

As Introduced

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H. B. No. 641

Representative Skindell

**Cosponsors: Representatives Humphrey, Miller, A., Troy, Lepore-Hagan, O'Brien,
Ingram, Smith, K., Hicks-Hudson, Brent, Galonski, Davis, West**

A BILL

To amend sections 3501.05, 3501.11, 3503.14, 1
3503.20, and 3503.28 and to enact section 2
3509.11 of the Revised Code to create a 3
permanent absent voter list. 4

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

Section 1. That sections 3501.05, 3501.11, 3503.14, 5
3503.20, and 3503.28 be amended and section 3509.11 of the 6
Revised Code be enacted to read as follows: 7

Sec. 3501.05. The secretary of state shall do all of the 8
following: 9

(A) Appoint all members of boards of elections; 10

(B) Issue instructions by directives and advisories in 11
accordance with section 3501.053 of the Revised Code to members 12
of the boards as to the proper methods of conducting elections. 13

(C) Prepare rules and instructions for the conduct of 14
elections; 15

(D) Publish and furnish to the boards from time to time a 16

sufficient number of indexed copies of all election laws then in force;	17 18
(E) Edit and issue all pamphlets concerning proposed laws or amendments required by law to be submitted to the voters;	19 20
(F) Prescribe the form of registration cards, blanks, and records;	21 22
(G) Determine and prescribe the forms of ballots and the forms of all blanks, cards of instructions, pollbooks, tally sheets, certificates of election, and forms and blanks required by law for use by candidates, committees, and boards;	23 24 25 26
(H) Prepare the ballot title or statement to be placed on the ballot for any proposed law or amendment to the constitution to be submitted to the voters of the state;	27 28 29
(I) Except as otherwise provided in section 3519.08 of the Revised Code, certify to the several boards the forms of ballots and names of candidates for state offices, and the form and wording of state referendum questions and issues, as they shall appear on the ballot;	30 31 32 33 34
(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;	35 36 37 38 39
(K) Receive all initiative and referendum petitions on state questions and issues and determine and certify to the sufficiency of those petitions;	40 41 42
(L) Require such reports from the several boards as are provided by law, or as the secretary of state considers	43 44

necessary; 45

(M) Compel the observance by election officers in the 46
several counties of the requirements of the election laws; 47

(N) (1) Except as otherwise provided in division (N) (2) of 48
this section, investigate the administration of election laws, 49
frauds, and irregularities in elections in any county, and 50
report violations of election laws to the attorney general or 51
prosecuting attorney, or both, for prosecution; 52

(2) On and after August 24, 1995, report a failure to 53
comply with or a violation of a provision in sections 3517.08 to 54
3517.13, 3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised 55
Code, whenever the secretary of state has or should have 56
knowledge of a failure to comply with or a violation of a 57
provision in one of those sections, by filing a complaint with 58
the Ohio elections commission under section 3517.153 of the 59
Revised Code. 60

(O) Make an annual report to the governor containing the 61
results of elections, the cost of elections in the various 62
counties, a tabulation of the votes in the several political 63
subdivisions, and other information and recommendations relative 64
to elections the secretary of state considers desirable; 65

(P) Prescribe and distribute to boards of elections a list 66
of instructions indicating all legal steps necessary to petition 67
successfully for local option elections under sections 4301.32 68
to 4301.41, 4303.29, 4305.14, and 4305.15 of the Revised Code; 69

(Q) Adopt rules pursuant to Chapter 119. of the Revised 70
Code for the removal by boards of elections of ineligible voters 71
from the statewide voter registration database and, if 72
applicable, from the poll list or signature pollbook used in 73

each precinct, which rules shall provide for all of the 74
following: 75

(1) A process for the removal of voters who have changed 76
residence, which shall be uniform, nondiscriminatory, and in 77
compliance with the Voting Rights Act of 1965 and the National 78
Voter Registration Act of 1993, including a program that uses 79
the national change of address service provided by the United 80
States postal system through its licensees; 81

(2) A process for the removal of ineligible voters under 82
section 3503.21 of the Revised Code; 83

(3) A uniform system for marking or removing the name of a 84
voter who is ineligible to vote from the statewide voter 85
registration database and, if applicable, from the poll list or 86
signature pollbook used in each precinct and noting the reason 87
for that mark or removal. 88

