

As Introduced

134th General Assembly

Regular Session

2021-2022

H. B. No. 596

Representatives Miller, A., Hicks-Hudson

**Cosponsors: Representatives Crossman, Denson, Lepore-Hagan, Lightbody,
Miranda, Skindell, Smith, K., Smith, M., Troy, Weinstein**

A BILL

To amend sections 3511.021, 3511.05, 3511.07, 1
3511.08, 3511.09, 3511.11, and 3511.13 and to 2
enact section 3511.091 of the Revised Code to 3
allow certain uniformed services and overseas 4
absent voters to submit their voted ballots 5
electronically to the boards of elections. 6

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

Section 1. That sections 3511.021, 3511.05, 3511.07, 7
3511.08, 3511.09, 3511.11, and 3511.13 be amended and section 8
3511.091 of the Revised Code be enacted to read as follows: 9

Sec. 3511.021. (A) (1) The secretary of state shall 10
establish procedures that allow any person who is eligible to 11
vote as a uniformed services voter or an overseas voter in 12
accordance with 42 U.S.C. 1973ff-6 to apply by electronic means 13
to the office of the secretary of state or to the board of 14
elections of the county in which the person's voting residence 15
is located for a uniformed services or overseas absent voter's 16
ballot. 17

(2) The procedures shall allow such a person who requests a uniformed services or overseas absent voter's ballot application to express a preference for the manner in which the person will receive the requested application, whether by mail, facsimile transmission, electronic mail, or, if offered by the board of elections or the secretary of state, through internet delivery. If the person completes and timely returns the application and the applicant is eligible to receive a ballot, the procedures shall allow the applicant to express a preference for the manner in which the person will receive the requested blank, unvoted ballots, whether by mail, facsimile transmission, electronic mail, or, if offered by the board of elections or the secretary of state, through internet delivery. The requested items shall be transmitted by the board of elections of the county in which the person's voting residence is located by the preferred method. If the requestor does not express a preferred method, the requested items shall be delivered via standard mail.

(3) To the extent practicable, the procedures shall protect the security and integrity of the ballot request and delivery process, and protect the privacy of the identity and personal data of the person when such applications and ballots are requested, processed, and sent.

(4) ~~No~~ Except as permitted under section 3511.091 of the Revised Code, no person shall return by electronic means to the secretary of state, a board of elections, or any other entity a completed or voted uniformed services or overseas absent voter's ballot. If a ballot is ~~so~~ returned in violation of this division, the ballot shall not be accepted, processed, or counted.

(B) (1) The secretary of state, in coordination with the boards of elections, shall establish a free access system by which an absent uniformed services voter or overseas voter may determine the following:

(a) Whether that person's request for a uniformed services or overseas absent voter's ballot was received and processed;

(b) If the person's request was received and processed, when the uniformed services or overseas absent voter's ballot was sent;

(c) Whether ~~any~~ the person's uniformed services or overseas absent voter's ballot ~~returned by that person~~ has been received by election officials;

(d) Whether the board of elections found any error on the identification envelope ~~containing the person's returned~~ uniformed services or overseas absent voter's ballot statement of voter and, if so, how the person may correct any error within ten days after the day of an election; and

(e) Whether the person's uniformed services or overseas absent voter's ballot was counted.

(2) The appropriate state or local election official shall establish and maintain reasonable procedures necessary to protect the security, confidentiality, and integrity of personal information that is confidential under state or federal law that is collected, stored, or otherwise used by the free access system established under division (B) of this section. Access to information about the votes cast on an individual ballot shall be restricted to the person who cast the ballot. To the extent practicable, the procedures shall protect the security and integrity of the process and protect the privacy of the identity

and personal data of the person. 77

Sec. 3511.05. ~~(A)~~ (A) (1) The director of the board of 78
elections shall place uniformed services or overseas absent 79
voter's ballots sent by mail in an unsealed identification 80
envelope, gummed ready for sealing. ~~The~~ 81

(2) The director shall include with uniformed services or 82
overseas absent voter's ballots sent electronically, including 83
by facsimile machine, an instruction sheet for preparing a 84
gummed identification envelope in which the ballots shall be 85
returned and attaching the identification envelope statement of 86
voter to the face of the identification envelope, if the ballots 87
are to be returned by mail or by personal delivery. 88

