

As Concurred by the House

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Sub. H. B. No. 458

Representative Hall

**Cosponsors: Representatives Fowler Arthur, Gross, Wiggam, Stoltzfus, Riedel, Merrin, Abrams, Baldrige, Bird, Carruthers, Click, Creech, Cross, Fraizer, Ghanbari, John, Johnson, Jones, Jordan, Koehler, Lampton, LaRe, Lipps, Plummer, Ray, Schmidt, Stewart, Swearingen, Wilkin
Senators Gavarone, Antani, Brenner, Cirino, Hackett, Hoagland, Johnson, Lang, McColley, Peterson, Reineke, Roegner, Romanchuk, Rulli, Schaffer, Wilson**

A BILL

To amend sections 107.07, 111.16, 111.31, 323.17, 1
3501.01, 3501.05, 3501.11, 3501.22, 3501.29, 2
3503.14, 3503.15, 3503.16, 3503.19, 3503.28, 3
3505.18, 3505.181, 3505.182, 3505.183, 3505.34, 4
3505.38, 3506.14, 3509.01, 3509.03, 3509.04, 5
3509.05, 3509.051, 3509.06, 3509.07, 3509.08, 6
3509.09, 3509.10, 3511.02, 3511.04, 3511.05, 7
3511.06, 3511.07, 3511.08, 3511.09, 3511.10, 8
3511.11, 3511.13, 3599.21, 4506.11, 4507.13, 9
4507.50, 4507.51, and 4507.52; to enact sections 10
3501.022, 3505.19, 3506.24, 4507.233, and 11
4507.49; and to repeal section 107.06 of the 12
Revised Code to modify the law governing voter 13
identification and absent voting and other 14
aspects of the Election Law and to make changes 15
regarding driver's licenses and state 16
identification cards. 17

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

Section 1. That sections 107.07, 111.16, 111.31, 323.17, 18
3501.01, 3501.05, 3501.11, 3501.22, 3501.29, 3503.14, 3503.15, 19
3503.16, 3503.19, 3503.28, 3505.18, 3505.181, 3505.182, 20
3505.183, 3505.34, 3505.38, 3506.14, 3509.01, 3509.03, 3509.04, 21
3509.05, 3509.051, 3509.06, 3509.07, 3509.08, 3509.09, 3509.10, 22
3511.02, 3511.04, 3511.05, 3511.06, 3511.07, 3511.08, 3511.09, 23
3511.10, 3511.11, 3511.13, 3599.21, 4506.11, 4507.13, 4507.50, 24
4507.51, and 4507.52 be amended and sections 3501.022, 3505.19, 25
3506.24, 4507.233, and 4507.49 of the Revised Code be enacted to 26
read as follows: 27

Sec. 107.07. When the result of the election of any 28
officer mentioned in section 107.05 of the Revised Code is 29
officially known to the board of elections of the proper county, 30
~~and upon payment to such board of the fee prescribed in section~~ 31
~~107.06 of the Revised Code,~~ the board shall immediately forward 32
by mail to the secretary of state a certificate of election of 33
such officer ~~and such fee.~~ Upon receipt of the certificate ~~and~~ 34
~~fee~~ by the secretary of state, the governor shall issue a 35
commission to the officer and for the office named in the 36
certificate, and shall forward the commission to the clerk of 37
the court of common pleas, who shall deliver the commission to 38
the officer named therein. ~~The fees received by the secretary of~~ 39
~~state shall be paid into the state treasury to the credit of the~~ 40
~~general revenue fund.~~ 41

Sec. 111.16. Except as provided in section 1701.041 of the 42
Revised Code, the secretary of state shall charge and collect, 43
for the benefit of the state, the following fees: 44

(A) For filing and recording articles of incorporation of 45
a domestic corporation, including designation of agent: 46

(1) Wherein the corporation shall not be authorized to 47

issue any shares of capital stock, ninety-nine dollars;	48
(2) Wherein the corporation shall be authorized to issue	49
shares of capital stock, with or without par value:	50
(a) Ten cents for each share authorized up to and	51
including one thousand shares;	52
(b) Five cents for each share authorized in excess of one	53
thousand shares up to and including ten thousand shares;	54
(c) Two cents for each share authorized in excess of ten	55
thousand shares up to and including fifty thousand shares;	56
(d) One cent for each share authorized in excess of fifty	57
thousand shares up to and including one hundred thousand shares;	58
(e) One-half cent for each share authorized in excess of	59
one hundred thousand shares up to and including five hundred	60
thousand shares;	61
(f) One-quarter cent for each share authorized in excess	62
of five hundred thousand shares; provided no fee shall be less	63
than ninety-nine dollars or greater than one hundred thousand	64
dollars.	65
(B) For filing and recording a certificate of amendment to	66
or amended articles of incorporation of a domestic corporation,	67
or for filing and recording a certificate of reorganization, a	68
certificate of dissolution, or an amendment to a foreign license	69
application:	70
(1) If the domestic corporation is not authorized to issue	71
any shares of capital stock, fifty dollars;	72
(2) If the domestic corporation is authorized to issue	73
shares of capital stock, fifty dollars, and in case of any	74

increase in the number of shares authorized to be issued, a 75
further sum computed in accordance with the schedule set forth 76
in division (A) (2) of this section less a credit computed in the 77
same manner for the number of shares previously authorized to be 78
issued by the corporation; provided no fee under division (B) (2) 79
of this section shall be greater than one hundred thousand 80
dollars; 81

(3) If the foreign corporation is not authorized to issue 82
any shares of capital stock, fifty dollars; 83

(4) If the foreign corporation is authorized to issue 84
shares of capital stock, fifty dollars. 85

(C) For filing and recording articles of incorporation of 86
a savings and loan association, ninety-nine dollars; and for 87
filing and recording a certificate of amendment to or amended 88
articles of incorporation of a savings and loan association, 89
fifty dollars; 90

(D) For filing and recording a certificate of conversion, 91
including a designation of agent, a certificate of merger, or a 92
certificate of consolidation, ninety-nine dollars and, in the 93
case of any new corporation resulting from a consolidation or 94
any surviving corporation that has an increased number of shares 95
authorized to be issued resulting from a merger, an additional 96
sum computed in accordance with the schedule set forth in 97
division (A) (2) of this section less a credit computed in the 98
same manner for the number of shares previously authorized to be 99
issued or represented in this state by each of the corporations 100
for which a consolidation or merger is effected by the 101
certificate; 102

(E) For filing and recording articles of incorporation of 103

a credit union or the American credit union guaranty 104
association, ninety-nine dollars, and for filing and recording a 105
certificate of increase in capital stock or any other amendment 106
of the articles of incorporation of a credit union or the 107
association, fifty dollars; 108

(F) For filing and recording articles of organization of a 109
limited liability company, for filing and recording an 110
application to become a registered foreign limited liability 111
company, for filing and recording a registration application to 112
become a domestic limited liability partnership, or for filing 113
and recording an application to become a registered foreign 114
limited liability partnership, ninety-nine dollars; 115

(G) For filing and recording a certificate of limited 116
partnership or an application for registration as a foreign 117
limited partnership, or for filing an initial statement of 118
partnership authority pursuant to section 1776.33 of the Revised 119
Code, ninety-nine dollars; 120

(H) For filing a copy of papers evidencing the 121
incorporation of a municipal corporation or of annexation of 122
territory by a municipal corporation, five dollars, to be paid 123
by the municipal corporation, the petitioners therefor, or their 124
agent; 125

(I) For filing and recording any of the following: 126

(1) A license to transact business in this state by a 127
foreign corporation for profit pursuant to section 1703.04 of 128
the Revised Code or a foreign nonprofit corporation pursuant to 129
section 1703.27 of the Revised Code, ninety-nine dollars; 130

(2) A biennial report or biennial statement pursuant to 131
section 1775.63, 1776.83, or 1785.06 of the Revised Code, 132

twenty-five dollars;	133
(3) Except as otherwise provided in this section or any	134
other section of the Revised Code, any other certificate or	135
paper that is required to be filed and recorded or is permitted	136
to be filed and recorded by any provision of the Revised Code	137
with the secretary of state, twenty-five dollars.	138
(J) For filing any certificate or paper not required to be	139
recorded, five dollars;	140
(K) (1) For making copies of any certificate or other paper	141
filed in the office of the secretary of state, a fee not to	142
exceed one dollar per page, except as otherwise provided in the	143
Revised Code, and for creating and affixing the seal of the	144
office of the secretary of state to any good standing or other	145
certificate, five dollars. For copies of certificates or papers	146
required by state officers for official purpose, no charge shall	147
be made.	148
(2) For creating and affixing the seal of the office of	149
the secretary of state to the certificates described in division	150
(E) of section 1701.81, division (E) of section 1701.811,	151
division (E) of section 1705.38, division (E) of section	152
1705.381, division (D) of section 1702.43, division (E) of	153
section 1775.47, division (E) of section 1775.55, division (E)	154
of section 1776.70, division (E) of section 1776.74, division	155
(E) of section 1782.433, or division (E) of section 1782.4310 of	156
the Revised Code, twenty-five dollars.	157
(L) For a minister's license to solemnize marriages, ten	158
dollars;	159
(M) For examining documents to be filed at a later date	160
for the purpose of advising as to the acceptability of the	161

proposed filing, fifty dollars;	162
(N) Fifty dollars for filing and recording any of the	163
following:	164
(1) A certificate of dissolution and accompanying	165
documents, or a certificate of cancellation, under section	166
1701.86, 1702.47, 1705.43, 1706.471, 1776.65, or 1782.10 of the	167
Revised Code;	168
(2) A notice of dissolution of a foreign licensed	169
corporation or a certificate of surrender of license by a	170
foreign licensed corporation under section 1703.17 of the	171
Revised Code;	172
(3) The withdrawal of registration of a foreign or	173
domestic limited liability partnership under section 1775.61,	174
1775.64, 1776.81, or 1776.86 of the Revised Code, or the	175
certificate of cancellation of registration of a foreign limited	176
liability company under section 1705.57 or 1706.514 of the	177
Revised Code;	178
(4) The filing of a statement of denial under section	179
1776.34 of the Revised Code, a statement of dissociation under	180
section 1776.57 of the Revised Code, a statement of disclaimer	181
of general partner status under Chapter 1782. of the Revised	182
Code, or a cancellation of disclaimer of general partner status	183
under Chapter 1782. of the Revised Code.	184
(O) For filing a statement of continued existence by a	185
nonprofit corporation, twenty-five dollars;	186
(P) For filing a restatement under section 1705.08,	187
1706.161, or 1782.09 of the Revised Code, an amendment to a	188
certificate of cancellation under section 1782.10 of the Revised	189
Code, an amendment under section 1705.08, 1706.161, or 1782.09	190

of the Revised Code, or a correction under section 1705.55, 191
1706.173, 1706.511, 1706.513, 1775.61, 1775.64, 1776.12, or 192
1782.52 of the Revised Code, fifty dollars; 193

(Q) For filing for reinstatement of an entity cancelled by 194
operation of law, by the secretary of state, by order of the 195
department of taxation, or by order of a court, twenty-five 196
dollars; 197

(R) For filing and recording any of the following: 198

(1) A change of agent, resignation of agent, or change of 199
agent's address under section 1701.07, 1702.06, 1703.041, 200
1703.27, 1705.06, 1705.55, 1706.09, 1746.04, 1747.03, 1776.07, 201
or 1782.04 of the Revised Code, twenty-five dollars; 202

(2) A multiple change of agent name or address, 203
standardization of agent address, or resignation of agent under 204
section 1701.07, 1702.06, 1703.041, 1703.27, 1705.06, 1705.55, 205
1706.09, 1746.04, 1747.03, 1776.07, or 1782.04 of the Revised 206
Code, one hundred twenty-five dollars, plus three dollars per 207
entity record being changed, by the multiple agent update. 208

(S) For filing and recording any of the following: 209

(1) An application for the exclusive right to use a name 210
or an application to reserve a name for future use under section 211
1701.05, 1702.05, 1703.31, 1705.05, 1706.07, or 1746.06 of the 212
Revised Code, thirty-nine dollars; 213

(2) A trade name or fictitious name registration or 214
report, thirty-nine dollars; 215

(3) An application to renew any item covered by division 216
(S) (1) or (2) of this section that is permitted to be renewed, 217
twenty-five dollars; 218

(4) An assignment of rights for use of a name covered by 219
division (S) (1), (2), or (3) of this section, the cancellation 220
of a name registration or name reservation that is so covered, 221
or notice of a change of address of the registrant of a name 222
that is so covered, twenty-five dollars. 223

(T) For filing and recording a report to operate a 224
business trust or a real estate investment trust, either foreign 225
or domestic, ninety-nine dollars; and for filing and recording 226
an amendment to a report or associated trust instrument, or a 227
surrender of authority, to operate a business trust or real 228
estate investment trust, fifty dollars; 229

(U) (1) For filing and recording the registration of a 230
trademark, service mark, or mark of ownership, one hundred 231
twenty-five dollars; 232

(2) For filing and recording the change of address of a 233
registrant, the assignment of rights to a registration, a 234
renewal of a registration, or the cancellation of a registration 235
associated with a trademark, service mark, or mark of ownership, 236
twenty-five dollars. 237

(V) For filing a service of process with the secretary of 238
state, five dollars per address to be served, except as 239
otherwise provided in any section of the Revised Code, 240

~~(W) For making, recording, and forwarding a commission 241
under section 107.06 of the Revised Code, the applicable fee 242
specified in that section. 243~~

Fees specified in this section may be paid by cash, check, 244
or money order, by credit card in accordance with section 113.40 245
of the Revised Code, or by an alternative payment program in 246
accordance with division (B) of section 111.18 of the Revised 247

Code. Any credit card number or the expiration date of any 248
credit card is not subject to disclosure under Chapter 149. of 249
the Revised Code. 250

Sec. 111.31. (A) Notwithstanding division (E)(2) of 251
section 3509.03 and division (E)(2) of section 3511.02 of the 252
Revised Code, the secretary of state may mail unsolicited 253
applications for absent voter's ballots to electors for a 254
general election if all of the following apply: 255

(1) The general assembly appropriates funds to the 256
controlling board for that particular mailing; 257

(2) The secretary of state submits a request to the 258
controlling board to transfer those funds to the absent voter's 259
ballot application mailing fund established under division (B) 260
of this section; 261

(3) The request is accompanied by a report that includes 262
all of the following concerning the most recent mailing of 263
unsolicited applications for absent voter's ballots conducted by 264
the secretary of state: 265

(a) The number of applications mailed; 266

(b) The number of those applications that were returned to 267
the sender as undeliverable or otherwise were determined to be 268
undeliverable; 269

(c) The number of those applications that were completed 270
and returned to the secretary of state or a board of elections; 271

(d) The number of absent voter's ballots cast by mail in 272
the election for which the applications were mailed. 273

(4) The controlling board approves the transfer of funds 274
to the absent voter's ballot application mailing fund. 275

(B) There is hereby created in the state treasury the 276
absent voter's ballot application mailing fund. The secretary of 277
state shall use the fund to pay the cost of printing and mailing 278
unsolicited applications for absent voter's ballots ~~in~~ 279
~~accordance with section 3501.05 of the Revised Code if the~~ 280
~~general assembly has appropriated funds to the controlling board~~ 281
~~for such a mailing.~~ 282

~~(B)~~ The fund shall consist of moneys transferred to it by 283
the controlling board ~~upon the request of the secretary of state~~ 284
under division (A) of this section. The controlling board shall 285
transfer any unused moneys in the fund to the proper 286
appropriation item. 287

Sec. 323.17. When any taxing authority in the county has 288
certified to the board of elections a resolution that would 289
serve to place upon the ballot at a general election or at any 290
special election held prior to the general election but 291
subsequent to the first Tuesday after the first Monday in ~~August~~ 292
May the question of a tax to be levied on the current tax list 293
and duplicate for any purpose, or if the auditor has not 294
received the certified reduction factors as required by division 295
(D) (2) of section 319.301 of the Revised Code, the time for 296
delivery of the tax duplicate of the county treasurer by the 297
county auditor as provided in section 319.28 of the Revised Code 298
shall be extended to the first Monday in December. When delivery 299
of the tax duplicate has been so delayed, the times for payment 300
of taxes as fixed by section 323.12 of the Revised Code may be 301
extended to the thirty-first day of January and the twentieth 302
day of July. In case of emergency the tax commissioner may, by 303
journal entry, extend the times for delivery of the duplicate in 304
any county for an additional fifteen days upon receipt of a 305
written application from the county auditor, in the case of a 306

delay in the delivery of the tax duplicate, or from the 307
treasurer regarding an extension of the time for the billing and 308
collection of taxes. 309

When a delay in the closing of a tax collection period 310
becomes unavoidable, the tax commissioner, upon application of 311
the county auditor and county treasurer, may extend the time for 312
payment of taxes if ~~he~~ the commissioner determines that 313
penalties have accrued or would otherwise accrue for reasons 314
beyond the control of the taxpayers of the county. The order so 315
issued by the commissioner shall prescribe the final extended 316
date for the payment of taxes for that collection period. 317

"Emergency," as used in this section, includes death or 318
serious illness, any organized work stoppage, mechanical failure 319
of office equipment or machinery, or a delay in complying with 320
section 5715.24 or 5715.26 of the Revised Code which will cause 321
an unavoidable delay in the delivery of duplicates or in the 322
billing or collection of taxes. Such application shall contain a 323
statement describing the emergency that will cause the 324
unavoidable delay. Any application from the county auditor for 325
an extension of time for delivery of the duplicate due to an 326
emergency must be received by the tax commissioner on or before 327
the last day of the month preceding the date required for such 328
delivery. When an extension of time for delivery of the 329
duplicate is so granted, the time for payment of taxes shall be 330
extended for a like period of time. 331

Whenever taxable real property has been destroyed or 332
damaged by fire, flood, tornado, or otherwise, in an amount not 333
less than twenty-five per cent of the value as listed and 334
assessed for taxation but in no event less than two thousand 335
dollars of taxable value, the county board of revision, by 336

resolution, may extend the time for payment of taxes on such 337
property not more than one year after the time fixed by section 338
323.12 of the Revised Code. The board shall file a copy of such 339
resolution with the county auditor and county treasurer, stating 340
the name of the owner and description as it appears on the tax 341
list, the taxing district, the type and kind of property 342
destroyed or damaged, and the board's estimate of the amount of 343
such destruction or damage. 344

Sec. 3501.01. As used in the sections of the Revised Code 345
relating to elections and political communications: 346

(A) "General election" means the election held on the 347
first Tuesday after the first Monday in each November. 348

(B) "Regular municipal election" means the election held 349
on the first Tuesday after the first Monday in November in each 350
odd-numbered year. 351

(C) "Regular state election" means the election held on 352
the first Tuesday after the first Monday in November in each 353
even-numbered year. 354

(D) "Special election" means any election other than those 355
elections defined in other divisions of this section. A special 356
election may be held only on the first Tuesday after the first 357
Monday in May, ~~August~~, or November, on the first Tuesday after 358
the first Monday in August in accordance with section 3501.022 359
of the Revised Code, or on the day authorized by a particular 360
municipal or county charter for the holding of a primary 361
election, except that in any year in which a presidential 362
primary election is held, no special election shall be held in 363
May, except as authorized by a municipal or county charter, but 364
may be held on the third Tuesday after the first Monday in 365

March. 366

(E) (1) "Primary" or "primary election" means an election 367
held for the purpose of nominating persons as candidates of 368
political parties for election to offices, and for the purpose 369
of electing persons as members of the controlling committees of 370
political parties and as delegates and alternates to the 371
conventions of political parties. Primary elections shall be 372
held on the first Tuesday after the first Monday in May of each 373
year except in years in which a presidential primary election is 374
held. 375

(2) "Presidential primary election" means a primary 376
election as defined by division (E) (1) of this section at which 377
an election is held for the purpose of choosing delegates and 378
alternates to the national conventions of the major political 379
parties pursuant to section 3513.12 of the Revised Code. Unless 380
otherwise specified, presidential primary elections are included 381
in references to primary elections. In years in which a 382
presidential primary election is held, all primary elections 383
shall be held on the third Tuesday after the first Monday in 384
March except as otherwise authorized by a municipal or county 385
charter. 386

(F) "Political party" means any group of voters meeting 387
the requirements set forth in section 3517.01 of the Revised 388
Code for the formation and existence of a political party. 389

(1) "Major political party" means any political party 390
organized under the laws of this state whose candidate for 391
governor or nominees for presidential electors received not less 392
than twenty per cent of the total vote cast for such office at 393
the most recent regular state election. 394

(2) "Minor political party" means any political party 395
organized under the laws of this state that meets either of the 396
following requirements: 397

(a) Except as otherwise provided in this division, the 398
political party's candidate for governor or nominees for 399
presidential electors received less than twenty per cent but not 400
less than three per cent of the total vote cast for such office 401
at the most recent regular state election. A political party 402
that meets the requirements of this division remains a political 403
party for a period of four years after meeting those 404
requirements. 405

(b) The political party has filed with the secretary of 406
state, subsequent to its failure to meet the requirements of 407
division (F) (2) (a) of this section, a petition that meets the 408
requirements of section 3517.01 of the Revised Code. 409

A newly formed political party shall be known as a minor 410
political party until the time of the first election for 411
governor or president which occurs not less than twelve months 412
subsequent to the formation of such party, after which election 413
the status of such party shall be determined by the vote for the 414
office of governor or president. 415

(G) "Dominant party in a precinct" or "dominant political 416
party in a precinct" means that political party whose candidate 417
for election to the office of governor at the most recent 418
regular state election at which a governor was elected received 419
more votes than any other person received for election to that 420
office in such precinct at such election. 421

(H) "Candidate" means any qualified person certified in 422
accordance with the provisions of the Revised Code for placement 423

on the official ballot of a primary, general, or special 424
election to be held in this state, or any qualified person who 425
claims to be a write-in candidate, or who knowingly assents to 426
being represented as a write-in candidate by another at either a 427
primary, general, or special election to be held in this state. 428

(I) "Independent candidate" means any candidate who claims 429
not to be affiliated with a political party, and whose name has 430
been certified on the office-type ballot at a general or special 431
election through the filing of a statement of candidacy and 432
nominating petition, as prescribed in section 3513.257 of the 433
Revised Code. 434

(J) "Nonpartisan candidate" means any candidate whose name 435
is required, pursuant to section 3505.04 of the Revised Code, to 436
be listed on the nonpartisan ballot, including all candidates 437
for judge of a municipal court, county court, or court of common 438
pleas, for member of any board of education, for municipal or 439
township offices in which primary elections are not held for 440
nominating candidates by political parties, and for offices of 441
municipal corporations having charters that provide for separate 442
ballots for elections for these offices. 443

(K) "Party candidate" means any candidate who claims to be 444
a member of a political party and who has been certified to 445
appear on the office-type ballot at a general or special 446
election as the nominee of a political party because the 447
candidate has won the primary election of the candidate's party 448
for the public office the candidate seeks, has been nominated 449
under section 3517.012, or is selected by party committee in 450
accordance with section 3513.31 of the Revised Code. 451

(L) "Officer of a political party" includes, but is not 452
limited to, any member, elected or appointed, of a controlling 453

committee, whether representing the territory of the state, a 454
district therein, a county, township, a city, a ward, a 455
precinct, or other territory, of a major or minor political 456
party. 457

(M) "Question or issue" means any question or issue 458
certified in accordance with the Revised Code for placement on 459
an official ballot at a general or special election to be held 460
in this state. 461

(N) "Elector" or "qualified elector" means a person having 462
the qualifications provided by law to be entitled to vote. 463

(O) "Voter" means an elector who votes at an election. 464

(P) "Voting residence" means that place of residence of an 465
elector which shall determine the precinct in which the elector 466
may vote. 467

(Q) "Precinct" means a district within a county 468
established by the board of elections of such county within 469
which all qualified electors having a voting residence therein 470
may vote at the same polling place. 471

(R) "Polling place" means that place provided for each 472
precinct at which the electors having a voting residence in such 473
precinct may vote. 474

(S) "Board" or "board of elections" means the board of 475
elections appointed in a county pursuant to section 3501.06 of 476
the Revised Code. 477

(T) "Political subdivision" means a county, township, 478
city, village, or school district. 479

(U) "Election officer" or "election official" means any of 480
the following: 481

(1) Secretary of state;	482
(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;	483 484 485 486
(3) Director of a board of elections;	487
(4) Deputy director of a board of elections;	488
(5) Member of a board of elections;	489
(6) Employees of a board of elections;	490
(7) Precinct election officials;	491
(8) Employees appointed by the boards of elections on a temporary or part-time basis.	492 493
(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.	494 495 496 497 498 499 500
(W) "Confirmation notice" means a notice sent by a board of elections, on a form prescribed by the secretary of state, to a registered elector to confirm the registered elector's current address.	501 502 503 504
(X) "Designated agency" means an office or agency in the state that provides public assistance or that provides state- funded programs primarily engaged in providing services to persons with disabilities and that is required by the National	505 506 507 508

Voter Registration Act of 1993 to implement a program designed 509
and administered by the secretary of state for registering 510
voters, or any other public or government office or agency that 511
implements a program designed and administered by the secretary 512
of state for registering voters, including the department of job 513
and family services, the program administered under section 514
3701.132 of the Revised Code by the department of health, the 515
department of mental health and addiction services, the 516
department of developmental disabilities, the opportunities for 517
Ohioans with disabilities agency, and any other agency the 518
secretary of state designates. "Designated agency" does not 519
include public high schools and vocational schools, public 520
libraries, or the office of a county treasurer. 521

(Y) "National Voter Registration Act of 1993" means the 522
"National Voter Registration Act of 1993," 107 Stat. 77, 42 523
U.S.C.A. 1973gg. 524

(Z) "Voting Rights Act of 1965" means the "Voting Rights 525
Act of 1965," 79 Stat. 437, 42 U.S.C.A. 1973, as amended. 526

~~(AA) (AA) (1) "Photo identification" means a document one of~~ 527
~~the following documents that meets each of the following~~ 528
~~requirements includes the individual's name and photograph and~~ 529
~~is not expired:~~ 530

~~(1) It shows the name of the individual to whom it was~~ 531
~~issued, which shall conform to the name in the poll list or~~ 532
~~signature pollbook.~~ 533

~~(2) It shows the current address of the individual to whom~~ 534
~~it was issued, which shall conform to the address in the poll~~ 535
~~list or signature pollbook, except for a driver's license or a~~ 536
~~state identification card issued under section 4507.50 of the~~ 537

~~Revised Code, which may show either the current or former~~ 538
~~address of the individual to whom it was issued, regardless of~~ 539
~~whether that address conforms to the address in the poll list or~~ 540
~~signature pollbook.~~ 541

~~(3) It shows a photograph of the individual to whom it was~~ 542
~~issued.~~ 543

~~(4) It includes an expiration date that has not passed.~~ 544

~~(5) It was issued by the government of the United States~~ 545
~~or this state.~~ (a) An Ohio driver's license, state identification 546
card, or interim identification form issued by the registrar of 547
motor vehicles or a deputy registrar under Chapter 4506. or 548
4507. of the Revised Code; 549

(b) A United States passport or passport card; 550

(c) A United States military identification card, Ohio 551
national guard identification card, or United States department 552
of veterans affairs identification card. 553

(2) A "copy" of an individual's photo identification means 554
images of both the front and back of a document described in 555
division (AA) (1) of this section, except that if the document is 556
a United States passport, a copy of the photo identification 557
means an image of the passport's identification page that 558
includes the individual's name, photograph, and other 559
identifying information and the passport's expiration date. 560

(BB) "Driver's license" means a license or permit issued 561
by the registrar or a deputy registrar under Chapter 4506. or 562
4507. of the Revised Code that authorizes an individual to 563
drive. "Driver's license" includes a driver's license, 564
commercial driver's license, probationary license, restricted 565
license, motorcycle operator's license, or temporary instruction 566

permit identification card. "Driver's license" does not include 567
a nonrenewable license issued under section 4507.09 of the 568
Revised Code. 569

(CC) "State identification card" means a card issued by 570
the registrar or a deputy registrar under sections 4507.50 to 571
4507.52 of the Revised Code. 572

(DD) "Interim identification form" means the document 573
issued by the registrar or a deputy registrar to an applicant 574
for a driver's license or state identification card that 575
contains all of the information otherwise found on the license 576
or card and that an applicant may use as a form of 577
identification until the physical license or card arrives in the 578
mail. 579