(R) Prescribe a general program for registering voters or 89
updating voter registration information, such as name and 90
residence changes, by boards of elections, designated agencies, 91
offices of deputy registrars of motor vehicles, public high 92
schools and vocational schools, public libraries, and offices of 93
county treasurers consistent with the requirements of section 94
3503.09 of the Revised Code; 95

(S) Prescribe a program of distribution of voter 96
registration forms through boards of elections, designated 97
agencies, offices of the registrar and deputy registrars of 98
motor vehicles, public high schools and vocational schools, 99
public libraries, and offices of county treasurers; 100

(T) To the extent feasible, provide copies, at no cost and 101
upon request, of the voter registration form in post offices in 102

this state;	103
(U) Adopt rules pursuant to section 111.15 of the Revised Code for the purpose of implementing the program for registering voters through boards of elections, designated agencies, and the offices of the registrar and deputy registrars of motor vehicles consistent with this chapter;	104 105 106 107 108
(V) Establish the full-time position of Americans with Disabilities Act coordinator within the office of the secretary of state to do all of the following:	109 110 111
(1) Assist the secretary of state with ensuring that there is equal access to polling places for persons with disabilities;	112 113
(2) Assist the secretary of state with ensuring that each voter may cast the voter's ballot in a manner that provides the same opportunity for access and participation, including privacy and independence, as for other voters;	114 115 116 117
(3) Advise the secretary of state in the development of standards for the certification of voting machines, marking devices, and automatic tabulating equipment.	118 119 120
(W) Establish and maintain a computerized statewide database of all legally registered voters under section 3503.15 of the Revised Code that complies with the requirements of the "Help America Vote Act of 2002," Pub. L. No. 107-252, 116 Stat. 1666, and provide training in the operation of that system;	121 122 123 124 125
(X) Ensure that all directives, advisories, other instructions, or decisions issued or made during or as a result of any conference or teleconference call with a board of elections to discuss the proper methods and procedures for conducting elections, to answer questions regarding elections, or to discuss the interpretation of directives, advisories, or	126 127 128 129 130 131

other instructions issued by the secretary of state are posted 132
on a web site of the office of the secretary of state as soon as 133
is practicable after the completion of the conference or 134
teleconference call, but not later than the close of business on 135
the same day as the conference or teleconference call takes 136
place. 137

(Y) Publish a report on a web site of the office of the 138
secretary of state not later than one month after the completion 139
of the canvass of the election returns for each primary and 140
general election, identifying, by county, the number of absent 141
voter's ballots cast and the number of those ballots that were 142
counted, and the number of provisional ballots cast and the 143
number of those ballots that were counted, for that election. 144
The secretary of state shall maintain the information on the web 145
site in an archive format for each subsequent election. 146

(Z) Conduct voter education outlining voter 147
identification, absent voters ballot, provisional ballot, and 148
other voting requirements; 149

(AA) Establish a procedure by which a registered elector 150
may make available to a board of elections a more recent 151
signature to be used in the poll list or signature pollbook 152
produced by the board of elections of the county in which the 153
elector resides; 154

(BB) Disseminate information, which may include all or 155
part of the official explanations and arguments, by means of 156
direct mail or other written publication, broadcast, or other 157
means or combination of means, as directed by the Ohio ballot 158
board under division (F) of section 3505.062 of the Revised 159
Code, in order to inform the voters as fully as possible 160
concerning each proposed constitutional amendment, proposed law, 161

or referendum; 162

(CC) Be the single state office responsible for the 163
implementation of the "Uniformed and Overseas Citizens Absentee 164
Voting Act," Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 165
1973ff, et seq., as amended, in this state. The secretary of 166
state may delegate to the boards of elections responsibilities 167
for the implementation of that act, including responsibilities 168
arising from amendments to that act made by the "Military and 169
Overseas Voter Empowerment Act," Subtitle H of the "National 170
Defense Authorization Act for Fiscal Year 2010," Pub. L. No. 171
111-84, 123 Stat. 3190. 172