(3) The director shall include with all uniformed services 89
or overseas absent voter's ballots a copy of the list described 90
in division (C) of section 3511.091 of the Revised Code and 91
instructions for the voter, if eligible, to submit the voted 92
ballots, the identification envelope statement of voter, and any 93
required additional identification document electronically to 94
the board of elections under that section. 95

(4) The envelope for returning uniformed services or 96
overseas absent voter's ballots sent by either means shall have 97
printed or written on its face be accompanied by a form 98
substantially as follows, which shall be printed or written on 99
the face of the identification envelope in the case of ballots 100
sent to the voter by mail: 101

"Identification Envelope Statement of Voter 102

I, _____ (Name of voter), declare under 103
penalty of election falsification that ~~the within my~~ ballot or 104
ballots contained no voting marks of any kind when I received 105

them, and I ~~caused~~ marked the ballot or ballots ~~to be marked,~~ 106
If I am returning my ballot or ballots by mail or personal 107
delivery, I have enclosed them in the identification envelope, 108
and sealed ~~in that~~ the envelope. 109

My voting residence in Ohio is 110

_____ 111

(Street and Number, if any, or Rural Route and Number) 112

of _____ (City, Village, or Township) 113

Ohio, which is in Ward _____ Precinct _____ 114

in that city, village, or township. 115

If I have a confidential voter registration record, I am 116

providing my program participant identification number instead 117

of my residence address: _____ 118

~~The~~ If this is a primary election ~~ballots, if any, within~~ 119

~~this envelope are~~ I am casting primary election ballots of the 120

_____ Party. 121

~~Ballots contained within this envelope are to be voted at~~ 122

I am casting ballots for the _____ (general, special, or 123

primary) election to be held on the _____ 124

day of _____, ____ 125

My date of birth is _____ (Month and Day), 126

_____ (Year). 127

(Voter must provide one of the following:) 128

My driver's license number is _____ (Driver's 129

license number). 130

The last four digits of my Social Security Number are 131

_____ (Last four digits of Social Security Number). 132

_____ In lieu of providing a driver's license number or 133
the last four digits of my Social Security Number, I am 134
enclosing a copy of one of the following in the return envelope 135
in which this identification envelope will be mailed or, if I am 136
submitting my voted ballots electronically, I am including a 137
copy of one of the following with my submission: a current and 138
valid photo identification, a military identification, or a 139
current utility bill, bank statement, government check, 140
paycheck, or other government document, other than a notice of 141
voter registration mailed by a board of elections, that shows my 142
name and address. 143

If I am submitting my voted ballots electronically, I 144
affirm that I am eligible to do so. 145

I hereby declare, under penalty of election falsification, 146
that the statements above are true, as I verily believe. 147

(Signature of Voter) 148
149

(Location of signing) 150
151

(Local date and time of signing) 152
153

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF 154
THE FIFTH DEGREE." 155

(B) The director shall also mail with the ballots and the 156
unsealed identification envelope sent by mail an unsealed return 157
envelope, gummed, ready for sealing, for use by the voter in 158
returning the voter's marked ballots to the director. The 159

director shall send with the ballots and the instruction sheet 160
for preparing a gummed envelope sent electronically, including 161
by facsimile machine, an instruction sheet for preparing a 162
second gummed envelope as described in this division, for use by 163
the voter in returning that voter's marked ballots to the 164
director. The return envelope shall have two parallel lines, 165
each one quarter of an inch in width, printed across its face 166
paralleling the top, with an intervening space of one quarter of 167
an inch between such lines. The top line shall be one and one- 168
quarter inches from the top of the envelope. Between the 169
parallel lines shall be printed: "OFFICIAL ELECTION UNIFORMED 170
SERVICES OR OVERSEAS ABSENT VOTER'S BALLOTS -- VIA AIR MAIL." 171
Three blank lines shall be printed in the upper left corner on 172
the face of the envelope for the use by the voter in placing the 173
voter's complete military, naval, or mailing address on these 174
lines, ~~and beneath these lines there shall be printed a box~~ 175
~~beside the words "check if out of country." The voter shall~~ 176
~~check this box if the voter will be outside the United States on~~ 177
~~the day of the election.~~ The official title and the post-office 178
address of the director to whom the envelope shall be returned 179
shall be printed on the face of such envelope in the lower right 180
portion below the bottom parallel line. 181

