day of 3874
_____, _____, _____ 3875

My date of birth is _____ (Month and Day), 3876
_____ (Year). 3877

~~(Voter You~~ must provide one of the following:) 3878

~~My Your~~ driver's license or state identification card 3879
number ~~is:~~ _____ ~~(Driver's license number).~~ 3880

~~The~~ If you do not have or cannot provide a driver's 3881
license or state identification card number, the last four 3882

digits of ~~my~~ your Social Security Number ~~are~~: _____ 3883

~~(Last four digits of Social Security Number).~~ 3884

_____ ~~In lieu of providing a driver's license number or~~ 3885

~~the last four digits of my Social Security Number, I am~~ 3886

~~enclosing a~~ If you do not have or cannot provide a driver's 3887

license or state identification card number or the last four 3888

digits of your Social Security number, a copy of ~~one of the~~ 3889

~~following in the return envelope in which this identification~~ 3890

~~envelope will be mailed:~~ a current and valid photo 3891

identification, a military identification, or a current utility 3892

bill, bank statement, government check, paycheck, or other 3893

government document, other than a notice of voter registration 3894

mailed by a board of elections, that shows ~~my~~ your name and 3895

address. If you provide a copy of one of those documents, 3896

enclose it in the return envelope along with the identification 3897

envelope. 3898

I hereby declare, under penalty of election falsification, 3899

that the statements above are true, as I verily believe. 3900

_____ 3901

(Signature of Voter) 3902

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 3903

THE FIFTH DEGREE." 3904

(B) The ~~director~~ board shall also mail with the ballots 3905

and the unsealed identification envelope sent by mail an 3906

unsealed return envelope, gummed, ready for sealing, for use by 3907

the voter in returning the voter's marked ballots to the 3908

~~director~~ office of the board. The ~~director~~ board shall send with 3909

the ballots and the instruction sheet for preparing a gummed 3910

envelope sent electronically, including by facsimile machine, an 3911

instruction sheet for preparing a second gummed envelope as 3912
described in this division, for use by the voter in returning 3913
that voter's marked ballots to the ~~director~~ board. The return 3914
envelope shall have two parallel lines, each one quarter of an 3915
inch in width, printed across its face paralleling the top, with 3916
an intervening space of one quarter of an inch between such 3917
lines. The top line shall be one and one-quarter inches from the 3918
top of the envelope. Between the parallel lines shall be 3919
printed: "OFFICIAL ELECTION UNIFORMED SERVICES OR OVERSEAS 3920
ABSENT VOTER'S BALLOTS -- VIA AIR MAIL." Three blank lines shall 3921
be printed in the upper left corner on the face of the envelope 3922
for the use by the voter in placing the voter's complete 3923
military, naval, or mailing address on these lines, and beneath 3924
these lines there shall be printed a box beside the words "check 3925
if out-of-country." The voter shall check this box if the voter 3926
will be outside the United States on the day of the election. 3927
The ~~official title and the post-office address of the director~~ 3928
~~to whom the envelope shall be returned~~ office of the board shall 3929
be printed on the face of such envelope in the lower right 3930
portion below the bottom parallel line. 3931

(C) On the back of each identification envelope and each 3932
return envelope shall be printed the following: 3933

"Instructions to voter: 3934

If the flap on this envelope is so firmly stuck to the 3935
back of the envelope when received by you as to require forcible 3936
opening in order to use it, open the envelope in the manner 3937
least injurious to it, and, after marking your ballots and 3938
enclosing same in the envelope for mailing them to the ~~director~~ 3939
~~of the~~ board of elections, reclose the envelope in the most 3940
practicable way, by sealing or otherwise, and sign the blank 3941

form printed below. 3942

The flap on this envelope was firmly stuck to the back of 3943
the envelope when received, and required forced opening before 3944
sealing and mailing. 3945

(Signature of voter)" 3946
3947

(D) Division (C) of this section does not apply when 3948
absent voter's ballots are sent electronically, including by 3949
facsimile machine. 3950

(E) Except as otherwise provided in this division and in 3951
sections 3505.24 and 3509.08 of the Revised Code, an election 3952
official shall not fill out any portion of an identification 3953
envelope statement of voter or an absent voter's ballot on 3954
behalf of an elector. A board of elections may preprint only an 3955
elector's name and address on an identification envelope 3956
statement of voter before mailing or electronically transmitting 3957
absent voter's ballots to the elector, except that if the 3958
elector has a confidential voter registration record, as 3959
described in section 111.44 of the Revised Code, the board of 3960
elections shall not preprint the elector's address on the 3961
identification envelope statement of voter. 3962

Sec. 3511.06. The return envelope provided for in section 3963
3511.05 of the Revised Code shall be of such size that the 3964
identification envelope can be conveniently placed within it for 3965
returning the identification envelope to the director office of 3966
the board of elections. The envelope in which the two envelopes 3967
and the uniformed services or overseas absent voter's ballots 3968
are mailed to the elector shall have two parallel lines, each 3969
one quarter of an inch in width, printed across its face, 3970

paralleling the top, with an intervening space of one-quarter of 3971
an inch between such lines. The top line shall be one and one- 3972
quarter inches from the top of the envelope. Between the 3973
parallel lines shall be printed: "official uniformed services or 3974
overseas absent voter's balloting material--via air mail." The 3975
appropriate return address of the ~~director of the~~ board of 3976
elections shall be printed in the upper left corner on the face 3977
of such envelope. Several blank lines shall be printed on the 3978
face of such envelope in the lower right portion, below the 3979
bottom parallel line, for writing in the name and address of the 3980
elector to whom such envelope is mailed. 3981

Sec. 3511.07. When mailing unsealed identification 3982
envelopes and unsealed return envelopes to persons, the ~~director~~ 3983
~~of the~~ board of elections shall insert a sheet of waxed paper or 3984
other appropriate insert between the gummed flap and the back of 3985
each of such envelopes to minimize the possibility that the flap 3986
may become firmly stuck to the back of the envelope by reason of 3987
moisture, humid atmosphere, or other conditions to which they 3988
may be subjected. If the flap on either of such envelopes should 3989
be so firmly stuck to the back of the envelope when it is 3990
received by the voter as to require forcible opening of the 3991
envelope in order to use it, the voter shall open such envelope 3992
in the manner least injurious to it, and, after marking ~~his~~ the 3993
voter's ballots and enclosing them in the envelope for mailing 3994
to the ~~director~~board, ~~he~~ the voter shall reclose such envelope 3995
in the most practicable way, by sealing it or otherwise, and 3996
shall sign the blank form printed on the back of such envelope. 3997

Sec. 3511.08. The ~~director of the~~ board of elections shall 3998
keep a record of the name and address of each person to whom the 3999
~~director~~ board mails or delivers uniformed services or overseas 4000
absent voter's ballots, the kinds of ballots so mailed or 4001

delivered, and the name and address of the person who made the 4002
application for such ballots. After the ~~director board~~ has 4003
mailed or delivered such ballots the ~~director board~~ shall not 4004
mail or deliver additional ballots of the same kind to such 4005
person pursuant to a subsequent request unless such subsequent 4006
request contains the statement that an earlier request had been 4007
sent to the ~~director board~~ prior to the thirtieth day before the 4008
election and that the uniformed services or overseas absent 4009
voter's ballots so requested had not been received by such 4010
person prior to the fifteenth day before the election, and 4011
provided that the ~~director board~~ has not received an 4012
identification envelope purporting to contain marked uniformed 4013
services or overseas absent voter's ballots from such person. 4014