Sec. 3501.022. (A) A political subdivision or taxing 580
authority may hold a special election on the first Tuesday after 581
the first Monday in August for an office, question, or issue if 582
the political subdivision is under a fiscal emergency under 583
section 118.03 of the Revised Code, or the taxing authority that 584
is a school district is under a fiscal emergency under division 585
(B) of section 3316.03 of the Revised Code, at the time the 586
board of elections certifies the office, question, or issue for 587
placement on the ballot for that special election. 588

(B) The deadlines applicable to a special election held by 589
a political subdivision or taxing authority under division (A) 590
of this section shall be the same as the deadlines specified to 591
place the office, question, or issue on the ballot on the day of 592
a primary or general election. 593

(C) The entire cost of a special election held under 594
division (A) of this section shall be charged to the political 595

<u>subdivision or taxing authority in accordance with division (D)</u>	596
<u>of section 3501.17 of the Revised Code.</u>	597
Sec. 3501.05. The secretary of state shall do all of the	598
following:	599
(A) Appoint all members of boards of elections;	600
(B) Issue instructions by directives and advisories in	601
accordance with section 3501.053 of the Revised Code to members	602
of the boards as to the proper methods of conducting elections.	603
(C) Prepare rules and instructions for the conduct of	604
elections;	605
(D) Publish and furnish to the boards from time to time a	606
sufficient number of indexed copies of all election laws then in	607
force;	608
(E) Edit and issue all pamphlets concerning proposed laws	609
or amendments required by law to be submitted to the voters;	610
(F) Prescribe the form of registration cards, blanks, and	611
records;	612
(G) Determine and prescribe the forms of ballots and the	613
forms of all blanks, cards of instructions, pollbooks, tally	614
sheets, certificates of election, and forms and blanks required	615
by law for use by candidates, committees, and boards;	616
(H) Prepare the ballot title or statement to be placed on	617
the ballot for any proposed law or amendment to the constitution	618
to be submitted to the voters of the state;	619
(I) Except as otherwise provided in section 3519.08 of the	620
Revised Code, certify to the several boards the forms of ballots	621
and names of candidates for state offices, and the form and	622

wording of state referendum questions and issues, as they shall appear on the ballot; 623
624

(J) Except as otherwise provided in division (I) (2) (b) of section 3501.38 of the Revised Code, give final approval to ballot language for any local question or issue approved and transmitted by boards of elections under section 3501.11 of the Revised Code; 625
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(K) Receive all initiative and referendum petitions on state questions and issues and determine and certify to the sufficiency of those petitions; 630
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632

(L) Require such reports from the several boards as are provided by law, or as the secretary of state considers necessary; 633
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(M) Compel the observance by election officers in the several counties of the requirements of the election laws; 636
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(N) (1) Except as otherwise provided in division (N) (2) of this section, investigate the administration of election laws, frauds, and irregularities in elections in any county, and report violations of election laws to the attorney general or prosecuting attorney, or both, for prosecution; 638
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(2) On and after August 24, 1995, report a failure to comply with or a violation of a provision in sections 3517.08 to 3517.13, 3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised Code, whenever the secretary of state has or should have knowledge of a failure to comply with or a violation of a provision in one of those sections, by filing a complaint with the Ohio elections commission under section 3517.153 of the Revised Code. 643
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(O) Make an annual report to the governor containing the 651

results of elections, the cost of elections in the various 652
counties, a tabulation of the votes in the several political 653
subdivisions, and other information and recommendations relative 654
to elections the secretary of state considers desirable; 655

(P) Prescribe and distribute to boards of elections a list 656
of instructions indicating all legal steps necessary to petition 657
successfully for local option elections under sections 4301.32 658
to 4301.41, 4303.29, 4305.14, and 4305.15 of the Revised Code; 659

(Q) Adopt rules pursuant to Chapter 119. of the Revised 660
Code for the removal by boards of elections of ineligible voters 661
from the statewide voter registration database and, if 662
applicable, from the poll list or signature pollbook used in 663
each precinct, which rules shall provide for all of the 664
following: 665

(1) A process for the removal of voters who have changed 666
residence, which shall be uniform, nondiscriminatory, and in 667
compliance with the Voting Rights Act of 1965 and the National 668
Voter Registration Act of 1993, including a program that uses 669
the national change of address service provided by the United 670
States postal system through its licensees; 671

(2) A process for the removal of ineligible voters under 672
section 3503.21 of the Revised Code; 673

(3) A uniform system for marking or removing the name of a 674
voter who is ineligible to vote from the statewide voter 675
registration database and, if applicable, from the poll list or 676
signature pollbook used in each precinct and noting the reason 677
for that mark or removal. 678

(R) Prescribe a general program for registering voters or 679
updating voter registration information, such as name and 680

residence changes, by boards of elections, designated agencies, 681
offices of deputy registrars of motor vehicles, public high 682
schools and vocational schools, public libraries, and offices of 683
county treasurers consistent with the requirements of section 684
3503.09 of the Revised Code; 685

(S) Prescribe a program of distribution of voter 686
registration forms through boards of elections, designated 687
agencies, offices of the registrar and deputy registrars of 688
motor vehicles, public high schools and vocational schools, 689
public libraries, and offices of county treasurers; 690

(T) To the extent feasible, provide copies, at no cost and 691
upon request, of the voter registration form in post offices in 692
this state; 693

(U) Adopt rules pursuant to section 111.15 of the Revised 694
Code for the purpose of implementing the program for registering 695
voters through boards of elections, designated agencies, and the 696
offices of the registrar and deputy registrars of motor vehicles 697
consistent with this chapter; 698

(V) Establish the full-time position of Americans with 699
Disabilities Act coordinator within the office of the secretary 700
of state to do all of the following: 701

(1) Assist the secretary of state with ensuring that there 702
is equal access to polling places for persons with disabilities; 703

(2) Assist the secretary of state with ensuring that each 704
voter may cast the voter's ballot in a manner that provides the 705
same opportunity for access and participation, including privacy 706
and independence, as for other voters; 707

(3) Advise the secretary of state in the development of 708
standards for the certification of voting machines, marking 709

devices, and automatic tabulating equipment. 710

(W) Establish and maintain a computerized statewide 711
database of all legally registered voters under section 3503.15 712
of the Revised Code that complies with the requirements of the 713
"Help America Vote Act of 2002," Pub. L. No. 107-252, 116 Stat. 714
1666, and provide training in the operation of that system; 715

(X) Ensure that all directives, advisories, other 716
instructions, or decisions issued or made during or as a result 717
of any conference or teleconference call with a board of 718
elections to discuss the proper methods and procedures for 719
conducting elections, to answer questions regarding elections, 720
or to discuss the interpretation of directives, advisories, or 721
other instructions issued by the secretary of state are posted 722
on a web site of the office of the secretary of state as soon as 723
is practicable after the completion of the conference or 724
teleconference call, but not later than the close of business on 725
the same day as the conference or teleconference call takes 726
place. 727

(Y) Publish a report on a web site of the office of the 728
secretary of state not later than one month after the completion 729
of the canvass of the election returns for each primary and 730
general election, identifying, by county, the number of absent 731
voter's ballots cast and the number of those ballots that were 732
counted, and the number of provisional ballots cast and the 733
number of those ballots that were counted, for that election. 734
The secretary of state shall maintain the information on the web 735
site in an archive format for each subsequent election. 736

(Z) Conduct voter education outlining voter 737
identification, absent voters ballot, provisional ballot, and 738
other voting requirements; 739

(AA) Establish a procedure by which a registered elector 740
may make available to a board of elections a more recent 741
signature to be used in the poll list or signature pollbook 742
produced by the board of elections of the county in which the 743
elector resides; 744

(BB) Disseminate information, which may include all or 745
part of the official explanations and arguments, by means of 746
direct mail or other written publication, broadcast, or other 747
means or combination of means, as directed by the Ohio ballot 748
board under division (F) of section 3505.062 of the Revised 749
Code, in order to inform the voters as fully as possible 750
concerning each proposed constitutional amendment, proposed law, 751
or referendum; 752

(CC) Be the single state office responsible for the 753
implementation of the "Uniformed and Overseas Citizens Absentee 754
Voting Act," Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 755
1973ff, et seq., as amended, in this state. The secretary of 756
state may delegate to the boards of elections responsibilities 757
for the implementation of that act, including responsibilities 758
arising from amendments to that act made by the "Military and 759
Overseas Voter Empowerment Act," Subtitle H of the "National 760
Defense Authorization Act for Fiscal Year 2010," Pub. L. No. 761
111-84, 123 Stat. 3190. 762

(DD) Adopt rules, under Chapter 119. of the Revised Code, 763
to establish procedures and standards for determining when a 764
board of elections shall be placed under the official oversight 765
of the secretary of state, placing a board of elections under 766
the official oversight of the secretary of state, a board that 767
is under official oversight to transition out of official 768
oversight, and the secretary of state to supervise a board of 769

elections that is under official oversight of the secretary of state. 770
771

(EE) Perform other duties required by law. 772

Whenever a primary election is held under section 3513.32 773
of the Revised Code or a special election is held under section 774
3521.03 of the Revised Code to fill a vacancy in the office of 775
representative to congress, the secretary of state shall 776
establish a deadline, notwithstanding any other deadline 777
required under the Revised Code, by which any or all of the 778
following shall occur: the filing of a declaration of candidacy 779
and petitions or a statement of candidacy and nominating 780
petition together with the applicable filing fee; the filing of 781
protests against the candidacy of any person filing a 782
declaration of candidacy or nominating petition; the filing of a 783
declaration of intent to be a write-in candidate; the filing of 784
campaign finance reports; the preparation of, and the making of 785
corrections or challenges to, precinct voter registration lists; 786
the receipt of applications for absent voter's ballots or 787
uniformed services or overseas absent voter's ballots; the 788
supplying of election materials to precincts by boards of 789
elections; the holding of hearings by boards of elections to 790
consider challenges to the right of a person to appear on a 791
voter registration list; and the scheduling of programs to 792
instruct or reinstruct election officers. 793

In the performance of the secretary of state's duties as 794
the chief election officer, the secretary of state may 795
administer oaths, issue subpoenas, summon witnesses, compel the 796
production of books, papers, records, and other evidence, and 797
fix the time and place for hearing any matters relating to the 798
administration and enforcement of the election laws. 799

In any controversy involving or arising out of the 800
adoption of registration or the appropriation of funds for 801
registration, the secretary of state may, through the attorney 802
general, bring an action in the name of the state in the court 803
of common pleas of the county where the cause of action arose or 804
in an adjoining county, to adjudicate the question. 805

In any action involving the laws in Title XXXV of the 806
Revised Code wherein the interpretation of those laws is in 807
issue in such a manner that the result of the action will affect 808
the lawful duties of the secretary of state or of any board of 809
elections, the secretary of state may, on the secretary of 810
state's motion, be made a party. 811

The secretary of state may apply to any court that is 812
hearing a case in which the secretary of state is a party, for a 813
change of venue as a substantive right, and the change of venue 814
shall be allowed, and the case removed to the court of common 815
pleas of an adjoining county named in the application or, if 816
there are cases pending in more than one jurisdiction that 817
involve the same or similar issues, the court of common pleas of 818
Franklin county. 819

Public high schools and vocational schools, public 820
libraries, and the office of a county treasurer shall implement 821
voter registration programs as directed by the secretary of 822
state pursuant to this section. 823

~~The secretary of state may mail unsolicited applications~~ 824
~~for absent voter's ballots to individuals only for a general~~ 825
~~election and only if the general assembly has made an~~ 826
~~appropriation for that particular mailing. Under no other~~ 827
~~circumstance shall a public office, or a public official or~~ 828
~~employee who is acting in an official capacity, mail unsolicited~~ 829

~~applications for absent voter's ballots to any individuals.~~ 830

Sec. 3501.11. Each board of elections shall exercise by a 831
majority vote all powers granted to the board by Title XXXV of 832
the Revised Code, shall perform all the duties imposed by law, 833
and shall do all of the following: 834

(A) Establish, define, provide, rearrange, and combine 835
election precincts; 836

(B) Fix and provide the places for registration and for 837
holding primaries and elections; 838

(C) Provide for the purchase, preservation, and 839
maintenance of booths, ballot boxes, books, maps, flags, blanks, 840
cards of instructions, and other forms, papers, and equipment 841
used in registration, nominations, and elections; 842

(D) Appoint and remove its director, deputy director, and 843
employees and all registrars, precinct election officials, and 844
other officers of elections, fill vacancies, and designate the 845
ward or district and precinct in which each shall serve; 846

(E) Make and issue rules and instructions, not 847
inconsistent with law or the rules, directives, or advisories 848
issued by the secretary of state, as it considers necessary for 849
the guidance of election officers and voters; 850

(F) Advertise and contract for the printing of all ballots 851
and other supplies used in registrations and elections; 852

(G) Provide for the issuance of all notices, 853
advertisements, and publications concerning elections, except as 854
otherwise provided in division (G) of section 3501.17 and 855
divisions (F) and (G) of section 3505.062 of the Revised Code; 856

(H) Provide for the delivery of ballots, pollbooks, and 857

other required papers and material to the polling places; 858

(I) Cause the polling places to be suitably provided with 859
voting machines, marking devices, automatic tabulating 860
equipment, stalls, and other required supplies. In fulfilling 861
this duty, each board of a county that uses voting machines, 862
marking devices, or automatic tabulating equipment shall conduct 863
a full vote of the board during a public session of the board on 864
the allocation and distribution of voting machines, marking 865
devices, and automatic tabulating equipment for each precinct in 866
the county. 867

(J) Investigate irregularities, nonperformance of duties, 868
or violations of Title XXXV of the Revised Code by election 869
officers and other persons; administer oaths, issue subpoenas, 870
summon witnesses, and compel the production of books, papers, 871
records, and other evidence in connection with any such 872
investigation; and report the facts to the prosecuting attorney 873
or the secretary of state; 874

(K) (1) Review, examine, and certify the sufficiency and 875
validity of petitions and nomination papers, and, after 876
certification, return to the secretary of state all petitions 877
and nomination papers that the secretary of state forwarded to 878
the board; 879

(2) Examine each initiative petition, or a petition filed 880
under section 307.94 or 307.95 of the Revised Code, received by 881
the board to determine whether the petition falls within the 882
scope of authority to enact via initiative and whether the 883
petition satisfies the statutory prerequisites to place the 884
issue on the ballot, as described in division (M) of section 885
3501.38 of the Revised Code. The petition shall be invalid if 886
any portion of the petition is not within the initiative power. 887

(L) Receive the returns of elections, canvass the returns,	888
make abstracts of them, and transmit those abstracts to the	889
proper authorities;	890
(M) Issue certificates of election on forms to be	891
prescribed by the secretary of state;	892
(N) Make an annual report to the secretary of state, on	893
the form prescribed by the secretary of state, containing a	894
statement of the number of voters registered, elections held,	895
votes cast, appropriations received, expenditures made, and	896
other data required by the secretary of state;	897
(O) Prepare and submit to the proper appropriating officer	898
a budget estimating the cost of elections for the ensuing fiscal	899
year;	900
(P) Perform other duties as prescribed by law or the	901
rules, directives, or advisories of the secretary of state;	902
(Q) Investigate and determine the residence qualifications	903
of electors;	904
(R) Administer oaths in matters pertaining to the	905
administration of the election laws;	906
(S) Prepare and submit to the secretary of state, whenever	907
the secretary of state requires, a report containing the names	908
and residence addresses of all incumbent county, municipal,	909
township, and board of education officials serving in their	910
respective counties;	911
(T) Establish and maintain a voter registration database	912
of all qualified electors in the county who offer to register;	913
(U) Maintain voter registration records, make reports	914
concerning voter registration as required by the secretary of	915

state, and remove ineligible electors from voter registration 916
lists in accordance with law and directives of the secretary of 917
state; 918

(V) Give approval to ballot language for any local 919
question or issue and transmit the language to the secretary of 920
state for the secretary of state's final approval; 921

(W) Prepare and cause the following notice to be displayed 922
in a prominent location in every polling place: 923

"NOTICE 924

Ohio law prohibits any person from voting or attempting to 925
vote more than once at the same election. 926

Violators are guilty of a felony of the fourth degree and 927
shall be imprisoned and additionally may be fined in accordance 928
with law." 929

(X) In all cases of a tie vote or a disagreement in the 930
board, if no decision can be arrived at, the director or 931
chairperson shall submit the matter in controversy, not later 932
than fourteen days after the tie vote or the disagreement, to 933
the secretary of state, who shall summarily decide the question, 934
and the secretary of state's decision shall be final. 935

(Y) Assist each designated agency, deputy registrar of 936
motor vehicles, public high school and vocational school, public 937
library, and office of a county treasurer in the implementation 938
of a program for registering voters at all voter registration 939
locations as prescribed by the secretary of state. Under this 940
program, each board of elections shall direct to the appropriate 941
board of elections any voter registration applications for 942
persons residing outside the county where the board is located 943
within five days after receiving the applications. 944

(Z) On any day on which an elector may vote in person at 945
the office of the board or at another site designated by the 946
board, consider the board or other designated site a polling 947
place for that day. All requirements or prohibitions of law that 948
apply to a polling place shall apply to the office of the board 949
or other designated site on that day. 950

(AA) Perform any duties with respect to voter registration 951
and voting by uniformed services and overseas voters that are 952
delegated to the board by law or by the rules, directives, or 953
advisories of the secretary of state. 954

(BB) Prepare an election administration plan and submit it 955
to the secretary of state not later than seventy-five days 956
before each presidential primary election and not later than one 957
hundred twenty days before each general election held in an 958
even-numbered year. The election administration plan shall be on 959
a template prescribed by the secretary of state and shall 960
include all of the following: 961

(1) Precinct election official recruitment, training, and 962
accountability; 963

(2) Resource allocation; 964

(3) Communication before and on the day of the election; 965

(4) Materials; 966

(5) Contingencies and continuity planning; 967

(6) Security; 968

(7) Voter registration; 969

(8) Absent voting; 970

(9) Polling places and accessibility; 971

<u>(10) Ballot preparation;</u>	972
<u>(11) Pre-election testing;</u>	973
<u>(12) Reconciliation and audits;</u>	974
<u>(13) A master calendar;</u>	975
<u>(14) Any other topic prescribed by the secretary of state.</u>	976
Sec. 3501.22. (A) (1) Except as otherwise provided in	977
division (A) (2) of this section, on or before the fifteenth day	978
of September in each year, the board of elections by a majority	979
vote shall, after careful examination and investigation as to	980
their qualifications, appoint for each election precinct four	981
residents of the county in which the precinct is located, as	982
precinct election officials. Except as otherwise provided in	983
division (C) of this section, all precinct election officials	984
shall be qualified electors. The precinct election officials	985
shall constitute the election officers of the precinct. Not more	986
than one-half of the total number of precinct election officials	987
shall be members of the same political party. The term of such	988
precinct officers shall be for one year. The board may, at any	989
time, designate any number of election officers, not more than	990
one-half of whom shall be members of the same political party,	991
to perform their duties at any precinct in any election. The	992
board may appoint additional officials, equally divided between	993
the two major political parties, when necessary to expedite	994
voting. If the board of elections determines that four precinct	995
election officials are not required in a precinct for a special	996
election, the board of elections may select two of the	997
precinct's election officers, who are not members of the same	998
political party, to serve as the precinct election officials for	999
that precinct in that special election.	1000

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

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

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

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

The board shall issue to each precinct election official a certificate of appointment, which the official shall present to

the voting location manager at the time the polls are opened. 1031

(2) If the board of elections, by a vote of at least three 1032
members of the board, opts to have a single voting location 1033
serve more than one precinct, the board may do any of the 1034
following: 1035

(a) Designate a single voting location manager for the 1036
voting location. The voting location manager shall be a member 1037
of the political party whose candidate received the highest 1038
number of votes for governor at the most recent general election 1039
for that office in the precincts whose polling places are 1040
located at the applicable voting location, when tallying the 1041
combined vote for governor in all such precincts. 1042

(b) Combine the pollbooks for those precincts to create a 1043
single pollbook for the voting location; 1044

(c) If electronic pollbooks are being used in the voting 1045
location, as described in section 3506.021 of the Revised Code, 1046
appoint not less than two precinct election officials for each 1047
precinct, so long as the board approves the decision to reduce 1048
the number of precinct election officials by the affirmative 1049
vote of at least three of its members. 1050

(B) If the board of elections determines that not enough 1051
qualified electors in a precinct are available to serve as 1052
precinct officers, it may appoint persons to serve as precinct 1053
officers at a primary, special, or general election who are at 1054
least seventeen years of age and are registered to vote in 1055
accordance with section 3503.07 of the Revised Code. 1056

(C) (1) A board of elections, in conjunction with the board 1057
of education of a city, local, or exempted village school 1058
district, the governing authority of a community school 1059

established under Chapter 3314. of the Revised Code, or the 1060
chief administrator of a nonpublic school may establish a 1061
program permitting certain high school students to apply and, if 1062
appointed by the board of elections, to serve as precinct 1063
officers at a primary, special, or general election. 1064

In addition to the requirements established by division 1065
(C) (2) of this section, a board of education, governing 1066
authority, or chief administrator that establishes a program 1067
under this division in conjunction with a board of elections may 1068
establish additional criteria that students shall meet to be 1069
eligible to participate in that program. 1070

(2) (a) To be eligible to participate in a program 1071
established under division (C) (1) of this section, a student 1072
shall be a United States citizen, a resident of the county, and 1073
at least seventeen years of age, ~~and enrolled in the senior year~~ 1074
~~of high school.~~ 1075

(b) Any student applying to participate in a program 1076
established under division (C) (1) of this section, as part of 1077
the student's application process, shall declare the student's 1078
political party affiliation with the board of elections. 1079

(3) No student appointed as a precinct officer pursuant to 1080
a program established under division (C) (1) of this section 1081
shall be designated as a voting location manager. 1082

(4) Any student participating in a program established 1083
under division (C) (1) of this section shall be excused for that 1084
student's absence from school on the day of an election at which 1085
the student is serving as a precinct officer. 1086

(D) In any precinct with six or more precinct officers, up 1087
to two students participating in a program established under 1088

division (C)(1) of this section who are under eighteen years of 1089
age may serve as precinct officers. Not more than one precinct 1090
officer in any given precinct with fewer than six precinct 1091
officers shall be under eighteen years of age. 1092

Sec. 3501.29. (A) The board of elections shall provide for 1093
each precinct a polling place and provide adequate facilities at 1094
each polling place for conducting the election. The board shall 1095
provide a sufficient number of screened or curtained voting 1096
compartments to which electors may retire and conveniently mark 1097
their ballots, protected from the observation of others. Each 1098
voting compartment shall be provided at all times with writing 1099
implements, instructions how to vote, and other necessary 1100
conveniences for marking the ballot. The voting location manager 1101
shall ensure that the voting compartments at all times are 1102
adequately lighted and contain the necessary supplies. The board 1103
shall utilize, in so far as practicable, rooms in public schools 1104
and other public buildings for polling places. Upon application 1105
of the board of elections, the authority which has the control 1106
of any building or grounds supported by taxation under the laws 1107
of this state, shall make available the necessary space therein 1108
for the purpose of holding elections and adequate space for the 1109
storage of voting machines, without charge for the use thereof. 1110
A reasonable sum may be paid for necessary janitorial service. 1111
When polling places are established in private buildings, the 1112
board may pay a reasonable rental therefor, and also the cost of 1113
liability insurance covering the premises when used for election 1114
purposes, or the board may purchase a single liability policy 1115
covering the board and the owners of the premises when used for 1116
election purposes. When removable buildings are supplied by the 1117
board, they shall be constructed under the contract let to the 1118
lowest and best bidder, and the board shall observe all 1119

ordinances and regulations then in force as to safety. The board 1120
shall remove all such buildings from streets and other public 1121
places within thirty days after an election, unless another 1122
election is to be held within ninety days. 1123

(B) (1) Except as otherwise provided in this section, the 1124
board shall ensure all of the following: 1125

(a) That polling places are free of barriers that would 1126
impede ingress and egress of ~~handicapped persons~~ with 1127
disabilities; 1128

(b) That the minimum number of ~~special-accessible~~ parking 1129
locations, ~~also known as handicapped parking spaces or~~ 1130
~~disability parking spaces~~, for ~~handicapped persons~~ with mobility 1131
disabilities are designated at each polling place in accordance 1132
with 28 C.F.R. Part 36, Appendix A, and in compliance with 1133
division (E) of section 4511.69 of the Revised Code; 1134

(c) That the entrances of polling places are level or are 1135
provided with a nonskid ramp that meets the requirements of the 1136
"Americans with Disabilities Act of 1990," 104 Stat. 327, 42 1137
U.S.C. 12101; 1138

(d) That doors are a minimum of thirty-two inches wide. 1139

(2) Notwithstanding division (B) (1) (a), (c), or (d) of 1140
this section, certain polling places may be specifically 1141
exempted by the secretary of state upon certification by a board 1142
of elections that a good faith, but unsuccessful, effort has 1143
been made to modify, or change the location of, such polling 1144
places. 1145

(C) ~~At any polling place that is exempted from compliance~~ 1146
~~by the secretary of state, the~~ The board of elections shall 1147
permit any ~~handicapped~~ elector with a disability who travels to 1148

that elector's polling place, but who is physically unable to 1149
enter the polling place, to vote, with the assistance of two 1150
polling place officials of major political parties, in the 1151
vehicle that conveyed that elector to the polling place, or to 1152
receive and cast that elector's ballot at the door of the 1153
polling place. Under no other circumstance may an elector vote 1154
in a vehicle or at the door of a polling place. 1155

(D) The secretary of state shall: 1156

(1) Work with other state agencies to facilitate the 1157
distribution of information and technical assistance to boards 1158
of elections to meet the requirements of division (B) of this 1159
section; 1160

(2) Work with organizations that represent or provide 1161
services to ~~handicapped, disabled,~~ or elderly citizens to effect 1162
a wide dissemination of information about the availability of 1163
absentee voting, voting in the voter's vehicle or at the door of 1164
the polling place, or other election services to ~~handicapped,~~ 1165
~~disabled,~~ or elderly citizens. 1166

(E) Before the day of an election, the director of the 1167
board of elections of each county shall sign a statement 1168
verifying that each polling place that will be used in that 1169
county at that election meets the requirements of division (B) 1170
(1) (b) of this section. The signed statement shall be sent to 1171
the secretary of state by certified mail or electronically. 1172

~~(F) As used in this section, "handicapped" means having~~ 1173
~~lost the use of one or both legs, one or both arms, or any~~ 1174
~~combination thereof, or being blind or so severely disabled as~~ 1175
~~to be unable to move about without the aid of crutches or a~~ 1176
~~wheelchair.~~ 1177

Sec. 3503.14. (A) The secretary of state shall prescribe 1178
the form and content of the registration, change of residence, 1179
and change of name forms used in this state. The forms shall 1180
meet the requirements of the National Voter Registration Act of 1181
1993 and shall include spaces for all of the following: 1182

(1) The voter's name; 1183

(2) The voter's address; 1184

(3) The current date; 1185

(4) The voter's date of birth; 1186

(5) The voter to provide at least one ~~or more~~ of the 1187
following forms of identification: 1188

(a) The voter's Ohio driver's license or state 1189
identification card number, ~~if any~~; 1190

(b) The last four digits of the voter's social security 1191
number, ~~if any~~; 1192

~~(c) A copy of a current and valid photo identification, a~~ 1193
~~copy of a military identification, or a copy of a current~~ 1194
~~utility bill, bank statement, government check, paycheck, or~~ 1195
~~other government document, other than a notice of voter~~ 1196
~~registration mailed by a board of elections under section~~ 1197
~~3503.19 of the Revised Code, that shows the voter's name and~~ 1198
~~address.~~ 1199

(6) The voter's signature. 1200

The registration form shall include a space on which the 1201
person registering an applicant shall sign the person's name and 1202
provide the person's address and a space on which the person 1203
registering an applicant shall name the employer who is 1204

employing that person to register the applicant. 1205

Except for forms prescribed by the secretary of state 1206
under section 3503.11 of the Revised Code, the secretary of 1207
state shall permit boards of elections to produce forms that 1208
have subdivided spaces for each individual alphanumeric 1209
character of the information provided by the voter so as to 1210
accommodate the electronic reading and conversion of the voter's 1211
information to data and the subsequent electronic transfer of 1212
that data to the statewide voter registration database 1213
established under section 3503.15 of the Revised Code. 1214

(B) None of the following persons who are registering an 1215
applicant in the course of that official's or employee's normal 1216
duties shall sign the person's name, provide the person's 1217
address, or name the employer who is employing the person to 1218
register an applicant on a form prepared under this section: 1219

- (1) An election official; 1220
- (2) A county treasurer; 1221
- (3) A deputy registrar of motor vehicles; 1222
- (4) An employee of a designated agency; 1223
- (5) An employee of a public high school; 1224
- (6) An employee of a public vocational school; 1225
- (7) An employee of a public library; 1226
- (8) An employee of the office of a county treasurer; 1227
- (9) An employee of the bureau of motor vehicles; 1228
- (10) An employee of a deputy registrar of motor vehicles; 1229
- (11) An employee of an election official. 1230

(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.