(C) On the back of each identification envelope and each 182
return envelope shall be printed the following: 183

"Instructions to voter: 184

If the flap on this envelope is so firmly stuck to the 185
back of the envelope when received by you as to require forcible 186
opening in order to use it, open the envelope in the manner 187
least injurious to it, and, after marking your ballots and 188
enclosing same in the envelope for mailing them to the director 189

of the board of elections, reclose the envelope in the most 190
practicable way, by sealing or otherwise, and sign the blank 191
form printed below. 192

The flap on this envelope was firmly stuck to the back of 193
the envelope when received, and required forced opening before 194
sealing and mailing. 195

_____ 196

(Signature of voter)" 197

(D) Division (C) of this section does not apply when 198
absent voter's ballots are sent electronically, including by 199
facsimile machine. 200

(E) Except as otherwise provided in this division and in 201
sections 3505.24 and 3509.08 of the Revised Code, an election 202
official shall not fill out any portion of an identification 203
envelope statement of voter or an absent voter's ballot on 204
behalf of an elector. A board of elections may preprint only an 205
elector's name and address on an identification envelope 206
statement of voter before mailing or electronically transmitting 207
absent voter's ballots to the elector, except that if the 208
elector has a confidential voter registration record, as 209
described in section 111.44 of the Revised Code, the board of 210
elections shall not preprint the elector's address on the 211
identification envelope statement of voter. 212

Sec. 3511.07. When mailing unsealed identification 213
envelopes and unsealed return envelopes to persons, the director 214
of the board of elections shall insert a sheet of waxed paper or 215
other appropriate insert between the gummed flap and the back of 216
each of such envelopes to minimize the possibility that the flap 217
may become firmly stuck to the back of the envelope by reason of 218

moisture, humid atmosphere, or other conditions to which they 219
may be subjected. If the flap on either of such envelopes should 220
be so firmly stuck to the back of the envelope when it is 221
received by the voter as to require forcible opening of the 222
envelope in order to use it, the voter shall open such envelope 223
in the manner least injurious to it, ~~and~~. If the voter is 224
returning the voter's ballots by mail or personal delivery, 225
after marking ~~his~~ the voter's ballots and enclosing them in the 226
envelope for mailing to the director, ~~he~~ the voter shall reclose 227
such envelope in the most practicable way, by sealing it or 228
otherwise, and shall sign the blank form printed on the back of 229
such envelope. 230

Sec. 3511.08. The director of the board of elections shall 231
keep a record of the name and address of each person to whom the 232
director mails or delivers uniformed services or overseas absent 233
voter's ballots, the kinds of ballots so mailed or delivered, 234
and the name and address of the person who made the application 235
for such ballots. After the director has mailed or delivered 236
such ballots the director shall not mail or deliver additional 237
ballots of the same kind to such person pursuant to a subsequent 238
request unless such subsequent request contains the statement 239
that an earlier request had been sent to the director prior to 240
the thirtieth day before the election and that the uniformed 241
services or overseas absent voter's ballots so requested had not 242
been received by such person prior to the fifteenth day before 243
the election, and provided that the director has not received ~~an~~ 244
~~identification envelope purporting to contain marked~~ uniformed 245
services or overseas absent voter's ballots ~~from such~~ purporting 246
to be cast by the person. 247

Sec. 3511.09. (A) (1) Upon receiving uniformed services or 248
overseas absent voter's ballots, the elector shall ~~cause the~~ 249

answer the questions on the face of the identification envelope 250
to be answered, statement of voter and, by writing the elector's 251
usual signature in the proper place on the identification 252
envelope statement of voter, the elector shall declare under 253
penalty of election falsification that the answers to those 254
questions are true and correct to the best of the elector's 255
knowledge and belief. ~~Then, the~~ If the elector does not provide 256
the elector's driver's license number or the last four digits of 257
the elector's social security number on the statement of voter 258
on the identification envelope, the elector shall submit a copy 259
of the elector's current valid photo identification, a copy of a 260
military identification, or a copy of a current utility bill, 261
bank statement, government check, paycheck, or other government 262
document, other than a notice of voter registration mailed by a 263
board of elections under section 3503.19 of the Revised Code, 264
that shows the name and address of the elector. 265