(DD) Adopt rules, under Chapter 119. of the Revised Code, 173
to establish procedures and standards for determining when a 174
board of elections shall be placed under the official oversight 175
of the secretary of state, placing a board of elections under 176
the official oversight of the secretary of state, a board that 177
is under official oversight to transition out of official 178
oversight, and the secretary of state to supervise a board of 179
elections that is under official oversight of the secretary of 180
state. 181

(EE) Perform other duties required by law. 182

Whenever a primary election is held under section 3513.32 183
of the Revised Code or a special election is held under section 184
3521.03 of the Revised Code to fill a vacancy in the office of 185
representative to congress, the secretary of state shall 186
establish a deadline, notwithstanding any other deadline 187
required under the Revised Code, by which any or all of the 188
following shall occur: the filing of a declaration of candidacy 189
and petitions or a statement of candidacy and nominating 190
petition together with the applicable filing fee; the filing of 191

protests against the candidacy of any person filing a 192
declaration of candidacy or nominating petition; the filing of a 193
declaration of intent to be a write-in candidate; the filing of 194
campaign finance reports; the preparation of, and the making of 195
corrections or challenges to, precinct voter registration lists; 196
the receipt of applications for absent voter's ballots or 197
uniformed services or overseas absent voter's ballots; the 198
supplying of election materials to precincts by boards of 199
elections; the holding of hearings by boards of elections to 200
consider challenges to the right of a person to appear on a 201
voter registration list; and the scheduling of programs to 202
instruct or reinstruct election officers. 203

In the performance of the secretary of state's duties as 204
the chief election officer, the secretary of state may 205
administer oaths, issue subpoenas, summon witnesses, compel the 206
production of books, papers, records, and other evidence, and 207
fix the time and place for hearing any matters relating to the 208
administration and enforcement of the election laws. 209

In any controversy involving or arising out of the 210
adoption of registration or the appropriation of funds for 211
registration, the secretary of state may, through the attorney 212
general, bring an action in the name of the state in the court 213
of common pleas of the county where the cause of action arose or 214
in an adjoining county, to adjudicate the question. 215

In any action involving the laws in Title XXXV of the 216
Revised Code wherein the interpretation of those laws is in 217
issue in such a manner that the result of the action will affect 218
the lawful duties of the secretary of state or of any board of 219
elections, the secretary of state may, on the secretary of 220
state's motion, be made a party. 221

The secretary of state may apply to any court that is 222
hearing a case in which the secretary of state is a party, for a 223
change of venue as a substantive right, and the change of venue 224
shall be allowed, and the case removed to the court of common 225
pleas of an adjoining county named in the application or, if 226
there are cases pending in more than one jurisdiction that 227
involve the same or similar issues, the court of common pleas of 228
Franklin county. 229

Public high schools and vocational schools, public 230
libraries, and the office of a county treasurer shall implement 231
voter registration programs as directed by the secretary of 232
state pursuant to this section. 233

The secretary of state may mail unsolicited applications 234
for absent voter's ballots to individuals only for a general 235
election and only if the general assembly has made an 236
appropriation for that particular mailing. Under no other 237
circumstance shall a public office, or a public official or 238
employee who is acting in an official capacity, mail unsolicited 239
applications for absent voter's ballots to any individuals. An 240
application for absent voter's ballots mailed under section 241
3509.11 of the Revised Code is not considered an unsolicited 242
application. 243

Sec. 3501.11. Each board of elections shall exercise by a 244
majority vote all powers granted to the board by Title XXXV of 245
the Revised Code, shall perform all the duties imposed by law, 246
and shall do all of the following: 247

(A) Establish, define, provide, rearrange, and combine 248
election precincts; 249