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

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

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

Sec. 3503.15. (A) (1) The secretary of state shall establish and maintain a statewide voter registration database that shall be administered by the office of the secretary of

state and made continuously available to each board of elections 1261
and to other agencies as authorized by law. 1262

(2) (a) State agencies, including, but not limited to, the 1263
department of health, the bureau of motor vehicles, the 1264
department of job and family services, the department of 1265
medicaid, and the department of rehabilitation and corrections, 1266
shall provide any information and data to the secretary of state 1267
that is collected in the course of normal business and that is 1268
necessary to register to vote, to update an elector's 1269
registration, or to maintain the statewide voter registration 1270
database established pursuant to this section, except where 1271
prohibited by federal law or regulation. The department of 1272
health, the bureau of motor vehicles, the department of job and 1273
family services, the department of medicaid, and the department 1274
of rehabilitation and corrections shall provide that information 1275
and data to the secretary of state not later than the last day 1276
of each month. The secretary of state shall ensure that any 1277
information or data provided to the secretary of state that is 1278
confidential in the possession of the entity providing the data 1279
remains confidential while in the possession of the secretary of 1280
state. No public office, and no public official or employee, 1281
shall sell that information or data or use that information or 1282
data for profit. 1283

(b) Information provided under this division for 1284
maintenance of the statewide voter registration database shall 1285
not be used to update the name or address of a registered 1286
elector. The name or address of a registered elector shall only 1287
be updated as a result of the elector's actions in filing a 1288
notice of change of name, change of address, or both. 1289

(c) A board of elections shall contact a registered 1290

elector pursuant to the rules adopted under division (D) (7) of 1291
this section to verify the accuracy of the information in the 1292
statewide voter registration database regarding that elector if 1293
that information does not conform with information provided 1294
under division (A) (2) (a) of this section and the discrepancy 1295
would affect the elector's eligibility to cast a regular ballot. 1296

(3) (a) The secretary of state shall enter into agreements 1297
to share information or data that is in the possession of the 1298
secretary of state with other states or groups of states, as the 1299
secretary of state considers necessary, in order to maintain the 1300
statewide voter registration database established pursuant to 1301
this section. Except as otherwise provided in division (A) (3) (b) 1302
of this section, the secretary of state shall ensure that any 1303
information or data provided to the secretary of state that is 1304
confidential in the possession of the state providing the data 1305
remains confidential while in the possession of the secretary of 1306
state. 1307

(b) The secretary of state may provide such otherwise 1308
confidential information or data to persons or organizations 1309
that are engaging in legitimate governmental purposes related to 1310
the maintenance of the statewide voter registration database. 1311
The secretary of state shall adopt rules pursuant to Chapter 1312
119. of the Revised Code identifying the persons or 1313
organizations who may receive that information or data. The 1314
secretary of state shall not share that information or data with 1315
a person or organization not identified in those rules. The 1316
secretary of state shall ensure that a person or organization 1317
that receives confidential information or data under this 1318
division keeps the information or data confidential in the 1319
person's or organization's possession by, at a minimum, entering 1320
into a confidentiality agreement with the person or 1321

organization. Any confidentiality agreement entered into under 1322
this division shall include a requirement that the person or 1323
organization submit to the jurisdiction of this state in the 1324
event that the person or organization breaches the agreement. 1325

(4) No person or entity that receives information or data 1326
under division (A) (3) of this section shall sell the information 1327
or data or use the information or data for profit. 1328

(5) The secretary of state shall regularly transmit to the 1329
boards of elections, to the extent permitted by state and 1330
federal law, the information and data the secretary of state 1331
receives under divisions (A) (2) and (3) of this section that is 1332
necessary to do the following, in order to ensure that the 1333
accuracy of the statewide voter registration database is 1334
maintained on a regular basis in accordance with applicable 1335
state and federal law: 1336

(a) Require the boards of elections to maintain the 1337
database in a manner that ensures that the name of each 1338
registered elector appears in the database, that only 1339
individuals who are not registered or eligible to vote are 1340
removed from the database, and that duplicate registrations are 1341
eliminated from the database; 1342

(b) Require the boards of elections to make a reasonable 1343
effort to remove individuals who are not eligible to vote from 1344
the database; 1345

(c) Establish safeguards to ensure that eligible electors 1346
are not removed in error from the database. 1347

(B) The statewide voter registration database established 1348
under this section shall be the official list of registered 1349
voters for all elections conducted in this state. 1350

(C) The statewide voter registration database established 1351
under this section shall, at a minimum, include all of the 1352
following: 1353

(1) An electronic network that connects all board of 1354
elections offices with the office of the secretary of state and 1355
with the offices of all other boards of elections; 1356

(2) A computer program that harmonizes the records 1357
contained in the database with records maintained by each board 1358
of elections; 1359

(3) An interactive computer program that allows access to 1360
the records contained in the database by each board of elections 1361
and by any persons authorized by the secretary of state to add, 1362
delete, modify, or print database records, and to conduct 1363
updates of the database; 1364

(4) A search program capable of verifying registered 1365
voters and their registration information by name, driver's 1366
license or state identification card number, birth date, social 1367
security number, or current address; 1368

(5) Safeguards and components to ensure that the 1369
integrity, security, and confidentiality of the voter 1370
registration information is maintained; 1371

(6) Methods to retain canceled voter registration records 1372
for not less than five years after they are canceled and to 1373
record the reason for their cancellation. 1374

(D) The secretary of state shall adopt rules pursuant to 1375
Chapter 119. of the Revised Code doing all of the following: 1376

(1) Specifying the manner in which existing voter 1377
registration records maintained by boards of elections shall be 1378

converted to electronic files for inclusion in the statewide voter registration database; 1379
1380

(2) Establishing a uniform method for entering voter registration records into the statewide voter registration database on an expedited basis, but not less than once per day, if new registration information is received; 1381
1382
1383
1384

(3) Establishing a uniform method for purging canceled voter registration records from the statewide voter registration database in accordance with section 3503.21 of the Revised Code; 1385
1386
1387

(4) Specifying the persons authorized to add, delete, modify, or print records contained in the statewide voter registration database and to make updates of that database; 1388
1389
1390

(5) Establishing a process for annually auditing the information contained in the statewide voter registration database; 1391
1392
1393

(6) Establishing, by mutual agreement with the bureau of motor vehicles, the content and format of the information and data the bureau of motor vehicles shall provide to the secretary of state under division (A)(2)(a) of this section and the frequency with which the bureau shall provide that information and data; 1394
1395
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(7) Establishing a uniform method for addressing instances in which records contained in the statewide voter registration database do not conform with records maintained by an agency, state, or group of states described in division (A)(2)(a) or (3)(a) of this section. That method shall prohibit an elector's voter registration from being canceled on the sole basis that the information in the registration record does not conform to records maintained by such an agency. 1400
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(E) A board of elections promptly shall purge a voter's name and voter registration information from the statewide voter registration database in accordance with the rules adopted by the secretary of state under division (D) (3) of this section after the cancellation of a voter's registration under section 3503.21 of the Revised Code.

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

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

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

(i) The voter's name;

(ii) The voter's address;

(iii) The voter's precinct number;

(iv) The voter's voting history.

(b) During the thirty days before the day of a primary or general election, the web site interface of the statewide voter registration database shall permit a voter to search for the polling location at which that voter may cast a ballot.

(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 1436
in the locations of precinct polling places for the purpose of 1437
updating the information made available on the secretary of 1438
state's web site under division (G) (1) (b) of this section. Those 1439
rules shall require a board of elections, during the thirty days 1440
before the day of a primary or general election, to notify the 1441
secretary of state within one business day of any change to the 1442
location of a precinct polling place within the county. 1443

(3) During the thirty days before the day of a primary or 1444
general election, not later than one business day after 1445
receiving a notification from a county pursuant to division (G) 1446
(2) of this section that the location of a precinct polling 1447
place has changed, the secretary of state shall update that 1448
information on the secretary of state's web site for the purpose 1449
of division (G) (1) (b) of this section. 1450

(H) The secretary of state shall conduct an annual review 1451
of the statewide voter registration database as follows: 1452

(1) The secretary of state shall compare the information 1453
in the statewide voter registration database with the 1454
information the secretary of state obtains from the bureau of 1455
motor vehicles under division (A) (2) of this section to identify 1456
any person who does all of the following, in the following 1457
order: 1458

(a) Submits documentation to the bureau of motor vehicles 1459
that indicates that the person is not a United States citizen; 1460

(b) Registers to vote, submits a voter registration change 1461
of residence or change of name form, or votes in this state; 1462

(c) Submits documentation to the bureau of motor vehicles 1463
that indicates that the person is not a United States citizen. 1464

(2) The secretary of state shall send a written notice to 1465
each person identified under division (H) (1) of this section, 1466
instructing the person either to confirm that the person is a 1467
United States citizen or to submit a completed voter 1468
registration cancellation form to the secretary of state. The 1469
secretary of state shall include a blank voter registration 1470
cancellation form with the notice. If the person fails to 1471
respond to the secretary of state in the manner described in 1472
division (H) (3) or (4) of this section not later than thirty 1473
days after the notice was sent, the secretary of state promptly 1474
shall send the person a second notice and form. 1475

(3) If, not later than sixty days after the first notice 1476
was sent, a person who is sent a notice under division (H) (2) of 1477
this section responds to the secretary of state, confirming that 1478
the person is a United States citizen, the secretary of state 1479
shall take no action concerning the person's voter registration. 1480

(4) If, not later than sixty days after the first notice 1481
was sent, a person who receives a notice under division (H) (2) 1482
of this section sends a completed voter registration 1483
cancellation form to the secretary of state, the secretary of 1484
state shall instruct the board of elections of the county in 1485
which the person is registered to cancel the person's 1486
registration. 1487

(5) If a person who was sent a second notice under 1488
division (H) (2) of this section fails to respond to the 1489
secretary of state in the manner described in division (H) (3) or 1490
(4) of this section not later than thirty days after the second 1491
notice was sent, the secretary of state shall refer the matter 1492
to the attorney general for further investigation and possible 1493
prosecution under section 3599.11, 3599.12, 3599.13, or any 1494

other applicable section of the Revised Code. If, after the 1495
thirtieth day after the second notice was sent, the person sends 1496
a completed voter registration cancellation form to the 1497
secretary of state, the secretary of state shall instruct the 1498
board of elections of the county in which the person is 1499
registered to cancel the person's registration and shall notify 1500
the attorney general of the cancellation. 1501

(6) The secretary of state shall not conduct the review 1502
described in division (H) of this section during the ninety days 1503
immediately preceding a primary or general election for federal 1504
office. 1505

Sec. 3503.16. (A) Except as otherwise provided in division 1506
(E) of section 111.44 of the Revised Code, whenever a registered 1507
elector changes the place of residence of that registered 1508
elector from one precinct to another within a county or from one 1509
county to another, or has a change of name, that registered 1510
elector shall report the change by delivering a change of 1511
residence or change of name form, whichever is appropriate, as 1512
prescribed by the secretary of state under section 3503.14 of 1513
the Revised Code to the state or local office of a designated 1514
agency, a public high school or vocational school, a public 1515
library, the office of the county treasurer, the office of the 1516
secretary of state, any office of the registrar or deputy 1517
registrar of motor vehicles, or any office of a board of 1518
elections in person or by a third person. Any voter 1519
registration, change of address, or change of name application, 1520
returned by mail, may be sent only to the secretary of state or 1521
the board of elections. 1522

A registered elector also may update the registration of 1523
that registered elector by filing a change of residence or 1524

change of name form on the day of a special, primary, or general 1525
election at the polling place in the precinct in which that 1526
registered elector resides or at the board of elections or at 1527
another site designated by the board. 1528

(B) (1) (a) Any registered elector who moves within a 1529
precinct on or prior to the day of a general, primary, or 1530
special election and has not filed a notice of change of 1531
residence with the board of elections may vote in that election 1532
by going to that registered elector's assigned polling place, 1533
completing and signing a notice of change of residence, showing 1534
~~identification in the form of a current and valid photo~~ 1535
~~identification, a military identification, or a copy of a~~ 1536
~~current utility bill, bank statement, government check,~~ 1537
~~paycheck, or other government document, other than a notice of~~ 1538
~~voter registration mailed by a board of elections under section~~ 1539
~~3503.19 of the Revised Code, that shows the name and current~~ 1540
~~address of the elector,~~ and casting a ballot. 1541

(b) Any registered elector who changes the name of that 1542
registered elector and remains within a precinct on or prior to 1543
the day of a general, primary, or special election and has not 1544
filed a notice of change of name with the board of elections may 1545
vote in that election by going to that registered elector's 1546
assigned polling place, completing and signing a notice of a 1547
change of name, and casting a provisional ballot under section 1548
3505.181 of the Revised Code. If the registered elector provides 1549
to the precinct election officials proof of a legal name change, 1550
such as a marriage license or court order that includes the 1551
elector's current and prior names, the elector may complete and 1552
sign a notice of change of name and cast a regular ballot. 1553

(2) Any registered elector who moves from one precinct to 1554

another within a county or moves from one precinct to another 1555
and changes the name of that registered elector on or prior to 1556
the day of a general, primary, or special election and has not 1557
filed a notice of change of residence or change of name, 1558
whichever is appropriate, with the board of elections may vote 1559
in that election if that registered elector complies with 1560
division (G) of this section or does all of the following: 1561

(a) Appears at anytime during regular business hours on or 1562
after the twenty-eighth day prior to the election in which that 1563
registered elector wishes to vote or, if the election is held on 1564
the day of a presidential primary election, the twenty-fifth day 1565
prior to the election, through noon of the Saturday prior to the 1566
election at the office of the board of elections, appears at any 1567
time during regular business hours on the Monday prior to the 1568
election at the office of the board of elections, or appears on 1569
the day of the election at either of the following locations: 1570

(i) The polling place for the precinct in which that 1571
registered elector resides; 1572

(ii) The office of the board of elections or, if pursuant 1573
to division (C) of section 3501.10 of the Revised Code the board 1574
has designated another location in the county at which 1575
registered electors may vote, at that other location instead of 1576
the office of the board of elections. 1577

(b) Completes and signs, under penalty of election 1578
falsification, the written affirmation on the provisional ballot 1579
envelope, which shall serve as a notice of change of residence 1580
or change of name, whichever is appropriate; 1581

(c) Votes a provisional ballot under section 3505.181 of 1582
the Revised Code at the polling place, at the office of the 1583

board of elections, or, if pursuant to division (C) of section 1584
3501.10 of the Revised Code the board has designated another 1585
location in the county at which registered electors may vote, at 1586
that other location instead of the office of the board of 1587
elections, whichever is appropriate, using the address to which 1588
that registered elector has moved or the name of that registered 1589
elector as changed, whichever is appropriate; 1590

(d) Completes and signs, under penalty of election 1591
falsification, a statement attesting that that registered 1592
elector moved or had a change of name, whichever is appropriate, 1593
on or prior to the day of the election, has voted a provisional 1594
ballot at the polling place for the precinct in which that 1595
registered elector resides, at the office of the board of 1596
elections, or, if pursuant to division (C) of section 3501.10 of 1597
the Revised Code the board has designated another location in 1598
the county at which registered electors may vote, at that other 1599
location instead of the office of the board of elections, 1600
whichever is appropriate, and will not vote or attempt to vote 1601
at any other location for that particular election. 1602

(C) Any registered elector who moves from one county to 1603
another county within the state on or prior to the day of a 1604
general, primary, or special election and has not registered to 1605
vote in the county to which that registered elector moved may 1606
vote in that election if that registered elector complies with 1607
division (G) of this section or does all of the following: 1608

(1) Appears at any time during regular business hours on 1609
or after the twenty-eighth day prior to the election in which 1610
that registered elector wishes to vote or, if the election is 1611
held on the day of a presidential primary election, the twenty- 1612
fifth day prior to the election, through noon of the Saturday 1613

prior to the election at the office of the board of elections 1614
or, if pursuant to division (C) of section 3501.10 of the 1615
Revised Code the board has designated another location in the 1616
county at which registered electors may vote, at that other 1617
location instead of the office of the board of elections, 1618
appears during regular business hours on the Monday prior to the 1619
election at the office of the board of elections or, if pursuant 1620
to division (C) of section 3501.10 of the Revised Code the board 1621
has designated another location in the county at which 1622
registered electors may vote, at that other location instead of 1623
the office of the board of elections, or appears on the day of 1624
the election at the office of the board of elections or, if 1625
pursuant to division (C) of section 3501.10 of the Revised Code 1626
the board has designated another location in the county at which 1627
registered electors may vote, at that other location instead of 1628
the office of the board of elections; 1629

(2) Completes and signs, under penalty of election 1630
falsification, the written affirmation on the provisional ballot 1631
envelope, which shall serve as a notice of change of residence; 1632

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

(4) Completes and signs, under penalty of election 1640
falsification, a statement attesting that that registered 1641
elector has moved from one county to another county within the 1642
state on or prior to the day of the election, has voted at the 1643

office of the board of elections or, if pursuant to division (C) 1644
of section 3501.10 of the Revised Code the board has designated 1645
another location in the county at which registered electors may 1646
vote, at that other location instead of the office of the board 1647
of elections, and will not vote or attempt to vote at any other 1648
location for that particular election. 1649

(D) A person who votes by absent voter's ballots pursuant 1650
to division (G) of this section shall not make written 1651
application for the ballots pursuant to Chapter 3509. of the 1652
Revised Code. Ballots cast pursuant to division (G) of this 1653
section shall be set aside in a special envelope and counted 1654
during the official canvass of votes in the manner provided for 1655
in sections 3505.32 and 3509.06 of the Revised Code insofar as 1656
that manner is applicable. The board shall examine the pollbooks 1657
to verify that no ballot was cast at the polls or by absent 1658
voter's ballots under Chapter 3509. or 3511. of the Revised Code 1659
by an elector who has voted by absent voter's ballots pursuant 1660
to division (G) of this section. Any ballot determined to be 1661
insufficient for any of the reasons stated above or stated in 1662
section 3509.07 of the Revised Code shall not be counted. 1663

Subject to division (C) of section 3501.10 of the Revised 1664
Code, a board of elections may lease or otherwise acquire a site 1665
different from the office of the board at which registered 1666
electors may vote pursuant to division (B) or (C) of this 1667
section. 1668

(E) Upon receiving a notice of change of residence or 1669
change of name, the board of elections shall immediately send 1670
the registrant an acknowledgment notice. If the change of 1671
residence or change of name notice is valid, the board shall 1672
update the voter's registration as appropriate. If that form is 1673

incomplete, the board shall inform the registrant in the 1674
acknowledgment notice specified in this division of the 1675
information necessary to complete or update that registrant's 1676
registration. 1677

(F) Change of residence and change of name forms shall be 1678
available at each polling place, and when these forms are 1679
completed, noting changes of residence or name, as appropriate, 1680
they shall be filed with election officials at the polling 1681
place. Election officials shall return completed forms, together 1682
with the pollbooks and tally sheets, to the board of elections. 1683

The board of elections shall provide change of residence 1684
and change of name forms to the probate court and court of 1685
common pleas. The court shall provide the forms to any person 1686
eighteen years of age or older who has a change of name by order 1687
of the court or who applies for a marriage license. The court 1688
shall forward all completed forms to the board of elections 1689
within five days after receiving them. 1690

(G) A registered elector who otherwise would qualify to 1691
vote under division (B) or (C) of this section but is unable to 1692
appear at the office of the board of elections or, if pursuant 1693
to division (C) of section 3501.10 of the Revised Code the board 1694
has designated another location in the county at which 1695
registered electors may vote, at that other location, on account 1696
of personal illness, physical disability, or infirmity, may vote 1697
on the day of the election if that registered elector does all 1698
of the following: 1699

(1) Makes a written application on a form prescribed by 1700
the secretary of state that includes all of the information 1701
required under section 3509.03 of the Revised Code to the 1702
appropriate board for an absent voter's ballot on or after the 1703

twenty-seventh day prior to the election in which the registered 1704
elector wishes to vote through ~~noon of the Saturday close of~~ 1705
business on the seventh day prior to that election and requests 1706
that the absent voter's ballot be sent to the address to which 1707
the registered elector has moved if the registered elector has 1708
moved, or to the address of that registered elector who has not 1709
moved but has had a change of name; 1710

(2) Declares that the registered elector has moved or had 1711
a change of name, whichever is appropriate, and otherwise is 1712
qualified to vote under the circumstances described in division 1713
(B) or (C) of this section, whichever is appropriate, but that 1714
the registered elector is unable to appear at the board of 1715
elections because of personal illness, physical disability, or 1716
infirmity; 1717

(3) Completes and returns along with the completed absent 1718
voter's ballot a notice of change of residence indicating the 1719
address to which the registered elector has moved, or a notice 1720
of change of name, whichever is appropriate; 1721

(4) Completes and signs, under penalty of election 1722
falsification, a statement attesting that the registered elector 1723
has moved or had a change of name on or prior to the day before 1724
the election, has voted by absent voter's ballot because of 1725
personal illness, physical disability, or infirmity that 1726
prevented the registered elector from appearing at the board of 1727
elections, and will not vote or attempt to vote at any other 1728
location or by absent voter's ballot mailed to any other 1729
location or address for that particular election. 1730

Sec. 3503.19. (A) Persons qualified to register or to 1731
change their registration because of a change of address or 1732
change of name may register or change their registration in 1733

person at any state or local office of a designated agency, at 1734
the office of the registrar or any deputy registrar of motor 1735
vehicles, at a public high school or vocational school, at a 1736
public library, at the office of a county treasurer, or at a 1737
branch office established by the board of elections, or in 1738
person, through another person, or by mail at the office of the 1739
secretary of state or at the office of a board of elections. A 1740
registered elector may also change the elector's registration on 1741
election day at any polling place where the elector is eligible 1742
to vote, in the manner provided under section 3503.16 of the 1743
Revised Code. 1744

Any state or local office of a designated agency, the 1745
office of the registrar or any deputy registrar of motor 1746
vehicles, a public high school or vocational school, a public 1747
library, or the office of a county treasurer shall transmit any 1748
voter registration application or change of registration form 1749
that it receives to the board of elections of the county in 1750
which the state or local office is located, within five days 1751
after receiving the voter registration application or change of 1752
registration form. 1753

An otherwise valid voter registration application that is 1754
returned to the appropriate office other than by mail must be 1755
received by a state or local office of a designated agency, the 1756
office of the registrar or any deputy registrar of motor 1757
vehicles, a public high school or vocational school, a public 1758
library, the office of a county treasurer, the office of the 1759
secretary of state, or the office of a board of elections no 1760
later than the thirtieth day preceding a primary, special, or 1761
general election for the person to qualify as an elector 1762
eligible to vote at that election. An otherwise valid 1763
registration application received after that day entitles the 1764

elector to vote at all subsequent elections. 1765

Any state or local office of a designated agency, the 1766
office of the registrar or any deputy registrar of motor 1767
vehicles, a public high school or vocational school, a public 1768
library, or the office of a county treasurer shall date stamp a 1769
registration application or change of name or change of address 1770
form it receives using a date stamp that does not disclose the 1771
identity of the state or local office that receives the 1772
registration. 1773

Voter registration applications, if otherwise valid, that 1774
are returned by mail to the office of the secretary of state or 1775
to the office of a board of elections must be postmarked no 1776
later than the thirtieth day preceding a primary, special, or 1777
general election in order for the person to qualify as an 1778
elector eligible to vote at that election. If an otherwise valid 1779
voter registration application that is returned by mail does not 1780
bear a postmark or a legible postmark, the registration shall be 1781
valid for that election if received by the office of the 1782
secretary of state or the office of a board of elections no 1783
later than twenty-five days preceding any special, primary, or 1784
general election. 1785

(B) (1) Any person may apply in person, by telephone, by 1786
mail, or through another person for voter registration forms to 1787
the office of the secretary of state or the office of a board of 1788
elections. An individual who is eligible to vote as a uniformed 1789
services voter or an overseas voter in accordance with 42 U.S.C. 1790
1973ff-6 also may apply for voter registration forms by 1791
electronic means to the office of the secretary of state or to 1792
the board of elections of the county in which the person's 1793
voting residence is located pursuant to section 3503.191 of the 1794

Revised Code. 1795

(2) (a) An applicant may return the applicant's completed 1796
registration form in person or by mail to any state or local 1797
office of a designated agency, to a public high school or 1798
vocational school, to a public library, to the office of a 1799
county treasurer, to the office of the secretary of state, or to 1800
the office of a board of elections. An applicant who is eligible 1801
to vote as a uniformed services voter or an overseas voter in 1802
accordance with 42 U.S.C. 1973ff-6 also may return the 1803
applicant's completed voter registration form electronically to 1804
the office of the secretary of state or to the board of 1805
elections of the county in which the person's voting residence 1806
is located pursuant to section 3503.191 of the Revised Code. 1807

(b) Subject to division (B) (2) (c) of this section, an 1808
applicant may return the applicant's completed registration form 1809
through another person to any board of elections or the office 1810
of the secretary of state. 1811

(c) A person who receives compensation for registering a 1812
voter shall return any registration form entrusted to that 1813
person by an applicant to any board of elections or to the 1814
office of the secretary of state. 1815

(d) If a board of elections or the office of the secretary 1816
of state receives a registration form under division (B) (2) (b) 1817
or (c) of this section before the thirtieth day before an 1818
election, the board or the office of the secretary of state, as 1819
applicable, shall forward the registration to the board of 1820
elections of the county in which the applicant is seeking to 1821
register to vote within ten days after receiving the 1822
application. If a board of elections or the office of the 1823
secretary of state receives a registration form under division 1824

(B) (2) (b) or (c) of this section on or after the thirtieth day 1825
before an election, the board or the office of the secretary of 1826
state, as applicable, shall forward the registration to the 1827
board of elections of the county in which the applicant is 1828
seeking to register to vote within thirty days after that 1829
election. 1830

(C) (1) A board of elections that receives a voter 1831
registration application and is satisfied as to the truth of the 1832
statements made in the registration form shall register the 1833
applicant not later than twenty business days after receiving 1834
the application, unless that application is received during the 1835
thirty days immediately preceding the day of an election. The 1836
board shall promptly notify the applicant in writing of each of 1837
the following: 1838

(a) The applicant's registration; 1839

(b) The precinct in which the applicant is to vote; 1840

(c) In bold type as follows: 1841

"Voters must bring photo identification to the polls in 1842
order to verify identity. ~~Identification may include a current-~~ 1843
~~and valid photo identification, a military identification, or a~~ 1844
~~copy of a current utility bill, bank statement, government-~~ 1845
~~check, paycheck, or other government document, other than this~~ 1846
~~notification, that shows the voter's name and current address.~~ 1847
Voters who do not provide one of these documents photo 1848
identification will still be able to vote by casting a 1849
provisional ballot. ~~Voters who do not have any of the above-~~ 1850
~~forms of identification, including a social security number,~~ 1851
~~will still be able to vote by signing an affirmation swearing to~~ 1852
~~the voter's identity under penalty of election falsification and~~ 1853

~~by casting a provisional ballot."~~ 1854

The notification shall be by nonforwardable mail. If the 1855
mail is returned to the board, it shall investigate and cause 1856
the notification to be delivered to the correct address. 1857

(2) If, after investigating as required under division (C) 1858
(1) of this section, the board is unable to verify the voter's 1859
correct address, it shall cause the voter's name in the official 1860
registration list and in the poll list or signature pollbook to 1861
be marked to indicate that the voter's notification was returned 1862
to the board. 1863