(2) The elector shall note whether there are any voting 266
marks on the ballot. If there are any voting marks, the ballot 267
shall be returned immediately to the board of elections; 268
otherwise, the elector shall ~~cause mark~~ the ballot to be marked, 269
~~folded.~~ 270

(B) (1) Except as otherwise permitted under division (B) (2) 271
of this section, the elector then shall fold the ballot 272
separately so as to conceal the markings on it, ~~deposited~~ 273
deposit it in the identification envelope, and securely ~~sealed~~ 274
~~in seal~~ the identification envelope. The elector then shall 275
~~cause place~~ the identification envelope ~~to be placed~~ within the 276
return envelope along with any required additional 277
identification document, as described in division (A) (1) of this 278
section, sealed in seal the return envelope, and ~~mailed mail it~~ 279
to the director of the board of elections to whom it is 280

addressed. The ballot shall be submitted for mailing not later 281
than ~~12:01 a.m. at the place where the voter completes the~~ 282
~~ballot, the close of the polls~~ on the date of the election. ~~If~~ 283
~~the elector does not provide the elector's driver's license~~ 284
~~number or the last four digits of the elector's social security~~ 285
~~number on the statement of voter on the identification envelope,~~ 286
~~the elector also shall include in the return envelope with the~~ 287
~~identification envelope a copy of the elector's current valid~~ 288
~~photo identification, a copy of a military identification, or a~~ 289
~~copy of a current utility bill, bank statement, government~~ 290
~~check, paycheck, or other government document, other than a~~ 291
~~notice of voter registration mailed by a board of elections~~ 292
~~under section 3503.19 of the Revised Code, that shows the name~~ 293
~~and address of the elector. Each elector who will be outside the~~ 294
~~United States on the day of the election shall check the box on~~ 295
~~the return envelope indicating this fact and shall mail the~~ 296
~~return envelope to the director prior to the close of the polls~~ 297
~~on election day.~~ 298

~~Every uniformed services or overseas absent voter's ballot~~ 299
~~identification envelope shall be accompanied by the following~~ 300
~~statement in boldface capital letters: WHOEVER COMMITS ELECTION~~ 301
~~FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.~~ 302

(2) If the elector is eligible to do so, the elector 303
instead may submit the elector's ballot electronically to the 304
board of elections under section 3511.091 of the Revised Code. 305
The elector shall submit the elector's ballot, the completed 306
identification envelope statement of voter, and any required 307
additional identification document, as described in division (A) 308
(1) of this section, not later than the close of the polls on 309
the date of the election. 310

Sec. 3511.091. (A) The secretary of state shall prescribe 311
one or more secure and private methods for an elector described 312
in division (B) of this section to submit the elector's voted 313
uniformed services or overseas absent voter's ballots by 314
electronic means to the appropriate board of elections, in 315
accordance with section 3511.09 of the Revised Code. 316

(B) An elector to whom both of the following apply may 317
submit the elector's voted absent voter's ballots electronically 318
to the appropriate board of elections under division (A) of this 319
section: 320

(1) The elector is one of the following: 321

(a) A uniformed services voter; 322

(b) An overseas voter who is an employee or contractor of 323
the United States government or who is a spouse or dependent of 324
such an overseas voter. 325

(2) Any of the following apply to the elector at the time 326
the elector applies to vote by absent voter's ballots or at any 327
time after the elector applies, through the close of the polls 328
on the day of the election: 329

(a) The elector is a uniformed services voter or overseas 330
voter who serves, works, or stays in an area currently 331
designated as a combat zone by executive order of the president 332
of the United States. 333

(b) The elector is a uniformed services voter whose 334
current service is designated by the United States department of 335
defense as being in direct support of military operations in a 336
combat zone. 337

(c) The elector is a uniformed services voter whose 338

current service qualifies for hazardous duty pay under 339
subsection (a) (1) or (3) of 37 U.S.C. 351. 340

(d) The secretary of state determines that, because of 341
circumstances related to the elector's status described in 342
division (B) (1) of this section, it is impracticable for the 343
elector to return the elector's absent voter's ballots to the 344
appropriate board of elections by mail or by personal delivery. 345

(C) Not later than the sixtieth day before the day of an 346
election, the secretary of state shall compile a list of the 347
following, shall make the list available to the boards of 348
elections and to the public on the secretary of state's official 349
web site, and shall update the list as needed through the close 350
of the polls on the day of the election: 351