Sec. 3511.09. (A) Upon receiving uniformed services or 4015
overseas absent voter's ballots, the elector shall cause the 4016
questions on the face of the identification envelope to be 4017
answered, and, by writing the elector's usual signature in the 4018
proper place on the identification envelope, the elector shall 4019
declare under penalty of election falsification that the answers 4020
to those questions are true and correct to the best of the 4021
elector's knowledge and belief. Then, the elector shall note 4022
whether there are any voting marks on the ballot. If there are 4023
any voting marks, the ballot shall be returned immediately to 4024
the board of elections; otherwise, the elector shall cause the 4025
ballot to be marked, folded separately so as to conceal the 4026
markings on it, deposited in the identification envelope, and 4027
securely sealed in the identification envelope. The elector then 4028
shall cause the identification envelope to be placed within the 4029
return envelope, sealed in the return envelope, and mailed to 4030
~~the director of~~ the board of elections to ~~whom which~~ it is 4031
addressed. The ballot shall be submitted for mailing not later 4032

than 12:01 a.m. at the place where the voter completes the 4033
ballot, on the date of the election. ~~If~~ 4034

(B) If the elector does not provide the elector's driver's 4035
license or state identification card number or the last four 4036
digits of the elector's social security number on the statement 4037
of voter on the identification envelope, the elector also shall 4038
include in the return envelope with the identification envelope 4039
a copy of the elector's current valid photo identification, a 4040
copy of a military identification, or a copy of a current 4041
utility bill, bank statement, government check, paycheck, or 4042
other government document, other than a notice of voter 4043
registration mailed by a board of elections under section 4044
3503.19 of the Revised Code, that shows the name and address of 4045
the elector. Each 4046

(C) Each elector who will be outside the United States on 4047
the day of the election shall check the box on the return 4048
envelope indicating this fact and shall mail the return envelope 4049
to the ~~director~~ board prior to the close of the polls on 4050
election day. 4051

(D) Every uniformed services or overseas absent voter's 4052
ballot identification envelope shall be accompanied by the 4053
following statement in boldface capital letters: WHOEVER COMMITS 4054
ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH 4055
DEGREE. 4056

(E) The elector shall cause the uniformed services or 4057
overseas absent voter's ballots to be returned to the office of 4058
the board of elections in a manner described in division (C) of 4059
section 3509.05 of the Revised Code, provided that the elector 4060
shall not be required to prepay the postage on the return 4061
envelope if, under 39 U.S.C. 3406, no postage is required. 4062

~~Sec. 3511.10. If, after the first day after the close of voter registration before a general or primary election and before the close of the polls on the day of that election, a valid application for A uniformed services or overseas absent voter's ballots is delivered to the director of the board of elections voter may cast absent voter's ballots in person at the office of the board by a person making the application on the person's own behalf, the director shall forthwith deliver to the person all uniformed services or overseas absent voter's ballots then ready for use, together with an identification envelope of elections under section 3509.051 of the Revised Code. The person shall then immediately retire to a voting booth in the office of the board, and mark the ballots. The person shall then fold each ballot separately so as to conceal the person's markings thereon, and deposit all of the ballots in the identification envelope and securely seal it. Thereupon the person shall fill in answers to the questions on the face of the identification envelope, and by writing the person's usual signature in the proper place thereon, the person shall declare under penalty of election falsification that the answers to those questions are true and correct to the best of that person's knowledge and belief. The person shall then deliver the identification envelope to the director. If thereafter, and before the third day preceding such election, the board provides additional separate official issue or special election ballots, as provided for in section 3511.04 of the Revised Code, the ~~director~~ board shall promptly, and not later than twelve noon of the third day preceding the day of election, mail such additional ballots to such person at the address specified by that person for that purpose. Except as otherwise provided 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 ballots, an~~

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~~identification envelope statement of voter, or an absent voter's
ballot requested under this section on behalf of an applicant.~~ 4095
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~~In the event any person serving in the armed forces of the
United States is discharged after the closing date of
registration, and that person or that person's spouse, or both,
meets all the other qualifications set forth in section 3511.011
of the Revised Code, the person or spouse shall be permitted to
vote prior to the date of the election in the office of the
board in the person's or spouse's county, as set forth in this
section.~~ 4097
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Sec. 3511.11. (A) Upon receipt of any return envelope 4105
bearing the designation "Official Election Uniformed Services or 4106
Overseas Absent Voter's Ballot" prior to the eleventh day after 4107
the day of any election, the ~~director of the~~ board of elections 4108
shall open it but shall not open the identification envelope 4109
contained in it. ~~If, upon so opening the return envelope, the
director finds ballots in it that are not enclosed in and
properly sealed in the identification envelope, the director
shall not look at the markings upon the ballots and shall
promptly place them in the identification envelope and promptly
seal it.~~ If, upon so opening the return envelope, the ~~director~~
board finds that ballots are enclosed in the identification 4116
envelope as required under division (E) of section 3509.07 of
the Revised Code but that ~~it~~ the identification envelope is not 4118
properly sealed, the ~~director~~ board shall not look at the 4119
markings upon the ballots and shall promptly seal the 4120
identification envelope. 4121

(B) Uniformed services or overseas absent voter's ballots 4122
delivered to the director not later than the close of the polls 4123
on election day shall be processed and counted in the manner 4124

provided in section 3509.06 of the Revised Code. 4125

(C) A return envelope is not required to be postmarked in 4126
order for a uniformed services or overseas absent voter's ballot 4127
contained in it to be valid. Except as otherwise provided in 4128
this division, whether or not the return envelope containing the 4129
ballot is postmarked, contains a late postmark, or contains an 4130
illegible postmark, a uniformed services or overseas absent 4131
voter's ballot that is received after the close of the polls on 4132
election day through the tenth day after the election day shall 4133
be processed and counted on the eleventh day after the election 4134
day at the office of the board of elections in the manner 4135
provided in section 3509.06 of the Revised Code if the voter 4136
signed the identification envelope by the time specified in 4137
section 3511.09 of the Revised Code. However, if a return 4138
envelope containing a uniformed services or overseas absent 4139
voter's ballot is so received and so indicates, but the 4140
identification envelope in it is signed after the close of the 4141
polls on election day, the uniformed services or overseas absent 4142
voter's ballot shall not be counted. 4143

(D) The following types of uniformed services or overseas 4144
absent voter's ballots shall not be counted: 4145

(1) Uniformed services or overseas absent voter's ballots 4146
contained in return envelopes that bear the designation 4147
"Official Election Uniformed Services or Overseas Absent Voter's 4148
Ballots," that are received by the ~~director~~ board of elections 4149
after the close of the polls on the day of the election, and 4150
that contain an identification envelope that is signed after the 4151
time specified in section 3511.09 of the Revised Code; 4152

(2) Uniformed services or overseas absent voter's ballots 4153
contained in return envelopes that bear that designation and 4154

that are received after the tenth day following the election. 4155

The uncounted ballots shall be preserved in their 4156
identification envelopes unopened until the time provided by 4157
section 3505.31 of the Revised Code for the destruction of all 4158
other ballots used at the election for which ballots were 4159
provided, at which time they shall be destroyed. 4160

Sec. 3511.13. (A) The poll list or signature pollbook for 4161
each precinct shall identify each registered elector in that 4162
precinct who has requested a uniformed services or overseas 4163
absent voter's ballot for that election. 4164

(B) (1) If a registered elector appears to vote in that 4165
precinct and that elector has requested a uniformed services or 4166
overseas absent voter's ballot for that election but the 4167
~~director~~ board of elections has not received a sealed 4168
identification envelope purporting to contain that elector's 4169
voted uniformed services or overseas absent voter's ballots for 4170
that election, the elector shall be permitted to cast a 4171
provisional ballot under section 3505.181 of the Revised Code in 4172
that precinct on the day of that election. 4173