(B) Fix and provide the places for registration and for 250

holding primaries and elections;	251
(C) Provide for the purchase, preservation, and	252
maintenance of booths, ballot boxes, books, maps, flags, blanks,	253
cards of instructions, and other forms, papers, and equipment	254
used in registration, nominations, and elections;	255
(D) Appoint and remove its director, deputy director, and	256
employees and all registrars, precinct election officials, and	257
other officers of elections, fill vacancies, and designate the	258
ward or district and precinct in which each shall serve;	259
(E) Make and issue rules and instructions, not	260
inconsistent with law or the rules, directives, or advisories	261
issued by the secretary of state, as it considers necessary for	262
the guidance of election officers and voters;	263
(F) Advertise and contract for the printing of all ballots	264
and other supplies used in registrations and elections;	265
(G) Provide for the issuance of all notices,	266
advertisements, and publications concerning elections, except as	267
otherwise provided in division (G) of section 3501.17 and	268
divisions (F) and (G) of section 3505.062 of the Revised Code;	269
(H) Provide for the delivery of ballots, pollbooks, and	270
other required papers and material to the polling places;	271
(I) Cause the polling places to be suitably provided with	272
voting machines, marking devices, automatic tabulating	273
equipment, stalls, and other required supplies. In fulfilling	274
this duty, each board of a county that uses voting machines,	275
marking devices, or automatic tabulating equipment shall conduct	276
a full vote of the board during a public session of the board on	277
the allocation and distribution of voting machines, marking	278
devices, and automatic tabulating equipment for each precinct in	279

the county.	280
(J) Investigate irregularities, nonperformance of duties,	281
or violations of Title XXXV of the Revised Code by election	282
officers and other persons; administer oaths, issue subpoenas,	283
summon witnesses, and compel the production of books, papers,	284
records, and other evidence in connection with any such	285
investigation; and report the facts to the prosecuting attorney	286
or the secretary of state;	287
(K) (1) Review, examine, and certify the sufficiency and	288
validity of petitions and nomination papers, and, after	289
certification, return to the secretary of state all petitions	290
and nomination papers that the secretary of state forwarded to	291
the board;	292
(2) Examine each initiative petition, or a petition filed	293
under section 307.94 or 307.95 of the Revised Code, received by	294
the board to determine whether the petition falls within the	295
scope of authority to enact via initiative and whether the	296
petition satisfies the statutory prerequisites to place the	297
issue on the ballot, as described in division (M) of section	298
3501.38 of the Revised Code. The petition shall be invalid if	299
any portion of the petition is not within the initiative power.	300
(L) Receive the returns of elections, canvass the returns,	301
make abstracts of them, and transmit those abstracts to the	302
proper authorities;	303
(M) Issue certificates of election on forms to be	304
prescribed by the secretary of state;	305
(N) Make an annual report to the secretary of state, on	306
the form prescribed by the secretary of state, containing a	307
statement of the number of voters registered, elections held,	308

votes cast, appropriations received, expenditures made, and	309
other data required by the secretary of state;	310
(O) Prepare and submit to the proper appropriating officer	311
a budget estimating the cost of elections for the ensuing fiscal	312
year;	313
(P) Perform other duties as prescribed by law or the	314
rules, directives, or advisories of the secretary of state;	315
(Q) Investigate and determine the residence qualifications	316
of electors;	317
(R) Administer oaths in matters pertaining to the	318
administration of the election laws;	319
(S) Prepare and submit to the secretary of state, whenever	320
the secretary of state requires, a report containing the names	321
and residence addresses of all incumbent county, municipal,	322
township, and board of education officials serving in their	323
respective counties;	324
(T) Establish and maintain a voter registration database	325
of all qualified electors in the county who offer to register;	326
(U) Maintain voter registration records, make reports	327
concerning voter registration as required by the secretary of	328
state, and remove ineligible electors from voter registration	329
lists in accordance with law and directives of the secretary of	330
state;	331
(V) Give approval to ballot language for any local	332
question or issue and transmit the language to the secretary of	333
state for the secretary of state's final approval;	334
(W) Prepare and cause the following notice to be displayed	335
in a prominent location in every polling place:	336

"NOTICE	337
Ohio law prohibits any person from voting or attempting to vote more than once at the same election.	338 339
Violators are guilty of a felony of the fourth degree and shall be imprisoned and additionally may be fined in accordance with law."	340 341 342
(X) In all cases of a tie vote or a disagreement in the board, if no decision can be arrived at, the director or chairperson shall submit the matter in controversy, not later than fourteen days after the tie vote or the disagreement, to the secretary of state, who shall summarily decide the question, and the secretary of state's decision shall be final.	343 344 345 346 347 348
(Y) Assist each designated agency, deputy registrar of motor vehicles, public high school and vocational school, public library, and office of a county treasurer in the implementation of a program for registering voters at all voter registration locations as prescribed by the secretary of state. Under this program, each board of elections shall direct to the appropriate board of elections any voter registration applications for persons residing outside the county where the board is located within five days after receiving the applications.	349 350 351 352 353 354 355 356 357
(Z) On any day on which an elector may vote in person at the office of the board or at another site designated by the board, consider the board or other designated site a polling place for that day. All requirements or prohibitions of law that apply to a polling place shall apply to the office of the board or other designated site on that day.	358 359 360 361 362 363
(AA) Perform any duties with respect to voter registration and voting by uniformed services and overseas voters that are	364 365