(1) All areas that are currently designated as combat 352
zones by executive order of the president of the United States; 353

(2) All categories of current service that are designated 354
by the United States department of defense as being in direct 355
support of military operations in a combat zone; 356

(3) All categories of current service that qualify for 357
hazardous duty pay under subsection (a) (1) or (3) of 37 U.S.C. 358
351; 359

(4) Any additional category of electors described in 360
division (B) (1) of this section for whom the secretary of state 361
determines that, because of circumstances related to the 362
elector's status described in that division, it is impracticable 363
to return the elector's absent voter's ballots to the 364
appropriate board of elections by mail or by personal delivery. 365

Sec. 3511.11. ~~(A)~~ (A) (1) Upon receipt of any return 366
envelope bearing the designation "Official Election Uniformed 367

Services or Overseas Absent Voter's Ballot" prior to the 368
eleventh day after the day of any election, the director of the 369
board of elections shall open it but shall not open the 370
identification envelope contained in it. If, upon so opening the 371
return envelope, the director finds ballots in it that are not 372
enclosed in and properly sealed in the identification envelope, 373
the director shall not look at the markings upon the ballots and 374
shall promptly place them in the identification envelope and 375
promptly seal it. If, upon so opening the return envelope, the 376
director finds that ballots are enclosed in the identification 377
envelope but that it is not properly sealed, the director shall 378
not look at the markings upon the ballots and shall promptly 379
seal the identification envelope. 380

(2) Upon receiving voted uniformed services or overseas 381
absent voter's ballots electronically under section 3511.091 of 382
the Revised Code, a bipartisan team of election officials shall 383
do all of the following in accordance with procedures prescribed 384
by the secretary of state: 385

(a) Print or otherwise create a faithful paper version of 386
the marked ballots, the completed identification envelope 387
statement of voter, and any additional identification document 388
submitted with the ballots and refrain from disclosing the 389
markings on the ballots to any person; 390

(b) Attach the identification envelope statement of voter 391
to the face of an identification envelope and seal the ballots 392
in the envelope; 393

(c) Attach any additional identification document 394
submitted with the ballots to the identification envelope. 395

(B) Uniformed services or overseas absent voter's ballots 396

delivered to the director or received electronically by the 397
board of elections not later than the close of the polls on 398
election day shall be processed and counted in the manner 399
provided in section 3509.06 of the Revised Code. 400

~~(C)(1)~~ (1) A return envelope is not required to be 401
postmarked in order for a uniformed services or overseas absent 402
voter's ballot contained in it to be valid. Except as otherwise 403
provided in ~~this division~~ (D) of this section, whether or not 404
the return envelope containing the ballot is postmarked, 405
contains a late postmark, or contains an illegible postmark, a 406
uniformed services or overseas absent voter's ballot that is 407
received after the close of the polls on election day through 408
the tenth day after the election day shall be processed and 409
counted on the eleventh day after the election day at the office 410
of the board of elections in the manner provided in section 411
3509.06 of the Revised Code ~~if the voter signed the~~ 412
~~identification envelope by the time specified in section 3511.09~~ 413
~~of the Revised Code. However, if a return envelope containing a~~ 414
~~uniformed services or overseas absent voter's ballot is so~~ 415
~~received and so indicates, but the identification envelope in it~~ 416
~~is signed after the close of the polls on election day, the~~ 417
~~uniformed services or overseas absent voter's ballot shall not~~ 418
~~be counted.~~ 419

(2) Except as otherwise provided in division (D) of this 420
section, a uniformed services or overseas absent voter's ballot 421
that is received electronically by the board of elections after 422
the close of the polls on election day through the tenth day 423
after the election day shall be processed and counted on the 424
eleventh day after the election day at the office of the board 425
of elections in the manner provided in section 3509.06 of the 426
Revised Code. 427

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

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

(2) Uniformed services or overseas absent voter's ballots
~~contained in return envelopes that bear that designation and~~
that are delivered to the director or received electronically by
the board of elections after the tenth day following the
election.