(2) If a registered elector appears to vote in that 4174
precinct and that elector has requested a uniformed services or 4175
overseas absent voter's ballot for that election and the 4176
~~director~~ board has received a sealed identification envelope 4177
purporting to contain that elector's voted uniformed services or 4178
overseas absent voter's ballots for that election, the elector 4179
shall be permitted to cast a provisional ballot under section 4180
3505.181 of the Revised Code in that precinct on the day of that 4181
election. 4182

(C) (1) In counting uniformed services or overseas absent 4183

voter's ballots under section 3511.11 of the Revised Code, the 4184
board of elections shall compare the signature of each elector 4185
from whom the ~~director-board~~ has received a sealed 4186
identification envelope purporting to contain that elector's 4187
voted uniformed services or overseas absent voter's ballots for 4188
that election to the signature on the elector's registration 4189
form. Except as otherwise provided in division (C) (3) of this 4190
section, if the board of elections determines that the uniformed 4191
services or overseas absent voter's ballot in the sealed 4192
identification envelope is valid, it shall be counted. If the 4193
board of elections determines that the signature on the sealed 4194
identification envelope purporting to contain the elector's 4195
voted uniformed services or overseas absent voter's ballot does 4196
not match the signature on the elector's registration form, the 4197
ballot shall be set aside and the board shall examine, during 4198
the time prior to the beginning of the official canvass, the 4199
poll list or signature pollbook from the precinct in which the 4200
elector is registered to vote to determine if the elector also 4201
cast a provisional ballot under section 3505.181 of the Revised 4202
Code in that precinct on the day of the election. 4203

(2) The board of elections shall count the provisional 4204
ballot, instead of the uniformed services or overseas absent 4205
voter's ballot, of an elector from whom the ~~director-board~~ has 4206
received an identification envelope purporting to contain that 4207
elector's voted uniformed services or overseas absent voter's 4208
ballots, if both of the following apply: 4209

(a) The board of elections determines that the signature 4210
of the elector on the outside of the identification envelope in 4211
which the uniformed services or overseas absent voter's ballots 4212
are enclosed does not match the signature of the elector on the 4213
elector's registration form; 4214

(b) The elector cast a provisional ballot in the precinct 4215
on the day of the election. 4216

(3) If the board of elections does not receive the sealed 4217
identification envelope purporting to contain the elector's 4218
voted uniformed services or overseas absent voter's ballot by 4219
the applicable deadline established under section 3511.11 of the 4220
Revised Code, the provisional ballot cast under section 3505.181 4221
of the Revised Code in that precinct on the day of the election 4222
shall be counted as valid, if that provisional ballot is 4223
otherwise determined to be valid pursuant to section 3505.183 of 4224
the Revised Code. 4225

(D) If the board of elections counts a provisional ballot 4226
under division (C) (2) or (3) of this section, the returned 4227
identification envelope of that elector shall not be opened, and 4228
the ballot within that envelope shall not be counted. The 4229
identification envelope shall be endorsed "Not Counted" with the 4230
reason the ballot was not counted. 4231

Sec. 3513.05. Each person desiring to become a candidate 4232
for a party nomination at a primary election or for election to 4233
an office or position to be voted for at a primary election, 4234
except persons desiring to become joint candidates for the 4235
offices of governor and lieutenant governor and except as 4236
otherwise provided in section 3513.051 of the Revised Code, 4237
shall, not later than four p.m. of the ninetieth day before the 4238
day of the primary election, file a declaration of candidacy and 4239
petition and pay the fees required under divisions (A) and (B) 4240
of section 3513.10 of the Revised Code. The declaration of 4241
candidacy and all separate petition papers shall be filed at the 4242
same time as one instrument. When the offices are to be voted 4243
for at a primary election, persons desiring to become joint 4244

candidates for the offices of governor and lieutenant governor 4245
shall, not later than four p.m. of the ninetieth day before the 4246
day of the primary election, comply with section 3513.04 of the 4247
Revised Code. The prospective joint candidates' declaration of 4248
candidacy and all separate petition papers of candidacies shall 4249
be filed at the same time as one instrument. The secretary of 4250
state or a board of elections shall not accept for filing a 4251
declaration of candidacy and petition of a person seeking to 4252
become a candidate if that person, for the same election, has 4253
already filed a declaration of candidacy or a declaration of 4254
intent to be a write-in candidate, or has become a candidate by 4255
the filling of a vacancy under section 3513.30 of the Revised 4256
Code for any federal, state, or county office, if the 4257
declaration of candidacy is for a state or county office, or for 4258
any municipal or township office, if the declaration of 4259
candidacy is for a municipal or township office. 4260

If the declaration of candidacy declares a candidacy which 4261
is to be submitted to electors throughout the entire state, the 4262
petition, including a petition for joint candidates for the 4263
offices of governor and lieutenant governor, shall be signed by 4264
at least one thousand qualified electors who are members of the 4265
same political party as the candidate or joint candidates, and 4266
the declaration of candidacy and petition shall be filed with 4267
the secretary of state; provided that the secretary of state 4268
shall not accept or file any such petition appearing on its face 4269
to contain signatures of more than three thousand electors. 4270

Except as otherwise provided in this paragraph, if the 4271
declaration of candidacy is of one that is to be submitted only 4272
to electors within a district, political subdivision, or portion 4273
thereof, the petition shall be signed by not less than fifty 4274
qualified electors who are members of the same political party 4275

as the political party of which the candidate is a member. If 4276
the declaration of candidacy is for party nomination as a 4277
candidate for member of the legislative authority of a municipal 4278
corporation elected by ward, the petition shall be signed by not 4279
less than twenty-five qualified electors who are members of the 4280
political party of which the candidate is a member. 4281

No such petition, except the petition for a candidacy that 4282
is to be submitted to electors throughout the entire state, 4283
shall be accepted for filing if it appears to contain on its 4284
face signatures of more than three times the minimum number of 4285
signatures. When a petition of a candidate has been accepted for 4286
filing by a board of elections, the petition shall not be deemed 4287
invalid if, upon verification of signatures contained in the 4288
petition, the board of elections finds the number of signatures 4289
accepted exceeds three times the minimum number of signatures 4290
required. ~~A board of elections may discontinue verifying~~ 4291
~~signatures on petitions when the number of verified signatures~~ 4292
~~equals the minimum required number of qualified signatures.~~ 4293

If the declaration of candidacy declares a candidacy for 4294
party nomination or for election as a candidate of a minor 4295
party, the minimum number of signatures on such petition is one- 4296
half the minimum number provided in this section, except that, 4297
when the candidacy is one for election as a member of the state 4298
central committee or the county central committee of a political 4299
party, the minimum number shall be the same for a minor party as 4300
for a major party. 4301

If a declaration of candidacy is one for election as a 4302
member of the state central committee or the county central 4303
committee of a political party, the petition shall be signed by 4304
five qualified electors of the district, county, ward, township, 4305

or precinct within which electors may vote for such candidate. 4306
The electors signing such petition shall be members of the same 4307
political party as the political party of which the candidate is 4308
a member. 4309

For purposes of signing or circulating a petition of 4310
candidacy for party nomination or election, an elector is 4311
considered to be a member of a political party if the elector 4312
voted in that party's primary election within the preceding two 4313
calendar years, or if the elector did not vote in any other 4314
party's primary election within the preceding two calendar 4315
years. 4316