delegated to the board by law or by the rules, directives, or 366
advisories of the secretary of state. 367

(BB) Establish and maintain a permanent absent voter list 368
of all the registered electors in the county who have opted to 369
be placed on the permanent absent voter list, including written 370
applications to be removed from the permanent absent voter list. 371

Sec. 3503.14. (A) The secretary of state shall prescribe 372
the form and content of the registration, change of residence, 373
and change of name forms used in this state. The forms shall 374
meet the requirements of the National Voter Registration Act of 375
1993 and shall include spaces for all of the following: 376

(1) The voter's name; 377

(2) The voter's address; 378

(3) The current date; 379

(4) The voter's date of birth; 380

(5) The voter to provide one or more of the following: 381

(a) The voter's driver's license number, if any; 382

(b) The last four digits of the voter's social security 383
number, if any; 384

(c) A copy of a current and valid photo identification, a 385
copy of a military identification, or a copy of a current 386
utility bill, bank statement, government check, paycheck, or 387
other government document, other than a notice of voter 388
registration mailed by a board of elections under section 389
3503.19 of the Revised Code, that shows the voter's name and 390
address. 391

(6) A box that the voter can mark in the affirmative to 392

<u>request to be placed on the permanent absent voter list under</u>	393
<u>section 3509.11 of the Revised Code;</u>	394
<u>(7)</u> The voter's signature.	395
The registration form shall include a space on which the	396
person registering an applicant shall sign the person's name and	397
provide the person's address and a space on which the person	398
registering an applicant shall name the employer who is	399
employing that person to register the applicant.	400
Except for forms prescribed by the secretary of state	401
under section 3503.11 of the Revised Code, the secretary of	402
state shall permit boards of elections to produce forms that	403
have subdivided spaces for each individual alphanumeric	404
character of the information provided by the voter so as to	405
accommodate the electronic reading and conversion of the voter's	406
information to data and the subsequent electronic transfer of	407
that data to the statewide voter registration database	408
established under section 3503.15 of the Revised Code.	409
(B) None of the following persons who are registering an	410
applicant in the course of that official's or employee's normal	411
duties shall sign the person's name, provide the person's	412
address, or name the employer who is employing the person to	413
register an applicant on a form prepared under this section:	414
(1) An election official;	415
(2) A county treasurer;	416
(3) A deputy registrar of motor vehicles;	417
(4) An employee of a designated agency;	418
(5) An employee of a public high school;	419

(6) An employee of a public vocational school;	420
(7) An employee of a public library;	421
(8) An employee of the office of a county treasurer;	422
(9) An employee of the bureau of motor vehicles;	423
(10) An employee of a deputy registrar of motor vehicles;	424
(11) An employee of an election official.	425
(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.	426 427 428 429 430 431 432 433 434 435 436
(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.	437 438 439 440 441 442
(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	443 444 445 446 447

and signature-matching purposes. 448

(F) As used in this section, "registering an applicant" 449
includes any effort, for compensation, to provide voter 450
registration forms or to assist persons in completing or 451
returning those forms. 452

Sec. 3503.20. (A) The secretary of state shall establish a 453
secure online voter registration system. The system shall 454
provide for all of the following: 455

(1) An applicant to submit a voter registration 456
application to the secretary of state online through the 457
internet; 458

(2) The online applicant to be registered to vote, if all 459
of the following apply: 460

(a) The application contains all of the following 461
information: 462

(i) The applicant's name; 463

(ii) The applicant's address; 464

(iii) The applicant's date of birth; 465

(iv) The last four digits of the applicant's social 466
security number; 467

(v) The applicant's Ohio driver's license number or the 468
number of the applicant's state identification card issued under 469
section 4507.50 of the Revised Code. 470