At the first election at which a voter whose name has been 1864
so marked appears to vote, the voter shall be required ~~to~~ 1865
~~provide identification to the election officials and to vote by~~ 1866
provisional ballot under section 3505.181 of the Revised Code. 1867
If the provisional ballot is counted pursuant to division (B) (3) 1868
of section 3505.183 of the Revised Code, the board shall correct 1869
that voter's registration, if needed, and shall remove the 1870
indication that the voter's notification was returned from that 1871
voter's name on the official registration list and on the poll 1872
list or signature pollbook. If the provisional ballot is not 1873
counted pursuant to division (B) (4) (a) (i), (v), or (vi) of 1874
section 3505.183 of the Revised Code, the voter's registration 1875
shall be canceled. The board shall notify the voter by United 1876
States mail of the cancellation. 1877

(3) If a notice of the disposition of an otherwise valid 1878
registration application is sent by nonforwardable mail and is 1879
returned undelivered, the person shall be registered as provided 1880
in division (C) (2) of this section and sent a confirmation 1881
notice by forwardable mail. If the person fails to respond to 1882
the confirmation notice, update the person's registration, or 1883

vote by provisional ballot as provided in division (C) (2) of 1884
this section in any election during the period of two federal 1885
elections subsequent to the mailing of the confirmation notice, 1886
the person's registration shall be canceled. 1887

Sec. 3503.28. (A) The secretary of state shall develop an 1888
information brochure regarding voter registration. The brochure 1889
shall include, but is not limited to, all of the following 1890
information: 1891

(1) The applicable deadlines for registering to vote or 1892
for returning an applicant's completed registration form; 1893

(2) The applicable deadline for returning an applicant's 1894
completed registration form if the person returning the form is 1895
being compensated for registering voters; 1896

(3) The locations to which a person may return an 1897
applicant's completed registration form; 1898

(4) The location to which a person who is compensated for 1899
registering voters may return an applicant's completed 1900
registration form; 1901

(5) The registration and affirmation requirements 1902
applicable to persons who are compensated for registering voters 1903
under section 3503.29 of the Revised Code; 1904

(6) A notice, which shall be written in bold type, stating 1905
as follows: 1906

"Voters must bring photo identification to the polls in 1907
order to verify identity. ~~Identification may include a current-~~ 1908
~~and valid photo identification, a military identification, or a~~ 1909
~~copy of a current utility bill, bank statement, government~~ 1910
~~check, paycheck, or other government document, other than a~~ 1911

~~voter registration notification sent by a board of elections,~~ 1912
~~that shows the voter's name and current address. Voters who do~~ 1913
~~not provide one of these documents photo identification will~~ 1914
~~still be able to vote by casting a provisional ballot. Voters~~ 1915
~~who do not have any of the above forms of identification,~~ 1916
~~including a social security number, will still be able to vote~~ 1917
~~by signing an affirmation swearing to the voter's identity under~~ 1918
~~penalty of election falsification and by casting a provisional~~ 1919
~~ballot."~~ 1920

(B) Except as otherwise provided in division (D) of this 1921
section, a board of elections, designated agency, public high 1922
school, public vocational school, public library, office of a 1923
county treasurer, or deputy registrar of motor vehicles shall 1924
distribute a copy of the brochure developed under division (A) 1925
of this section to any person who requests more than two voter 1926
registration forms at one time. 1927

(C) (1) The secretary of state shall provide the 1928
information required to be included in the brochure developed 1929
under division (A) of this section to any person who prints a 1930
voter registration form that is made available on a web site of 1931
the office of the secretary of state. 1932

(2) If a board of elections operates and maintains a web 1933
site, the board shall provide the information required to be 1934
included in the brochure developed under division (A) of this 1935
section to any person who prints a voter registration form that 1936
is made available on that web site. 1937

(D) A board of elections shall not be required to 1938
distribute a copy of a brochure under division (B) of this 1939
section to any of the following officials or employees who are 1940
requesting more than two voter registration forms at one time in 1941

the course of the official's or employee's normal duties:	1942
(1) An election official;	1943
(2) A county treasurer;	1944
(3) A deputy registrar of motor vehicles;	1945
(4) An employee of a designated agency;	1946
(5) An employee of a public high school;	1947
(6) An employee of a public vocational school;	1948
(7) An employee of a public library;	1949
(8) An employee of the office of a county treasurer;	1950
(9) An employee of the bureau of motor vehicles;	1951
(10) An employee of a deputy registrar of motor vehicles;	1952
(11) An employee of an election official.	1953
(E) As used in this section, "registering voters" includes	1954
any effort, for compensation, to provide voter registration	1955
forms or to assist persons in completing or returning those	1956
forms.	1957
Sec. 3505.18. (A) (1) When an elector appears in a polling	1958
place to vote, the elector shall announce to the precinct	1959
election officials the elector's full name and current address	1960
and provide proof of the elector's identity in the form of a	1961
current and valid photo identification, a military	1962
identification, or a copy of a current utility bill, bank	1963
statement, government check, paycheck, or other government	1964
document, other than a notice of voter registration mailed by a	1965
board of elections under section 3503.19 of the Revised Code,	1966
that shows the name and current address of the elector.	1967

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

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

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

(B) After the elector has announced the elector's full name and current address and provided any of the forms of photo identification ~~required under division (A) (1) of this section~~, the elector shall write confirm the elector's name and address by signing the elector's name at the proper place in the poll list or signature pollbook provided for the purpose, except that if, for any reason, an elector is unable to write sign the elector's name ~~and current address~~ in the poll list or signature pollbook, the elector may make the elector's mark at the place intended for the elector's name, and a precinct election official shall write the name of the elector at the proper place on the poll list or signature pollbook following the elector's mark. The making of such a mark shall be attested by the precinct election official, who shall evidence the same by

signing the precinct election official's name on the poll list 1998
or signature pollbook as a witness to the mark. Alternatively, 1999
if applicable, an attorney in fact acting pursuant to section 2000
3501.382 of the Revised Code may sign the elector's signature in 2001
the poll list or signature pollbook in accordance with that 2002
section. 2003

The elector's signature in the poll list or signature 2004
pollbook then shall be compared with the elector's signature on 2005
the elector's registration form or a digitized signature list as 2006
provided for in section 3503.13 of the Revised Code, and if, in 2007
the opinion of a majority of the precinct election officials, 2008
the signatures are the signatures of the same person, the 2009
election officials shall enter the date of the election on the 2010
registration form or shall record the date by other means 2011
prescribed by the secretary of state. The validity of an 2012
attorney in fact's signature on behalf of an elector shall be 2013
determined in accordance with section 3501.382 of the Revised 2014
Code. 2015

If the right of the elector to vote is not then 2016
challenged, or, if being challenged, the elector establishes the 2017
elector's right to vote, the elector shall be allowed to proceed 2018
to use the voting machine. If voting machines are not being used 2019
in that precinct, the precinct election official in charge of 2020
ballots shall then detach the next ballots to be issued to the 2021
elector from Stub B attached to each ballot, leaving Stub A 2022
attached to each ballot, hand the ballots to the elector, and 2023
call the elector's name and the stub number on each of the 2024
ballots. The precinct election official shall enter the stub 2025
numbers opposite the signature of the elector in the pollbook. 2026
The elector shall then retire to one of the voting compartments 2027
to mark the elector's ballots. No mark shall be made on any 2028

ballot which would in any way enable any person to identify the 2029
person who voted the ballot. 2030

Sec. 3505.181. (A) All of the following individuals shall 2031
be permitted to cast a provisional ballot at an election: 2032

(1) An individual who declares that the individual is a 2033
registered voter in the precinct in which the individual desires 2034
to vote and that the individual is eligible to vote in an 2035
election, but the name of the individual does not appear on the 2036
official list of eligible voters for the precinct or an election 2037
official asserts that the individual is not eligible to vote; 2038

(2) An individual who does not have or is unable to 2039
provide photo identification to the election officials ~~any of~~ 2040
~~the forms of identification required under division (A) (1) of~~ 2041
~~section 3505.18 of the Revised Code;~~ 2042

(3) An individual whose name in the poll list or signature 2043
pollbook has been marked under section 3509.09 or 3511.13 of the 2044
Revised Code as having requested an absent voter's ballot or a 2045
uniformed services or overseas absent voter's ballot for that 2046
election and who appears to vote at the polling place; 2047

(4) An individual whose notification of registration has 2048
been returned undelivered to the board of elections and whose 2049
name in the official registration list and in the poll list or 2050
signature pollbook has been marked under division (C) (2) of 2051
section 3503.19 of the Revised Code; 2052

(5) An individual who has been successfully challenged 2053
under section 3505.20 or 3513.20 of the Revised Code; 2054

(6) An individual who changes the individual's name and 2055
remains within the precinct without providing proof of that name 2056
change under division (B) (1) (b) of section 3503.16 of the 2057

Revised Code, moves from one precinct to another within a 2058
county, moves from one precinct to another and changes the 2059
individual's name, or moves from one county to another within 2060
the state, and completes and signs the required forms and 2061
statements under division (B) or (C) of section 3503.16 of the 2062
Revised Code; 2063

(7) An individual whose signature, in the opinion of the 2064
precinct officers under section 3505.22 of the Revised Code, is 2065
not that of the person who signed that name in the registration 2066
forms. 2067

(B) An individual who is eligible to cast a provisional 2068
ballot under division (A) of this section shall be permitted to 2069
cast a provisional ballot as follows: 2070

(1) An election official at the polling place shall notify 2071
the individual that the individual may cast a provisional ballot 2072
in that election. 2073

(2) Except as otherwise provided in division (F) of this 2074
section, the individual shall complete and execute a written 2075
affirmation before an election official at the polling place 2076
stating that the individual is both of the following: 2077

(a) A registered voter in the precinct in which the 2078
individual desires to vote; 2079

(b) Eligible to vote in that election. 2080

(3) An election official at the polling place shall 2081
transmit the ballot cast by the individual and the voter 2082
information contained in the written affirmation executed by the 2083
individual under division (B) (2) of this section to an 2084
appropriate local election official for verification under 2085
division (B) (4) of this section. 2086

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

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

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

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

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

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

~~(a) For~~ (7) (a) For a provisional ballot to be eligible to be counted when it is cast by an individual who does not have

photo identification because the individual has a religious 2148
objection to being photographed, the individual shall complete 2149
an affidavit of religious objection under section 3505.19 of the 2150
Revised Code. The election officials shall attach the affidavit 2151
to the individual's provisional ballot envelope. If the 2152
individual does not complete the affidavit at the time of 2153
casting the provisional ballot, the individual may appear at the 2154
office of the board of elections within four days after the day 2155
of the election and complete the affidavit. 2156

(b) For a provisional ballot to be eligible to be counted 2157
when it is cast by an any other individual who does not have or 2158
is unable to provide photo identification to the election 2159
officials any of the required forms of identification to be 2160
eligible to be counted, the individual who cast that ballot, 2161
within seven four days after the day of the election, shall de- 2162
either of the following: 2163

(i) Provide to appear at the office of the board of 2164
elections proof of the individual's identity in the form of a 2165
current and valid provide photo identification, a military 2166
identification, or a copy of a current utility bill, bank 2167
statement, government check, paycheck, or other government 2168
document, other than a notice of voter registration mailed by a 2169
board of elections under section 3503.19 of the Revised Code, 2170
that shows the individual's name and current address; or 2171

(ii) Provide to the board of elections the individual's 2172
driver's license or state identification card number or the last 2173
four digits of the individual's social security number. 2174

(b) (8) For a provisional ballot cast by an individual who 2175
has been successfully challenged under section 3505.20 of the 2176
Revised Code to be eligible to be counted, the individual who 2177

cast that ballot, within ~~seven~~four days after the day of that 2178
election, shall provide to the board of elections any 2179
identification or other documentation required to be provided by 2180
the applicable challenge questions asked of that individual 2181
under section 3505.20 of the Revised Code. 2182

(C) (1) If an individual declares that the individual is 2183
eligible to vote in a precinct other than the precinct in which 2184
the individual desires to vote, or if, upon review of the 2185
precinct voting location guide using the residential street 2186
address provided by the individual, an election official at the 2187
precinct at which the individual desires to vote determines that 2188
the individual is not eligible to vote in that precinct, the 2189
election official shall direct the individual to the precinct 2190
and polling place in which the individual appears to be eligible 2191
to vote, explain that the individual may cast a provisional 2192
ballot at the current location but the ballot or a portion of 2193
the ballot will not be counted if it is cast in the wrong 2194
precinct, and provide the telephone number of the board of 2195
elections in case the individual has additional questions. 2196

(2) If the individual refuses to travel to the correct 2197
precinct or to the office of the board of elections to cast a 2198
ballot, the individual shall be permitted to vote a provisional 2199
ballot at that precinct in accordance with division (B) of this 2200
section. If the individual is in the correct polling location 2201
for the precinct in which the individual is registered and 2202
eligible to vote, the election official shall complete and sign, 2203
under penalty of election falsification, a form that includes 2204
all of the following, and attach the form to the individual's 2205
provisional ballot affirmation: 2206

(a) The name or number of the individual's correct 2207

precinct; 2208

(b) A statement that the election official instructed the individual to travel to the correct precinct to vote; 2209
2210

(c) A statement that the election official informed the individual that casting a provisional ballot in the wrong precinct would result in all or a portion of the votes on the ballot being rejected; 2211
2212
2213
2214

(d) The name or number of the precinct in which the individual is casting a provisional ballot; and 2215
2216

(e) The name of the polling location in which the individual is casting a provisional ballot. 2217
2218

(D) The appropriate local election official shall cause voting information to be publicly posted at each polling place on the day of each election. 2219
2220
2221

(E) As used in this section and sections 3505.182 and 3505.183 of the Revised Code: 2222
2223

(1) "Precinct voting location guide" means either of the following: 2224
2225

(a) An electronic or paper record that lists the correct precinct and polling place for either each specific residential street address in the county or the range of residential street addresses located in each neighborhood block in the county; 2226
2227
2228
2229

(b) Any other method that a board of elections creates that allows a precinct election official or any elector who is at a polling place in that county to determine the correct precinct and polling place of any qualified elector who resides in the county. 2230
2231
2232
2233
2234

(2) "Voting information" means all of the following:	2235
(a) A sample version of the ballot that will be used for that election;	2236 2237
(b) Information regarding the date of the election and the hours during which polling places will be open;	2238 2239
(c) Instructions on how to vote, including how to cast a vote and how to cast a provisional ballot;	2240 2241
(d) Instructions for mail-in registrants and first-time voters under applicable federal and state laws;	2242 2243
(e) General information on voting rights under applicable federal and state laws, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated;	2244 2245 2246 2247 2248
(f) General information on federal and state laws regarding prohibitions against acts of fraud and misrepresentation.	2249 2250 2251
(F) Nothing in this section or section 3505.183 of the Revised Code is in derogation of section 3505.24 of the Revised Code, which permits a blind, disabled, or illiterate elector to receive assistance in the marking of the elector's ballot by two precinct election officials of different political parties. A blind, disabled, or illiterate elector may receive assistance in marking that elector's provisional ballot and in completing the required affirmation in the same manner as an elector may receive assistance on the day of an election under that section.	2252 2253 2254 2255 2256 2257 2258 2259 2260
Sec. 3505.182. Each individual who casts a provisional ballot under section 3505.181 of the Revised Code shall execute	2261 2262

a written affirmation. The form of the written affirmation shall 2263
be printed upon the face of the provisional ballot envelope and 2264
shall be as follows: 2265

"Provisional Ballot Affirmation 2266

(A) Clearly print your full name: _____ 2267

(B) Write your date of birth: _____ 2268

(C) (1) Write your current address: _____ 2269

_____ 2270

(2) Have you moved without updating your voter 2271
registration?: 2272

Yes _____ No _____ 2273

If yes, write your former address: _____ 2274

_____ 2275

Failure to provide your former address will not cause your 2276
provisional ballot to be rejected. 2277

~~(D) Provide one of the following forms of~~ (D) (1) You must 2278
show photo identification: 2279

~~(1) Write~~ to the election official that includes your 2280
name and photograph and is not expired. Check the type of photo 2281
identification you provided: 2282

_____ An Ohio driver's license or state identification 2283
card or an interim identification form issued by the Bureau of 2284
Motor Vehicles. If you showed your full Ohio driver's license or 2285
state identification card or an interim identification form, 2286
write your full driver's license or state identification card 2287
number: _____ 2288

(2) Write the last four digits of your Social Security	2289
number: _____	2290
(3)	2291
_____ A United States passport or passport card;	2292
_____ A United States military identification card, Ohio	2293
national guard identification card, or United States department	2294
of veterans affairs identification card.	2295
(2) If you do not have photo identification because you	2296
have a religious objection to being photographed, complete an	2297
affidavit of religious objection. The precinct election official	2298
will attach it to the provisional ballot envelope.	2299
(3) If you did not write your full Ohio driver's license	2300
or state identification card number or the last four digits of	2301
your Social Security number, you must show one of the following	2302
forms of photo identification to the precinct election official.	2303
If you do not check one of the following boxes affirming the	2304
type of identification you showed to the precinct election	2305
official, the board of elections will conclude that you did not	2306
show identification to your precinct election official and that	2307
or complete an affidavit of religious objection, you must show	2308
identification appear at the office of the board of elections	2309
during the seven-four days after the election and provide photo	2310
identification or complete an affidavit of religious objection	2311
for your vote to be eligible to be counted.	2312
_____ A form of photo identification that was issued by	2313
the United States government or the State of Ohio, that contains	2314
your name and current address (or your former address if the	2315
identification is an Ohio driver's license or state	2316
identification card), and that has an expiration date that has	2317

~~not passed;~~ 2318

~~_____ A military identification card; or~~ 2319

~~_____ A current utility bill, bank statement, government~~ 2320

~~check, paycheck, or other government document, other than a~~ 2321

~~notice of voter registration mailed by a board of elections,~~ 2322

~~that contains your name and current address.~~ 2323

~~(4) If you fail to provide identification at this time,~~ 2324

~~you must go to the board of elections on or before the seventh~~ 2325

~~day following this election to provide a qualifying form of~~ 2326

~~identification in order for this ballot to count.~~ 2327

(4) If you need to update your voter registration, you may 2328

provide additional information below. This information will not 2329

be used for ballot counting purposes. 2330

Write your full Ohio driver's license or state 2331

identification card number: _____ 2332

Write the last four digits of your Social Security number: 2333

_____ 2334

(E) If your right to vote has been challenged, you must 2335

provide any required additional information to the board of 2336

elections on or before the seventh day following this election. 2337

(F) Sign and date the following statement: 2338

I solemnly swear or affirm that I am a citizen of the 2339

United States; that I will be at least 18 years of age at the 2340

time of the general election; that I have lived in this state 2341

for 30 days immediately preceding this election in which I am 2342

voting this ballot; that I am a registered voter in the precinct 2343

in which I am voting this provisional ballot; and that I am 2344

eligible to vote in the election in which I am voting this 2345

provisional ballot. 2346

I understand that, if the information I provide on this 2347
provisional ballot affirmation is not fully completed and 2348
correct, if the board of elections determines that I am not 2349
registered to vote, a resident of this precinct, or eligible to 2350
vote in this election, or if the board of elections determines 2351
that I have already voted in this election, my provisional 2352
ballot will not be counted. I understand that, if I am not 2353
currently registered to vote or if I am not registered at my 2354
current address or under my current name, this form will serve 2355
as an application to register to vote or update my registration 2356
for future elections, as long as I provide all of the 2357
information required to register to vote or update my 2358
registration. I further understand that knowingly providing 2359
false information is a violation of law and subjects me to 2360
possible criminal prosecution. 2361

I hereby declare, under penalty of election falsification, 2362
that the above statements are true and correct to the best of my 2363
knowledge and belief. 2364

_____ 2365

Signature of Voter 2366

_____ 2367

Date 2368

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 2369
FELONY OF THE FIFTH DEGREE." 2370

In addition to any information required to be included on 2371
the written affirmation, an individual casting a provisional 2372
ballot may provide additional information to the election 2373

official to assist the board of elections in determining the 2374
individual's eligibility to vote in that election, including the 2375
date and location at which the individual registered to vote, if 2376
known. 2377

If the individual provided all of the information required 2378
under section 3503.14 of the Revised Code to register to vote or 2379
to update the individual's registration on the provisional 2380
ballot affirmation, the board of elections shall consider the 2381
individual's provisional ballot affirmation to also serve as a 2382
notice of change of name, change of residence, or both, or as a 2383
voter registration form, as applicable, for that individual only 2384
for the purposes of future elections. 2385

Sec. 3505.183. (A) When the ballot boxes are delivered to 2386
the board of elections from the precincts, the board shall 2387
separate the provisional ballot envelopes from the rest of the 2388
ballots. Teams of employees of the board consisting of one 2389
member of each major political party shall place the sealed 2390
provisional ballot envelopes in a secure location within the 2391
office of the board. The sealed provisional ballot envelopes 2392
shall remain in that secure location until the validity of those 2393
ballots is determined under division (B) of this section. While 2394
the provisional ballot is stored in that secure location, and 2395
prior to the counting of the provisional ballots, if the board 2396
receives information regarding the validity of a specific 2397
provisional ballot under division (B) of this section, the board 2398
may note, on the sealed provisional ballot envelope for that 2399
ballot, whether the ballot is valid and entitled to be counted. 2400

(B) (1) To determine whether a provisional ballot is valid 2401
and entitled to be counted, the board shall examine its records 2402
and determine whether the individual who cast the provisional 2403

ballot is registered and eligible to vote in the applicable 2404
election. The board shall examine the information contained in 2405
the written affirmation executed by the individual who cast the 2406
provisional ballot under division (B) (2) of section 3505.181 of 2407
the Revised Code. The following information shall be included in 2408
the written affirmation in order for the provisional ballot to 2409
be eligible to be counted: 2410

(a) The individual's printed name, signature, date of 2411
birth, and current address; 2412

(b) A statement that the individual is a registered voter 2413
in the precinct in which the provisional ballot is being voted; 2414

(c) A statement that the individual is eligible to vote in 2415
the election in which the provisional ballot is being voted. 2416

(2) In addition to the information required to be included 2417
in an affirmation under division (B) (1) of this section, in 2418
determining whether a provisional ballot is valid and entitled 2419
to be counted, the board also shall examine any additional 2420
information for determining ballot validity provided by the 2421
provisional voter on the affirmation, provided by the 2422
provisional voter to an election official under section 3505.182 2423
of the Revised Code, or provided to the board of elections 2424
during the ~~seven~~four days after the day of the election under 2425
division (B) (7) or (8) of section 3505.181 of the Revised Code, 2426
to assist the board in determining the individual's eligibility 2427
to vote. 2428

(3) If, in examining a provisional ballot affirmation and 2429
additional information under divisions (B) (1) and (2) of this 2430
section and comparing the information required under division 2431
(B) (1) of this section with the ~~electer's~~individual's 2432

information in the statewide voter registration database, the 2433
board determines that all of the following apply, the 2434
provisional ballot envelope shall be opened, and the ballot 2435
shall be placed in a ballot box to be counted: 2436

(a) The individual named on the affirmation is properly 2437
registered to vote. 2438

(b) The individual named on the affirmation is eligible to 2439
cast a ballot in the precinct and for the election in which the 2440
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~~ One of the following applies: 2447

(i) The individual provided photo identification at the 2448
time of casting the provisional ballot or appeared at the office 2449
of the board within four days after the day of the election and 2450
provided photo identification. If the individual provided the 2451
individual's Ohio driver's license or state identification card 2452
or an interim identification form, the elector's individual 2453
provided the individual's driver's license number or state 2454
identification card number are and the number is not different 2455
from the last four digits of the elector's social security 2456
~~number or the elector's individual's driver's license number or~~ 2457
state identification card number contained in the statewide 2458
voter registration database. 2459

(ii) The individual completed an affidavit of religious 2460
objection under section 3505.19 of the Revised Code at the time 2461

of casting the provisional ballot or at the office of the board 2462
within four days after the day of the election and the affidavit 2463
is valid under that section. 2464

(e) Except as otherwise provided in this division, the 2465
month and day of the ~~elector's~~individual's date of birth are 2466
not different from the day and month of the ~~elector's~~individual's 2467
date of birth contained in the statewide voter 2468
registration database. 2469

This division does not apply to an ~~elector's~~individual's 2470
provisional ballot if either of the following is true: 2471

(i) The ~~elector's~~individual's date of birth contained in 2472
the statewide voter registration database is January 1, 1800. 2473

(ii) The board of elections has found, by a vote of at 2474
least three of its members, that the ~~elector~~individual has met 2475
all other requirements of division (B) (3) of this section. 2476

(f) The ~~elector's~~individual's current address is not 2477
different from the ~~elector's~~individual's address contained in 2478
the statewide voter registration database, unless the ~~elector~~individual 2479
indicated that the ~~elector~~individual is casting a 2480
provisional ballot because the ~~elector~~individual has moved and 2481
has not submitted a notice of change of address, as described in 2482
division (A) (6) of section 3505.181 of the Revised Code. 2483

(g) If applicable, the individual provided any additional 2484
information required under division ~~(B) (7)~~(B) (8) of section 2485
3505.181 of the Revised Code within ~~seven~~four days after the 2486
day of the election. 2487

(4) (a) Except as otherwise provided in division (D) of 2488
this section, if, in examining a provisional ballot affirmation 2489
and additional information under divisions (B) (1) and (2) of 2490

this section and comparing the information required under 2491
division (B) (1) of this section with the ~~elector's~~ individual's 2492
information in the statewide voter registration database, the 2493
board determines that any of the following applies, the 2494
provisional ballot envelope shall not be opened, and the ballot 2495
shall not be counted: 2496

(i) The individual named on the affirmation is not 2497
qualified or is not properly registered to vote. 2498

(ii) The individual named on the affirmation is not 2499
eligible to cast a ballot in the precinct or for the election in 2500
which the individual cast the provisional ballot. 2501

(iii) The individual did not provide all of the 2502
information required under division (B) (1) of this section in 2503
the affirmation that the individual executed at the time the 2504
individual cast the provisional ballot. 2505

(iv) The individual has already cast a ballot for the 2506
election in which the individual cast the provisional ballot. 2507

(v) If applicable, the individual did not provide any 2508
additional information required under division ~~(B) (7)~~ (B) (8) of 2509
section 3505.181 of the Revised Code within ~~seven~~ four days 2510
after the day of the election. 2511

(vi) The individual failed to provide ~~a current and valid~~ 2512
~~photo identification, a military identification, a copy of a~~ 2513
~~current utility bill, bank statement, government check,~~ 2514
~~paycheck, or other government document, other than a notice of~~ 2515
~~voter registration mailed by a board of elections under section~~ 2516
~~3503.19 of the Revised Code, with the voter's name and current~~ 2517
~~address, to provide~~ the individual's driver's license or state 2518
identification card number if the individual provided photo 2519

identification in the form of an Ohio driver's license or state 2520
identification card or an interim identification form, ~~or the~~ 2521
last four digits of the individual's social security number or 2522
or to complete an affidavit of religious objection. 2523

(vii) The individual failed to execute an affirmation 2524
under division (B) of section 3505.181 of the Revised Code. 2525

~~(vii)-(viii) The last four digits of the elector's social~~ 2526
~~security number or the elector's individual provided photo~~ 2527
identification in the form of an Ohio driver's license or state 2528
identification card or an interim identification form and the 2529
driver's license number or state identification card number ~~are~~ 2530
~~the individual provided is different from the last four digits~~ 2531
~~of the elector's social security number or the elector's~~ 2532
individual's driver's license number or state identification 2533
card number contained in the statewide voter registration 2534
database. 2535

~~(viii)-(ix) The individual completed an affidavit of~~ 2536
religious objection under section 3505.19 of the Revised Code, 2537
but the affidavit is not valid under that section. 2538

(x) Except as otherwise provided in this division, the 2539
month and day of the ~~elector's individual's~~ date of birth are 2540
different from the day and month of the ~~elector's individual's~~ 2541
date of birth contained in the statewide voter registration 2542
database. 2543

This division does not apply to an ~~elector's individual's~~ 2544
provisional ballot if either of the following is true: 2545

(I) The ~~elector's individual's~~ date of birth contained in 2546
the statewide voter registration database is January 1, 1800. 2547

(II) The board of elections has found, by a vote of at 2548

least three of its members, that the ~~elector~~individual has met 2549
all of the requirements of division (B) (3) of this section, 2550
other than the requirements of division (B) (3) (e) of this 2551
section. 2552

~~(ix)~~(xi) The ~~elector's~~individual's current address is 2553
different from the ~~elector's~~individual's address contained in 2554
the statewide voter registration database, unless the ~~elector~~individual 2555
individual indicated that the ~~elector~~individual is casting a 2556
provisional ballot because the ~~elector~~individual has moved and 2557
has not submitted a notice of change of address, as described in 2558
division (A) (6) of section 3505.181 of the Revised Code. 2559