If the declaration of candidacy is of one that is to be 4317
submitted only to electors within a county, or within a district 4318
or subdivision or part thereof smaller than a county, the 4319
petition shall be filed with the board of elections of the 4320
county. If the declaration of candidacy is of one that is to be 4321
submitted only to electors of a district or subdivision or part 4322
thereof that is situated in more than one county, the petition 4323
shall be filed with the board of elections of the county within 4324
which the major portion of the population thereof, as 4325
ascertained by the next preceding federal census, is located. 4326

A petition shall consist of separate petition papers, each 4327
of which shall contain signatures of electors of only one 4328
county. Petitions or separate petition papers containing 4329
signatures of electors of more than one county shall not thereby 4330
be declared invalid. In case petitions or separate petition 4331
papers containing signatures of electors of more than one county 4332
are filed, the board shall determine the county from which the 4333
majority of signatures came, and only signatures from such 4334
county shall be counted. Signatures from any other county shall 4335

be invalid. 4336

Each separate petition paper shall be circulated by one 4337
person only, who shall be the candidate or a joint candidate or 4338
a member of the same political party as the candidate or joint 4339
candidates, and each separate petition paper shall be governed 4340
by the rules set forth in section 3501.38 of the Revised Code. 4341

The secretary of state shall promptly transmit to each 4342
board such separate petition papers of each petition 4343
accompanying a declaration of candidacy filed with the secretary 4344
of state as purport to contain signatures of electors of the 4345
county of such board. The board of the most populous county of a 4346
district shall promptly transmit to each board within such 4347
district such separate petition papers of each petition 4348
accompanying a declaration of candidacy filed with it as purport 4349
to contain signatures of electors of the county of each such 4350
board. The board of a county within which the major portion of 4351
the population of a subdivision, situated in more than one 4352
county, is located, shall promptly transmit to the board of each 4353
other county within which a portion of such subdivision is 4354
located such separate petition papers of each petition 4355
accompanying a declaration of candidacy filed with it as purport 4356
to contain signatures of electors of the portion of such 4357
subdivision in the county of each such board. 4358

All petition papers so transmitted to a board and all 4359
petitions accompanying declarations of candidacy filed with a 4360
board shall, under proper regulations, be open to public 4361
inspection until four p.m. of the eightieth day before the day 4362
of the next primary election. Each board shall, not later than 4363
the seventy-eighth day before the day of that primary election, 4364
examine and determine the validity or invalidity of the 4365

signatures on the petition papers so transmitted to or filed 4366
with it and shall return to the secretary of state all petition 4367
papers transmitted to it by the secretary of state, together 4368
with its certification of its determination as to the validity 4369
or invalidity of signatures thereon, and shall return to each 4370
other board all petition papers transmitted to it by such board, 4371
together with its certification of its determination as to the 4372
validity or invalidity of the signatures thereon. All other 4373
matters affecting the validity or invalidity of such petition 4374
papers shall be determined by the secretary of state or the 4375
board with whom such petition papers were filed. 4376

Protests against the candidacy of any person filing a 4377
declaration of candidacy for party nomination or for election to 4378
an office or position, as provided in this section, may be filed 4379
by any qualified elector who is a member of the same political 4380
party as the candidate and who is eligible to vote at the 4381
primary election for the candidate whose declaration of 4382
candidacy the elector objects to, or by the controlling 4383
committee of that political party. The protest shall be in 4384
writing, and shall be filed not later than four p.m. of the 4385
seventy-fourth day before the day of the primary election. The 4386
protest shall be filed with the election officials with whom the 4387
declaration of candidacy and petition was filed. Upon the filing 4388
of the protest, the election officials with whom it is filed 4389
shall promptly fix the time for hearing it, and shall forthwith 4390
mail notice of the filing of the protest and the time fixed for 4391
hearing to the person whose candidacy is so protested. They 4392
shall also forthwith mail notice of the time fixed for such 4393
hearing to the person who filed the protest. At the time fixed, 4394
such election officials shall hear the protest and determine the 4395
validity or invalidity of the declaration of candidacy and 4396

petition. If they find that such candidate is not an elector of 4397
the state, district, county, or political subdivision in which 4398
the candidate seeks a party nomination or election to an office 4399
or position, or has not fully complied with this chapter, the 4400
candidate's declaration of candidacy and petition shall be 4401
determined to be invalid and shall be rejected; otherwise, it 4402
shall be determined to be valid. That determination shall be 4403
final. 4404

A protest against the candidacy of any persons filing a 4405
declaration of candidacy for joint party nomination to the 4406
offices of governor and lieutenant governor shall be filed, 4407
heard, and determined in the same manner as a protest against 4408
the candidacy of any person filing a declaration of candidacy 4409
singly. 4410

The secretary of state shall, on the seventieth day before 4411
the day of a primary election, certify to each board in the 4412
state the forms of the official ballots to be used at the 4413
primary election, together with the names of the candidates to 4414
be printed on the ballots whose nomination or election is to be 4415
determined by electors throughout the entire state and who filed 4416
valid declarations of candidacy and petitions. 4417

The board of the most populous county in a district 4418
comprised of more than one county but less than all of the 4419
counties of the state shall, on the seventieth day before the 4420
day of a primary election, certify to the board of each county 4421
in the district the names of the candidates to be printed on the 4422
official ballots to be used at the primary election, whose 4423
nomination or election is to be determined only by electors 4424
within the district and who filed valid declarations of 4425
candidacy and petitions. 4426

The board of a county within which the major portion of 4427
the population of a subdivision smaller than the county and 4428
situated in more than one county is located shall, on the 4429
seventieth day before the day of a primary election, certify to 4430
the board of each county in which a portion of that subdivision 4431
is located the names of the candidates to be printed on the 4432
official ballots to be used at the primary election, whose 4433
nomination or election is to be determined only by electors 4434
within that subdivision and who filed valid declarations of 4435
candidacy and petitions. 4436

Sec. 3513.251. Nominations of candidates for election as 4437
officers of a municipal corporation having a population of less 4438
than two thousand as ascertained by the next preceding federal 4439
census shall be made only by nominating petition and their 4440
election shall occur only in nonpartisan elections, unless a 4441
majority of the electors of such municipal corporation have 4442
petitioned for a primary election. Nominations of candidates for 4443
election as officers of a municipal corporation having a 4444
population of two thousand or more shall be made either by 4445
primary election in conjunction with a partisan general election 4446
or by nominating petition in conjunction with a nonpartisan 4447
general election, as determined under section 3513.01 of the 4448
Revised Code. 4449

The nominating petitions of nonpartisan candidates for 4450
election as officers of a municipal corporation having a 4451
population of less than two thousand, as ascertained by the most 4452
recent federal census, shall be signed by not less than ten 4453
qualified electors of the municipal corporation. Any nominating 4454
petition filed under this section shall be filed with the board 4455
of elections not later than four p.m. of the ninetieth day 4456
before the day of the general election, provided that no such 4457

nominating petition shall be accepted for filing if it appears 4458
to contain signatures aggregating in number more than three 4459
times the minimum number of signatures required by this section. 4460
A board of elections shall not accept for filing a nominating 4461
petition of a person if that person, for the same election, has 4462
already filed a declaration of candidacy, a declaration of 4463
intent to be a write-in candidate, or a nominating petition, or 4464
has become a candidate through party nomination at a primary 4465
election or by the filling of a vacancy under section 3513.30 or 4466
3513.31 of the Revised Code for any other municipal office, or 4467
for a township office, for member of a city, local, or exempted 4468
village board of education, or for member of a governing board 4469
of an educational service center. When a petition of a candidate 4470
has been accepted for filing by a board of elections, the 4471
petition shall not be deemed invalid if, upon verification of 4472
signatures contained in the petition, the board of elections 4473
finds the number of signatures accepted exceeds three times the 4474
minimum number of signatures required. ~~A board of elections may~~ 4475
~~discontinue verifying signatures when the number of verified~~ 4476
~~signatures on a petition equals the minimum required number of~~ 4477
~~qualified signatures.~~ 4478