(b) The applicant's name, address, and date of birth, the 471
last four digits of the applicant's social security number, and 472
the applicant's Ohio driver's license number or the number of 473
the applicant's state identification card as they are provided 474

in the application are not inconsistent with the information on 475
file with the bureau of motor vehicles; 476

(c) The applicant is a United States citizen, will have 477
lived in this state for thirty days immediately preceding the 478
next election, will be at least eighteen years of age on or 479
before the day of the next general election, and is otherwise 480
eligible to register to vote; 481

(d) The applicant attests to the truth and accuracy of the 482
information submitted in the online application under penalty of 483
election falsification. 484

(B) If an individual registers to vote or a registered 485
elector updates the elector's name, address, or both under this 486
section, the secretary of state shall obtain an electronic copy 487
of the applicant's or elector's signature that is on file with 488
the bureau of motor vehicles. That electronic signature shall be 489
used as the applicant's or elector's signature on voter 490
registration records, for all election and signature-matching 491
purposes. 492

(C) The secretary of state shall employ whatever security 493
measures the secretary of state considers necessary to ensure 494
the integrity and accuracy of voter registration information 495
submitted electronically pursuant to this section. Errors in 496
processing voter registration applications in the online system 497
shall not prevent an applicant from becoming registered or from 498
voting. 499

(D) The online voter registration application under 500
division (A) of this section shall include the following 501
language: 502

"By clicking the box below, I request to be placed on the 503

permanent absent voter list under section 3509.11 of the Revised Code." 504
505

In order to be placed on the permanent absent voter list under this section, an applicant or elector shall be required to mark the box in the online voter registration application that appears in conjunction with the previous statement. 506
507
508
509

(E) The online voter registration application established under division (A) of this section shall include the following language: 510
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"By clicking the box below, I affirm all of the following under penalty of election falsification, which is a felony of the fifth degree: 513
514
515

(1) I am the person whose name and identifying information is provided on this form, and I desire to register to vote, or update my voter registration, in the State of Ohio. 516
517
518

(2) All of the information I have provided on this form is true and correct as of the date I am submitting this form. 519
520

(3) I am a United States citizen. 521

(4) I will have lived in Ohio for thirty days immediately preceding the next election. 522
523

(5) I will be at least eighteen years of age on or before the day of the next general election. 524
525

(6) I authorize the Bureau of Motor Vehicles to transmit to the Ohio Secretary of State my signature that is on file with the Bureau of Motor Vehicles, and I understand and agree that the signature transmitted by the Bureau of Motor Vehicles will be used by the Secretary of State to validate this electronic voter registration application as if I had signed this form 526
527
528
529
530
531

personally." 532

In order to register to vote or update a voter 533
registration under division (A) of this section, an applicant or 534
elector shall be required to mark the box in the online voter 535
registration application that appears in conjunction with the 536
previous statement. 537

~~(E)~~ (F) The online voter registration process established 538
under division (A) of this section shall be in operation and 539
available for use by individuals who wish to register to vote or 540
update their voter registration information online not earlier 541
than January 1, 2017. During the period beginning on the first 542
day after the close of voter registration before an election and 543
ending on the day of the election, the online voter registration 544
system shall display a notice indicating that the applicant will 545
not be registered to vote for the purposes of that election. 546

~~(F)~~ (G) Notwithstanding section 1.50 of the Revised Code, 547
if any provision of this section or of division (E) of section 548
3503.14 of the Revised Code is held invalid, or if the 549
application of any provision of this section or of that division 550
to any person or circumstance is held invalid, then this section 551
and that division cease to operate. 552

Sec. 3503.28. (A) The secretary of state shall develop an 553
information brochure regarding voter registration. The brochure 554
shall include, but is not limited to, all of the following 555
information: 556

(1) The applicable deadlines for registering to vote or 557
for returning an applicant's completed registration form; 558