(b) If, in examining a provisional ballot affirmation and 2560
additional information under divisions (B) (1) and (2) of this 2561
section and comparing the information required under division 2562
(B) (1) of this section with the ~~elector's~~individual's 2563
information in the statewide voter registration database, the 2564
board is unable to determine either of the following, the 2565
provisional ballot envelope shall not be opened, and the ballot 2566
shall not be counted: 2567

(i) Whether the individual named on the affirmation is 2568
qualified or properly registered to vote; 2569

(ii) Whether the individual named on the affirmation is 2570
eligible to cast a ballot in the precinct or for the election in 2571
which the individual cast the provisional ballot. 2572

(C) For each provisional ballot rejected under division 2573
(B) (4) of this section, the board shall record the name of the 2574
provisional voter who cast the ballot, the identification number 2575
of the provisional ballot envelope, the names of the election 2576
officials who determined the validity of that ballot, the date 2577

and time that the determination was made, and the reason that 2578
the ballot was not counted, unless the board has already 2579
recorded that information in another database. 2580

(D) (1) If an individual cast a provisional ballot in a 2581
precinct in which the individual is not registered and eligible 2582
to vote, but in the correct polling location for the precinct in 2583
which the individual is registered and eligible to vote, and the 2584
election official failed to direct the individual to the correct 2585
precinct, the individual's ballot shall be remade under division 2586
(D) (2) of this section. The election official shall be deemed to 2587
have directed the individual to the correct precinct if the 2588
election official correctly completed the form described in 2589
division (C) (2) of section 3505.181 of the Revised Code. 2590

(2) A board of elections that remakes a provisional ballot 2591
under division (D) (1) of this section shall remake the 2592
provisional ballot on a ballot for the appropriate precinct to 2593
reflect the offices, questions, and issues for which the 2594
individual was eligible to cast a ballot and for which the 2595
individual attempted to cast a provisional ballot. The remade 2596
ballot shall be counted for each office, question, and issue for 2597
which the individual was eligible to vote. 2598

(3) If an individual cast a provisional ballot in a 2599
precinct in which the individual is not registered and eligible 2600
to vote and in the incorrect polling location for the precinct 2601
in which the individual is registered and eligible to vote, the 2602
provisional ballot envelope shall not be opened, and the ballot 2603
shall not be counted. 2604

(E) Provisional ballots that are rejected under division 2605
(B) (4) of this section shall not be counted but shall be 2606
preserved in their provisional ballot envelopes unopened until 2607

the time provided by section 3505.31 of the Revised Code for the 2608
destruction of all other ballots used at the election for which 2609
ballots were provided, at which time they shall be destroyed. 2610

(F) Provisional ballots that the board determines are 2611
eligible to be counted under division (B)(3) or (D) of this 2612
section shall be counted in the same manner as provided for 2613
other ballots under section 3505.27 of the Revised Code. No 2614
provisional ballots shall be counted in a particular county 2615
until the board determines the eligibility to be counted of all 2616
provisional ballots cast in that county under division (B) of 2617
this section for that election. Observers, as provided in 2618
section 3505.21 of the Revised Code, may be present at all times 2619
that the board is determining the eligibility of provisional 2620
ballots to be counted and counting those provisional ballots 2621
determined to be eligible. No person shall recklessly disclose 2622
the count or any portion of the count of provisional ballots in 2623
such a manner as to jeopardize the secrecy of any individual 2624
ballot. 2625

(G) (1) Except as otherwise provided in division (G) (2) of 2626
this section, nothing in this section shall prevent a board of 2627
elections from examining provisional ballot affirmations and 2628
additional information under divisions (B) (1) and (2) of this 2629
section to determine the eligibility of provisional ballots to 2630
be counted during the ~~ten~~four days after the day of an 2631
election. 2632

(2) A board of elections shall not examine the provisional 2633
ballot affirmation and additional information under divisions 2634
(B) (1) and (2) of this section of any provisional ballot cast by 2635
an individual who must provide photo identification, complete an 2636
affidavit of religious objection, or provide additional 2637

information to the board of elections under division (B) (7) or 2638
(8) of section 3505.181 of the Revised Code for the board to 2639
determine the individual's eligibility until the individual 2640
~~provides that information does so~~ or until the ~~eleventh-fifth~~ 2641
day after the day of the election, whichever is earlier. 2642

Sec. 3505.19. (A) An elector who does not have photo 2643
identification because the elector has a religious objection to 2644
being photographed may complete an affidavit of religious 2645
objection in lieu of providing photo identification for the 2646
purpose of casting a provisional ballot. 2647

(B) The secretary of state shall prescribe the form of the 2648
affidavit of religious objection, which shall be substantially 2649
as follows: 2650

"Affidavit of Religious Objection 2651

I, _____ (first and last name of 2652
elector), declare under penalty of election falsification that I 2653
do not have photo identification because I have a sincere 2654
religious objection to being photographed. 2655

The last four digits of my Social Security number are: 2656

===== 2657

===== 2658

(Signature of individual) 2659

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 2660
FELONY OF THE FIFTH DEGREE." 2661

(C) Upon receiving a completed affidavit of religious 2662
objection, the board of elections shall transmit the information 2663
in the affidavit to the secretary of state. The secretary of 2664
state shall consult the database of the bureau of motor vehicles 2665

to determine whether the registrar of motor vehicles or a deputy registrar has issued a currently unexpired photo identification to the elector and shall notify the board of the result. 2666
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(D) An affidavit of religious objection is not valid if either of the following apply: 2669
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(1) The last four digits of the elector's social security number, as provided on the affidavit, are different from the last four digits of the elector's social security number in the statewide voter registration database. 2671
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(2) The registrar of motor vehicles or a deputy registrar has issued a currently unexpired photo identification to the elector. 2675
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Sec. 3505.34. During the first week of the regular session of the general assembly following a regular state election, the president of the senate, in the presence of a majority of the members of each house of the general assembly, shall open, announce, and canvass the abstracts of the votes cast for the offices of governor and lieutenant governor, secretary of state, auditor of state, treasurer of state, and attorney general, as contained in the Form No. 2 sent to ~~him~~ the president of the senate as required by section 3505.33 of the Revised Code, and shall determine and declare the results of such election for such offices. The joint candidates for governor and lieutenant governor and the candidate for each other office who received the largest number of votes shall be declared elected to such office. If two or more candidates for election to the same office, or two or more sets of joint candidates for governor and lieutenant governor, receive the largest and an equal number of votes, one of them, or one set of joint candidates for governor and lieutenant governor, shall be declared elected to such 2678
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office by a majority of the votes of all of the members of the 2696
senate and the house of representatives of the general assembly. 2697
If said Form No. 2 has not at such time been received by the 2698
president of the senate from the board of elections of any 2699
county, the secretary of state, upon request of the president of 2700
the senate, shall furnish to ~~him~~ the president of the senate 2701
such copies of said Form No. 2 as have not been received by ~~him~~ 2702
the president of the senate. When said canvass has been 2703
completed and the results of the election declared, the 2704
president of the senate shall certify to the secretary of state 2705
the names of the persons declared elected together with the 2706
title of the office to which each has been elected, and from 2707
such certification the secretary of state shall issue a 2708
certificate of election to the officials declared elected and so 2709
certified to the secretary of state. Thereupon the governor 2710
shall forthwith issue a commission to each of the persons 2711
elected to such offices ~~upon the payment to the secretary of~~ 2712
~~state of the fee required by section 107.06 of the Revised Code.~~ 2713

Sec. 3505.38. Election officials who are required to 2714
declare the results of a special or general election in which 2715
persons were elected to offices shall, unless otherwise provided 2716
by law, issue to the persons declared elected by them 2717
appropriate certificates of election in such form as is 2718
prescribed by the secretary of state. Such certificates of 2719
election shall be issued by such election officials after the 2720
time within which applications may be made for recounts of votes 2721
has expired, and after recounts of votes which have been applied 2722
for are completed. 2723

All persons declared to be elected by the president of the 2724
senate as provided for in section 3505.34 of the Revised Code 2725
shall be issued certificates of election by the secretary of 2726

state as provided for in such section and shall be issued 2727
commissions for such offices by the governor, ~~upon the payment~~ 2728
~~of the fee required by section 107.06 of the Revised Code,~~ 2729
provided that the board of elections required to determine and 2730
declare the results of the election for candidates for election 2731
to the office of member of the house of representatives of the 2732
congress of the United States or member of the state board of 2733
education shall, in lieu of issuing a certificate of election, 2734
certify to the secretary of state the names of such candidates 2735
declared elected, and the secretary of state, from such 2736
certification, shall issue to the persons certified to ~~him~~ the 2737
secretary of state as elected as a member of the house of 2738
representatives of the congress of the United States or member 2739
of the state board of education a certificate of ~~his~~ the 2740
person's election, signed by the governor, sealed with the great 2741
seal of the state, and countersigned by the secretary of state. 2742
Certificates of election of members of the house of 2743
representatives of the congress of the United States shall be 2744
forwarded by registered mail to the clerk of the house of 2745
representatives of the congress of the United States, 2746
Washington, D.C., and the person elected to such office shall be 2747
advised by letter from the secretary of state that ~~his~~ the 2748
person's certificate of election has been forwarded to said 2749
clerk. 2750

Sec. 3506.14. (A) Prior to each election, the board of 2751
elections shall ~~test~~ do both of the following as instructed by 2752
the secretary of state: 2753

(1) Test and audit the variable codes applicable to that 2754
election to verify the accuracy of any computer program that 2755
will be used for tallying the ballot cards for each precinct in 2756
which an election will be held. 2757

~~(B) Prior to the start of the count of the ballots, the board of elections shall have the voting machine or automatic tabulating equipment tested;~~ 2758
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(2) Conduct systematic logic and accuracy testing of every component of every voting machine, marking device, or piece of automatic tabulating equipment with every ballot style to be used in the election to ascertain that ~~it~~ the ballots are accurate and that the machines, devices, and equipment will accurately record, mark, or count the votes cast for all offices and on all questions and issues, as applicable. ~~Public notice of the time and place of the test shall be given by proclamation or posting as in the case of notice of elections.~~ The test shall be conducted by processing a pre-audited group of ballots so marked as to record a predetermined number of valid votes for each candidate and on each question and issue, and shall include for each office one or more ballots that have votes in excess of the number allowed by law in order to test the ability of the automatic tabulating equipment to reject those votes. In that test a different number of valid votes shall be assigned to each candidate for an office, and for and against each question and issue. If an error is detected, the cause for the error shall be ascertained and corrected and an errorless count shall be made and certified to by the board before the count is started. ~~The~~ 2761
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(B) All automatic tabulating equipment to be used in an election shall pass the same ~~test~~ testing described in division (A) (2) of this section at the beginning and conclusion of the election day count before the election returns are approved as official. ~~On~~ 2781
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(C) The board shall give public notice of the time and place of all testing to be conducted under this section by 2786
2787

proclamation or posting as in the case of notice of elections. 2788
All testing under this section shall be conducted by bipartisan 2789
teams of election officials. 2790

(D) No voting machine, marking device, or piece of 2791
automatic tabulating equipment shall be used in an election in 2792
this state without undergoing successful testing under this 2793
section. 2794

(E) On completion of the election day count, the programs, 2795
test materials, and ballots shall be sealed and retained as 2796
provided for paper ballots in section 3505.31 of the Revised 2797
Code. 2798

Sec. 3506.24. (A) As used in this section: 2799

(1) "Elected official" means an elected officer of the 2800
state, any political subdivision, or the United States, other 2801
than a member of a central committee of a political party. 2802

(2) "Voter registration system" means software and any 2803
related equipment used by a board of elections or the secretary 2804
of state to process, store, organize, maintain, or retrieve 2805
voter registration records. 2806

(B) (1) No voter registration system, voting machine, 2807
marking device, or automatic tabulating equipment shall be used 2808
for the purpose of conducting elections in this state if an 2809
elected official or the spouse of an elected official is a 2810
partner, owner, or member of the person or entity that 2811
manufactured, assembled, or otherwise made the system, machine, 2812
device, or equipment or of the person or entity from which the 2813
system, machine, device, or equipment is acquired. 2814

(2) For purposes of division (B) (1) of this section, an 2815
elected official or the spouse of an elected official is not 2816

considered an owner of a publicly traded person or entity if the 2817
elected official's and the spouse's combined ownership interest 2818
in the person or entity is less than ten per cent. 2819

Sec. 3509.01. (A) The board of elections of each county 2820
shall provide absent voter's ballots for use at every primary 2821
and general election, or special election to be held on the day 2822
specified by division (E) of section 3501.01 of the Revised Code 2823
for the holding of a primary election, designated by the general 2824
assembly for the purpose of submitting constitutional amendments 2825
proposed by the general assembly to the voters of the state. 2826
Those ballots shall be the same size, shall be printed on the 2827
same kind of paper, and shall be in the same form as has been 2828
approved for use at the election for which those ballots are to 2829
be voted; except that, in counties using marking devices, ballot 2830
cards may be used for absent voter's ballots, and those absent 2831
voters shall be instructed to record the vote in the manner 2832
provided on the ballot cards. 2833

(B) The rotation of names of candidates and questions and 2834
issues shall be substantially complied with on absent voter's 2835
ballots, within the limitation of time allotted. Those ballots 2836
shall be designated as "Absent Voter's Ballots." Except as 2837
otherwise provided in division (D) of this section, those 2838
ballots shall be printed and ready for use as follows: 2839

(1) For overseas voters and absent uniformed services 2840
voters eligible to vote under the Uniformed and Overseas 2841
Citizens Absentee Voting Act, Pub. L. No. 99-410, 100 Stat. 924, 2842
42 U.S.C. 1973ff, et seq., as amended, ballots shall be printed 2843
and ready for use other than in person on the forty-sixth day 2844
before the day of the election. 2845

(2) For all other voters, ~~other than overseas voters and~~ 2846

~~absent uniformed services voters, who are applying to vote~~ 2847
~~absent voter's ballots other than in person,~~ ballots shall be 2848
printed and ready for use on the first day after the close of 2849
voter registration before the election. 2850

~~(3) For all voters who are applying to vote absent voter's~~ 2851
~~ballots in person, ballots shall be printed and ready for use~~ 2852
~~beginning on the first day after the close of voter registration~~ 2853
~~before the election.~~ 2854

~~If, at the time for the close of in person absent voting~~ 2855
~~on a particular day, there are voters waiting in line to cast~~ 2856
~~their ballots, the in person absent voting location shall be~~ 2857
~~kept open until such waiting voters have cast their absent~~ 2858
~~voter's ballots.~~ 2859

(C) Absent voter's ballots provided for use at a general 2860
or primary election, or special election to be held on the day 2861
specified by division (E) of section 3501.01 of the Revised Code 2862
for the holding of a primary election, designated by the general 2863
assembly for the purpose of submitting constitutional amendments 2864
proposed by the general assembly to the voters of the state, 2865
shall include only those questions, issues, and candidacies that 2866
have been lawfully ordered submitted to the electors voting at 2867
that election. 2868

(D) If the laws governing the holding of a special 2869
election on a day other than the day on which a primary or 2870
general election is held make it impossible for absent voter's 2871
ballots to be printed and ready for use by the deadlines 2872
established in division (B) of this section, absent voter's 2873
ballots for those special elections shall be ready for use as 2874
many days before the day of the election as reasonably possible 2875
under the laws governing the holding of that special election. 2876

(E) A copy of the absent voter's ballots shall be 2877
forwarded by the director of the board in each county to the 2878
secretary of state at least twenty-five days before the 2879
election. 2880

Sec. 3509.03. (A) Except as otherwise provided in division 2881
~~(B) of section 3509.08~~ sections 3509.051, 3511.02, and 3511.021 2882
of the Revised Code, any qualified elector desiring to vote 2883
absent voter's ballots at an election shall ~~make~~ deliver a 2884
written application for those ballots, either in person or by 2885
mail, to the ~~director~~ board of elections of the county in which 2886
the elector's voting residence is located. 2887

(B) Except as otherwise ~~provided in~~ permitted under 2888
section 3511.02 of the Revised Code and under division (C) of 2889
this section, the application ~~need not~~ shall be in any 2890
~~particular on a form but~~ prescribed by the secretary of state 2891
and shall contain all of the following: 2892

(1) The elector's name; 2893
(2) The elector's signature; 2894
(3) The address at which the elector is registered to 2895
vote; 2896

(4) The elector's date of birth; 2897

(5) One of the following: 2898

(a) The elector's Ohio driver's license or state 2899
identification card number; 2900

(b) The last four digits of the elector's social security 2901
number; 2902

(c) A copy of the elector's ~~current and valid~~ photo 2903

~~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.~~ 2904
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(6) A statement identifying the election for which absent
voter's ballots are requested; 2910
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(7) A statement that the person requesting the ballots is
a qualified elector; 2912
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(8) If the request is for primary election ballots, the
elector's party affiliation; 2914
2915

(9) If the elector desires ballots to be mailed to the
elector, the address to which those ballots shall be mailed. 2916
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(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. 2918
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(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
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
seventh day before the day of the election at which the ballots 2923
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are to be voted, ~~or not later than six p.m. on the last Friday~~ 2933
~~before the day of the election at which the ballots are to be~~ 2934
~~voted if the application is delivered in person to the office of~~ 2935
~~the board.~~ 2936

(E) ~~A board of elections that mails an absent voter's~~ 2937
~~ballot application to an elector under this section~~ Except as 2938
permitted under section 111.31 of the Revised Code, no public 2939
office, and no public official or employee who is acting in an 2940
official capacity, shall not prepay do either of the following: 2941

(1) Prepay the return postage for that an application for 2942
absent voter's ballots; 2943

(2) Mail or otherwise deliver an unsolicited application 2944
for absent voter's ballots to any person. 2945

(F) Except as otherwise provided in this section and in 2946
sections 3505.24 and 3509.08 of the Revised Code, an election 2947
official shall not fill out any portion of an application for 2948
absent voter's ballots on behalf of an applicant. The secretary 2949
of state or a board of elections may preprint only an 2950
applicant's name and address on an application for absent 2951
voter's ballots before mailing that application to the 2952
applicant, except that if the applicant has a confidential voter 2953
registration record, the secretary of state or a board of 2954
elections shall not preprint the applicant's address on the 2955
application. 2956

Sec. 3509.04. (A) If a ~~director of a~~ board of elections 2957
receives an application for absent voter's ballots that does not 2958
contain all of the required information or is not submitted on 2959
an appropriate form, the ~~director board~~ promptly shall notify 2960
the applicant of the additional information required to be 2961

provided by the applicant to complete that application, direct 2962
the applicant to use an appropriate form, or both, as 2963
applicable. 2964

(B) Upon receipt by the ~~director board~~ of elections of an 2965
application for absent voter's ballots that contains all of the 2966
required information and is submitted on an appropriate form, as 2967
provided by section 3509.03 and division (G) of section 3503.16 2968
of the Revised Code, the ~~director board~~, if the ~~director board~~ 2969
finds that the applicant is a qualified elector, shall deliver 2970
to the applicant in person or mail directly to the applicant by 2971
special delivery mail, air mail, or regular mail, postage 2972
prepaid, proper absent voter's ballots. The ~~director board~~ shall 2973
deliver or mail with the ballots an unsealed identification 2974
envelope upon the face of which shall be printed a form 2975
substantially as follows: 2976

"Identification Envelope Statement of Voter 2977

I, _____ (Name of voter), declare under 2978
penalty of election falsification that the within ballot or 2979
ballots contained no voting marks of any kind when I received 2980
them, and I caused the ballot or ballots to be marked, enclosed 2981
in the identification envelope, and sealed in that envelope. 2982

My voting residence in Ohio is 2983

_____ 2984

(Street and Number, if any, or Rural Route and Number) 2985

of _____ (City, Village, or Township) 2986

Ohio, which is in Ward _____ Precinct _____ 2987

in that city, village, or township. 2988

If I have a confidential voter registration record, I am 2989

providing my program participant identification number instead 2990
of my residence address: _____ 2991

The primary election ballots, if any, within this envelope 2992
are primary election ballots of the _____ Party. 2993

Ballots contained within this envelope are to be voted at 2994
the _____ (general, special, or primary) election to be 2995
held on the _____ day of 2996
_____, _____. 2997

My date of birth is _____ (Month and Day), 2998
_____ (Year). 2999

(Voter must provide one of the following:) 3000

My Ohio driver's license or state identification card 3001
number is _____ (Driver's license or state 3002
identification card number). 3003

The last four digits of my Social Security Number are 3004
_____ (Last four digits of Social Security Number). 3005

_____ In lieu of providing a driver's license or state 3006
identification card number or the last four digits of my Social 3007
Security Number, I am enclosing a copy of ~~one of the following~~ 3008
~~in the return envelope in which this identification envelope~~ 3009
~~will be mailed: a current and valid my photo identification, a~~ 3010
~~military identification, or a current utility bill, bank~~ 3011
~~statement, government check, paycheck, or other government~~ 3012
~~document, other than a notice of voter registration mailed by a~~ 3013
~~board of elections, that shows my name and address in the return~~ 3014
envelope in which this identification envelope will be mailed. 3015

I hereby declare, under penalty of election falsification, 3016
that the statements above are true, as I verily believe. 3017

3018

(Signature of Voter)

3019

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

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

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~~A board of elections that mails or otherwise delivers
absent voter's ballots 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
these any absent voter's ballots.~~

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

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elector's address on the identification envelope statement of 3047
voter. 3048

Sec. 3509.05. (A) When an elector receives an absent 3049
voter's ballot pursuant to the elector's application or request, 3050
the elector shall, before placing any marks on the ballot, note 3051
whether there are any voting marks on it. If there are any 3052
voting marks, the ballot shall be returned immediately to the 3053
board of elections; otherwise, the elector shall cause the 3054
ballot to be marked, folded in a manner that the stub on it and 3055
the indorsements and facsimile signatures of the members of the 3056
board of elections on the back of it are visible, and placed and 3057
sealed within the identification envelope received from the 3058
~~director~~ board of elections for that purpose. Then, the elector 3059
shall cause the statement of voter on the outside of the 3060
identification envelope to be completed and signed, under 3061
penalty of election falsification. 3062

~~If the~~ (B) The elector does not shall provide one of the 3063
~~elector's following:~~ 3064

(1) The elector's Ohio driver's license or state 3065
identification card number or the on the statement of voter on 3066
the identification envelope; 3067

(2) The last four digits of the elector's social security 3068
number on the statement of voter on the identification envelope, ~~—~~ 3069
~~the elector also shall include in the return envelope with the~~ 3070
~~identification envelope a ;~~ 3071

(3) A copy of the elector's current valid photo 3072
identification, ~~a copy of a military identification, or a copy~~ 3073
~~of a current utility bill, bank statement, government check,~~ 3074
~~paycheck, or other government document, other than a notice of~~ 3075

~~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~~ in the return envelope with the identification envelope.

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

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

(2) If the board maintains multiple offices in the county, as permitted under division (C) of section 3501.10 of the Revised Code, the board may designate any of its offices for the return of absent voter's ballots under this section, provided that the board shall designate only one office to which absent

voter's ballots shall be returned under this section. 3106

(3) (a) The board of elections may place not more than one 3107
secure receptacle outside the office of the board, on the 3108
property on which the office of the board is located, for the 3109
purpose of receiving absent voter's ballots under this section. 3110

(b) A secure receptacle shall be open to receive ballots 3111
only during the period beginning on the first day after the 3112
close of voter registration before the election and ending at 3113
seven-thirty p.m. on the day of the election. The receptacle 3114
shall be open to receive ballots only during the board's hours 3115
of operation during that period. 3116

(c) A secure receptacle shall be monitored by recorded 3117
video surveillance at all times. The video recordings are a 3118
public record. The board shall do one of the following: 3119

(i) Make the video recordings available for inspection 3120
immediately upon request, notwithstanding any contrary provision 3121
of section 149.43 of the Revised Code. 3122

(ii) Make each day's video recording available to the 3123
public on the internet for streaming or download without charge 3124
within twenty-four hours after the recording ends and make the 3125
video recordings available to the public upon request in 3126
accordance with section 149.43 of the Revised Code. 3127

(d) Only a bipartisan team of election officials may open 3128
a secure receptacle or handle its contents. A bipartisan team of 3129
election officials shall collect the contents of each secure 3130
receptacle and deliver them to the board for processing at least 3131
once each day and at seven-thirty p.m. on the day of the 3132
election. If, at seven-thirty p.m. on the day of the election, 3133
there are persons waiting in line to deposit absent voter's 3134

ballots in a receptacle, those persons shall be permitted to 3135
deposit the ballots. 3136

(4) (a) During the period beginning on the forty-fifth day 3137
before election day and ending on the day after election day, on 3138
each day the office of the board of elections is open for 3139
business, the board shall report to the secretary of state all 3140
of the following information concerning the previous business 3141
day: 3142

(i) The number of return envelopes purporting to contain 3143
absent voter's ballots or uniformed services or overseas absent 3144
voter's ballots the board received by personal delivery, other 3145
than to a receptacle described in division (C) (3) of this 3146
section; 3147

(ii) If the board has placed a secure receptacle outside 3148
the office of the board under division (C) (3) of this section, 3149
the number of return envelopes purporting to contain absent 3150
voter's ballots or uniformed services or overseas absent voter's 3151
ballots the board received in the receptacle. 3152

(b) As soon as practicable after receiving a report under 3153
division (C) (4) (a) of this section, the secretary of state shall 3154
make the information in the report available to the public on 3155
the secretary of state's official web site. 3156

(D) (1) Except as otherwise provided in division ~~(B)~~ (D) (2) 3157
of this section, all ~~other~~ envelopes containing marked absent 3158
voter's ballots shall be delivered to the ~~director~~ office of the 3159
board not later than the close of the polls on the day of an 3160
election. Absent voter's ballots delivered to the ~~director~~ 3161
office of the board later than the times specified shall not be 3162
counted, but shall be kept by the board in the sealed 3163

identification envelopes in which they are delivered ~~to the~~ 3164
~~director~~, until the time provided by section 3505.31 of the 3165
Revised Code for the destruction of all other ballots used at 3166
the election for which ballots were provided, at which time they 3167
shall be destroyed. 3168

~~(B) (1) (2) (a)~~ Except as otherwise provided in division ~~(B)~~ 3169
~~(2) (D) (2) (b)~~ of this section, any return envelope that is 3170
postmarked prior to the day of the election shall be delivered 3171
to the director prior to the ~~eleventh~~ fifth day after the 3172
election. Ballots delivered in envelopes postmarked prior to the 3173
day of the election that are received after the close of the 3174
polls on election day through the ~~tenth~~ fourth day thereafter 3175
shall be counted on the ~~eleventh~~ fifth day at the board of 3176
elections in the manner provided in divisions (C) and (D) of 3177
section 3509.06 of the Revised Code or in the manner provided in 3178
division (E) of that section, as applicable. Any such ballots 3179
that are received by the director later than the ~~tenth~~ fourth 3180
day following the election shall not be counted, but shall be 3181
kept by the board in the sealed identification envelopes as 3182
provided in division (A) of this section. 3183

~~(2) (b)~~ Division ~~(B) (1) (D) (2) (a)~~ of this section shall 3184
not apply to any mail that is postmarked using a postage 3185
evidencing system, including a postage meter, as defined in 39 3186
C.F.R. 501.1. 3187

Sec. 3509.051. An elector may appear at the office of the 3188
board of elections to cast absent voter's ballots in person 3189
instead of applying for those ballots under section 3509.03 of 3190
the Revised Code. Notwithstanding section 3509.05 or any other 3191
provision of the Revised Code to the contrary, all of the 3192
following shall apply to the casting of absent voter's ballots 3193

in person: 3194

~~(A) The~~ (A) (1) Except as otherwise provided in division 3195
(A) (2) of this section, in-person absent voting shall be 3196
permitted only during the period beginning on the first day 3197
after the close of voter registration before the election and 3198
ending at five p.m. on the Sunday before the day of the 3199
election. 3200

(2) If, at the time for the close of in-person absent 3201
voting on a particular day, there are voters waiting in line to 3202
cast their ballots, the in-person absent voting location shall 3203
be kept open until such waiting voters have cast their absent 3204
voter's ballots. 3205

(B) An in-person absent voter shall provide photo 3206
identification to the election officials, sign a poll list or 3207
signature pollbook, and cast a ballot in the same manner as one 3208
of the following: 3209