Nomination of nonpartisan candidates for election as 4479
officers of a municipal corporation having a population of two 4480
thousand or more, as ascertained by the next preceding federal 4481
census, shall be made only by nominating petition. Nominating 4482
petitions of nonpartisan candidates for election as officers of 4483
a municipal corporation having a population of two thousand or 4484
more but less than five thousand, as ascertained by the next 4485
preceding federal census, shall be signed by not less than fifty 4486
qualified electors of the municipal corporation or ward thereof 4487
in the case of the nominating petition of a candidate for 4488

election as councilperson from such ward. Nominating petitions 4489
of nonpartisan candidates for election as officers of a 4490
municipal corporation having a population of five thousand or 4491
more, as ascertained by the next preceding federal census, shall 4492
be signed by not less than fifty qualified electors of the 4493
municipal corporation or ward thereof in the case of the 4494
nominating petition of a candidate for election as councilperson 4495
from such ward. 4496

Sec. 3513.253. Nominations of candidates for election as 4497
officers of a township shall be made only by nominating 4498
petitions, unless a majority of the electors of such township 4499
have petitioned for a primary election. The nominating petitions 4500
of nonpartisan candidates for township trustee and township 4501
fiscal officer shall be signed by not less than twenty-five 4502
qualified electors of the township. Such petition shall be filed 4503
with the board of elections not later than four p.m. of the 4504
ninetieth day before the day of the general election, provided 4505
that no such nominating petition shall be accepted for filing if 4506
it appears to contain signatures aggregating in number more than 4507
three times the minimum number of signatures required by this 4508
section. A board of elections shall not accept for filing a 4509
nominating petition of a person if that person, for the same 4510
election, has already filed a declaration of candidacy, a 4511
declaration of intent to be a write-in candidate, or a 4512
nominating petition, or has become a candidate through party 4513
nomination at a primary election or by the filling of a vacancy 4514
under section 3513.30 or 3513.31 of the Revised Code for any 4515
other township office, or for a municipal office, for member of 4516
a city, local, or exempted village board of education, or for 4517
member of a governing board of an educational service center. 4518
When a petition of a candidate has been accepted for filing by a 4519

board of elections, the petition shall not be deemed invalid if, 4520
upon verification of signatures contained in the petition, the 4521
board of elections finds the number of signatures accepted 4522
exceeds three times the minimum number of signatures required. ~~A~~ 4523
~~board of elections may discontinue verifying signatures when the~~ 4524
~~number of verified signatures on a petition equals the minimum~~ 4525
~~required number of qualified signatures.~~ 4526

Sec. 3513.254. (A) The name of each candidate for member 4527
of a city, local, or exempted village board of education shall 4528
appear on the nonpartisan ballot. Nominating petitions of 4529
candidates for member of a board of education of a local or 4530
exempted village school district shall be signed by twenty-five 4531
qualified electors of the school district. Nominating petitions 4532
for candidates for member of a board of education of a city 4533
school district having a population of less than twenty 4534
thousand, as ascertained by the next preceding federal census, 4535
shall be signed by twenty-five qualified electors of the school 4536
district. Nominating petitions for candidates for member of a 4537
board of education of a city school district having a population 4538
of twenty thousand or more but less than fifty thousand, as 4539
ascertained by the next preceding federal census, shall be 4540
signed by seventy-five qualified electors of the school 4541
district. Nominating petitions for candidates for member of a 4542
board of education of a city school district having a population 4543
of fifty thousand or more but less than one hundred thousand, as 4544
ascertained by the next preceding federal census, shall be 4545
signed by one hundred fifty qualified electors of the school 4546
district. Nominating petitions for candidates for member of a 4547
board of education of a city school district having a population 4548
of one hundred thousand or more, as ascertained by the next 4549
preceding federal census, shall be signed by three hundred 4550

qualified electors of the school district. 4551

(B) Nominating petitions shall be filed with the board of 4552
elections not later than four p.m. of the ninetieth day before 4553
the day of the general election, provided that no such petition 4554
shall be accepted for filing if it appears to contain signatures 4555
aggregating in number more than three times the minimum number 4556
of signatures required by this section. A board of elections 4557
shall not accept for filing a nominating petition of a person if 4558
that person, for the same election, has already filed a 4559
declaration of candidacy, a declaration of intent to be a write- 4560
in candidate, or a nominating petition, or has become a 4561
candidate through party nomination at a primary election or by 4562
the filling of a vacancy under section 3513.30 or 3513.31 of the 4563
Revised Code for any other position as a member of a city, 4564
local, or exempted village board of education or position as a 4565
member of a governing board of an educational service center, or 4566
for a municipal or township office. When a petition of a 4567
candidate has been accepted for filing by a board of elections, 4568
the petition shall not be deemed invalid if, upon verification 4569
of signatures contained in the petition, the board of elections 4570
finds the number of signatures accepted exceeds three times the 4571
minimum number of signatures required. ~~A board of elections may~~ 4572
~~discontinue verifying petitions when the number of verified~~ 4573
~~signatures equals the minimum required number of qualified~~ 4574
~~signatures.~~ 4575

(C) This section is subject to section 3513.256 of the 4576
Revised Code. 4577

Sec. 3513.255. This section is subject to section 3513.256 4578
of the Revised Code. The name of each candidate for election as 4579
a member of a governing board of an educational service center 4580

shall appear on the nonpartisan ballot. Each nominating petition 4581
shall be signed by fifty qualified electors who reside in one of 4582
the following, as applicable: 4583

(A) The school districts over which the educational 4584
service center governing board has jurisdiction, in the case of 4585
any candidate running for a position on any educational service 4586
center governing board other than a governing board established 4587
in accordance with section 3311.054 of the Revised Code; 4588

(B) The subdistrict in which the candidate is running, in 4589
the case of a position on a governing board of an educational 4590
service center established in accordance with section 3311.054 4591
of the Revised Code. 4592

Each nominating petition shall be filed with the board of 4593
elections of the county in which the central administrative 4594
offices of the educational service center governing board are 4595
located not later than four p.m. of the ninetieth day before the 4596
day of the general election, provided that no such petition 4597
shall be accepted for filing if it appears to contain signatures 4598
aggregating in number more than three times the minimum number 4599
of signatures required by this section. A board of elections 4600
shall not accept for filing a nominating petition of a person if 4601
that person, for the same election, has already filed a 4602
declaration of candidacy, a declaration of intent to be a write- 4603
in candidate, or a nominating petition, or has become a 4604
candidate through party nomination at a primary election or by 4605
the filling of a vacancy under section 3513.30 or 3513.31 of the 4606
Revised Code for any other position as a member of a governing 4607
board of an educational service center or position as a member 4608
of a city, local, or exempted village board of education, or for 4609
a municipal or township office. When a petition of a candidate 4610

has been accepted for filing by a board of elections, the 4611
petition shall not be deemed invalid if, upon verification of 4612
signatures contained in the petition, the board of elections 4613
finds the number of signatures accepted exceeds three times the 4614
minimum signatures required. ~~A board of elections may~~ 4615
~~discontinue verifying petitions when the number of verified~~ 4616
~~signatures equals the minimum required number of qualified~~ 4617
~~signatures.~~ 4618