(2) The applicable deadline for returning an applicant's 559
completed registration form if the person returning the form is 560

being compensated for registering voters;	561
(3) The locations to which a person may return an applicant's completed registration form;	562 563
(4) The location to which a person who is compensated for registering voters may return an applicant's completed registration form;	564 565 566
(5) The registration and affirmation requirements applicable to persons who are compensated for registering voters under section 3503.29 of the Revised Code;	567 568 569
(6) A notice, which shall be written in bold type, stating as follows:	570 571
"Voters must bring identification to the polls in order to verify identity. Identification may include a current and valid photo identification, a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a voter registration notification sent by a board of elections, that shows the voter's name and current address. Voters who do not provide one of these documents will still be able to vote by casting a provisional ballot. Voters who do not have any of the above forms of identification, including a social security number, will still be able to vote by signing an affirmation swearing to the voter's identity under penalty of election falsification and by casting a provisional ballot."	572 573 574 575 576 577 578 579 580 581 582 583 584
<u>(7) The process to request to be placed on the permanent absent voter list when completing a voter registration form.</u>	585 586
(B) Except as otherwise provided in division (D) of this section, a board of elections, designated agency, public high school, public vocational school, public library, office of a	587 588 589

county treasurer, or deputy registrar of motor vehicles shall 590
distribute a copy of the brochure developed under division (A) 591
of this section to any person who requests more than two voter 592
registration forms at one time. 593

(C) (1) The secretary of state shall provide the 594
information required to be included in the brochure developed 595
under division (A) of this section to any person who prints a 596
voter registration form that is made available on a web site of 597
the office of the secretary of state. 598

(2) If a board of elections operates and maintains a web 599
site, the board shall provide the information required to be 600
included in the brochure developed under division (A) of this 601
section to any person who prints a voter registration form that 602
is made available on that web site. 603

(D) A board of elections shall not be required to 604
distribute a copy of a brochure under division (B) of this 605
section to any of the following officials or employees who are 606
requesting more than two voter registration forms at one time in 607
the course of the official's or employee's normal duties: 608

- (1) An election official; 609
- (2) A county treasurer; 610
- (3) A deputy registrar of motor vehicles; 611
- (4) An employee of a designated agency; 612
- (5) An employee of a public high school; 613
- (6) An employee of a public vocational school; 614
- (7) An employee of a public library; 615
- (8) An employee of the office of a county treasurer; 616

(9) An employee of the bureau of motor vehicles; 617

(10) An employee of a deputy registrar of motor vehicles; 618

(11) An employee of an election official. 619

(E) As used in this section, "registering voters" includes 620
any effort, for compensation, to provide voter registration 621
forms or to assist persons in completing or returning those 622
forms. 623

Sec. 3509.11. (A) An elector may request to be placed on 624
the permanent absent voter list maintained by boards of 625
elections in accordance with this section. 626

(B) A voter registration applicant or elector may request 627
to be placed on the permanent absent voter list by doing any of 628
the following: 629

(1) Completing a written application, prescribed by the 630
secretary of state, to be placed on the permanent absent voter 631
list and returning the completed application to the board of 632
elections of the county in which the elector is registered to 633
vote; 634

(2) Marking the box in the affirmative provided on a voter 635
registration form or change of name or change of address form 636
that indicates the applicant or elector wishes to be placed on 637
the permanent absent voter list; 638

(3) Checking the box provided when registering to vote or 639
updating the elector's voter registration on the online voter 640
registration system that indicates the applicant or elector 641
wishes to be placed on the permanent absent voter list; 642

(4) Marking the box provided on an application for an 643
absent voter's ballot that indicates the voter wishes to be 644

placed on the permanent absent voter list. 645

(C) An elector may be removed from the permanent absent voter list if either of the following occur: 646
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(1) The elector submits in writing, on a form prescribed by the secretary of state, to the appropriate board of elections a request to be removed from the permanent absent voter list. 648
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(2) The elector's voter registration is canceled under section 3503.21 of the Revised Code. 651
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(D) Each board of elections shall mail an absent voter ballot application for an election to each elector listed on the board's permanent absent voter list not later than forty-five days before the close of voter registration for that election. An absent voter ballot application mailed under this section is not considered an unsolicited application under section 3501.05 of the Revised Code. 653
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Section 2. That existing sections 3501.05, 3501.11, 3503.14, 3503.20, and 3503.28 of the Revised Code are hereby repealed. 660
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