~~(1) As a voter who casts a ballot in person on the day of~~ 3210
~~an election is required to provide identification under section~~ 3211
~~3505.18 of the Revised Code; or~~ 3212

~~(2) As a voter who casts an absent voter's ballot is~~ 3213
~~required to submit a completed written application for an absent~~ 3214
~~voter's ballot under section 3509.03 of the Revised Code.~~ 3215

~~(B) The absent voter shall not be required to complete a~~ 3216
~~written application for absent voter's ballots or a statement of~~ 3217
~~voter on an absent voter's ballot identification envelope.~~ 3218

~~(C) The board of elections shall provide a signature book~~ 3219
~~to be signed by absent voters who are casting their ballots in~~ 3220
~~person.~~ 3221

~~(D)~~-(C) No person other than an election official shall be 3222
permitted to challenge the right to vote of an absent voter who 3223
is casting a ballot in person. An election official may 3224
challenge the right to vote of an absent voter who is casting a 3225
ballot in person in the same manner as a precinct election 3226
official may challenge the right to vote of an elector on the 3227
day of an election under section 3505.20 or 3513.19 of the 3228
Revised Code. 3229

~~(E)~~-(D) An individual who appears to cast absent voter's 3230
ballots in person and is eligible to cast a provisional ballot 3231
under section 3505.181 of the Revised Code shall be permitted to 3232
do so as though the individual had appeared at a polling place 3233
on the day of the election. 3234

(E) No absent voter may receive a replacement ballot after 3235
the voter's absent voter's ballot has been scanned or entered 3236
into automatic tabulating equipment. 3237

(F) Ballots cast under this section, other than 3238
provisional ballots, may be recorded by a voting machine or 3239
scanned by automatic tabulating equipment before the close of 3240
the polls on the day of the election, but the board of elections 3241
shall not tabulate or count the votes on those ballots before 3242
that time. 3243

Sec. 3509.06. (A) The board of elections shall determine 3244
whether absent voter's ballots cast under section 3503.16, 3245
3509.05, 3509.08, or 3511.09 of the Revised Code shall be 3246
processed and counted in each precinct, at the office of the 3247
board, or at some other location designated by the board, and 3248
shall proceed accordingly under division (B), (C), or (E) of 3249
this section, as applicable. 3250

(B) (1) Except as otherwise provided in division (B) (2) of 3251
this section, when the board of elections determines that those 3252
absent voter's ballots shall be processed and counted in each 3253
precinct, the ~~director board~~ shall deliver to the voting 3254
location manager of each precinct on election day identification 3255
envelopes purporting to contain absent voter's ballots of 3256
electors whose voting residence appears from the statement of 3257
voter on the outside of each of those envelopes, to be located 3258
in that manager's precinct, and which were received by the 3259
~~director board~~ not later than the close of the polls on election 3260
day. The ~~director board~~ shall deliver to the voting location 3261
manager a list containing the name and voting residence of each 3262
person whose voting residence is in such precinct to whom absent 3263
voter's ballots were mailed. 3264

(2) The ~~director board~~ shall not deliver to the voting 3265
location manager identification envelopes cast by electors who 3266
provided a program participant identification number instead of 3267
a residence address on the identification envelope and shall not 3268
inform the voting location manager of the names and voting 3269
residences of persons who have confidential voter registration 3270
records. Those identification envelopes shall be examined and 3271
processed as described in division (E) of this section. 3272

(C) When the board of elections determines that those 3273
absent voter's ballots shall be processed and counted at the 3274
office of the board of elections or at another location 3275
designated by the board, special election officials shall be 3276
appointed by the board for that purpose having the same 3277
authority as is exercised by precinct election officials. The 3278
votes so cast shall be added to the vote totals by the board, 3279
and the absent voter's ballots shall be preserved separately by 3280
the board, in the same manner and for the same length of time as 3281

provided by section 3505.31 of the Revised Code. 3282

(D) Each of the identification envelopes purporting to 3283
contain absent voter's ballots delivered to the voting location 3284
manager of the precinct or the special election official 3285
appointed by the board of elections shall be handled as follows: 3286

(1) The election officials shall compare the signature of 3287
the elector on the outside of the identification envelope with 3288
the signature of that elector on the elector's registration form 3289
and verify that the absent voter's ballot is eligible to be 3290
counted under section 3509.07 of the Revised Code. 3291

(2) (a) Any of the precinct officials may challenge the 3292
right of the elector named on the identification envelope to 3293
vote the absent voter's ballots upon the ground that the 3294
signature on the envelope is not the same as the signature on 3295
the registration form, that the identification envelope 3296
statement of voter is incomplete, or upon any other of the 3297
grounds upon which the right of persons to vote may be lawfully 3298
challenged. 3299

(b) If the elector's name does not appear in the pollbook 3300
or poll list or signature pollbook, the precinct officials shall 3301
deliver the absent voter's ballots to the director of the board 3302
of elections to be examined and processed in the manner 3303
described in division (E) of this section. 3304

(3) (a) An identification envelope statement of voter shall 3305
be considered incomplete if it does not include all of the 3306
following: 3307

(i) The voter's name; 3308

(ii) The voter's residence address or, if the voter has a 3309
confidential voter registration record, as described in section 3310

111.44 of the Revised Code, the voter's program participant 3311
identification number; 3312

(iii) The voter's date of birth. The requirements of this 3313
division are satisfied if the voter provided a date of birth and 3314
any of the following is true: 3315

(I) The month and day of the voter's date of birth on the 3316
identification envelope statement of voter are not different 3317
from the month and day of the voter's date of birth contained in 3318
the statewide voter registration database. 3319

(II) The voter's date of birth contained in the statewide 3320
voter registration database is January 1, 1800. 3321

(III) The board of elections has found, by a vote of at 3322
least three of its members, that the voter has met the 3323
requirements of divisions (D) (3) (a) (i), (ii), (iv), and (v) of 3324
this section. 3325

(iv) The voter's signature; and 3326

(v) One of the following forms of identification: 3327

(I) The voter's Ohio driver's license_or_state 3328
identification card number; 3329

(II) The last four digits of the voter's social security 3330
number; or 3331

(III) A copy of ~~a current and valid~~ the voter's photo 3332
~~identification, a military identification, or a current utility~~ 3333
~~bill, bank statement, government check, paycheck, or other~~ 3334
~~government document, other than a notice of voter registration~~ 3335
~~mailed by a board of elections, that shows the voter's name and~~ 3336
~~address.~~ 3337

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

(4) If no such challenge is made, or if such a challenge is made and not sustained, the voting location manager shall open the envelope without defacing the statement of voter and without mutilating the ballots in it, and shall remove the ballots contained in it and proceed to count them.

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

person has voted. 3369

(b) If the person voting has a confidential voter 3370
registration record, the person's registration card shall be 3371
marked to indicate that the person has voted, but the person's 3372
name shall not be entered in the pollbook or poll list or 3373
signature pollbook. 3374

(6) The date of such election shall also be entered on the 3375
elector's registration form. If any such challenge is made and 3376
sustained, the identification envelope of such elector shall not 3377
be opened, shall be endorsed "Not Counted" with the reasons the 3378
ballots were not counted, and shall be delivered to the board. 3379

(E) (1) When the board of elections receives absent voter's 3380
ballots from an elector who has provided a program participant 3381
identification number instead of a residence address on the 3382
identification envelope statement of voter, the director and the 3383
deputy director personally shall examine and process the 3384
identification envelope statement of voter in the manner 3385
prescribed in division (D) of this section. 3386

(2) If the director and the deputy director find that the 3387
identification envelope statement of voter is incomplete or that 3388
the information contained in that statement does not conform to 3389
the information contained in the statewide voter registration 3390
database concerning the voter or to the information contained in 3391
the voter's confidential voter registration record, the director 3392
and the deputy director shall mail a written notice to the voter 3393
informing the voter of the nature of the defect. The notice 3394
shall inform the voter that in order for the voter's ballot to 3395
be counted the voter must provide the necessary information to 3396
the board of elections in writing and on a form prescribed by 3397
the secretary of state not later than the ~~seventh~~fourth day 3398

after the day of the election. The voter may deliver the form to 3399
the office of the board in person or by mail. If the voter 3400
provides the necessary information to the board of elections not 3401
later than the ~~seventh~~fourth day after the day of the election 3402
and the ballot is not successfully challenged on another basis, 3403
the voter's ballot shall be counted in accordance with this 3404
section. 3405

(3) The director or the deputy director may challenge the 3406
ballot on the ground that the signature on the envelope is not 3407
the same as the signature on the registration form, that the 3408
identification envelope statement of voter is incomplete, or 3409
upon any other of the grounds upon which the right of persons to 3410
vote may be lawfully challenged. If such a challenge is made, 3411
the board of elections shall decide whether to sustain the 3412
challenge. 3413

(4) If neither the director nor the deputy director 3414
challenges the ballot, or if such a challenge is made and not 3415
sustained, the director and the deputy director shall open the 3416
envelope without defacing the statement of voter and without 3417
mutilating the ballots in it, shall remove the ballots contained 3418
in it, and shall transmit the ballots to the election officials 3419
to be counted with other absent voter's ballots from that 3420
precinct. 3421

(F) The board of elections ~~may~~shall process absent 3422
voter's ballots before the time for counting those ballots, but 3423
the board shall not tabulate or count the votes on those ballots 3424
before that time. As used in this section and section 3511.11 of 3425
the Revised Code, processing an absent voter's ballot means ~~any~~
all of the following: 3426
3427

(1) Examining the identification envelope statement of 3428

voter in order to verify that the absent voter's ballot is 3429
eligible to be counted under section 3509.07 of the Revised 3430
Code; 3431

(2) Opening the identification envelope, if the absent 3432
voter's ballot is eligible to be counted; 3433

(3) Determining the validity of the absent voter's ballot 3434
under section 3509.07 of the Revised Code; 3435

(4) Preparing and sorting the absent voter's ballot for 3436
scanning by automatic tabulating equipment; 3437

(5) Scanning the absent voter's ballot by automatic 3438
tabulating equipment, if the equipment used by the board of 3439
elections permits an absent voter's ballot to be scanned without 3440
tabulating or counting the votes on the ballots scanned. 3441

(G) Special election officials, employees or members of 3442
the board of elections, or observers shall not disclose the 3443
count or any portion of the count of absent voter's ballots 3444
prior to the time of the closing of the polling places. No 3445
person shall recklessly disclose the count or any portion of the 3446
count of absent voter's ballots in such a manner as to 3447
jeopardize the secrecy of any individual ballot. 3448

(H) (1) Except as otherwise provided in division (H) (2) of 3449
this section, observers may be appointed under section 3505.21 3450
of the Revised Code to witness the examination and opening of 3451
identification envelopes and the processing and counting of 3452
absent voters' ballots under this section. 3453

(2) Observers shall not be permitted to witness the 3454
examination and opening of identification envelopes returned by, 3455
and the processing and counting of absent voter's ballots cast 3456
by, electors who have confidential voter registration records in 3457

a manner that would permit the observers to learn the identities 3458
or residence addresses of those electors. 3459

Sec. 3509.07. If election officials find that any of the 3460
following are true concerning an absent voter's ballot or absent 3461
voter's presidential ballot cast under section 3503.16, 3509.05, 3462
3509.08, or 3511.09 of the Revised Code and, if applicable, the 3463
person did not provide any required additional information to 3464
the board of elections not later than the ~~seventh~~fourth day 3465
after the day of the election, as permitted under division (D) 3466
(3) (b) or (E) (2) of section 3509.06 of the Revised Code, the 3467
ballot shall not be accepted or counted: 3468

(A) The statement accompanying the ballot is incomplete as 3469
described in division (D) (3) (a) of section 3509.06 of the 3470
Revised Code or is insufficient; 3471

(B) The signatures do not correspond with the person's 3472
registration signature; 3473

(C) The applicant is not a qualified elector in the 3474
precinct; 3475

(D) The ballot envelope contains more than one ballot of 3476
any one kind, or any voted ballot that the elector is not 3477
entitled to vote; 3478

(E) Stub A is detached from the absent voter's ballot or 3479
absent voter's presidential ballot; or 3480

(F) The elector has not included with the elector's ballot 3481
any identification required under section 3509.05 or 3511.09 of 3482
the Revised Code. 3483

The vote of any absent voter may be challenged for cause 3484
in the same manner as other votes are challenged, and the 3485

election officials shall determine the legality of that ballot. 3486
Every ballot not counted shall be endorsed on its back "Not 3487
Counted" with the reasons the ballot was not counted, and shall 3488
be enclosed and returned to or retained by the board of 3489
elections along with the contested ballots. 3490

Sec. 3509.08. (A) Any qualified elector, who, on account 3491
of the elector's own personal illness, physical disability, or 3492
infirmity, or on account of the elector's confinement in a jail 3493
or workhouse under sentence for a misdemeanor or awaiting trial 3494
on a felony or misdemeanor, will be unable to travel from the 3495
elector's home or place of confinement to the voting booth in 3496
the elector's precinct on the day of any general, special, or 3497
primary election may make application in writing for an absent 3498
voter's ballot to ~~the director of the~~ board of elections of the 3499
elector's county in the manner described in section 3509.03 of 3500
the Revised Code. The application ~~shall include all of the~~ 3501
~~information required under section 3509.03 of the Revised Code~~ 3502
~~and~~ shall state the nature of the elector's illness, physical 3503
disability, or infirmity, or the fact that the elector is 3504
confined in a jail or workhouse and the elector's resultant 3505
inability to travel to the election booth in the elector's 3506
precinct on election day. ~~The application shall not be valid if~~ 3507
~~it is delivered to the director before the ninetieth day or~~ 3508
~~after twelve noon of the third day before the day of the~~ 3509
~~election at which the ballot is to be voted.~~ 3510

The absent voter's ballot may be mailed directly to the 3511
applicant at the applicant's voting residence or place of 3512
confinement as stated in the applicant's application, or the 3513
board may designate two board employees belonging to the two 3514
major political parties for the purpose of delivering the ballot 3515
to the disabled or confined elector and returning it to the 3516

board, unless the applicant is confined to a public or private 3517
institution within the county, in which case the board shall 3518
designate two board employees belonging to the two major 3519
political parties for the purpose of delivering the ballot to 3520
the disabled or confined elector and returning it to the board. 3521
In all other instances, the ballot shall be returned to the 3522
office of the board in the manner prescribed in section 3509.05 3523
of the Revised Code. 3524

Any disabled or confined elector who declares to the two 3525
board employees belonging to the two major political parties 3526
that the elector is unable to mark the elector's ballot by 3527
reason of physical infirmity that is apparent to the employees 3528
to be sufficient to incapacitate the voter from marking the 3529
elector's ballot properly, may receive, upon request, the 3530
assistance of the employees in marking the elector's ballot, and 3531
they shall thereafter give no information in regard to this 3532
matter. Such assistance shall not be rendered for any other 3533
cause. 3534

When two board employees belonging to the two major 3535
political parties deliver a ballot to a disabled or confined 3536
elector, each of the employees shall be present when the ballot 3537
is delivered, when assistance is given, and when the ballot is 3538
returned to the office of the board, and shall subscribe to the 3539
declaration on the identification envelope. 3540

The secretary of state shall prescribe the form of 3541
application for absent voter's ballots under this division. 3542

This chapter applies to disabled and confined absent 3543
voter's ballots except as otherwise provided in this section. 3544

(B) (1) Any qualified elector who is unable to travel to 3545

the voting booth in the elector's precinct on the day of any 3546
general, special, or primary election may apply to ~~the director~~ 3547
~~of~~ the board of elections of the county where the elector is a 3548
qualified elector to vote in the election by absent voter's 3549
ballot if either of the following apply: 3550

(a) The elector is confined in a hospital as a result of 3551
an accident or unforeseeable medical emergency occurring before 3552
the election; 3553

(b) The elector's minor child is confined in a hospital as 3554
a result of an accident or unforeseeable medical emergency 3555
occurring before the election. 3556

(2) The application authorized under division (B) (1) of 3557
this section shall be made in writing, ~~shall include all of the~~ 3558
~~information required under~~ in the manner described in section 3559
3509.03 of the Revised Code, ~~and except that the application~~ 3560
shall be delivered to the director office of the board not later 3561
than three p.m. on the day of the election. The application 3562
shall indicate the hospital where the applicant or the 3563
applicant's child is confined, the date of the applicant's or 3564
the applicant's child's admission to the hospital, and the 3565
offices for which the applicant is qualified to vote. The 3566
applicant may also request that a member of the applicant's 3567
family, as listed in section 3509.05 of the Revised Code, 3568
deliver the absent voter's ballot to the applicant. ~~The director~~ 3569
board, after establishing to the director's board's satisfaction 3570
the validity of the circumstances claimed by the applicant, 3571
shall supply an absent voter's ballot to be delivered to the 3572
applicant. When the applicant or the applicant's child is in a 3573
hospital in the county where the applicant is a qualified 3574
elector and no request is made for a member of the family to 3575

deliver the ballot, the ~~director-board~~ shall arrange for the 3576
delivery of an absent voter's ballot to the applicant, and for 3577
its return to the office of the board, by two board employees 3578
belonging to the two major political parties according to the 3579
procedures prescribed in division (A) of this section. When the 3580
applicant or the applicant's child is in a hospital outside the 3581
county where the applicant is a qualified elector and no request 3582
is made for a member of the family to deliver the ballot, the 3583
~~director-board~~ shall arrange for the delivery of an absent 3584
voter's ballot to the applicant by mail, and the ballot shall be 3585
returned to the office of the board in the manner prescribed in 3586
section 3509.05 of the Revised Code. 3587

(3) Any qualified elector who is eligible to vote under 3588
division (B) or (C) of section 3503.16 of the Revised Code but 3589
is unable to do so because of the circumstances described in 3590
division (B)(2) of this section may vote in accordance with 3591
division (B)(1) of this section if that qualified elector states 3592
in the application for absent voter's ballots that that 3593
qualified elector moved or had a change of name under the 3594
circumstances described in division (B) or (C) of section 3595
3503.16 of the Revised Code and if that qualified elector 3596
complies with divisions (G)(1) to (4) of section 3503.16 of the 3597
Revised Code. 3598

(C) Any qualified elector described in division (A) or (B) 3599
(1) of this section who needs no assistance to vote or to return 3600
absent voter's ballots to the board of elections may apply for 3601
absent voter's ballots under section 3509.03 of the Revised Code 3602
instead of applying for them under this section or may cast 3603
absent voter's ballots in person under section 3509.051 of the 3604
Revised Code. 3605

(D) Any qualified elector described in division (A) or (B) 3606
(1) of this section to whom ballots are delivered by two 3607
employees of the board of elections or who votes with the 3608
assistance of two employees of the board of elections shall be 3609
considered to have cast absent voter's ballots by mail, rather 3610
than in person, for the purpose of the laws governing voter 3611
identification. 3612

Sec. 3509.09. (A) The poll list or signature pollbook for 3613
each precinct shall identify each registered elector in that 3614
precinct who has requested an absent voter's ballot for that 3615
election or cast absent voter's ballots in person under section 3616
3509.051 of the Revised Code, other than an elector who has a 3617
confidential voter registration record, as described in section 3618
111.44 of the Revised Code. 3619

~~(B) (1) (B) If a registered elector appears to vote in that~~ 3620
~~precinct and that elector has requested or cast an absent~~ 3621
~~voter's ballot for that election but the director has not~~ 3622
~~received a sealed identification envelope purporting to contain~~ 3623
~~that elector's voted absent voter's ballots for that election,~~ 3624
~~the elector shall be permitted to cast a provisional ballot~~ 3625
~~under section 3505.181 of the Revised Code in that precinct on~~ 3626
~~the day of that election.~~ 3627

~~(2) If a registered elector appears to vote in that~~ 3628
~~precinct and that elector has requested an absent voter's ballot~~ 3629
~~for that election and the director has received a sealed~~ 3630
~~identification envelope purporting to contain that elector's~~ 3631
~~voted absent voter's ballots for that election, the elector~~ 3632
shall be permitted to cast a provisional ballot under section 3633
3505.181 of the Revised Code ~~in that precinct on the day of that~~ 3634
~~election.~~ 3635

(C) (1) In counting absent voter's ballots under section 3636
3509.06 of the Revised Code, the board of elections shall 3637
compare the signature of each elector from whom the ~~director-~~ 3638
board has received a sealed identification envelope purporting 3639
to contain that elector's voted absent voter's ballots for that 3640
election to the signature on that elector's registration form. 3641
Except as otherwise provided in division (C) (3) of this section, 3642
if the board of elections determines that the absent voter's 3643
ballot in the sealed identification envelope is valid, it shall 3644
be counted. If the board of elections determines that the 3645
signature on the sealed identification envelope purporting to 3646
contain the elector's voted absent voter's ballot does not match 3647
the signature on the elector's registration form, the ballot 3648
shall be set aside and the board shall examine, during the time 3649
prior to the beginning of the official canvass, the poll list or 3650
signature pollbook from the precinct in which the elector is 3651
registered to vote to determine if the elector also cast a 3652
provisional ballot under section 3505.181 of the Revised Code ~~in-~~ 3653
~~that precinct on the day of the election.~~ 3654

(2) The board of elections shall count the provisional 3655
ballot, instead of the absent voter's ballot, if both of the 3656
following apply: 3657

(a) The board of elections determines that the signature 3658
of the elector on the outside of the identification envelope in 3659
which the absent voter's ballots are enclosed does not match the 3660
signature of the elector on the elector's registration form; 3661

(b) The elector cast a provisional ballot in the ~~precinct-~~ 3662
~~on the day of the election.~~ 3663

(3) If the board of elections does not receive the sealed 3664
identification envelope purporting to contain the elector's 3665

voted absent voter's ballot by the applicable deadline 3666
established under section 3509.05 of the Revised Code, the 3667
provisional ballot cast under section 3505.181 of the Revised 3668
Code ~~in that precinct on the day of the election~~ shall be 3669
counted as valid, if that provisional ballot is otherwise 3670
determined to be valid pursuant to section 3505.183 of the 3671
Revised Code. 3672

(D) If the board of elections counts a provisional ballot 3673
under division (C) (2) or (3) of this section, the returned 3674
identification envelope of that elector shall not be opened, and 3675
the ballot within that envelope shall not be counted. The 3676
identification envelope shall be endorsed "Not Counted" with the 3677
reason the ballot was not counted. 3678

Sec. 3509.10. If a board of elections receives an 3679
application for absent voter's ballots under ~~this chapter~~ 3680
section 3509.03 of the Revised Code and it is apparent to the 3681
board that the absent voter is a uniformed services voter or 3682
overseas voter, as defined in section 3511.01 of the Revised 3683
Code, the board shall consider that applicant to have applied 3684
for uniformed services or overseas ballots under Chapter 3511. 3685
of the Revised Code and shall provide those ballots to that 3686
voter in accordance with the timelines and procedures applicable 3687
to uniformed services and overseas absent voters. 3688

Sec. 3511.02. (A) Notwithstanding any section of the 3689
Revised Code to the contrary, whenever any person applies for 3690
registration as a voter on a form adopted in accordance with 3691
federal regulations relating to the "Uniformed and Overseas 3692
Citizens Absentee Voting Act," 100 Stat. 924, ~~42-52~~ U.S.C.A. 3693
~~1973ff (1986)~~ 20301, this application shall be sufficient for 3694
voter registration and as a request for an absent voter's 3695

ballot. Uniformed services or overseas absent voter's ballots 3696
may be obtained by any person meeting the requirements of 3697
section 3511.011 of the Revised Code by applying electronically 3698
to the secretary of state or to the board of elections of the 3699
county in which the person's voting residence is located in 3700
accordance with section 3511.021 of the Revised Code or by 3701
applying to the ~~director of the~~ board of elections of the county 3702
in which the person's voting residence is located, in one of the 3703
following ways: 3704

(1) That person may make written application for those 3705
ballots. The person may personally deliver the application to 3706
the ~~director~~ office of the board or may mail it, send it by 3707
facsimile machine, send it by electronic mail, send it through 3708
internet delivery if such delivery is offered by the board of 3709
elections or the secretary of state, or otherwise send it to the 3710
~~director~~ board. Except as otherwise provided in division (B) of 3711
this section, the application ~~need not be in any particular~~ 3712
shall be on a form but prescribed by the secretary of state and 3713
shall contain all of the following information: 3714

(a) The elector's name; 3715
(b) The elector's signature; 3716
(c) The address at which the elector is registered to 3717
vote; 3718

(d) The elector's date of birth; 3719
(e) One of the following: 3720
(i) The elector's Ohio driver's license or state 3721
identification card number; 3722

(ii) The last four digits of the elector's social security 3723

- number; 3724
- (iii) A copy of the elector's ~~current and valid photo~~ 3725
~~identification, a copy of a military identification, or a copy~~ 3726
~~of a current utility bill, bank statement, government check,~~ 3727
~~paycheck, or other government document, other than a notice of~~ 3728
~~voter registration mailed by a board of elections under section~~ 3729
~~3503.19 of the Revised Code, that shows the name and address of~~ 3730
~~the elector.~~ 3731
- (f) A statement identifying the election for which absent 3732
voter's ballots are requested; 3733
- (g) A statement that the person requesting the ballots is 3734
a qualified elector; 3735
- (h) A statement that the elector is an absent uniformed 3736
services voter or overseas voter as defined in ~~42-52~~ U.S.C. 3737
~~1973ff-6~~ 20310; 3738
- (i) A statement of the elector's length of residence in 3739
the state immediately preceding the commencement of service, 3740
immediately preceding the date of leaving to be with or near the 3741
service member, or immediately preceding leaving the United 3742
States, or a statement that the elector's parent or legal 3743
guardian resided in this state long enough to establish 3744
residency for voting purposes immediately preceding leaving the 3745
United States, whichever is applicable; 3746
- (j) If the request is for primary election ballots, the 3747
elector's party affiliation; 3748
- (k) If the elector desires ballots to be mailed to the 3749
elector, the address to which those ballots shall be mailed; 3750
- (l) If the elector desires ballots to be sent to the 3751

elector by facsimile machine, the telephone number to which they 3752
shall be so sent; 3753

(m) If the elector desires ballots to be sent to the 3754
elector by electronic mail or, if offered by the board of 3755
elections or the secretary of state, through internet delivery, 3756
the elector's electronic mail address or other internet contact 3757
information. 3758

(2) A voter or any relative of a voter listed in division 3759
(A) (3) of this section may use a single federal post card 3760
application to apply for uniformed services or overseas absent 3761
voter's ballots for use at the primary and general elections in 3762
a given year and any special election to be held on the day in 3763
that year specified by division (E) of section 3501.01 of the 3764
Revised Code for the holding of a primary election, designated 3765
by the general assembly for the purpose of submitting 3766
constitutional amendments proposed by the general assembly to 3767
the voters of the state. A single federal postcard application 3768
shall be processed by the board of elections pursuant to section 3769
3511.04 of the Revised Code the same as if the voter had applied 3770
separately for uniformed services or overseas absent voter's 3771
ballots for each election. 3772

(3) Application to have uniformed services or overseas 3773
absent voter's ballots mailed or sent by facsimile machine to 3774
such a person may be made by the spouse, father, mother, father- 3775
in-law, mother-in-law, grandfather, grandmother, brother or 3776
sister of the whole blood or half blood, son, daughter, adopting 3777
parent, adopted child, stepparent, stepchild, daughter-in-law, 3778
son-in-law, uncle, aunt, nephew, or niece of such a person. The 3779
application shall be in writing upon a blank form furnished only 3780
by the ~~director~~ board or on a single federal post card as 3781

provided in division (A) (2) of this section. The form of the 3782
application shall be prescribed by the secretary of state. The 3783
~~director~~ board shall furnish that blank form to any of the 3784
relatives specified in this division desiring to make the 3785
application, only upon the request of such a relative made in 3786
person at the office of the board or upon the written request of 3787
such a relative mailed to the office of the board. Except as 3788
otherwise provided in division (B) of this section, the 3789
application, subscribed and sworn to by the applicant, shall 3790
contain all of the following: 3791

(a) The full name of the elector for whom ballots are 3792
requested; 3793

(b) A statement that the elector is an absent uniformed 3794
services voter or overseas voter as defined in ~~42-52~~ U.S.C. 3795
~~1973ff-6~~ 20310; 3796

(c) The address at which the elector is registered to 3797
vote; 3798

(d) A statement identifying the elector's length of 3799
residence in the state immediately preceding the commencement of 3800
service, immediately preceding the date of leaving to be with or 3801
near a service member, or immediately preceding leaving the 3802
United States, or a statement that the elector's parent or legal 3803
guardian resided in this state long enough to establish 3804
residency for voting purposes immediately preceding leaving the 3805
United States, as the case may be; 3806