Sec. 3513.257. Each person desiring to become an 4619
independent candidate for an office for which candidates may be 4620
nominated at a primary election, except persons desiring to 4621
become independent joint candidates for the offices of governor 4622
and lieutenant governor and for the offices of president and 4623
vice-president of the United States, shall file no later than 4624
four p.m. of the day before the day of the primary election 4625
immediately preceding the general election at which such 4626
candidacy is to be voted for by the voters, a statement of 4627
candidacy and nominating petition as provided in section 4628
3513.261 of the Revised Code. Persons desiring to become 4629
independent joint candidates for the offices of governor and 4630
lieutenant governor shall file, not later than four p.m. of the 4631
day before the day of the primary election, one statement of 4632
candidacy and one nominating petition for the two of them. 4633
Persons desiring to become independent joint candidates for the 4634
offices of president and vice-president of the United States 4635
shall file, not later than four p.m. of the ninetieth day before 4636
the day of the general election at which the president and vice- 4637
president are to be elected, one statement of candidacy and one 4638
nominating petition for the two of them. The prospective 4639
independent joint candidates' statement of candidacy shall be 4640
filed with the nominating petition as one instrument. 4641

The statement of candidacy and separate petition papers of 4642
each candidate or pair of joint candidates shall be filed at the 4643
same time as one instrument. 4644

The nominating petition shall contain signatures of 4645
qualified electors of the district, political subdivision, or 4646
portion of a political subdivision in which the candidacy is to 4647
be voted on in an amount to be determined as follows: 4648

(A) If the candidacy is to be voted on by electors 4649
throughout the entire state, the nominating petition, including 4650
the nominating petition of independent joint candidates for the 4651
offices of governor and lieutenant governor, shall be signed by 4652
no less than five thousand qualified electors, provided that no 4653
petition shall be accepted for filing if it purports to contain 4654
more than fifteen thousand signatures. 4655

(B) If the candidacy is to be voted on by electors in any 4656
district, political subdivision, or part thereof in which less 4657
than five thousand electors voted for the office of governor at 4658
the most recent election for that office, the nominating 4659
petition shall contain signatures of not less than twenty-five 4660
qualified electors of the district, political subdivision, or 4661
part thereof, or a number of qualified signatures equal to at 4662
least five per cent of that vote, if this number is less than 4663
twenty-five. 4664

(C) If the candidacy is to be voted on by electors in any 4665
district, political subdivision, or part thereof in which five 4666
thousand or more electors voted for the office of governor at 4667
the most recent election for that office, the nominating 4668
petition shall contain a number of signatures equal to at least 4669
one per cent of those electors. 4670

All nominating petitions of candidates for offices to be 4671
voted on by electors throughout the entire state shall be filed 4672
in the office of the secretary of state. No nominating petition 4673
for the offices of president and vice-president of the United 4674
States shall be accepted for filing unless there is submitted to 4675
the secretary of state, at the time of filing the petition, a 4676
slate of presidential electors sufficient in number to satisfy 4677
the requirement of the United States Constitution. The secretary 4678
of state shall not accept for filing the statement of candidacy 4679
of a person who desires to be an independent candidate for the 4680
office of governor unless it also shows the joint candidacy of a 4681
person who desires to be an independent candidate for the office 4682
of lieutenant governor, shall not accept for filing the 4683
statement of candidacy of a person who desires to be an 4684
independent candidate for the office of lieutenant governor 4685
unless it also shows the joint candidacy of a person who desires 4686
to be an independent candidate for the office of governor, and 4687
shall not accept for filing the statement of candidacy of a 4688
person who desires to be an independent candidate to the office 4689
of governor or lieutenant governor who, for the same election, 4690
has already filed a declaration of candidacy, a declaration of 4691
intent to be a write-in candidate, or a statement of candidacy, 4692
or has become a candidate by the filling of a vacancy under 4693
section 3513.30 of the Revised Code for any other state office 4694
or any federal or county office. 4695

Nominating petitions of candidates for offices to be voted 4696
on by electors within a district or political subdivision 4697
comprised of more than one county but less than all counties of 4698
the state shall be filed with the boards of elections of that 4699
county or part of a county within the district or political 4700
subdivision which had a population greater than that of any 4701

other county or part of a county within the district or 4702
political subdivision according to the last federal decennial 4703
census. 4704

Nominating petitions for offices to be voted on by 4705
electors within a county or district smaller than a county shall 4706
be filed with the board of elections for such county. 4707

No petition other than the petition of a candidate whose 4708
candidacy is to be considered by electors throughout the entire 4709
state shall be accepted for filing if it appears on its face to 4710
contain more than three times the minimum required number of 4711
signatures. A board of elections shall not accept for filing a 4712
nominating petition of a person seeking to become a candidate if 4713
that person, for the same election, has already filed a 4714
declaration of candidacy, a declaration of intent to be a write- 4715
in candidate, or a nominating petition, or has become a 4716
candidate by the filling of a vacancy under section 3513.30 of 4717
the Revised Code for any federal, state, or county office, if 4718
the nominating petition is for a state or county office, or for 4719
any municipal or township office, for member of a city, local, 4720
or exempted village board of education, or for member of a 4721
governing board of an educational service center, if the 4722
nominating petition is for a municipal or township office, or 4723
for member of a city, local, or exempted village board of 4724
education, or for member of a governing board of an educational 4725
service center. When a petition of a candidate has been accepted 4726
for filing by a board of elections, the petition shall not be 4727
deemed invalid if, upon verification of signatures contained in 4728
the petition, the board of elections finds the number of 4729
signatures accepted exceeds three times the minimum number of 4730
signatures required. ~~A board of elections may discontinue~~ 4731
~~verifying signatures when the number of verified signatures on a~~ 4732

~~petition equals the minimum required number of qualified~~ 4733
~~signatures.~~ 4734

Any nonjudicial candidate who files a nominating petition 4735
may request, at the time of filing, that the candidate be 4736
designated on the ballot as a nonparty candidate or as an other- 4737
party candidate, or may request that the candidate's name be 4738
placed on the ballot without any designation. Any such candidate 4739
who fails to request a designation either as a nonparty 4740
candidate or as an other-party candidate shall have the 4741
candidate's name placed on the ballot without any designation. 4742

The purpose of establishing a filing deadline for 4743
independent candidates prior to the primary election immediately 4744
preceding the general election at which the candidacy is to be 4745
voted on by the voters is to recognize that the state has a 4746
substantial and compelling interest in protecting its electoral 4747
process by encouraging political stability, ensuring that the 4748
winner of the election will represent a majority of the 4749
community, providing the electorate with an understandable 4750
ballot, and enhancing voter education, thus fostering informed 4751
and educated expressions of the popular will in a general 4752
election. The filing deadline for independent candidates 4753
required in this section prevents splintered parties and 4754
unrestrained factionalism, avoids political fragmentation, and 4755
maintains the integrity of the ballot. The deadline, one day 4756
prior to the primary election, is the least drastic or 4757
restrictive means of protecting these state interests. The 4758
general assembly finds that the filing deadline for independent 4759
candidates in primary elections required in this section is 4760
reasonably related to the state's purpose of ensuring fair and 4761
honest elections while leaving unimpaired the political, voting, 4762
and associational rights secured by the first and fourteenth 4763

amendments to the United States Constitution. 4764

Sec. 3513.259. Nominations of candidates for the office of 4765
member of the state board of education shall be made only by 4766
nominating petition. The nominating petition of a candidate for 4767
the office of member of the state board of education shall be 4768
signed by not less than one hundred qualified electors. 4769