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

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

~~(B)(1)~~ (B) If a registered elector appears to vote in that
precinct and that elector has requested a uniformed services or
overseas absent voter's ballot for that election ~~but the~~
~~director has not received a sealed identification envelope~~

~~purporting to contain that elector's voted uniformed services or~~ 457
~~overseas absent voter's ballots for that election,~~ the elector 458
shall be permitted to cast a provisional ballot under section 459
3505.181 of the Revised Code in that precinct on the day of that 460
election, regardless of whether the board of elections has 461
received a voted uniformed services or overseas absent voter's 462
ballot purporting to be cast by the elector. 463

~~(2) If a registered elector appears to vote in that~~ 464
~~precinct and that elector has requested a uniformed services or~~ 465
~~overseas absent voter's ballot for that election and the~~ 466
~~director has received a sealed identification envelope~~ 467
~~purporting to contain that elector's voted uniformed services or~~ 468
~~overseas absent voter's ballots for that election,~~ the elector 469
shall be permitted to cast a provisional ballot under section 470
3505.181 of the Revised Code in that precinct on the day of that 471
election. 472

(C) (1) In counting uniformed services or overseas absent 473
voter's ballots under section 3511.11 of the Revised Code, the 474
board of elections shall compare the signature ~~of each elector~~ 475
~~from whom the director has received a sealed~~ on the 476
identification envelope ~~purporting to contain that elector's~~ 477
~~voted uniformed services or overseas absent voter's ballots for~~ 478
~~that election~~ statement of voter to the signature on the 479
elector's registration form. Except as otherwise provided in 480
division (C) (3) of this section, if the board of elections 481
determines that the uniformed services or overseas absent 482
voter's ballot ~~in the sealed identification envelope~~ is valid, 483
it shall be counted. If the board of elections determines that 484
the signature on the ~~sealed~~ identification envelope ~~purporting~~ 485
~~to contain the elector's voted uniformed services or overseas~~ 486
~~absent voter's ballot~~ statement of voter does not match the 487

signature on the elector's registration form, the ballot shall 488
be set aside and the board shall examine, during the time prior 489
to the beginning of the official canvass, the poll list or 490
signature pollbook from the precinct in which the elector is 491
registered to vote to determine if the elector ~~also~~ cast a 492
provisional ballot under section 3505.181 of the Revised Code in 493
that precinct on the day of the election. 494

(2) ~~The~~ If the elector cast a provisional ballot in the 495
precinct on the day of the election and the provisional ballot 496
is otherwise determined to be valid pursuant to section 3505.183 497
of the Revised Code, the board of elections shall count the 498
provisional ballot, instead of ~~the~~ any uniformed services or 499
overseas absent voter's ballot, ~~of an elector from whom the~~ 500
~~director has received an identification envelope purporting to~~ 501
~~contain that elector's voted uniformed services or overseas~~ 502
~~absent voter's ballots~~ be cast by the elector, if ~~both~~ either of 503
the following apply: 504

(a) The board of elections determines that the signature 505
~~of the elector on the outside of the identification envelope in~~ 506
~~which the uniformed services or overseas absent voter's ballots~~ 507
~~are enclosed~~ statement of voter does not match the signature of 508
the elector on the elector's registration form; 509

(b) ~~The elector cast a provisional ballot in the precinct~~ 510
~~on the day of the election.~~ 511

~~(3) If the board of elections does not receive the sealed~~ 512
~~identification envelope purporting to contain the elector's~~ 513
~~voted a~~ uniformed services or overseas absent voter's ballot 514
purporting to be cast by the elector ~~by the applicable deadline~~ 515
~~established under section 3511.11 of the Revised Code, the~~ 516
~~provisional ballot cast under section 3505.181 of the Revised~~ 517

~~Code in that precinct on tenth day after the day of the~~ 518
~~election shall be counted as valid, if that provisional ballot~~ 519
~~is otherwise determined to be valid pursuant to section 3505.183~~ 520
~~of the Revised Code.~~ 521

(D) If the board of elections counts a provisional ballot 522
under division (C) (2) ~~or (3)~~ of this section, the ~~returned~~ 523
identification envelope ~~of containing a uniformed services or~~ 524
~~overseas absent voter's ballot cast by~~ that elector shall not be 525
opened, and the ballot ~~within that envelope~~ shall not be 526
counted. The identification envelope shall be endorsed "Not 527
Counted" with the reason the ballot was not counted. 528

Section 2. That existing sections 3511.021, 3511.05, 529
3511.07, 3511.08, 3511.09, 3511.11, and 3511.13 of the Revised 530
Code are hereby repealed. 531