(e) The elector's date of birth; 3807

(f) One of the following: 3808

(i) The elector's Ohio driver's license or state 3809
identification card number; 3810

- (ii) The last four digits of the elector's social security number; 3811
3812
- (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.~~ 3813
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- (g) A statement identifying the election for which absent voter's ballots are requested; 3820
3821
- (h) A statement that the person requesting the ballots is a qualified elector; 3822
3823
- (i) If the request is for primary election ballots, the elector's party affiliation; 3824
3825
- (j) A statement that the applicant bears a relationship to the elector as specified in division (A)(3) of this section; 3826
3827
- (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; 3828
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- (l) The signature and address of the person making the application. 3835
3836
- (B) If the elector has a confidential voter registration record, as described in section 111.44 of the Revised Code, the 3837
3838

application may include the elector's program participant 3839
identification number instead of the address at which the 3840
elector is registered to vote. 3841

(C) Each application for uniformed services or overseas 3842
absent voter's ballots shall be delivered to the ~~director office~~ 3843
of the board not earlier than the first day of January of the 3844
year of the elections for which the uniformed services or 3845
overseas absent voter's ballots are requested or not earlier 3846
than ninety days before the day of the election at which the 3847
ballots are to be voted, whichever is earlier, ~~and. An~~ 3848
application to receive uniformed services or overseas absent 3849
voter's ballots by mail or by another method permitted under 3850
section 3511.021 of the Revised Code shall be delivered to the 3851
office of the board not later than ~~twelve noon of the third~~ 3852
close of business on the seventh day preceding the day of the 3853
election, ~~or not later than six p.m. on the last Friday before~~ 3854
~~the day of the election at which those ballots are to be voted~~ 3855
~~if the application is delivered in person to the office of the~~ 3856
~~board.~~ 3857

(D) If the voter for whom the application is made is 3858
entitled to vote for presidential and vice-presidential electors 3859
only, the applicant shall submit to the ~~director board,~~ in 3860
addition to the requirements of division (A) of this section, a 3861
statement to the effect that the voter is qualified to vote for 3862
presidential and vice-presidential electors and for no other 3863
offices. 3864

(E) ~~A board of elections that mails a federal post card~~ 3865
~~application or other absent voter's ballot application to an~~ 3866
~~elector under this section~~ Except as permitted under section 3867
111.31 of the Revised Code, no public office, and no public 3868

official or employee who is acting in an official capacity, 3869
shall ~~not prepay~~ do either of the following: 3870

(1) Prepay the return postage for ~~that~~ an application for 3871
absent voter's ballots; 3872

(2) Mail or otherwise deliver an unsolicited application 3873
for absent voter's ballots to any person. 3874

(F) Except as otherwise provided in this section and in 3875
sections 3505.24 and 3509.08 of the Revised Code, an election 3876
official shall not fill out any portion of a federal post card 3877
application or other application for absent voter's ballots on 3878
behalf of an applicant. The secretary of state or a board of 3879
elections may preprint only an applicant's name and address on a 3880
federal post card application or other application for absent 3881
voter's ballots before mailing that application to the 3882
applicant, except that if the applicant has a confidential voter 3883
registration record, the secretary of state or the board of 3884
elections shall not preprint the applicant's address on the 3885
application. 3886

Sec. 3511.04. (A) If a ~~director of a~~ board of elections 3887
receives an application for uniformed services or overseas 3888
absent voter's ballots that does not contain all of the required 3889
information or is not submitted on an appropriate form, the 3890
~~director~~ board promptly shall notify the applicant of the 3891
additional information required to be provided by the applicant 3892
to complete that application, direct the applicant to use an 3893
appropriate form, or both, as applicable. 3894

(B) Not later than the forty-sixth day before the day of 3895
each general or primary election, and at the earliest possible 3896
time before the day of a special election held on a day other 3897

than the day on which a general or primary election is held, the 3898
~~director of the~~ board of elections shall mail, send by facsimile 3899
machine, send by electronic mail, send through internet delivery 3900
if such delivery is offered by the board of elections or the 3901
secretary of state, or otherwise send uniformed services or 3902
overseas absent voter's ballots then ready for use as provided 3903
for in section 3511.03 of the Revised Code and for which the 3904
~~director board~~ has received valid applications prior to that 3905
time. Thereafter, and until ~~twelve noon of the third close of~~ 3906
business on the seventh day preceding the day of election, the 3907
~~director board~~ shall promptly, upon receipt of valid 3908
applications for them, mail, send by facsimile machine, send by 3909
electronic mail, send through internet delivery if such delivery 3910
is offered by the board of elections or the secretary of state, 3911
or otherwise send to the proper persons all uniformed services 3912
or overseas absent voter's ballots then ready for use. 3913

If, after the seventieth day before the day of a general 3914
or primary election, any other question, issue, or candidacy is 3915
lawfully ordered submitted to the electors voting at the general 3916
or primary election, the board shall promptly provide a separate 3917
official issue, special election, or other election ballot for 3918
submitting the question, issue, or candidacy to those electors, 3919
and the ~~director board~~ shall promptly mail, send by facsimile 3920
machine, send by electronic mail, send through internet delivery 3921
if such delivery is offered by the board of elections or the 3922
secretary of state, or otherwise send each such separate ballot 3923
to each person to whom the ~~director board~~ has previously mailed 3924
or sent other uniformed services or overseas absent voter's 3925
ballots. 3926

~~A board of elections that mails or otherwise delivers~~ 3927
~~uniformed services or overseas absent voter's ballots to an~~ 3928

~~elector under this section~~ No public office, and no public 3929
official or employee who is acting in an official capacity, 3930
shall ~~not~~ prepay the return postage for ~~these~~ any absent voter's 3931
ballots. In mailing uniformed services or overseas absent 3932
voter's ballots, the ~~director board~~ shall use the fastest mail 3933
service available, but the ~~director board~~ shall not mail them by 3934
certified mail. 3935

Sec. 3511.05. (A) The ~~director of the~~ board of elections 3936
shall place uniformed services or overseas absent voter's 3937
ballots sent by mail in an unsealed identification envelope, 3938
gummed ready for sealing. The ~~director board~~ shall include with 3939
uniformed services or overseas absent voter's ballots sent 3940
electronically, including by facsimile machine, an instruction 3941
sheet for preparing a gummed envelope in which the ballots shall 3942
be returned. The envelope for returning ballots sent by either 3943
means shall have printed or written on its face a form 3944
substantially as follows: 3945

"Identification Envelope Statement of Voter 3946

I, _____ (Name of voter), declare under 3947
penalty of election falsification that the within ballot or 3948
ballots contained no voting marks of any kind when I received 3949
them, and I caused the ballot or ballots to be marked, enclosed 3950
in the identification envelope, and sealed in that envelope. 3951

My voting residence in Ohio is 3952

_____ 3953

(Street and Number, if any, or Rural Route and Number) 3954

of _____ (City, Village, or Township) 3955

Ohio, which is in Ward _____ Precinct _____ 3956

in that city, village, or township. 3957

If I have a confidential voter registration record, I am 3958
providing my program participant identification number instead 3959
of my residence address: _____ 3960

The primary election ballots, if any, within this envelope 3961
are primary election ballots of the _____ Party. 3962

Ballots contained within this envelope are to be voted at 3963
the _____ (general, special, or primary) election to be 3964
held on the _____ day of 3965
_____, 3966

My date of birth is _____ (Month and Day), 3967
_____ (Year). 3968

(Voter must provide one of the following:) 3969

My Ohio driver's license or state identification card 3970
number is _____ (Driver's license or state 3971
identification card number). 3972

The last four digits of my Social Security Number are 3973
_____ (Last four digits of Social Security Number). 3974

_____ In lieu of providing a driver's license or state 3975
identification card number or the last four digits of my Social 3976
Security Number, I am enclosing a copy of ~~one of the following~~ 3977
~~in the return envelope in which this identification envelope~~ 3978
~~will be mailed: a current and valid my photo identification, a~~ 3979
~~military identification, or a current utility bill, bank~~ 3980
~~statement, government check, paycheck, or other government~~ 3981
~~document, other than a notice of voter registration mailed by a~~ 3982
~~board of elections, that shows my name and address in the return~~ 3983
envelope in which this identification envelope will be mailed. 3984

I hereby declare, under penalty of election falsification, 3985

that the statements above are true, as I verily believe. 3986

(Signature of Voter) 3987
3988

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 3989
THE FIFTH DEGREE." 3990

(B) The ~~director board~~ shall also mail with the ballots 3991
and the unsealed identification envelope sent by mail an 3992
unsealed return envelope, gummed, ready for sealing, for use by 3993
the voter in returning the voter's marked ballots to the 3994
~~director office of the board~~. The ~~director board~~ shall send with 3995
the ballots and the instruction sheet for preparing a gummed 3996
envelope sent electronically, including by facsimile machine, an 3997
instruction sheet for preparing a second gummed envelope as 3998
described in this division, for use by the voter in returning 3999
that voter's marked ballots to the ~~director board~~. The return 4000
envelope shall have two parallel lines, each one quarter of an 4001
inch in width, printed across its face paralleling the top, with 4002
an intervening space of one quarter of an inch between such 4003
lines. The top line shall be one and one-quarter inches from the 4004
top of the envelope. Between the parallel lines shall be 4005
printed: "OFFICIAL ELECTION UNIFORMED SERVICES OR OVERSEAS 4006
ABSENT VOTER'S BALLOTS -- VIA AIR MAIL." Three blank lines shall 4007
be printed in the upper left corner on the face of the envelope 4008
for the use by the voter in placing the voter's complete 4009
military, naval, or mailing address on these lines, ~~and beneath~~ 4010
~~these lines there shall be printed a box beside the words "check~~ 4011
~~if out of country."~~ The voter shall check this box if the voter 4012
~~will be outside the United States on the day of the election.~~ 4013
The ~~official title and the post-office address of the director~~ 4014
~~to whom the envelope shall be returned~~ office of the board shall 4015

be printed on the face of such envelope in the lower right 4016
portion below the bottom parallel line. 4017

(C) On the back of each identification envelope and each 4018
return envelope shall be printed the following: 4019

"Instructions to voter: 4020

If the flap on this envelope is so firmly stuck to the 4021
back of the envelope when received by you as to require forcible 4022
opening in order to use it, open the envelope in the manner 4023
least injurious to it, and, after marking your ballots and 4024
enclosing same in the envelope for mailing them to the ~~director~~ 4025
~~of the~~ board of elections, reclose the envelope in the most 4026
practicable way, by sealing or otherwise, and sign the blank 4027
form printed below. 4028

The flap on this envelope was firmly stuck to the back of 4029
the envelope when received, and required forced opening before 4030
sealing and mailing. 4031

_____ 4032

(Signature of voter)" 4033

(D) Division (C) of this section does not apply when 4034
absent voter's ballots are sent electronically, including by 4035
facsimile machine. 4036

(E) Except as otherwise provided in this division and in 4037
sections 3505.24 and 3509.08 of the Revised Code, an election 4038
official shall not fill out any portion of an identification 4039
envelope statement of voter or an absent voter's ballot on 4040
behalf of an elector. A board of elections may preprint only an 4041
elector's name and address on an identification envelope 4042
statement of voter before mailing or electronically transmitting 4043

absent voter's ballots to the elector, except that if the 4044
elector has a confidential voter registration record, as 4045
described in section 111.44 of the Revised Code, the board of 4046
elections shall not preprint the elector's address on the 4047
identification envelope statement of voter. 4048

Sec. 3511.06. The return envelope provided for in section 4049
3511.05 of the Revised Code shall be of such size that the 4050
identification envelope can be conveniently placed within it for 4051
returning the identification envelope to the ~~director~~ office of 4052
the board of elections. The envelope in which the two envelopes 4053
and the uniformed services or overseas absent voter's ballots 4054
are mailed to the elector shall have two parallel lines, each 4055
one quarter of an inch in width, printed across its face, 4056
paralleling the top, with an intervening space of one-quarter of 4057
an inch between such lines. The top line shall be one and one- 4058
quarter inches from the top of the envelope. Between the 4059
parallel lines shall be printed: "official uniformed services or 4060
overseas absent voter's balloting material--via air mail." The 4061
appropriate return address of the ~~director of the~~ board of 4062
elections shall be printed in the upper left corner on the face 4063
of such envelope. Several blank lines shall be printed on the 4064
face of such envelope in the lower right portion, below the 4065
bottom parallel line, for writing in the name and address of the 4066
elector to whom such envelope is mailed. 4067

Sec. 3511.07. When mailing unsealed identification 4068
envelopes and unsealed return envelopes to persons, the ~~director~~ 4069
~~of the~~ board of elections shall insert a sheet of waxed paper or 4070
other appropriate insert between the gummed flap and the back of 4071
each of such envelopes to minimize the possibility that the flap 4072
may become firmly stuck to the back of the envelope by reason of 4073
moisture, humid atmosphere, or other conditions to which they 4074

may be subjected. If the flap on either of such envelopes should 4075
be so firmly stuck to the back of the envelope when it is 4076
received by the voter as to require forcible opening of the 4077
envelope in order to use it, the voter shall open such envelope 4078
in the manner least injurious to it, and, after marking ~~his~~ the 4079
voter's ballots and enclosing them in the envelope for mailing 4080
to the director, ~~he~~ the voter shall reclose such envelope in the 4081
most practicable way, by sealing it or otherwise, and shall sign 4082
the blank form printed on the back of such envelope. 4083

Sec. 3511.08. The ~~director of the~~ board of elections shall 4084
keep a record of the name and address of each person to whom the 4085
~~director board~~ mails or delivers uniformed services or overseas 4086
absent voter's ballots, the kinds of ballots so mailed or 4087
delivered, and the name and address of the person who made the 4088
application for such ballots. After the ~~director board~~ has 4089
mailed or delivered such ballots the ~~director board~~ shall not 4090
mail or deliver additional ballots of the same kind to such 4091
person pursuant to a subsequent request unless such subsequent 4092
request contains the statement that an earlier request had been 4093
sent to the ~~director board~~ prior to the thirtieth day before the 4094
election and that the uniformed services or overseas absent 4095
voter's ballots so requested had not been received by such 4096
person prior to the fifteenth day before the election, and 4097
provided that the ~~director board~~ has not received an 4098
identification envelope purporting to contain marked uniformed 4099
services or overseas absent voter's ballots from such person. 4100

Sec. 3511.09. (A) Upon receiving uniformed services or 4101
overseas absent voter's ballots, the elector shall cause the 4102
questions on the face of the identification envelope to be 4103
answered, and, by writing the elector's usual signature in the 4104
proper place on the identification envelope, the elector shall 4105

declare under penalty of election falsification that the answers 4106
to those questions are true and correct to the best of the 4107
elector's knowledge and belief. Then, the elector shall note 4108
whether there are any voting marks on the ballot. If there are 4109
any voting marks, the ballot shall be returned immediately to 4110
the board of elections; otherwise, the elector shall cause the 4111
ballot to be marked, folded separately so as to conceal the 4112
markings on it, deposited in the identification envelope, and 4113
securely sealed in the identification envelope. The elector 4114
shall sign the identification envelope not later than the close 4115
of the polls on the day of the election. The elector then shall 4116
cause the identification envelope to be placed within the return 4117
envelope, sealed in the return envelope, and mailed to ~~the~~ 4118
~~director of the board of elections to whom~~ which it is 4119
addressed. ~~The ballot shall be submitted for mailing not later~~ 4120
~~than 12:01 a.m. at the place where the voter completes the~~ 4121
~~ballot, on the date of the election.~~ 4122

~~If the~~ (B) The elector does not shall provide one of the 4123
elector's following: 4124

(1) The elector's Ohio driver's license or state 4125
identification card number or the on the statement of voter on 4126
the identification envelope; 4127

(2) The last four digits of the elector's social security 4128
number on the statement of voter on the identification envelope, 4129
~~the elector also shall include in the return envelope with the~~ 4130
~~identification envelope a;~~ 4131

(3) A copy of the elector's current valid photo 4132
identification, a copy of a military identification, or a copy 4133
of a current utility bill, bank statement, government check, 4134
paycheck, or other government document, other than a notice of 4135

~~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 in the return envelope with the identification envelope.~~ 4136
4137
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~~Each elector who will be outside the United States on the day of the election shall check the box on the return envelope indicating this fact and shall mail the return envelope to the director prior to the close of the polls on election day.~~ 4140
4141
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(C) Every uniformed services or overseas absent voter's ballot identification envelope shall be accompanied by the following statement in boldface capital letters: WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE. 4144
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(D) The elector shall cause the uniformed services or overseas absent voter's ballots to be returned to the office of the board of elections in a manner described in division (C) of section 3509.05 of the Revised Code, provided that the elector shall not be required to prepay the postage on the return envelope if, under 39 U.S.C. 3406, no postage is required. 4149
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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 in accordance with section 3509.051 of the Revised~~~~ 4155
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~~Code. The person shall then immediately retire to a voting booth~~ 4166
~~in the office of the board, and mark the ballots. The person~~ 4167
~~shall then fold each ballot separately so as to conceal the~~ 4168
~~person's markings thereon, and deposit all of the ballots in the~~ 4169
~~identification envelope and securely seal it. Thereupon the~~ 4170
~~person shall fill in answers to the questions on the face of the~~ 4171
~~identification envelope, and by writing the person's usual~~ 4172
~~signature in the proper place thereon, the person shall declare~~ 4173
~~under penalty of election falsification that the answers to~~ 4174
~~those questions are true and correct to the best of that~~ 4175
~~person's knowledge and belief. The person shall then deliver the~~ 4176
~~identification envelope to the director. If thereafter, and~~ 4177
~~before the third close of business on the seventh day preceding~~ 4178
~~such election, the board provides additional separate official~~ 4179
~~issue or special election ballots, as provided for in section~~ 4180
~~3511.04 of the Revised Code, the ~~director~~ board shall promptly,~~ 4181
~~and not later than ~~twelve noon of the~~ close of business on the~~ 4182
~~third seventh day preceding the day of election, mail such~~ 4183
~~additional ballots to such person at the address specified by~~ 4184
~~that person for that purpose. ~~Except as otherwise provided in~~~~ 4185
~~~~sections 3505.24 and 3509.08 of the Revised Code, an election~~~~ 4186  
~~~~official shall not fill out any portion of an application for~~~~ 4187  
~~~~absent voter's ballots, an identification envelope statement of~~~~ 4188  
~~~~voter, or an absent voter's ballot requested under this section~~~~ 4189  
~~on behalf of an applicant.~~ 4190

~~In the event any person serving in the armed forces of the~~ 4191
~~United States is discharged after the closing date of~~ 4192
~~registration, and that person or that person's spouse, or both,~~ 4193
~~meets all the other qualifications set forth in section 3511.011~~ 4194
~~of the Revised Code, the person or spouse shall be permitted to~~ 4195
~~vote prior to the date of the election in the office of the~~ 4196

~~board in the person's or spouse's county, as set forth in this section.~~ 4197
4198

Sec. 3511.11. (A) ~~Upon receipt of any return envelope~~ 4199
~~bearing the designation "Official Election Uniformed Services or~~ 4200
~~Overseas Absent Voter's Ballot" prior to the eleventh day after~~ 4201
~~the day of any election, the director of the board of elections~~ 4202
~~shall open it but shall not open the identification envelope~~ 4203
~~contained in it. If, upon so opening the return envelope, the~~ 4204
~~director finds ballots in it that are not enclosed in and~~ 4205
~~properly sealed in the identification envelope, the director~~ 4206
~~shall not look at the markings upon the ballots and shall~~ 4207
~~promptly place them in the identification envelope and promptly~~ 4208
~~seal it. If, upon so opening the return envelope, the director~~ 4209
~~finds that ballots are enclosed in the identification envelope~~ 4210
~~but that it is not properly sealed, the director shall not look~~ 4211
~~at the markings upon the ballots and shall promptly seal the~~ 4212
~~identification envelope.~~ 4213

~~(B)~~ Uniformed services or overseas absent voter's ballots 4214
delivered to the director office of the board of elections not 4215
later than the close of the polls on election day shall be 4216
processed and counted in the manner provided in section 3509.06 4217
of the Revised Code. 4218

~~(C)~~ (B) A return envelope is not required to be postmarked 4219
in order for a uniformed services or overseas absent voter's 4220
ballot contained in it to be valid. Except as otherwise provided 4221
in this division, whether or not the return envelope containing 4222
the ballot is postmarked, contains a late postmark, or contains 4223
an illegible postmark, a uniformed services or overseas absent 4224
voter's ballot that is received by mail after the close of the 4225
polls on election day through the ~~tenth~~ fourth day after the 4226

election day shall be processed and counted on the ~~eleventh-~~ 4227
fifth day after the election day at the office of the board of 4228
elections in the manner provided in section 3509.06 of the 4229
Revised Code if the voter signed the identification envelope by 4230
~~the time specified in section 3511.09 of the Revised Code~~ close 4231
of the polls on election day. However, if a return envelope 4232
containing a uniformed services or overseas absent voter's 4233
ballot is so received ~~and so indicates,~~ but the identification 4234
envelope in it is signed after the close of the polls on 4235
election day, the uniformed services or overseas absent voter's 4236
ballot shall not be counted. 4237

~~(D)~~ (C) The following types of uniformed services or 4238
overseas absent voter's ballots shall not be counted: 4239

(1) Uniformed services or overseas absent voter's ballots 4240
~~contained in return envelopes that bear the designation-~~ 4241
~~"Official Election Uniformed Services or Overseas Absent Voter's~~ 4242
~~Ballots,"~~ that are received by the ~~director~~ board of elections 4243
after the close of the polls on the day of the election, and 4244
that contain an identification envelope that is signed after the 4245
~~time specified in section 3511.09 of the Revised Code~~ close of 4246
the polls on election day; 4247

(2) Uniformed services or overseas absent voter's ballots 4248
~~contained in return envelopes that bear that designation and-~~ 4249
that are received after the ~~tenth~~ fourth day following the 4250
election. 4251

The uncounted ballots shall be preserved in their 4252
identification envelopes unopened until the time provided by 4253
section 3505.31 of the Revised Code for the destruction of all 4254
other ballots used at the election for which ballots were 4255
provided, at which time they shall be destroyed. 4256

Sec. 3511.13. (A) The poll list or signature pollbook for 4257
each precinct shall identify each registered elector in that 4258
precinct who has requested a uniformed services or overseas 4259
absent voter's ballot for that election or cast absent voter's 4260
ballots in person under section 3509.051 of the Revised Code, 4261
other than an elector who has a confidential voter registration 4262
record, as described in section 111.44 of the Revised Code. 4263

~~(B) (1) (B) If a registered elector appears to vote in that~~ 4264
~~precinct and that elector has requested or cast a uniformed~~ 4265
~~services or overseas absent voter's ballot for that election but~~ 4266
~~the director has not received a sealed identification envelope~~ 4267
~~purporting to contain that elector's voted uniformed services or~~ 4268
~~overseas absent voter's ballots for that election, the elector~~ 4269
~~shall be permitted to cast a provisional ballot under section~~ 4270
~~3505.181 of the Revised Code in that precinct on the day of that~~ 4271
~~election.~~ 4272

~~(2) If a registered elector appears to vote in that~~ 4273
~~precinct and that elector has requested a uniformed services or~~ 4274
~~overseas absent voter's ballot for that election and the~~ 4275
~~director has received a sealed identification envelope~~ 4276
~~purporting to contain that elector's voted uniformed services or~~ 4277
~~overseas absent voter's ballots for that election, the elector~~ 4278
shall be permitted to cast a provisional ballot under section 4279
3505.181 of the Revised Code ~~in that precinct on the day of that~~ 4280
~~election.~~ 4281

(C) (1) In counting uniformed services or overseas absent 4282
voter's ballots under section 3511.11 of the Revised Code, the 4283
board of elections shall compare the signature of each elector 4284
from whom the ~~director~~ board has received a sealed 4285
identification envelope purporting to contain that elector's 4286

voted uniformed services or overseas absent voter's ballots for 4287
that election to the signature on the elector's registration 4288
form. Except as otherwise provided in division (C) (3) of this 4289
section, if the board of elections determines that the uniformed 4290
services or overseas absent voter's ballot in the sealed 4291
identification envelope is valid, it shall be counted. If the 4292
board of elections determines that the signature on the sealed 4293
identification envelope purporting to contain the elector's 4294
voted uniformed services or overseas absent voter's ballot does 4295
not match the signature on the elector's registration form, the 4296
ballot shall be set aside and the board shall examine, during 4297
the time prior to the beginning of the official canvass, the 4298
poll list or signature pollbook from the precinct in which the 4299
elector is registered to vote to determine if the elector also 4300
cast a provisional ballot under section 3505.181 of the Revised 4301
Code ~~in that precinct on the day of the election.~~ 4302

(2) The board of elections shall count the provisional 4303
ballot, instead of the uniformed services or overseas absent 4304
voter's ballot, of an elector from whom the ~~director~~ board has 4305
received an identification envelope purporting to contain that 4306
elector's voted uniformed services or overseas absent voter's 4307
ballots, if both of the following apply: 4308

(a) The board of elections determines that the signature 4309
of the elector on the outside of the identification envelope in 4310
which the uniformed services or overseas absent voter's ballots 4311
are enclosed does not match the signature of the elector on the 4312
elector's registration form; 4313

(b) The elector cast a provisional ballot in the ~~precinct~~ 4314
~~on the day of the election.~~ 4315

(3) If the board of elections does not receive the sealed 4316

identification envelope purporting to contain the elector's 4317
voted uniformed services or overseas absent voter's ballot by 4318
the applicable deadline established under section 3511.11 of the 4319
Revised Code, the provisional ballot cast under section 3505.181 4320
of the Revised Code ~~in that precinct on the day of the election~~ 4321
shall be counted as valid, if that provisional ballot is 4322
otherwise determined to be valid pursuant to section 3505.183 of 4323
the Revised Code. 4324

(D) If the board of elections counts a provisional ballot 4325
under division (C) (2) or (3) of this section, the returned 4326
identification envelope of that elector shall not be opened, and 4327
the ballot within that envelope shall not be counted. The 4328
identification envelope shall be endorsed "Not Counted" with the 4329
reason the ballot was not counted. 4330

Sec. 3599.21. (A) No person shall knowingly do any of the 4331
following: 4332

(1) Impersonate another, or make a false representation in 4333
order to obtain an absent voter's ballot; 4334

(2) Aid or abet a person to vote an absent voter's ballot 4335
illegally; 4336

(3) If the person is an election official, open, destroy, 4337
steal, mark, or mutilate any absent voter's ballot; 4338

(4) Aid or abet another person to open, destroy, steal, 4339
mark, or mutilate any absent voter's ballot after the ballot has 4340
been voted; 4341

(5) Delay the delivery of any absent voter's ballot with a 4342
view to preventing its arrival in time to be counted; 4343

(6) Hinder or attempt to hinder the delivery or counting 4344

of such absent voter's ballot; 4345

(7) Fail to forward to the appropriate election official 4346
an absent voter's ballot application entrusted to that person to 4347
so forward; 4348

(8) Fail to forward to the appropriate election official 4349
an absent voter's ballot application entrusted to that person to 4350
so forward within ten days after that application is completed 4351
or within such a time period that the failure to so forward the 4352
application disenfranchises the voter with respect to a 4353
particular election, whichever is earlier; 4354

(9) Return the absent voter's ballot of another to the 4355
office of a board of elections, unless either of the following 4356
apply: 4357

(a) The person is a relative who is authorized to do so 4358
under division (C) (1) of section 3509.05 of the Revised Code; 4359

(b) The person is, and is acting as, an employee or 4360
contractor of the United States postal service or a private 4361
carrier. 4362

(10) Except as authorized under Chapters 3509. and 3511. 4363
of the Revised Code, possess the absent voter's ballot of 4364
another. 4365

(B) (1) Subject to division (B) (2) of this section, no 4366
person who receives compensation for soliciting persons to apply 4367
to vote by absent voter's ballots shall fail to forward to the 4368
appropriate election official an absent voter's ballot 4369
application entrusted to that person to so forward within ten 4370
days after that application is completed. 4371

(2) No person who receives compensation for soliciting 4372

persons to apply to vote by absent voter's ballots shall fail to 4373
forward to the appropriate election official an absent voter's 4374
ballot application entrusted to that person to so forward within 4375
such a time period that the failure to so forward the 4376
application disenfranchises the voter with respect to a 4377
particular election. 4378