No such nominating petition shall be accepted for filing 4770
if it appears on its face to contain signatures aggregating in 4771
number more than three times the minimum number of signatures 4772
required by this section. A board of elections shall not accept 4773
for filing a nominating petition of a person if that person, for 4774
the same election, has already filed a declaration of candidacy, 4775
a declaration of intent to be a write-in candidate, or a 4776
nominating petition, or has become a candidate through party 4777
nomination at a primary election or by the filling of a vacancy 4778
under section 3513.30 or 3513.31 of the Revised Code, to be a 4779
candidate for any other state office or any federal or county 4780
office. When a petition of a candidate has been accepted for 4781
filing by a board of elections, the petition shall not be deemed 4782
invalid if, upon verification of signatures contained in the 4783
petition, the board of elections finds the number of signatures 4784
accepted exceeds three times the minimum number of signatures 4785
required. ~~A board of elections may discontinue verifying~~ 4786
~~signatures when the number of verified signatures equals the~~ 4787
~~minimum required number of signatures.~~ Such petition shall be 4788
filed with the board of elections of the most populous county in 4789
such district not later than four p.m. of the ninetieth day 4790
before the day of the general election at which state board of 4791
education members are elected. 4792

Each nominating petition shall be signed by qualified 4793

electors residing in the district in which the candidate 4794
designated therein would be a candidate for election to the 4795
office of member of the state board of education. Each candidate 4796
shall be a qualified elector residing in the district in which 4797
the candidate seeks election to such office. 4798

As the word "district" is used in this section, it refers 4799
to a district created under section 3301.01 of the Revised Code. 4800

Sec. 3599.11. (A) ~~No (1)~~ Subject to division (A) (2) of 4801
this section, no person shall knowingly do any of the following: 4802

(a) Knowingly register or make application or attempt to 4803
register in a precinct in which the person is not a qualified 4804
voter; ~~or knowingly~~ 4805

(b) Knowingly aid or abet any person to so register; ~~or~~ 4806
~~attempt~~ 4807

(c) Knowingly attempt to register or knowingly induce or 4808
attempt to induce any person to so register; ~~or knowingly~~ 4809

(d) Knowingly impersonate another or write or assume the 4810
name of another, real or fictitious, in registering or 4811
attempting to register; ~~or by~~ 4812

(e) By false statement or other unlawful means, knowingly 4813
procure, aid, or attempt to procure the erasure or striking out 4814
on the register or duplicate list of the name of a qualified 4815
elector therein; ~~or knowingly~~ 4816

(f) Knowingly induce or attempt to induce a registrar or 4817
other election authority to refuse registration in a precinct to 4818
an elector thereof; ~~or knowingly~~ 4819

(g) Knowingly swear or affirm falsely upon a lawful 4820
examination by or before any registering officer; ~~or make~~ 4821

(h) Knowingly make, print, or issue any false or 4822
counterfeit certificate of registration or knowingly alter any 4823
certificate of registration. 4824

~~No person shall knowingly;~~ 4825

(i) Knowingly register under more than one name or 4826
knowingly induce any person to so register. 4827

~~No person shall knowingly;~~ 4828

(j) Knowingly make any false statement on any form for 4829
registration or change of registration or upon any application 4830
or return envelope for an absent voter's ballot. 4831

(2) (a) A person whose voter registration or voter 4832
registration update is processed through the automated voter 4833
registration and verification system described in section 4834
3503.11 and division (F) of section 4507.061 of the Revised Code 4835
and who is not a qualified voter in the precinct or under the 4836
name indicated violates division (A) (1) of this section only if 4837
the person knowingly provides or attempts to provide false 4838
information with the intention of registering or submitting a 4839
registration update using that information. 4840

(b) A person who aids, abets, induces, or attempts to 4841
induce another person to have the other person's voter 4842
registration or voter registration update processed through the 4843
automated voter registration and verification system described 4844
in section 3503.11 and division (F) of section 4507.061 of the 4845
Revised Code when the other person is not a qualified voter in 4846
the precinct or under the name indicated violates division (A) 4847
(1) of this section only if the person knowingly causes or 4848
attempts to cause the other person to be registered to vote or 4849
to have the other person's registration updated using 4850

information the person knows is false. 4851

(3) Whoever violates ~~this~~ division (A) (1) of this section 4852
is guilty of a felony of the fifth degree. 4853

(B) (1) No person who helps another person register outside 4854
an official voter registration place shall knowingly destroy, or 4855
knowingly help another person to destroy, any completed 4856
registration form. 4857

Whoever violates this division is guilty of election 4858
falsification, a felony of the fifth degree. 4859

(2) (a) No person who helps another person register outside 4860
an official voter registration place shall knowingly fail to 4861
return any registration form entrusted to that person to any 4862
board of elections or the office of the secretary of state 4863
within ten days after that ~~regisitration~~ registration form is 4864
completed, or on or before the thirtieth day before the 4865
election, whichever day is earlier, unless the registration form 4866
is received by the person within twenty-four hours of the 4867
thirtieth day before the election, in which case the person 4868
shall return the registration form to any board of elections or 4869
the office of the secretary of state within ten days of its 4870
receipt. 4871

Whoever violates this division is guilty of election 4872
falsification, a felony of the fifth degree, unless the person 4873
has not previously been convicted of a violation of division (B) 4874
(2) (a), (B) (2) (b), (C) (1), or (C) (2) of this section, the 4875
violation of this division does not cause any person to miss any 4876
voter registration deadline with regard to any election, and the 4877
number of voter registration forms that the violator has failed 4878
to properly return does not exceed forty-nine, in which case the 4879

violator is guilty of a misdemeanor of the first degree. 4880

(b) Subject to division (C) (2) of this section, no person 4881
who helps another person register outside an official 4882
registration place shall knowingly return any registration form 4883
entrusted to that person to any location other than any board of 4884
elections or the office of the secretary of state. 4885

Whoever violates this division is guilty of election 4886
falsification, a felony of the fifth degree, unless the person 4887
has not previously been convicted of a violation of division (B) 4888
(2) (a), (B) (2) (b), (C) (1), or (C) (2) of this section, the 4889
violation of this division does not cause any person to miss any 4890
voter registration deadline with regard to any election, and the 4891
number of voter registration forms that the violator has failed 4892
to properly return does not exceed forty-nine, in which case the 4893
violator is guilty of a misdemeanor of the first degree. 4894

(C) (1) No person who receives compensation for registering 4895
a voter shall knowingly fail to return any registration form 4896
entrusted to that person to any board of elections or the office 4897
of the secretary of state within ten days after that voter 4898
registration form is completed, or on or before the thirtieth 4899
day before the election, whichever is earlier, unless the 4900
registration form is received by the person within twenty-four 4901
hours of the thirtieth day before the election, in which case 4902
the person shall return the registration form to any board of 4903
elections or the office of the ~~secretary~~secretary of state 4904
within ten days of its receipt. 4905

Whoever violates this division is guilty of election 4906
falsification, a felony of the fifth degree, unless the person 4907
has not previously been convicted of a violation of division (B) 4908
(2) (a), (B) (2) (b), (C) (1), or (C) (2) of this section, the 4909

violation of this division does not cause any person to miss any voter registration deadline with regard to any election, and the number of voter registration forms that the violator has failed to properly return does not exceed forty-nine, in which case the violator is guilty of a misdemeanor of the first degree.

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

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

(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.

Sec. 3599.12. (A) No person shall do any of the following:

(1) Vote or attempt to vote in any primary, special, or general election in a precinct in which that person is not a legally qualified elector;

(2) Vote or attempt to vote more than once at the same election by any means, including voting or attempting to vote both by absent voter's ballots under division ~~(G)~~ (E) of section

3503.16 of the Revised Code and by regular ballot at the polls 4939
at the same election, or voting or attempting to vote both by 4940
absent voter's ballots under division ~~(G)~~(E) of section 3503.16 4941
of the Revised Code and by absent voter's ballots under Chapter 4942
3509. or armed service absent voter's ballots under Chapter 4943
3511. of the Revised Code at the same election; 4944

(3) Impersonate or sign the name of another person, real 4945
or fictitious, living or dead, and vote or attempt to vote as 4946
that other person in any such election; 4947

(4) Cast a ballot at any such election after objection has 4948
been made and sustained to that person's vote; 4949

(5) Knowingly vote or attempt to vote a ballot other than 4950
the official ballot. 4951

(B) Whoever violates division (A) of this section is 4952
guilty of a felony of the fourth degree. 4953

Sec. 3599.18. (A) No election official, person assisting 4954
in the registration of electors, or police officer shall 4955
knowingly do any of the following: 4956

(1) Refuse, neglect, or unnecessarily delay, hinder, or 4957
prevent the registration of a qualified elector, who in a lawful 4958
manner applies for registration or who should be registered or 4959
have the elector's registration updated under section 3503.11 or 4960
4507.061 of the Revised Code; 4961

(2) Enter or consent to the entry of a fictitious name on 4962
a voter registration list; 4963

(3) Alter the name on or remove or destroy the 4964
registration card or form of any qualified elector; 4965

(4) Neglect, unlawfully execute, or fail to execute any 4966

duty enjoined upon that person as an election official, person 4967
assisting in the registration of electors, or police officer. 4968

(B) Whoever violates division (A) of this section is 4969
guilty of a misdemeanor of the first degree. 4970

Sec. 4507.061. (A) Beginning on and after July 1, 2022, 4971
the registrar of motor vehicles may authorize the online renewal 4972
of a driver's license or identification card issued by the 4973
bureau of motor vehicles for eligible applicants. An applicant 4974
is eligible for online renewal if all of the following apply: 4975

(1) The applicant's current driver's license or 4976
identification card was processed in person at a deputy 4977
registrar office. 4978

(2) The applicant has a photo on file with the bureau of 4979
motor vehicles from the applicant's current driver's license or 4980
identification card. 4981

(3) The applicant's current driver's license or 4982
identification card expires on the birthday of the applicant in 4983
the fourth year after the date it was issued. 4984

(4) The applicant is applying for a driver's license or 4985
identification card that expires on the birthday of the 4986
applicant in the fourth year after the date it is issued. 4987

(5) The applicant's current driver's license or 4988
identification card is unexpired or expired not more than six 4989
months prior to the date of the application. 4990

(6) The applicant is a citizen of the United States and a 4991
permanent resident of this state. 4992

(7) The applicant is twenty-one years of age or older, but 4993
less than sixty-five years of age. 4994

(8) The applicant's current driver's license or driving privileges are not suspended, canceled, revoked, or restricted, and the applicant is not otherwise prohibited by law from obtaining a driver's license or identification card.

(9) The applicant has no changes to the applicant's name or personal information, other than a change of address.

(10) The applicant has no medical restrictions that would require the applicant to apply for a driver's license or identification card in person at a deputy registrar office. The registrar shall determine the medical restrictions that require in person applications.

(B) An applicant may not submit an application online for any of the following:

(1) A temporary instruction permit;

(2) A commercial driver's license or a commercial driver's license temporary instruction permit;

(3) An initial issuance of an Ohio driver's license or identification card;

(4) An initial issuance of a federally compliant driver's license or identification card;

(5) An ignition interlock license;

(6) A nonrenewable license.

(C) The registrar may require an applicant to provide a digital copy of any identification documents and supporting documents as required by statute or administrative rule to comply with current state and federal requirements.

(D) Except as otherwise provided, an applicant shall

comply with all other applicable laws related to the issuance of 5022
a driver's license or identification card in order to renew a 5023
driver's license or identification card under this section. 5024

(E) The registrar may adopt rules in accordance with 5025
Chapter 119. of the Revised Code to implement and administer 5026
this section. 5027

(F) The registrar and the secretary of state jointly shall 5028
prescribe procedures to do all of the following: 5029

(1) Offer voter registration to an applicant under this 5030
section who is not registered to vote in this state under the 5031
applicant's current name and who is eligible to vote in this 5032
state; 5033

(2) When an applicant under this section who is registered 5034
to vote in this state notifies the registrar of a change of 5035
residence address, transmit the updated information to the 5036
secretary of state in accordance with division (C)(2) of section 5037
3503.11 of the Revised Code; 5038

(3) When an applicant who is registered to vote in this 5039
state at the applicant's current address and under the 5040
applicant's current name submits an application under this 5041
section, transmit the person's information to the secretary of 5042
state in accordance with division (C)(3) of section 3503.11 of 5043
the Revised Code. 5044

Section 2. That existing sections 3501.01, 3501.05, 5045
3501.11, 3501.22, 3501.29, 3501.38, 3503.09, 3503.12, 3503.13, 5046
3503.14, 3503.15, 3503.16, 3503.19, 3503.21, 3503.28, 3503.30, 5047
3503.33, 3505.18, 3505.183, 3506.14, 3509.01, 3509.02, 3509.03, 5048
3509.04, 3509.05, 3509.051, 3509.06, 3509.07, 3509.08, 3509.09, 5049
3511.02, 3511.04, 3511.05, 3511.06, 3511.07, 3511.08, 3511.09, 5050

3511.10, 3511.11, 3511.13, 3513.05, 3513.251, 3513.253, 5051
3513.254, 3513.255, 3513.257, 3513.259, 3599.11, 3599.12, 5052
3599.18, and 4507.061 of the Revised Code are hereby repealed. 5053

Section 3. That section 3503.11 of the Revised Code is 5054
hereby repealed. 5055

Section 4. (A) The Secretary of State shall implement the 5056
online absent voter's ballot application system created under 5057
section 3509.031 of the Revised Code, as enacted by this act, 5058
not later than one year after this section takes effect. 5059

(B) The Secretary of State shall implement the automated 5060
voter registration and verification program created under 5061
section 3503.11 of the Revised Code, as re-enacted by this act, 5062
and division (F) of section 4507.061 of the Revised Code, as 5063
amended by this act, not later than two years after this section 5064
takes effect. 5065

Section 5. This act shall be known as the Ohio Election 5066
Security and Modernization Act. 5067

Section 6. The General Assembly, applying the principle 5068
stated in division (B) of section 1.52 of the Revised Code that 5069
amendments are to be harmonized if reasonably capable of 5070
simultaneous operation, finds that the following sections, 5071
presented in this act as composites of the sections as amended 5072
by the acts indicated, are the resulting versions of the 5073
sections in effect prior to the effective date of the sections 5074
as presented in this act: 5075

Section 3501.29 of the Revised Code as amended by both 5076
S.B. 10 and S.B. 109 of the 130th General Assembly. 5077

Section 3503.21 of the Revised Code as amended by both 5078
H.B. 359 and S.B. 63 of the 131st General Assembly. 5079

Section 3505.18 of the Revised Code as amended by S.B. 47,	5080
S.B. 109, and S.B. 216, all of the 130th General Assembly.	5081
Section 3511.10 of the Revised Code as amended by both	5082
S.B. 205 and S.B. 238 of the 130th General Assembly.	5083