(C) Whoever violates division (A) or (B) of this section 4379
is guilty of a felony of the fourth degree. 4380

(D) As used in this section, "person who receives 4381
compensation for soliciting persons to apply to vote by absent 4382
voter's ballots" includes any effort, for compensation, to 4383
provide absent voter's ballot applications or to assist persons 4384
in completing those applications or returning them to the 4385
director of the board of elections of the county in which the 4386
applicant's voting residence is located. 4387

Sec. 4506.11. (A) Every commercial driver's license shall 4388
be marked "commercial driver's license" or "CDL" and shall be of 4389
such material and so designed as to prevent its reproduction or 4390
alteration without ready detection. The commercial driver's 4391
license for licensees under twenty-one years of age shall have 4392
characteristics prescribed by the registrar of motor vehicles 4393
distinguishing it from that issued to a licensee who is twenty- 4394
one years of age or older. Every commercial driver's license 4395
shall display all of the following information: 4396

(1) The name and residence address of the licensee; 4397

(2) A color photograph of the licensee showing the 4398
licensee's uncovered face; 4399

(3) A physical description of the licensee, including sex, 4400
height, weight, and color of eyes and hair; 4401

- (4) The licensee's date of birth; 4402
- (5) The licensee's social security number if the person 4403
has requested that the number be displayed in accordance with 4404
section 4501.31 of the Revised Code or if federal law requires 4405
the social security number to be displayed and any number or 4406
other identifier the director of public safety considers 4407
appropriate and establishes by rules adopted under Chapter 119. 4408
of the Revised Code and in compliance with federal law; 4409
- (6) The licensee's signature; 4410
- (7) The classes of commercial motor vehicles the licensee 4411
is authorized to drive and any endorsements or restrictions 4412
relating to the licensee's driving of those vehicles; 4413
- (8) The name of this state; 4414
- (9) The dates of issuance and of expiration of the 4415
license; 4416
- (10) If the licensee has certified willingness to make an 4417
anatomical gift under section 2108.05 of the Revised Code, any 4418
symbol chosen by the registrar of motor vehicles to indicate 4419
that the licensee has certified that willingness; 4420
- (11) If the licensee has executed a durable power of 4421
attorney for health care or a declaration governing the use or 4422
continuation, or the withholding or withdrawal, of life- 4423
sustaining treatment and has specified that the licensee wishes 4424
the license to indicate that the licensee has executed either 4425
type of instrument, any symbol chosen by the registrar to 4426
indicate that the licensee has executed either type of 4427
instrument; 4428
- (12) On and after October 7, 2009, if the licensee has 4429

specified that the licensee wishes the license to indicate that 4430
the licensee is a veteran, active duty, or reservist of the 4431
armed forces of the United States and has presented a copy of 4432
the licensee's DD-214 form or an equivalent document, any symbol 4433
chosen by the registrar to indicate that the licensee is a 4434
veteran, active duty, or reservist of the armed forces of the 4435
United States; 4436

(13) If the licensee is a noncitizen of the United States, 4437
a notation designating that the licensee is a noncitizen; 4438

(14) Any other information the registrar considers 4439
advisable and requires by rule. 4440

(B) The registrar may establish and maintain a file of 4441
negatives of photographs taken for the purposes of this section. 4442

(C) Neither the registrar nor any deputy registrar shall 4443
issue a commercial driver's license to anyone under twenty-one 4444
years of age that does not have the characteristics prescribed 4445
by the registrar distinguishing it from the commercial driver's 4446
license issued to persons who are twenty-one years of age or 4447
older. 4448

(D) Whoever violates division (C) of this section is 4449
guilty of a minor misdemeanor. 4450

Sec. 4507.13. (A) (1) The registrar of motor vehicles shall 4451
issue a driver's license to every person licensed as an operator 4452
of motor vehicles other than commercial motor vehicles. No 4453
person licensed as a commercial motor vehicle driver under 4454
Chapter 4506. of the Revised Code need procure a driver's 4455
license, but no person shall drive any commercial motor vehicle 4456
unless licensed as a commercial motor vehicle driver. 4457

(2) Every driver's license shall display all of the 4458

| | |
|---|--|
| following information: | 4459 |
| (a) The distinguishing number assigned to the licensee. | 4460 |
| (b) The licensee's name and date of birth; | 4461 |
| (c) The licensee's residence address and county of
residence; | 4462
4463 |
| (d) A color photograph of the licensee; | 4464 |
| (e) A brief description of the licensee for the purpose of
identification; | 4465
4466 |
| (f) A facsimile of the signature of the licensee as it
appears on the application for the license; | 4467
4468 |
| (g) A notation, in a manner prescribed by the registrar,
indicating any condition described in division (D) (3) of section
4507.08 of the Revised Code to which the licensee is subject; | 4469
4470
4471 |
| (h) If the licensee has executed a durable power of
attorney for health care or a declaration governing the use or
continuation, or the withholding or withdrawal, of life-
sustaining treatment and has specified that the licensee wishes
the license to indicate that the licensee has executed either
type of instrument, any symbol chosen by the registrar to
indicate that the licensee has executed either type of
instrument; | 4472
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| (i) If the licensee has specified that the licensee wishes
the license to indicate that the licensee is a veteran, active
duty, or reservist of the armed forces of the United States and
has presented a copy of the licensee's DD-214 form or an
equivalent document, any symbol chosen by the registrar to
indicate that the licensee is a veteran, active duty, or
reservist of the armed forces of the United States; | 4480
4481
4482
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4485
4486 |

(j) If the licensee is a noncitizen of the United States, 4487
a notation designating that the licensee is a noncitizen; 4488

(k) Any additional information that the registrar requires 4489
by rule. 4490

(3) No license shall display the licensee's social 4491
security number unless the licensee specifically requests that 4492
the licensee's social security number be displayed on the 4493
license. If federal law requires the licensee's social security 4494
number to be displayed on the license, the social security 4495
number shall be displayed on the license notwithstanding this 4496
section. 4497

(4) The driver's license for licensees under twenty-one 4498
years of age shall have characteristics prescribed by the 4499
registrar distinguishing it from that issued to a licensee who 4500
is twenty-one years of age or older, except that a driver's 4501
license issued to a person who applies no more than thirty days 4502
before the applicant's twenty-first birthday shall have the 4503
characteristics of a license issued to a person who is twenty- 4504
one years of age or older. 4505

(5) The driver's license issued to a temporary resident 4506
shall contain the word "nonrenewable" and shall have any 4507
additional characteristics prescribed by the registrar 4508
distinguishing it from a license issued to a resident. 4509

(6) Every driver's or commercial driver's license 4510
displaying a motorcycle operator's endorsement and every 4511
restricted license to operate a motor vehicle also shall display 4512
the designation "novice," if the endorsement or license is 4513
issued to a person who is eighteen years of age or older and 4514
previously has not been licensed to operate a motorcycle by this 4515

state or another jurisdiction recognized by this state. The 4516
"novice" designation shall be effective for one year after the 4517
date of issuance of the motorcycle operator's endorsement or 4518
license. 4519

(7) Each license issued under this section shall be of 4520
such material and so designed as to prevent its reproduction or 4521
alteration without ready detection. 4522

(B) Except in regard to a driver's license issued to a 4523
person who applies no more than thirty days before the 4524
applicant's twenty-first birthday, neither the registrar nor any 4525
deputy registrar shall issue a driver's license to anyone under 4526
twenty-one years of age that does not have the characteristics 4527
prescribed by the registrar distinguishing it from the driver's 4528
license issued to persons who are twenty-one years of age or 4529
older. 4530

(C) Whoever violates division (B) of this section is 4531
guilty of a minor misdemeanor. 4532

Sec. 4507.233. (A) Notwithstanding sections 4506.08, 4533
4507.23, 4507.24, 4507.50, and 4507.52 of the Revised Code, a 4534
person may apply for and obtain a replacement commercial 4535
driver's license, driver's license, or identification card 4536
without paying any fee, if all of the following apply: 4537

(1) The license or card is valid and its expiration date 4538
is not within ninety days of the date for renewal. 4539

(2) The license or card indicates the licensee or 4540
cardholder was a noncitizen. 4541

(3) At the time of application, the applicant is a United 4542
States citizen. 4543

(B) The applicant shall include any documentary evidence 4544
of United States citizenship with an application made under 4545
division (A) of this section as the registrar of motor vehicles 4546
may require by rule. 4547

(C) A replacement commercial driver's license, driver's 4548
license, or identification card issued under this section shall 4549
be identical to the license or card replaced, except that it 4550
shall no longer indicate that the licensee or cardholder is a 4551
noncitizen. 4552

(D) The registrar shall adopt rules in accordance with 4553
Chapter 119. of the Revised Code for purposes of implementing 4554
and administering this section. Notwithstanding any provision of 4555
section 121.95 of the Revised Code to the contrary, a regulatory 4556
restriction contained in a rule adopted under this section is 4557
not subject to sections 121.95 to 121.953 of the Revised Code. 4558

Sec. 4507.49. (A) (1) On the last business day of every 4559
month, each deputy registrar shall submit a verification form to 4560
the registrar of motor vehicles that contains the following 4561
information: 4562

(a) The number of identification cards and temporary 4563
identification cards issued or renewed under section 4507.50 of 4564
the Revised Code during the course of that month without payment 4565
of any fees; 4566

(b) The number of replacement identification cards issued 4567
under section 4507.52 of the Revised Code during the course of 4568
that month without payment of any fees. 4569

(2) The registrar shall establish the necessary 4570
verification form and the manner in which the form shall be 4571
submitted. 4572

(B) The registrar shall reimburse each deputy registrar 4573
for the deputy registrar's services in issuing identification 4574
cards, based on the information submitted in accordance with 4575
division (A) of this section, in the following amounts: 4576

(1) The amount established under section 4503.038 of the 4577
Revised Code for each card issued under section 4507.50 of the 4578
Revised Code that will expire on the applicant's birthday four 4579
years after the date of issuance; 4580

(2) Two times the amount established under section 4581
4503.038 of the Revised Code for each card issued under section 4582
4507.50 of the Revised Code that will expire on the applicant's 4583
birthday eight years after the date of issuance; 4584

(3) One dollar and fifty cents for the authentication of 4585
documents for each card issued under section 4507.50 of the 4586
Revised Code that will expire on the applicant's birthday four 4587
years after the date of issuance; 4588

(4) Three dollars for the authentication of documents for 4589
each card issued under section 4507.50 of the Revised Code that 4590
will expire on the applicant's birthday eight years after the 4591
date of issuance; 4592

(5) The amount established under section 4503.038 of the 4593
Revised Code for each replacement card issued under section 4594
4507.52 of the Revised Code. 4595

(C) The registrar may adopt any rules necessary to 4596
implement and administer this section. Notwithstanding any 4597
provision of section 121.95 of the Revised Code to the contrary, 4598
a regulatory restriction contained in a rule adopted under this 4599
section is not subject to sections 121.95 to 121.953 of the 4600
Revised Code. 4601

Sec. 4507.50. (A) (1) The registrar of motor vehicles or a 4602
deputy registrar shall issue an identification card to a person 4603
when all of the following apply: 4604

(a) The registrar or deputy registrar receives an 4605
application completed in accordance with section 4507.51 of the 4606
Revised Code and, if the person is under seventeen years of age, 4607
payment of the applicable fees. 4608

(b) The person is a resident or a temporary resident of 4609
this state. 4610

(c) The person is not licensed as an operator of a motor 4611
vehicle in this state or another licensing jurisdiction. 4612

(d) The person does not hold an identification card from 4613
another jurisdiction. 4614

(2) (a) The registrar of motor vehicles or a deputy 4615
registrar may issue a temporary identification card when all of 4616
the following apply: 4617

(i) The registrar or deputy registrar receives an 4618
application completed in accordance with section 4507.51 of the 4619
Revised Code and payment of the applicable fees. 4620

(ii) The person is a resident or temporary resident of 4621
this state. 4622

(iii) The person's Ohio driver's or commercial driver's 4623
license has been suspended or canceled. 4624

(iv) The person does not hold an identification card from 4625
another jurisdiction. 4626

(b) The temporary identification card shall be identical 4627
to an identification card, except that it shall be printed on 4628

its face with a statement that the card is valid during the 4629
effective dates of the suspension or cancellation of the 4630
cardholder's license, or until the birthday of the cardholder in 4631
the fourth year after the date on which it is issued, whichever 4632
is shorter. 4633

(c) The cardholder shall surrender the temporary 4634
identification card to the registrar or any deputy registrar 4635
before the cardholder's driver's or commercial driver's license 4636
is restored or reissued. 4637

(B) (1) Except as provided in division ~~(C)~~ or (D) of this 4638
section, an applicant who is under seventeen years of age shall 4639
pay the following fees prior to issuance of an identification 4640
card or a temporary identification card: 4641

(a) A fee of three dollars and fifty cents if the card 4642
will expire on the applicant's birthday four years after the 4643
date of issuance or a fee of six dollars if the card will expire 4644
on the applicant's birthday eight years after the date of 4645
issuance; 4646

(b) A fee equal to the amount established under section 4647
4503.038 of the Revised Code if the card will expire on the 4648
applicant's birthday four years after the date of issuance or 4649
twice that amount if the card will expire on the applicant's 4650
birthday eight years after the date of issuance; 4651

(c) A fee of one dollar and fifty cents if the card will 4652
expire on the applicant's birthday four years after the date of 4653
issuance or three dollars if the card will expire on the 4654
applicant's birthday eight years after the date of issuance, for 4655
the authentication of the documents required for processing an 4656
identification card or temporary identification card. A deputy 4657

registrar that authenticates the required documents shall retain 4658
the entire amount of the fee. 4659

(2) The fees collected for issuing an identification card 4660
under this section, except for any fees allowed to the deputy 4661
registrar, shall be paid into the state treasury to the credit 4662
of the public safety - highway purposes fund created in section 4663
4501.06 of the Revised Code. 4664

~~(C) A disabled veteran who has a service connected 4665
disability rated at one hundred per cent by the veterans' 4666
administration person seventeen years of age or older may apply 4667
to the registrar or a deputy registrar for the issuance to that 4668
veteran person of an identification card or a temporary 4669
identification card under this section without payment of any 4670
fee prescribed in division (B) of this section. 4671~~

~~An application made under this division shall be 4672
accompanied by such documentary evidence of disability as the 4673
registrar may require by rule. 4674~~

(D) A resident who is eligible for an identification card 4675
with an expiration date that is in accordance with division (A) 4676
(8) (b) of section 4507.52 of the Revised Code and who is 4677
~~currently unemployed under seventeen years of age may apply to 4678
the registrar or a deputy registrar for the issuance of an 4679
identification card under this section without payment of any 4680
fee as prescribed in division (B) of this section. 4681~~

An application made under division (D) of this section 4682
shall be accompanied by such documentary evidence of disability 4683
~~and unemployment as the registrar may require by rule. 4684~~

Sec. 4507.51. (A) (1) Every application for an 4685
identification card or duplicate shall be made on a form 4686

furnished or in a manner specified by the registrar of motor vehicles, shall be signed by the applicant, and by the applicant's parent or guardian if the applicant is under eighteen years of age, and shall contain the following information pertaining to the applicant: name, date of birth, sex, general description including the applicant's height, weight, hair color, and eye color, address, country of citizenship, and social security number. The application also shall include, for an applicant who has not already certified the applicant's willingness to make an anatomical gift under section 2108.05 of the Revised Code, whether the applicant wishes to certify willingness to make such an anatomical gift and shall include information about the requirements of sections 2108.01 to 2108.29 of the Revised Code that apply to persons who are less than eighteen years of age. The statement regarding willingness to make such a donation shall be given no consideration in the decision of whether to issue an identification card. Each applicant applying in person at a deputy registrar office shall be photographed in color at the time of making application.

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

(b) The application also shall state whether the applicant

is a veteran, active duty, or reservist of the armed forces of 4718
the United States and, if the applicant is such, whether the 4719
applicant wishes the identification card issued to indicate that 4720
the applicant is a veteran, active duty, or reservist of the 4721
armed forces of the United States by a military designation on 4722
the identification card. 4723

(3) The registrar or deputy registrar, in accordance with 4724
section 3503.11 of the Revised Code, shall register as an 4725
elector any person who applies for an identification card or 4726
duplicate if the applicant is eligible and wishes to be 4727
registered as an elector. The decision of an applicant whether 4728
to register as an elector shall be given no consideration in the 4729
decision of whether to issue the applicant an identification 4730
card or duplicate. 4731

(B) Except as provided in section 4507.061 of the Revised 4732
Code, the application for an identification card or duplicate 4733
shall be filed in the office of the registrar or deputy 4734
registrar. Each applicant shall present documentary evidence as 4735
required by the registrar of the applicant's age and identity, 4736
and the applicant shall swear that all information given is 4737
true. An identification card issued by the department of 4738
rehabilitation and correction under section 5120.59 of the 4739
Revised Code or an identification card issued by the department 4740
of youth services under section 5139.511 of the Revised Code 4741
shall be sufficient documentary evidence under this division 4742
upon verification of the applicant's social security number by 4743
the registrar or a deputy registrar. Upon issuing an 4744
identification card under this section for a person who has been 4745
issued an identification card under section 5120.59 or section 4746
5139.511 of the Revised Code, the registrar or deputy registrar 4747
shall destroy the identification card issued under section 4748

5120.59 or section 5139.511 of the Revised Code. 4749

All applications for an identification card or duplicate 4750
under this section shall be filed in duplicate, and if submitted 4751
to a deputy registrar, a copy shall be forwarded to the 4752
registrar. The registrar shall prescribe rules for the manner in 4753
which a deputy registrar is to file and maintain applications 4754
and other records. The registrar shall maintain a suitable, 4755
indexed record of all applications denied and cards issued or 4756
canceled. 4757

(C) In addition to any other information it contains, the 4758
form furnished by the registrar of motor vehicles for an 4759
application for an identification card or duplicate shall inform 4760
applicants that the applicant must present a copy of the 4761
applicant's DD-214 or an equivalent document in order to qualify 4762
to have the card or duplicate indicate that the applicant is an 4763
honorably discharged veteran of the armed forces of the United 4764
States based on a request made pursuant to division (A) (2) (b) of 4765
this section. 4766

Sec. 4507.52. (A) (1) Each identification card issued by 4767
the registrar of motor vehicles or a deputy registrar shall 4768
display a distinguishing number assigned to the cardholder, and 4769
shall display the following inscription: 4770

"STATE OF OHIO IDENTIFICATION CARD 4771

This card is not valid for the purpose of operating a 4772
motor vehicle. It is provided solely for the purpose of 4773
establishing the identity of the bearer described on the card, 4774
who currently is not licensed to operate a motor vehicle in the 4775
state of Ohio." 4776

(2) The identification card shall display substantially 4777

the same information as contained in the application and as 4778
described in division (A) (1) of section 4507.51 of the Revised 4779
Code, ~~but~~ including, if the cardholder is a noncitizen of the 4780
United States, a notation designating that the cardholder is a 4781
noncitizen. The identification card shall not display the 4782
cardholder's social security number unless the cardholder 4783
specifically requests that the cardholder's social security 4784
number be displayed on the card. If federal law requires the 4785
cardholder's social security number to be displayed on the 4786
identification card, the social security number shall be 4787
displayed on the card notwithstanding this section. 4788

(3) The identification card also shall display the color 4789
photograph of the cardholder. 4790

(4) If the cardholder has executed a durable power of 4791
attorney for health care or a declaration governing the use or 4792
continuation, or the withholding or withdrawal, of life- 4793
sustaining treatment and has specified that the cardholder 4794
wishes the identification card to indicate that the cardholder 4795
has executed either type of instrument, the card also shall 4796
display any symbol chosen by the registrar to indicate that the 4797
cardholder has executed either type of instrument. 4798

(5) If the cardholder has specified that the cardholder 4799
wishes the identification card to indicate that the cardholder 4800
is a veteran, active duty, or reservist of the armed forces of 4801
the United States and has presented a copy of the cardholder's 4802
DD-214 form or an equivalent document, the card also shall 4803
display any symbol chosen by the registrar to indicate that the 4804
cardholder is a veteran, active duty, or reservist of the armed 4805
forces of the United States. 4806

(6) The card shall be designed as to prevent its 4807

reproduction or alteration without ready detection. 4808

(7) The identification card for persons under twenty-one 4809
years of age shall have characteristics prescribed by the 4810
registrar distinguishing it from that issued to a person who is 4811
twenty-one years of age or older, except that an identification 4812
card issued to a person who applies no more than thirty days 4813
before the applicant's twenty-first birthday shall have the 4814
characteristics of an identification card issued to a person who 4815
is twenty-one years of age or older. 4816

(8) (a) Except as provided in division (A) (8) (b) of this 4817
section, every identification card issued to a resident of this 4818
state shall expire, unless canceled or surrendered earlier, on 4819
the birthday of the cardholder in the fourth or the eighth year 4820
after the date on which it is issued, based on the period of 4821
renewal requested by the applicant. 4822

(b) Upon request, the registrar or a deputy registrar 4823
shall issue an identification card to a resident of this state 4824
who is permanently or irreversibly disabled that shall expire, 4825
unless canceled or surrendered earlier, on the birthday of the 4826
cardholder in the eighth year after the date on which it is 4827
issued. The registrar shall issue a reminder notice to a 4828
cardholder, at the last known address of the cardholder, six 4829
months before the identification card is scheduled to expire. 4830
The registrar shall adopt rules governing the documentation a 4831
cardholder shall submit to certify that the cardholder is 4832
permanently or irreversibly disabled. 4833

As used in this section, "permanently or irreversibly 4834
disabled" means a condition of disability from which there is no 4835
present indication of recovery. 4836

(c) Every identification card issued to a temporary 4837
resident shall expire in accordance with rules adopted by the 4838
registrar and is nonrenewable, but may be replaced with a new 4839
identification card upon the applicant's compliance with all 4840
applicable requirements. 4841

(9) A cardholder may renew the cardholder's identification 4842
card within ninety days prior to the day on which it expires by 4843
filing an application and paying the prescribed fee, if 4844
required, in accordance with section 4507.50 of the Revised 4845
Code. 4846

(10) If a cardholder applies for a driver's or commercial 4847
driver's license in this state or another licensing 4848
jurisdiction, the cardholder shall surrender the cardholder's 4849
identification card to the registrar or any deputy registrar 4850
before the license is issued. 4851

(B) (1) If a card is lost, destroyed, or mutilated, the 4852
person to whom the card was issued may obtain a duplicate by 4853
doing both of the following: 4854

(a) Furnishing suitable proof of the loss, destruction, or 4855
mutilation to the registrar or a deputy registrar; 4856

(b) Filing an application and presenting documentary 4857
evidence under section 4507.51 of the Revised Code. 4858

(2) A cardholder may apply to obtain a reprint of the 4859
cardholder's identification card through electronic means in 4860
accordance with section 4507.40 of the Revised Code. 4861

(3) Any person who loses a card and, after obtaining a 4862
duplicate or reprint, finds the original, immediately shall 4863
surrender the original to the registrar or a deputy registrar. 4864

(4) A cardholder may obtain a replacement identification card that reflects any change of the cardholder's name by furnishing suitable proof of the change to the registrar or a deputy registrar and surrendering the cardholder's existing card. 4865
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~~(5) (a) When~~ (5) Except as provided in division (A) (6) or (7) of this section, when a cardholder applies for a duplicate or ~~reprint, or obtains a replacement identification card,~~ the cardholder shall pay ~~a fee of two~~ the following fees: 4870
4871
4872
4873

(a) Two dollars and fifty cents. ~~A;~~ 4874

(b) A deputy registrar shall be allowed an additional or service fee equal to the amount established under section 4503.038 of the Revised Code ~~for issuing a duplicate or replacement identification card.~~ 4875
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4877
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~~(b)~~ (6) The following cardholders may apply for a duplicate, reprint, or replacement identification card without payment of any fee prescribed in division (B) (5) of this section: 4879
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4881
4882

(a) A disabled veteran who is a cardholder and has a service-connected disability rated at one hundred per cent by the veterans' administration ~~may apply to the registrar or a deputy registrar for the issuance of a duplicate or replacement identification card without payment of any fee prescribed in this section or may apply to the registrar for a reprint identification card without payment of any fee prescribed in this section.~~ 4883
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~~(e)~~ ; 4891

(b) A resident who is permanently or irreversibly disabled and who is unemployed ~~may apply to the registrar or a deputy~~ 4892
4893

~~registrar for the issuance of a duplicate or replacement
identification card without payment of any fee prescribed in
this section or may apply to the registrar for a reprint
identification card without payment of any fee prescribed in
this section.~~ 4894
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~~(6)-(7) A cardholder who is seventeen years of age or
older may apply for a replacement identification card without
payment of any fee prescribed in division (B) (5) of this
section.~~ 4899
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(8) A duplicate, reprint, or replacement identification
card expires on the same date as the card it replaces. 4903
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(C) The registrar shall cancel any card upon determining 4905
that the card was obtained unlawfully, issued in error, or was 4906
altered. The registrar also shall cancel any card that is 4907
surrendered to the registrar or to a deputy registrar after the 4908
holder has obtained a duplicate, reprint, replacement, or 4909
driver's or commercial driver's license. 4910

(D) (1) No agent of the state or its political subdivisions 4911
shall condition the granting of any benefit, service, right, or 4912
privilege upon the possession by any person of an identification 4913
card. Nothing in this section shall preclude any publicly 4914
operated or franchised transit system from using an 4915
identification card for the purpose of granting benefits or 4916
services of the system. 4917

(2) No person shall be required to apply for, carry, or 4918
possess an identification card. 4919

(E) Except in regard to an identification card issued to a 4920
person who applies no more than thirty days before the 4921
applicant's twenty-first birthday, neither the registrar nor any 4922

deputy registrar shall issue an identification card to a person 4923
under twenty-one years of age that does not have the 4924
characteristics prescribed by the registrar distinguishing it 4925
from the identification card issued to persons who are twenty- 4926
one years of age or older. 4927

(F) Whoever violates division (E) of this section is 4928
guilty of a minor misdemeanor. 4929

Section 2. That existing sections 107.07, 111.16, 111.31, 4930
323.17, 3501.01, 3501.05, 3501.11, 3501.22, 3501.29, 3503.14, 4931
3503.15, 3503.16, 3503.19, 3503.28, 3505.18, 3505.181, 3505.182, 4932
3505.183, 3505.34, 3505.38, 3506.14, 3509.01, 3509.03, 3509.04, 4933
3509.05, 3509.051, 3509.06, 3509.07, 3509.08, 3509.09, 3509.10, 4934
3511.02, 3511.04, 3511.05, 3511.06, 3511.07, 3511.08, 3511.09, 4935
3511.10, 3511.11, 3511.13, 3599.21, 4506.11, 4507.13, 4507.50, 4936
4507.51, and 4507.52 of the Revised Code are hereby repealed. 4937

Section 3. That section 107.06 of the Revised Code is 4938
hereby repealed. 4939

Section 4. (A) It is the intent of the General Assembly to 4940
enact legislation that specifies the days and hours during which 4941
the boards of elections shall permit in-person absent voting 4942
before an election. 4943

(B) The Secretary of State shall prescribe by directive a 4944
uniform schedule of days and hours for in-person absent voting, 4945
consistent with section 3509.051 of the Revised Code, as amended 4946
by this act. The schedule shall reallocate the six hours of in- 4947
person absent voting on the day before election day that, before 4948
the effective date of this section, were prescribed by Directive 4949
2022-11. The Secretary of State shall do so by requiring the 4950
boards of elections to permit in-person absent voting during 4951

additional hours Monday through Friday of the week before the 4952
week of the election. 4953

Section 5. The General Assembly, applying the principle 4954
stated in division (B) of section 1.52 of the Revised Code that 4955
amendments are to be harmonized if reasonably capable of 4956
simultaneous operation, finds that the following sections, 4957
presented in this act as composites of the sections as amended 4958
by the acts indicated, are the resulting versions of the 4959
sections in effect prior to the effective date of the sections 4960
as presented in this act: 4961

Section 3501.29 of the Revised Code as amended by both 4962
S.B. 10 and S.B. 109 of the 130th General Assembly. 4963

Section 3505.18 of the Revised Code as amended by S.B. 47, 4964
S.B. 109, and S.B. 216, all of the 130th General Assembly. 4965

Section 3511.10 of the Revised Code as amended by both 4966
S.B. 205 and S.B. 238 of the 130th General Assembly. 4967